

Ordinance No. 127

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# **Upper Milford Township**

## **Subdivision and Land**

# **Development Ordinance**

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Lehigh County, Pennsylvania

Adopted by the Upper Milford Township Board of Supervisors on  
March 18, 2010.

Development Regulation Consultant

Urban Research and Development Corporation  
Bethlehem, Pennsylvania



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**Article 1**  
**General Provisions**

101. TITLE. An Ordinance of Upper Milford Township, Lehigh County, Pennsylvania providing for: the regulation and control of the subdivision of lots and the development of land; the approval of plans, plots, or replots of land laid out in building lots; standards for the design of streets, lots, easements, blocks and other improvements; certain minimum improvements and construction standards on streets and improvements; financial security requirements for improvements; the administration of this Ordinance by the Upper Milford Township Planning Commission and Board of Supervisors; and penalties for the violation of this Ordinance.
102. SHORT TITLE. This Ordinance shall be known and may be cited as "The Upper Milford Township Subdivision and Land Development Ordinance" of 2010.
103. PURPOSES. The purpose of these regulations is to create conditions favorable to the health, safety, and general welfare of the citizens by assisting in the orderly and efficient integration of subdivisions; Ensuring conformance of subdivision plans with the public improvements plans of the Township; Ensuring sites suitable for building purposes and human habitation; Facilitating the efficient movement of traffic and avoiding traffic hazards and congestion; Securing equitable handling of all subdivision plans by providing uniform procedures and standards; Improving land records by establishing standards for surveys and plans; Safeguarding the interests of the public, the homeowner, the subdivider and the municipality; Preserving natural and historic features; and Carrying out the goals and objectives of the Comprehensive Plan and the PA. Municipalities Planning Code.
104. APPLICABILITY.
- 104.A. No subdivision or land development of any lot, tract, or parcel of land shall be made, and no street, sanitary sewer main, water main or other improvements required in connection with a proposed subdivision or land development shall be constructed, opened or dedicated for use of the public or the occupants of the proposed subdivision or land development, and no building that first needs land development approval shall be constructed, except in accordance with this Ordinance.
- 104.B. A lot or parcel that was not a legal lot of record prior to adoption of this Ordinance shall not be created, sold or transferred, and no land development may occur on a lot unless and until:
1. the subdivision of the lot and/or the approval of the land development, as applicable, has been granted Final Plan approval and any subdivision has been recorded and
  2. either of the following occurs, as provided in Section 801:
    - a. the Township has been assured by means of a Development Agreement and guarantees acceptable to the Board of Supervisors that the improvements will subsequently be installed, or
    - b. the required improvements in connection therewith have been entirely completed.

- 104.C. Previous Subdivisions. If a parent tract of land has been the subject of the creation of 2 or more new lots within the previous 5 years, then any subdivision submittal involving that parent tract shall be required to meet the requirements for a major subdivision.
- 104.D. Landowner. No subdivision or land development shall be submitted to the Township for review except by the landowner of such land or his/her specifically authorized agent (see definition of "landowner" in Article 2, which includes equitable owner).
- 104.E. Zoning. All subdivisions and land developments shall comply with the Township Zoning Ordinance and other relevant Township codes and ordinances.
105. EXEMPTIONS.
- 105.A. Agriculture. The subdivision by lease of land solely for agricultural purposes into parcels of more than 10 acres, not involving any new road or easement of access or residential dwelling, shall be exempted from the regulations of this Ordinance.
- 105.B. Revisions to Township Regulations After Submittal of an Application. Section 508(4) of the State Municipalities Planning Code shall apply.
106. INTERPRETATION.
- 106.A. Standards.
1. The provisions of this Ordinance shall be interpreted and applied as minimum requirements for the promotion of the public health, safety, convenience and general welfare.
  2. Where provisions, standards, and specifications of this Ordinance conflict with those of any State statute, other ordinance or regulations, the more restrictive requirement shall apply, regardless of its source, unless specified to the contrary.
- 106.B. Illustrations. The illustrations in this Ordinance are for general illustrative purposes, and are not part of the regulations of this Ordinance.
107. MODIFICATIONS AND WAIVERS.
- 107.A. An applicant seeking a modification or waiver to this Ordinance shall submit to the Township staff a request in writing that states a) the specific Ordinance section(s) involved and b) the reasons for the request. The staff shall provide the request to the Planning Commission for a recommendation. After the Planning Commission has had an opportunity for review at a meeting, the Board of Supervisors may in writing grant a waiver or modification to the specific requirements of this Ordinance.
1. This Section is established under Section 503(8) of the State Municipalities Planning Code, which authorizes waivers and modifications “when the literal compliance with mandatory provisions is shown to the satisfaction of the” Board of Supervisors “to be unreasonable, to cause undue hardship or when an alternative standard can be demonstrated to provide equal or better results.”

2. A modification involves the Supervisors approving a specific alternative standard, while a waiver involves the Supervisors removing a specific requirement as it pertains to an application.
- 107.B. The applicant must prove that the request will meet one or more of the following conditions:
1. avoid an undue hardship that was not self-created and that is not financial in nature, and that results from the peculiar and uncommon conditions of the property; or
  2. avoid a clearly unreasonable requirement; or
  3. allow an alternative standard that is clearly proven by the applicant to provide equal or better results.

107.C. Additional Modifications Allowed.

1. In addition to the authority granted above, the Board of Supervisors shall have the authority to modify specific requirements of this Ordinance listed in subsection “2.” below for an application in order:
  - a. To result in a higher quality site design, including a design that is more pedestrian-friendly, encourages lower speed traffic on residential roads and/or promotes patterns of development similar to traditional villages; and/or.
  - b. To significantly minimize adverse impacts upon important natural features, scenic views and historic buildings.
2. A modification under this Section 107.C. shall not be primarily intended to result in the allowance of a higher number of lots/dwelling units on a tract than would otherwise be possible. A modification under this Section may include the following:
  - a. Reduction in the minimum horizontal curve radius of roads to promote lower-speed traffic.
  - b. Variations in the design of cul-de-sac road ends.
  - c. Reduction of road cartway widths and provisions for alleys to provide rear access to properties, considering the expected traffic volumes, on-street parking and traffic speeds.
  - d. Allowance of roadside drainage swales without curbing where curbing is not necessary for storm water management reasons.
  - e. Variations in landscaping and buffer yard requirements that still achieve a similar effect to what would otherwise be required.
  - f. Allowance of shared driveways where necessary to minimize impacts upon natural resources and to manage traffic access onto through-roads.
  - g. Allowance of flag lots where necessary to minimize impacts upon natural resources.

108. FEES.

- 108.A. The Board of Supervisors has established a schedule of fees, requirements for escrow accounts, and a collection procedure for all applications and other matters pertaining to this Ordinance. The applicant shall pay the reasonable charges by the Township’s Engineer and other professional consultants for review of the proposed project and for related preparation of reports and meeting time. At the time of submittal of a final plan, the applicant shall also

be required to deposit funds into the escrow account to pay the anticipated costs of the Township's Engineer and other professional consultants to oversee the system of financial security of improvements and for inspections. This schedule of fees may be amended by resolution of the Board of Supervisors.

- 108.B. The applicant is also required to pay any review fees and/or permits required by the Lehigh Valley Planning Commission, any utility provider and the Lehigh County Conservation District, as well as any other applicable agencies.
- 108.C. Plans shall not be considered filed until all Township fees are paid and the applications are properly signed as required.
- 108.D. If the expenses of the Township for reviews of a subdivision or land development exceed the total fees that have been paid or placed in escrow by an applicant, additional funds shall be required to be deposited by the applicant. If expenses exceed the amount placed into escrow, such excess expenses shall be paid by the applicant prior to release of the Final Plans by the Township for recording. If the funds exceed the amount of the expenses, the excess shall be refunded to the applicant.

109. REVISED PLANS, ALTERNATE PLANS, AND RESUBDIVISIONS.

109.A. Alternate Plans. Only one preliminary or final plan concerning any one specific area of land shall be before the Township as part of an official approval process at any one moment in time, unless specifically allowed in advance by the Planning Commission. An applicant may submit multiple sketch plan alternatives or plans showing various phases.

109.B. Revisions and Resubdivisions.

- 1. Until a submission is approved or rejected by the Board of Supervisors, the Applicant may withdraw the submission and submit a Revised Plan following the submission and review procedures which apply to that Plan. For any submittal of a revision of a previously submitted plan, the Township may require the applicant to submit additional amounts into an escrow account or other fees if needed based upon the Township's expenditures on the review up to that time.
- 2. A revision or resubdivision of a recorded plan or a Final Plan approved by the Board of Supervisors shall be considered as a new subdivision and shall comply with all of the regulations of this Ordinance.
- 3. If the Township staff determines that a revision of a previously approved plan is only to correct erroneous data or minor omissions or revise engineering details or supporting documentation, the plan may be submitted under the simplified requirements and procedures of Section 704.

110. TOWNSHIP RECORDS. The Township Staff shall keep accurate written records of all actions by the Township Planning Commission and Board of Supervisors involving the administration of this Ordinance. Such records shall be open for public review.

111. AMENDMENTS TO THIS ORDINANCE.



- 111.A. The regulations set forth in this Ordinance may, from time to time, be amended by the Board of Supervisors, following the procedures of the PA. Municipalities Planning Code, as amended, including a Supervisors public hearing (with public notice required by the Municipalities Planning Code) and the required legal advertisement.
- 111.B. Reviews. The Township shall submit each proposed amendment (other than an amendment prepared by or under the direction of the Planning Commission) to the Planning Commission for recommendations at least 30 days prior to the date set for the Supervisors public hearing. The Township shall submit any proposed amendment to the County Planning Commission at least 30 days before the public hearing on such amendment.
- 112. APPEALS TO COURTS. Decisions of the Board of Supervisors may be appealed in accordance with the PA. Municipalities Planning Code, as amended.
- 113. ENFORCEMENT.
  - 113.A. Inspectors. The Board of Supervisors shall authorize one or more persons, which may include the Zoning Officer, Codes Administrator and the Township Engineer and his/her representatives, to enforce the provisions of this Ordinance and the accompanying design standards and improvement specifications.
  - 113.B. Inspection. Any action under this Ordinance is subject to on-site inspection by the Township or its authorized representatives to ensure compliance with this Ordinance, other Township Ordinances and the approved plans.
  - 113.C. Remedies. Any action inconsistent with the provisions of this Ordinance shall be subject to an Enforcement Notice, which may include a cease and desist order, and other appropriate measures by the Board of Supervisors or their authorized representatives.
- 114. PENALTIES.
  - 114.A. Any person, partnership or corporation who or which has violated any provisions of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Board of Supervisors or their authorized representatives, pay a judgement of not more than \$500 plus all court costs, including reasonable attorneys fees incurred by the municipality as a result thereof, unless a higher penalty is established under State law. This shall include, but not be limited to, any person, partnership or corporation that accomplishes any act listed under Section 104 "Applicability" without following the applicable procedures of this Ordinance.
  - 114.B. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.
  - 114.C. 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 the ordinance to have believed that there was

no such violation, in which event there shall be deemed to have been only one such violation until the fifth 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 separate violation. Imprisonment shall not be authorized as a penalty under this Ordinance.

- 114.D. See also the "Remedies" provisions of Section 113.C. of this Ordinance. All fines collected for such violations shall be paid over to the Township.
115. LIABILITY. Neither the approval nor the granting of any building permit, floodplain permit, site plan review, subdivision approval, land development approval, zoning permit, erosion review, storm water runoff review, wetland delineation or wetland review, steep slope review or any other review or permit of this Ordinance, involving any land governed by the provisions of this Ordinance, by an officer, employee, consultant or agency of the Township, shall constitute a representation, guarantee or warranty of any kind by the Township or its employees, consultants, officials or agencies of the practicality or safety of any structure, use or subdivision and shall create no liability upon, nor a cause of action against any Township body, consultant, official or employee for any damage that may result pursuant thereto.
116. SEVERABILITY. It is hereby declared to be the legislative intent that:
- 116.A. If a court of competent jurisdiction declares any provisions of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which 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.
- 116.B. The Board of Supervisors hereby declares that it would have passed this Ordinance and each section or part thereof irrespective of the fact that any one or more sections or parts thereof be declared invalid.
117. REPEALER. All other Township ordinances or parts thereof that were adopted prior to this Ordinance and are clearly in conflict with this Ordinance, including the pre-existing Upper Milford Township Subdivision and Land Development Ordinance, as amended, except any provisions that are specifically referenced by this Ordinance, are hereby repealed.
118. PA. PLANNING CODE AMENDMENTS. The provisions of this Ordinance that only repeat, summarize or reference provisions of the PA. Municipalities Planning Code shall be deemed to be automatically superceded and replaced by any applicable amendments to such provisions of the PA. Municipalities Planning Code at the date such amendments become effective as State law.
119. EFFECTIVE DATE. This Ordinance shall become effective 5 days after enactment by the Board of Supervisors.

120. ENACTMENT. Enacted and ordained into an Ordinance this day of 18 March  
2010.

ATTEST:

*Timothy O'Shaughnessy*  
Township Secretary

**UPPER MILEORD TOWNSHIP  
BOARD OF SUPERVISORS**

*[Signature]*  
Chairman

*Daniel J. Mohr*  
Vice – Chairman

*[Signature]*  
Supervisor

**Article 2**  
**Definitions**

201. GENERAL INTERPRETATION.

201.A. For the purposes of this Ordinance, words and terms used herein shall be interpreted as listed in Section 202 of this Ordinance.

201.B. **If a word is not defined by this Ordinance, but is defined by the Zoning Ordinance as amended, then the Zoning Ordinance definition shall apply to this Ordinance.**

201.C. The word "includes" shall mean to specifically include an item but not necessarily be limited to such items.

201.D. Any word or term not defined in this Article or the Zoning Ordinance have a meaning of standard usage as determined by the Planning Administrator, within the context of the word's use within the applicable section of this Ordinance.

202. DEFINITIONS. When used in this Ordinance, the following words, terms and phrases shall have the following meanings, unless expressly stated otherwise or unless the context clearly indicates otherwise:

Abutting Lots. Two lots that are directly contiguous and/or are only separated from each other by a railroad or a creek. See also "Adjacent Lots."

Access Drive. A private minor vehicular right-of-way, other than a road / street or a driveway, providing access from a road/street to three or more principal buildings within one lot.

Adjacent Lots. Two lots that are abutting or that are only separated by a street.

Administrator. See Planning Administrator.

Alley. A right-of-way of less than 20 feet right-of-way width, privately or publicly owned, that primarily provides vehicular access to the rear of properties and does not serve through traffic.

Applicant. A landowner or developer, as defined in this section, who has filed an application for development including his/her heirs, successors, and assigns.

Average Daily Traffic Volume. The total number of motor vehicles traveling on a road or street during an average weekday, other than a Friday, Saturday or Sunday.

Block. An area of land or a lot or group of lots, bounded by roads, public parks, railroad rights-of-way, watercourses or bodies of water, boundary lines of the Township or by any combination of the above.

Board of Supervisors. The Board of Supervisors of Upper Milford Township.

Boundary Line Adjustment. Shall have the same meaning as "lot line adjustment."

Buffer Yard. The definition in the Zoning Ordinance shall apply.

Cartway. The paved portion of a street used for vehicular travel, exclusive of a paved or unpaved shoulder.

Clear Sight Triangle. A triangular area required to be designed at road intersections to avoid the placement of certain types of sight obstructions. This triangular area is defined by lines along each road, connected by a third longer leg of the triangle.

Commission. The Planning Commission of Upper Milford Township.

Common Open Space. The definition in the Zoning Ordinance shall apply.

Community Sewer System. A central sewage disposal system that serves a given area and is not publicly owned.

Community Water System. A central water supply system that serves a given area and is not publicly owned. \_\_\_\_\_

Condominium. A type of ownership arrangement, not a land use, wherein parts of a building typically are owned separately by persons, and other parts such as halls, stairs, parking areas and recreation areas are owned jointly by such persons. A condominium may be residential, commercial, or industrial in nature. See also the definition in the State Uniform Condominium Act and the definition of "Unit" in the State Planned Communities Act.

Conservation District. The Lehigh County Conservation District.

Contour Line. A line on a topographical map connecting points of like elevation.

Cross Section. A profile of existing ground at right angles to the centerline.

Crown. The height of the center of a roadway surface above its edges.

Culvert. A pipe, conduit or similar structure including appurtenant works, which carries surface water.

Curb. The raised edge of a pavement that confines surface water to the pavement and protects the abutting land from vehicular traffic.

Cut. To lower the level of the surface of an existing grade, or the vertical distance from the existing ground surface to the planned grade line at a given point.

Days. Calendar days.

DEP. The Pennsylvania Department of Environmental Protection, and its successor agencies.

Developer (or Subdivider). Any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development.

Development. Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, the placement of mobile homes, streets and other paving, utilities, mining, dredging, filling, grading, excavation or drilling operations and the subdivision of land, as well as sewage disposal systems and water supply systems.

Driveway. A vehicle travelway that provides access from a street / road to one or two lots, and which is not an “Access Drive.”

Driveway, Shared. A driveway that provides access to two lots.

Dwelling Types. The definitions in the Township Zoning Ordinance shall apply.

Easement. A limited right of use granted on private land for public or private use by another party or parties, or a protective condition, as in the case of drainage easements for protection and/or preservation of a specified area.

Engineer, Professional. A person licensed to practice as a professional engineer in the Commonwealth of Pennsylvania.

Engineer, Township. The registered professional engineer designated by the Board of Supervisors to perform all duties required of the Township Engineer by the provisions of this Ordinance.

Farm Building. A building that is primarily used for the storage of crops or farm equipment or for the raising of livestock or poultry.

Finished Grade. The proposed elevation of the land surface of a site after the completion of all site improvement work.

Floodprone Area. A relatively flat or low land area adjoining a stream, river or watercourse that is subject to partial or complete inundation; or any area subject to the unusual and rapid accumulation or runoff of surface waters from any source.

Grade. The elevation of ground or paving.

Grading. All construction operations between site clearing and building or paving. Grading includes excavating, hauling, spreading and compacting operations.

Improvement Agreement or Development Agreement. An agreement in a form and manner acceptable to Township requiring a developer to install the improvements required by this Ordinance or which appear on the official approved plans.

Land Development. Land Development shall include any of the following activities, unless such definition is revised by a later amendment of the Pennsylvania Municipalities Planning Code:

1. The improvement of 1 or 2 or more contiguous lots, tracts or parcels of land for any purpose involving either or both of the following:
  - a. A group of 2 or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single principal nonresidential building on a lot or lots regardless of the number of occupants or tenure, or
  - b. The division or allocation of land or space, whether initially or cumulatively, between or among 2 or more existing or prospective occupants by means of, or for the purpose of, streets, common areas, leaseholds, condominiums, building groups, or other features.
2. A subdivision of land.
3. The following activities are excluded from the definition of land development only when such land development involves the following:
  - a. The conversion of an existing single-family detached dwelling or single-family semi-detached dwelling into not more than 3 residential units, unless such units are intended to be a condominium; or
  - b. The addition of an accessory structure including a farm building on a lot or lots subordinate to an existing principal building.

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

Lot. A designated parcel, tract, or area of land established by a plat or otherwise as permitted by law and to be used, developed, or built upon as a unit.

Lot Line Adjustment. The revision or deletion of one or more lot lines in such a way that all of the following are true:

- A. no new lots will be created beyond what was previously approved,
- B. no additional road/street segments or significant changes in alignment are proposed other than what was previously approved,
- C. no additional nonconformities will be created under the Township Zoning Ordinance, and
- D. no new land development will occur other than a land development that was previously approved or buildings to support "crop farming."

Lot, Reverse Frontage. A lot extending between and having frontage on a minor street and either an arterial or collector street, with vehicular access solely from the minor street. The front setback regulations of the zoning district in which the lot is located shall apply to both street frontages.

Maintenance Agreement. An agreement in a form and manner acceptable to the Board of Supervisors requiring the developer of required improvements to make any repairs or reconstructions and to maintain such improvements for a certain period.

Maintenance Guarantee. Financial security which is acceptable to the Township to secure the promise made by a developer in the Maintenance Agreement that required improvements shall be maintained by the developer. (Note: These guarantees typically include acceptable letters of credit, performance bonds, escrow agreements, and other similar collateral or surety agreements).

Major and Minor Subdivisions. See Subdivision, Major and Subdivision, Minor.

Modification. A process authorized under Section 107 that allows the Board of Supervisors to approve a specific alternative standard.

Municipalities Planning Code. The Pennsylvania Municipalities Planning Code, as amended.

One Hundred Year Flood. A flood that, on the average, is likely to occur every 100 years, (such as that has a 1 percent chance of occurring each year, although the flood may occur in any year).

Open Space. The area of a lot unoccupied by principal or accessory structures, streets, driveways, parking areas; but may include areas occupied by walkways, picnic pavilions, play equipment and other noncommercial outdoor recreation facilities.

Open Space, Common. The definition in the Zoning Ordinance shall apply.

Open Space, Public. Common open space owned by a government agency or the Township for public recreation.

Ordinance, This. The Upper Milford Township Subdivision & Land Development Ordinance, as amended, and any provisions thereof, enacted by the Board of Supervisors.

Pathway. A pedestrian accessway which is not adjacent to a road/street or access drive and conforms with this Ordinance.

PennDOT. The Pennsylvania Department of Transportation.

Performance Guarantee. Financial security which is acceptable to the Board of Supervisors to ensure that the developer will install required improvements. (Note: This typically includes acceptable letters of credit, performance bonds, escrow agreements, and other similar collateral or surety agreements).

Plan. A map of a land development or subdivision and accompanying notations.

1. Sketch Plan. An informal plan, identified with the title "Sketch Plan" on the map, indicating the general layout of the proposed subdivision or land development.
2. Preliminary Plan. A complete plan identified with the title "Preliminary Plan" accurately showing proposed roads/streets and lot layout and such other information as required by this Ordinance.



3. Final Plan. A complete and exact plan identified with the title "Final Plan" including the plan prepared for official recording as required by this Ordinance.

Planning Administrator or Subdivision Administrator. The staff-person(s) charged by the Board of Supervisors with the responsibility of administering the subdivision application submission procedure.

Planning Commission. Unless otherwise stated, shall mean the Upper Milford Township Planning Commission.

Profile. A line on a drawing which shows elevations of points along a selected route. A profile usually shows both ground elevations and grade elevations.

Public Meeting, Regular Planning Commission. Shall mean a regular meeting of the Township Planning Commission at which such Commission is authorized to conduct official action and which has been scheduled based upon an annual meeting schedule (as may be adjusted by the Chairperson) and which is not a workshop meeting or the official public meeting on an ordinance amendment.

Public Notice. As defined by the PA. Municipalities Planning Code. (Note - As of 2008, this included the following definition: "Notice published once each week for two successive weeks in a newspaper of general circulation in the Township. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than 7 days from the date of the hearing.")

Public Sewer. A sewage disposal system that is owned and operated by a local government authority or by a local public utility company controlled by a government authority.

Public Water. A water supply system that is owned and operated by a local government authority or by a local public utility company controlled by a government authority.

Recreation Land. Land intended for non-commercial recreation by residents of a development or by the general public, and which meets the requirements of Section 1007.

Right-of-Way. A legal right of passage across land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric or telecommunication transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees, or for another special use. If the right-of-way involves maintenance by a public agency, it shall be dedicated to public use by the maker of the plat on which such right-of-way is established.

Sewage Disposal System. A system designed to collect, treat and dispose of sewage from users in compliance with regulations of PA. DEP and the Township.

1. Central Sewage Service. Service by a sewage disposal system which collects, treats and disposes sewage from more than one lot.
  - a. Public Sewage Service. Service by "Public Sewer" as defined above.
  - b. Community Sewer Service. Service by a "Community Sewer System," as defined above.

2. On-Lot Sewage System. A sewage disposal system which collects, treats and disposes of sewage or holds sewage from only one lot.

Sidewalk. A pedestrian accessway which is adjacent to a road/street or access drive and conforms to the regulations of this Ordinance.

Sight Triangle. The provisions in Section 403 of the Zoning Ordinance shall apply.

Soil Survey. The latest version of the official Soil Survey of Lehigh County, published by the U.S. Natural Resource (formerly “Soil”) Conservation Service, or more updated and detailed information prepared by such agency.

State or Commonwealth. The government of the Commonwealth of Pennsylvania and its relevant subparts.

State Planning Code. The Pennsylvania Municipalities Planning Code, as amended.

Steep Slope. An area of 15 percent or greater slope.

Street or Road. A public or private way, excluding driveways, alleys, and access drives, that affords the principal means of access to abutting properties intended to be used by vehicular traffic or pedestrians. Includes street, avenue, boulevard, road, highway, freeway, lane, viaduct, and any other dedicated and accepted public right-of-way or private right-of-way. The term “street” and “road” shall have the same meaning. Any vehicle access that serves 3 or more lots, other than an alley, shall be considered to be a “street.”

Street or Road Classifications. The functional classifications of streets/roads shall follow the Zoning Ordinance. Such classifications may be amended through an amendment of such this Ordinance. Streets are classified as Arterial Streets, Collector Streets and Local Streets. An alley is a minor right-of-way, privately or publicly owned, primarily for vehicular access to the rear of properties.

Street or Road, Cul-de-Sac. A type of street which is terminated at one end by a permitted turn-around and which intersects another street at the other end.

Street Grade. The officially established grade of the road/street upon which a lot fronts or, in its absence, the established grade of other roads/streets upon which the lot abuts at the midway of the frontage of the lot thereon. If there is no officially established grade, the existing grade of the road/street at such midpoint shall be the street grade.

Street Line. A line defining the edge of a road/street right-of-way and separating the road/street from abutting property or lots. This is commonly known as the street “right-of-way line”.

Street or Road, Marginal Access. A type of local road/street which is parallel and adjacent to collector or arterial road/streets and provides access to abutting properties.

Street or Road, Private. A road/street that is not owned or maintained by the State or the Township.

Subdivider. See "Developer."

Subdivision.

1. The division or redivision of a lot, tract or parcel of land by any means into 2 or more lots, tracts, parcels, or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development.
2. The subdivision by lease of land for agricultural purposes into a parcel of more than 10 acres, not involving any new street or easement of access or residential dwellings, is not a subdivision.

Subdivision, Major. A “subdivision” that does not meet the definition of a “Subdivision, Minor.”

Subdivision, Minor. A subdivision involving not more than 3 total residential or agricultural lots and which does not involve the construction of a new street.

Subdivision Ordinance. The Upper Milford Township Subdivision and Land Development Ordinance, as amended.

Substantially Completed. In the judgment of the Township Engineer at least 90 percent (based upon the cost of the required improvements for which financial security was posted) 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.

Township. The Upper Milford Township, Lehigh County, Pennsylvania. Unless otherwise stated, this shall mean the Board of Supervisors and their authorized agents.

Tree. A perennial woody plant having a main trunk with a diameter of 1.5 inches or greater, unless a differing measurement is provided for a specific purpose of this Ordinance.

USGS. United States Geological Survey, or its successor agency.

Vehicle Trip. A vehicle movement in one direction with the origin or destination within the study area.

Waiver. A process authorized under Section 107 that allows the Supervisors to remove a specific requirement as it applies to an application.

Walkway. A strip of land including a right-of-way dedicated to public use in order to facilitate pedestrian access through or into a block.

Watercourse. Any natural or artificial waterway, stream, river, creek, ditch, channel, millrace, canal, conduit, gully, ravine or wash in which water flows in a definite direction or course, either continuously or intermittently, and which has a definite channel and bed

and shall include any area adjacent thereto subject to inundation by reason of overflow of floodwaters.

Water, Central System or Service. Service by a water system which transmits water from a common source to more than one lot.

- A. Community Water Service. Service by a “Community Water System” as defined above.
- B. Public Water Service. Service by a “Public Water” system as defined above.

Water, On-Lot System or Service. Service by a water system which transmits water from a source on the lot to only one lot.

## ARTICLE 3 Overview of General Procedures

301. PURPOSE. This Article summarizes the general procedures for the submission and review of proposed subdivisions and land developments. This Article is only a general explanation and is not binding on the Township or an Applicant. See the actual provisions of the other Articles of this Ordinance.
302. GENERAL PROCEDURE FOR SUBDIVISIONS AND LAND DEVELOPMENTS.
- 302.A. Review and Approval Stages. Three types of plan submissions are established: Sketch, Preliminary, and Final, as outlined below.

Stage	Article of this Ordinance	Land Development	Type of Proposed Subdivision or Land Development*	
			Major Subdivision	Minor Subdivision or Lot Line Adjustment
Sketch Plan	4	Recommended	Recommended	Recommended
Preliminary Plan ***	5	Required****	Required***	Not Required
Final Plan	6	Required	Required	Required**
Guarantee of Improvements Installation	See Article 8			
Recording of Final Plan	See Article 9			

\* See definitions in Article 2.

\*\* See Article 7 for Minor Subdivision Final Plan submission and review requirements. See Section 704 for submission requirements for a lot line adjustment.

\*\*\* At their option, the Board of Supervisors may grant combined Preliminary/Final Plan approval if the preliminary plan submission meets the requirements of a final plan submission and if the Board of Supervisors determine that there are no outstanding matters.

\*\*\*\* Except where exempted by Section 502.

302.B. Sketch Plan. While a Sketch Plan is not required, it is strongly recommended that it be filed to allow the Applicant to consult early and informally with the Planning Commission before preparing a Preliminary Plan. This will often avoid expensive redesign and delay to the applicant.

302.C. Preliminary Plan. Preliminary plans are required to be submitted for any major subdivision and for certain land developments, as described above.

302.D. Final Plan. After approval of the Preliminary Plan of a major subdivision or certain land developments, and to obtain approval of a minor subdivision, the Applicant files a Final Plan. A Final Plan must be approved prior to recording of the plans by the County and prior to the sale of any lots or the construction of any buildings (see Article 9).

302.E. Guarantee of Improvements Installation. Where improvements are required by this Ordinance, in most cases, the Township will require that the Applicant enter into an improvement agreement including the posting of financial security sufficient to guarantee the costs of any improvements which may be required. See Article 8.

303. GENERAL PLAN SUBMISSION PROCEDURES.

303.A. Submission. Sketch, Preliminary and Final Plans and all required accompanying information are required to be submitted to the Township Staff by delivery in person.

303.B. Attendance. The Applicant or his/her duly authorized representative should endeavor to attend the Commission meeting to discuss the filed plans. If the applicant fails to appear at a meeting where the plans will be considered, it may result in plan disapproval, if the Township determines that it resulted in insufficient information to render approval.

303.C. Action by the Commission and the Board of Supervisors. The Planning Commission advises the Board of Supervisors on proposed plans. The Board of Supervisors has the authority to approve or deny those plans. There are time limits in State law for approval of a subdivision or land development, unless the applicant grants a time extension.

## ARTICLE 4 Sketch Plan

401. PRE-PLAN CONSULTATION. Prior to submitting a Sketch Plan, applicants for developments are encouraged to informally discuss their proposal with the Zoning Officer and/or other appropriate Township Staff. See also discussion of a Site Tour in Section 501.
402. SKETCH PLAN SUBMISSION REQUIREMENTS. Prior to the submission of a Preliminary Plan, applicants are very strongly encouraged to submit a Sketch Plan. **A Sketch Plan Review often allows an applicant to save substantial time and engineering costs, because many concerns about layout and issues concerning Township Ordinances can be resolved prior to detailed engineering. This can often reduce the need for future redesign at a more detailed stage, thereby saving the applicant significant money and time.** When submitted, Sketch Plans shall include the following information:
- A. Submission Requirement. If submitted, 11 print copies of the Sketch Plan and the accompanying application should be submitted to the Township Staff prior to a regular Township Planning Commission meeting. It is requested that a Sketch Plan be provided at least 14 days before a Planning Commission meeting where it will be discussed.
  - B. Drawing Requirements. Any Sketch Plan shall be drafted to approximate scale and is **recommended** to include the following as applicable:
    - 1. Boundary line of the development.
    - 2 Existing Resources and Site Analysis Map: The approximate location of the following:
      - a. Any concentrations of steeply sloped lands (such as 15 to 25%, & greater than 25%)
      - b. Locations of watercourses (with any name), natural springs, ponds, lakes and suspected wetlands (Note - where a detailed wetland study has not been completed, applicants are requested to review the locations of “hydric” soils in the Lehigh County Soil Survey to provide an initial indication of areas are likely to include some wetland areas).
      - c. Any known sinkholes and topical depressions
      - d. Any areas within the 100 year floodplain
      - e. Suggestions from the applicant regarding possible locations of any proposed common open space or recreation land or whether the applicant seeks to pay recreation fees, if applicable
      - f. Any major easements or proposed recreation trails, existing trails and trail easements
      - g. Principal buildings estimated to be 80 years or older that could be impacted by the project
      - h. Major existing utility easements/rights-of-ways that might affect development layout
      - i. Approximate locations of treelines and existing forested areas.

3. Conceptual proposed lot and street layout with approximate areas of lots (such as "2 acres").
4. Site data including:
  - a. Acreage of the entire tract
  - b. Number of lots and types of dwelling units (if residential)
  - c. Zoning District and major applicable lot area and setback requirements
5. North point and scale and a tentative name of the project (may be the developer's name).
6. Approximate proposed locations of any non-residential buildings (if known) and statement of the general proposed types of any non-residential uses.
7. A map showing the general location of the project in relation to nearby roads/streets and creeks (may be a photocopy of USGS or Township base map or a commercial map).
8. Tentative approximate locations of any storm water detention basins and any major stormwater drainage channels.
9. Note stating the general methods of providing water and sewer service
10. Names of any adjacent non-residential uses and any zoning district boundaries in the area.
11. Name and address of person responsible for the preparation of the plan and the date of preparation.

403. SKETCH PLAN REVIEW PROCEDURES.

- A. No official action shall be taken on a sketch plan. The Township shall not be bound by comments made or not made as part of a sketch plan review.
- B. The Township should distribute copies of the sketch plan to the Township Engineer, the relevant Township staff-person and the Planning Commission for advisory reviews.
- C. The sketch plan should be reviewed by the Planning Commission and the Board of Supervisors, with any comments reported to the applicant or his/her representative. It is recommended that the following matters be emphasized in a review of a sketch plan:
  1. The suitability of areas proposed for development and areas proposed as open space.
  2. The most suitable methods of providing street access, including access points onto existing streets, and possible interconnections with existing streets or streets within approved developments.
  3. Methods to reduce the total percentage of the site that will be re-graded, paved or de-forested.



- D. LVPC Review. The Township may forward a copy of the sketch plan to the Lehigh Valley Planning Commission, for any informal review if the Township believes it may have significant impacts.

**Article 5**  
**Preliminary Plans for Major Subdivisions**  
**and Certain Land Developments**

501. INITIAL STEPS.

501.A. Pre-Submission Consultation. Applicants are encouraged to informally discuss their proposals with applicable Township Staff persons or other Township officials before preparing engineered plans.

501.B. Site Tour. Applicants are very strongly encouraged to cooperate in an on-site tour of the property by Township officials. This site tour should be scheduled as soon as possible after the applicant has provided copies of a map of existing conditions. At best, this would occur after a sketch plan has been submitted, but before preliminary plans have been completed.

1. This site tour is intended to informally:

- a. familiarize Township officials with the property's existing features, particularly including scenic views and the site's relationship to surrounding areas,
- b. identify potential site design issues that will need to be addressed, and
- c. discuss site design concepts, including the general layout of proposed development and open spaces.

2. Comments made during the site visit shall not be binding upon the Township, and no formal action or recommendation shall be made during the site visit.

501.C. Sketch Plan. Prior to the submission of a Preliminary Plan, applicants are very strongly encouraged to submit a Sketch Plan. **A Sketch Plan Review often allows an applicant to save substantial time and engineering costs, because many concerns about layout and issues concerning Township Ordinances can be resolved prior to detailed engineering. This can often reduce the need for future redesign at a more detailed stage, thereby saving the applicant significant money and time.** No official action is required on a sketch plan, so it will not delay the submittal of a preliminary plan.

502. SUBMISSION AND REVIEW PROCEDURE.

502.A. Preliminary Plan Submission Required.

1. **A Preliminary Plan Submission for a Major Subdivision or Land Development (except as provided in part A.2. below) meeting all of the requirements of this Article shall be filed by the Applicant and reviewed in accordance with the provisions of this Article.**
2. **A Preliminary Plan Submission is not required for the following applications, which instead shall meet the requirements in Article 7:**
  - a. **a Minor Subdivision (as defined in Article 2); or**
  - b. **a submission that only involves a lot line adjustment (as defined in Article 2) or minor adjustments to a previously approved plan as specified in Section 704 or a merger or consolidation of lots (also referred as reverse subdivision); or**

- c. a land development that involves only involves *the addition of less than 3,000 square feet of building floor area on one lot without any additional dwelling units.***

502.B. Filing and Distribution.

1. The Applicant shall file with the Township Staff at least *19* calendar days prior to a regular Township Planning Commission meeting (not including a workshop meeting): a) the required fees, and b) copies of the information and plans required under Section 503.
  - a. Any subsequent submittal of revised plans shall be submitted at least 19 calendar days before a Planning Commission meeting where the plans are intended to be reviewed, unless permission is granted for a later submittal by the Planning Administrator, particularly when a revision only involves minor technical changes or corrections.
  - b. When the Township Staff accepts a submittal for review, it is conditioned upon the Planning Commission determining that the submission is complete under Section 502.C.
2. The Township Staff shall forward applicable plans and documents to the Township Planning Commission prior to or at the first regularly scheduled Planning Commission meeting after a proper submission.
3. Applicant's Distribution. The applicant is fully responsible for the following:
  - a. Contacting the appropriate utility authorities/companies, as appropriate, including the water supplier to determine availability of service,
  - b. Seeking at least an informal review by PennDOT of any proposed access onto a State road, and providing PennDOT with sufficient information for such a review,
  - c. Determining whether any permits or approvals are needed from any agency outside of the Township, including DEP (including any obstruction to a waterway) and the Army Corps of Engineers (including determining whether any "wetland" will be disturbed),
  - d. Providing a copy of the sedimentation and erosion control plans to the Lehigh County Conservation District, together with their required review fees, if any earth disturbance is proposed, unless the applicant states in writing in a signed letter to the Township that earth disturbance will not occur until approval of the Final Plan (in which case the erosion control plan may be submitted at Final Plan stage),
  - e. Adjacent Municipalities. If any portion of a major subdivision or land development: 1) is proposed within 200 feet of the boundary of another municipality or 2) would clearly have a regional impact upon another municipality as determined by the Township Planning Commission, then the applicant shall provide a copy of the layout plan to that municipality for an advisory review.
  - f. Providing a copy of the plans and required fees to the Lehigh Valley Planning Commission.
  - g. Providing copies and making submittals to the Township and review agencies as required under PA. DEP's sewage planning module process, if applicable.
  - h. Providing materials needed by the Sewage Enforcement Officer, if applicable.
4. Notice to Adjacent Landowners. At the time of initial submittal of a Preliminary Plan for any land development or major subdivision, the applicant shall mail or deliver written notice of the proposal to all owners of property that is contiguous or directly across a road from the subject property. Such notice shall include the date, time and place of the first Planning Commission meeting at which the application is expected to be reviewed, with the phone number of the Township Building. Such notice shall include a brief description of the location of the proposed

subdivision or land development, and state that copies of the proposal may be reviewed at the Township Building. The notice shall state that meetings of the Township on the proposal are open to the public.

- a. The applicant or his/her agent shall provide a written and signed statement to certify that such notice was mailed or delivered.
5. Each Preliminary Plan and supporting documents should seek to incorporate any revisions recommended by the Township and Lehigh Valley Planning Commissions, the Township Engineer and other appropriate Township Officials during any Sketch Plan review.
6. Colored Layout Plan. It is suggested that the applicant provide 1 copy of the layout plan that is lightly colored to highlight major features (such as paving, trees, waterways, streets, wetlands and building locations if known) to allow clear understanding by the general public at public meetings.
7. Revisions. A detailed list of revisions from a previously submitted plan shall be provided whenever a revised plan is submitted. The developer's plan preparer shall certify that the list of revisions is complete.

502.C. Review by Township Engineer.

1. After the plans are duly submitted for review (unless the plans are significantly incomplete), the Township Engineer should review the engineering considerations of the Preliminary Plan and prepare a report on such considerations to the Planning Commission.
2. The Township Engineer may make additional reports and recommendations to the Commission and the Board of Supervisors during review of the plan.
3. The Applicant and/or his/her engineer should make reasonable efforts to resolve technical engineering considerations outside of and prior to Planning Commission meetings.
4. A copy of findings of the Township Engineer should be sent or handed in person to the applicant or his/her representative.

502.D. Review by Commission. The Planning Commission shall accomplish the following within the time limitations of the PA Municipalities Planning Code (unless the applicant grants a written time extension), while allowing a sufficient number of days within this deadline for a decision by the Board of Supervisors.

1. Review applicable reports received from any official reviewing agencies;
2. Provide a recommendation regarding whether the Preliminary Plan Submission meets the requirements of this Ordinance and other applicable ordinances;
3. Recommend any revisions to the submission that are needed to comply with this Ordinance or that would generally improve the plan;
4. Recommend approval, conditional approval, or disapproval of the Preliminary Plan Submission in writing to the Board of Supervisors.

502.E. Review and Action by Board of Supervisors. The Board of Supervisors shall:

1. Review the recommendation of the Commission and any reports that have been received from reviewing agencies;
2. Determine whether the Preliminary Plan Submission meets the requirements of this Ordinance and other ordinances;
3. Approve, conditionally approve or disapprove the Preliminary Plan Submission within the time limits required by the PA Municipalities Planning Code. (As of adoption date of this Ordinance, this law requires:
  - a. the Board of Supervisors to act not later than 90 days following the date of the first regular meeting of the Commission held after the Preliminary Plan has been properly filed for review; but in no case shall the Board of Supervisors' decision be made later than 90 days following the date the submission was accepted as being filed for review, unless the Applicant grants a written extension of time; and
  - b. that no subdivision or land development shall be granted final approval until a report is received from the County Planning Commission or until the expiration of 30 days from the date the application was forwarded to the County Planning Commission, whichever comes first.)

502.F. Decision by Board of Supervisors.

1. The decision of the Board of Supervisors shall be in writing and shall be communicated to the Applicant personally or by mail at his/her last known address not later than 15 days following the decision.
2. Approval of the Preliminary Plan Submission shall constitute approval of the subdivision or land development as to the character and intensity, but shall not: a) constitute approval of the Final Plan or b) authorize the sale of lots or construction of buildings.
3. If the Preliminary Plan Submission is disapproved, the decision shall: specify defects found in the Submission, describe requirements which have not been met and cite the provisions of the statute or ordinance relied upon in each case.
4. At the discretion of the Board of Supervisors, the Board may grant combined preliminary/final plan approval if: a) the preliminary plan submission also meets all of the requirements of a final plan submission and b) the Board determines that there are no significant outstanding matters regarding the plan.
5. Acceptance of Conditions. If conditions are placed upon an approval, it shall be the responsibility of the applicant or his authorized representative, in writing, to accept or reject the conditions within a maximum of 30 days after the date of the decision. If the applicant fails to accept or reject the conditions within such time period, then it shall be presumed that the applicant has accepted all of the conditions upon the approval. If the applicant rejects any condition within such time period, then the approval shall be rescinded, unless a decision of a court determines such condition was not valid.
  - a. The applicant shall be required to show compliance with all the conditions upon the final plan approval within one year after the date of the decision by the Board of Supervisors, unless a written extension is granted by the Board of Supervisors.

502.G. Final Plan Submission Deadline.

1. An applicant shall file a Final Plan within 5 years from the date of the approval of the Preliminary Plan by the Board of Supervisors.
2. Failure to comply with this requirement shall render the Preliminary Plan null and void, and a new Preliminary Plan submission and approval shall be required.

502.H. Development in Stages. See Section 602.I.

503. PRELIMINARY PLAN REQUIREMENTS. (See Section 502.A. regarding when a preliminary plan is required.)

503.A. All of the following information and materials listed in this section are required as part of all preliminary plan submissions for any land development and any major subdivision. **This list of requirements shall serve both:**

- 1. to establish the requirements, and**
- 2. as a checklist for the applicant and the Township to use to ensure completeness of submissions.**

The applicant shall submit completed photocopies of Section 503.C. as part of the application.

503.B. The required information listed in Section 503 may be combined or separated onto different sheets, provided that all information is clearly readable.

Section 503.C. Upper Milford Township  
Preliminary Plan for Major Subdivision or Land Development\*\*  
Checklist and List of Submittal Requirements

Applicant's Name: \_\_\_\_\_

Applicant's Address: \_\_\_\_\_

Applicant's Daytime Phone No(s): \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_ Date of Submittal: \_\_\_\_\_

\* Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement. A written request for any waiver or modification is also required under Section 107.

\*\* See Section 502.A. concerning which types of "land developments" are required to submit a Preliminary Plan.

NOT  
SUBMITTED SUBMITTED\*

A. GENERAL SUBMISSION ITEMS: (Note- the Township may require the submission of additional numbers of copies)

- |       |       |  |
|-------|-------|--|
| _____ | _____ | 1. 3 copies of Completed Township Application (see Appendix A)   |
| _____ | _____ | 2. Required Township review fee(s)   |
| _____ | _____ | 3. Required Township escrow funds (to fund reviews)  |
| _____ | _____ | 4. 2 copies of the Preliminary Plan Checklist (using the photocopies of the pages in this Section)   |
| _____ | _____ | 5. 11 print copies of the complete Preliminary Plans, with original signatures and seals of Plan Preparers on one "File Copy".   |
| _____ | _____ | 6. 2 additional print copies of only the Layout Plans, black and white, at a maximum size of 11"x17"   |
| _____ | _____ | 7. 2 sets of Supportive Documents  |
| _____ | _____ | 8. Notification that applicant provided a copy of the plan to the Lehigh Valley Planning Commission for review.  |
| _____ | _____ | 9. Aerial Photo. An applicant for a major subdivision is requested but not required to submit an aerial photo (current if available) of the site, with the boundaries of the site highlighted. |
| _____ | _____ | 10. A digital copy of the Plans in PDF format, or other format acceptable to the Township.   |

B. DRAFTING REQUIREMENTS: All information shall be legibly and accurately presented.

- |       |       |  |
|-------|-------|--|
| _____ | _____ | 1. Plans prepared on a standard sized sheet (such as 18"x24", 24"x36", 30"x42" or 36"x48"). A plan shall not be smaller than 18" by 24" in size. All copies of plans should be folded to approximately 9"x12" size in such a manner that the title of the sheet faces out, except exceptionally large and thick sets of plans may be rolled. |
| _____ | _____ | 2. Plans drawn to scale of 1 inch = 50 feet or other scale pre-approved by the Township Engineer.  |
| _____ | _____ | 3. All dimensions set in feet and decimal parts thereof, and bearings in degrees, minutes and seconds.   |

\* Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

NOT SUBMITTED	SUBMITTED*	
_____	_____	4. Differentiation between existing and proposed features
_____	_____	5. Boundary line of the parcel, shown as a heavy boundary line.
_____	_____	6. If layout plans involve 2 or more sheets, a map of the layout of the entire project at an appropriate scale on one sheet, and a key map showing how the sheets connect.
_____	_____	7. If the parcel(s) crosses a municipal boundary, a map showing both the portions in Upper Milford Township and the other municipality(ies), in sufficient detail for the Township to determine how the parts will interrelate.
_____	_____	8. Required profiles shown at a scale of 1"=50' horizontal and 1"=5' vertical, or other scale pre-approved by the Township Engineer.
_____	_____	9. All sheets numbered and listed on one page.
_____	_____	10. Words "Preliminary Plan" and sheet title (such as "Layout Plan") on each sheet

C. GENERAL INFORMATION:

_____	_____	1. Name of project on each sheet
_____	_____	2. Name of landowner and developer (with addresses)
_____	_____	3. Names and addresses of abutting property owners
_____	_____	4. Lot lines of adjacent lots, and approximate locations of any buildings, common open spaces, detention basins or drainage channels existing or approved within 150 feet of the boundaries of the proposed project
_____	_____	5. Notarized Owners Statement - see Appendix B
_____	_____	6. Surveyor and plan preparer's statement - See Appendix B
_____	_____	7. Approval/review signature blocks for: Board of Supervisors, Township and Lehigh Valley Planning Commissions -see Appendix B
_____	_____	8. Location map at a standard scale (such as 1"= 2000') showing the boundaries of the project in relation to the approximate location of the following features within 500 feet from the boundaries of the parcel: existing and proposed streets, waterways, trails, preserved open spaces, parks, and municipal borders
_____	_____	9. North arrow, graphic scale, written scale
_____	_____	10. Date of plan and all subsequent revision dates (especially noting if this is a revision of a previously approved plan) with space for noting future revision dates and general type of revisions
_____	_____	11. Deed Book volume and page number from Lehigh County records
_____	_____	12. Tax map number and block and lot and property identification number for the parcel being subdivided
_____	_____	13. A statement on the plan of proposed principal uses that are intended for each lot

D. EXISTING RESOURCES AND SITE ANALYSIS MAP:

_____	_____	1. Existing contour lines shown at the same scale as the layout plan, as follows: <ul style="list-style-type: none"> <li>a. shall be based on a field survey or photogrammetric procedure, with an established bench mark.</li> <li>b. The contour interval shall be sufficient to determine compliance with Township ordinances. An interval of 2 feet for slopes of less than 15% and 5 feet for slopes of 15% or greater is generally recommended.</li> </ul>
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*Upper Milford Township Subdivision and Land Development Ordinance – Adopted March 18, 2010*

\* Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

NOT SUBMITTED	SUBMITTED*	
_____	_____	18. General types, sizes and locations of any required street trees (see Section 1019), paved area landscaping (see Township Zoning Ordinance) and any other major proposed landscaping.
_____	_____	19. Any proposed fencing (including height and type) and/or landscaping around stormwater basins (see Section 1008)
		<b>E. <u>MAN-MADE FEATURES:</u></b> (with existing features graphically differentiated from proposed features)
_____	_____	1. Existing and proposed lot lines
		a. The boundaries of lots (other than a residual lot of at least 10 acres) shall be determined by accurate field survey, closed with an error not to exceed 1 in 10,000 and balanced.
		b. The boundaries of any residual parcel which is 10 acres or more may be determined by deed (Any residual lot of less than 10 acres shall fully comply with this Ordinance).
_____	_____	2. Location of existing monuments and markers
_____	_____	3. Sufficient measurements of all lots, streets, rights-of-way, easements and community or public areas to accurately and completely reproduce each and every course on the ground.
_____	_____	4. Existing and proposed (if known) building locations
_____	_____	5. Overhead electric high-voltage lines and rights-of-way/easements
		<b>F. <u>ZONING REQUIREMENTS:</u></b>
_____	_____	1. Applicable zoning district name, district boundaries and required minimum lot area
_____	_____	2. Minimum setback requirements shown for each lot
_____	_____	3. Statement of type of water and sewer service proposed (such as "public water and public sewer")
_____	_____	4. Required and proposed building coverage and impervious coverage (may be stated as "typical proposed" for single family detached homes)
		<b>G. <u>PROPOSED LAYOUT:</u></b>
_____	_____	1. Total acreage of site and total proposed number of lots and dwelling units
_____	_____	2. Identification number for each lot (and for each building if more than 1 building per lot)
_____	_____	3. Lot width (at minimum building setback line) and lot area for each lot
_____	_____	4. Dimensions of each lot in feet
_____	_____	5. Existing rights-of-way and cartway widths and locations of existing streets, including existing streets within 200 feet of boundaries of parcel
_____	_____	6. Proposed rights-of-way & cartway widths & locations of existing & proposed streets, including streets within other developments within 200 feet of the boundaries of parcel
_____	_____	7. Street centerline information including bearings and distances

\* Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

NOT  
SUBMITTED SUBMITTED\*

- |       |       |  |
|-------|-------|--|
| _____ | _____ | 8. Horizontal curve data including radius, tangent, or arc length and delta, cord bearing and distance. Such information may be listed in a table, using reference numbers on a plan, provided that sufficient information is provided along each course (such as radius and arc length) such that each course can be reproduced in the field. |
| _____ | _____ | 9. Right-of-way and curb lines with horizontal curve radii at intersections  |
| _____ | _____ | 10. Beginning and end of proposed street construction  |
| _____ | _____ | 11. Street improvements proposed by the applicant, including any acceleration/ deceleration lanes, traffic signal, street realignment or widening of abutting streets  |
| _____ | _____ | 12. Any proposed curbing (place No in Not Submitted column if not proposed by applicant)   |
| _____ | _____ | 13. Any proposed sidewalks and/or walkways (place No in Not Submitted column if not proposed by applicant), with any proposed handicapped ramps at intersections   |
| _____ | _____ | 14. Any proposed bicycle paths (place No in Not Submitted column if not proposed by applicant)   |
| _____ | _____ | 15. Names of existing streets and proposed names of new streets  |
| _____ | _____ | 16. Designation which streets are proposed to be dedicated to the Township or to remain private.   |
| _____ | _____ | 17. Evidence that any proposed or higher category new street or driveway entrance onto a State road will meet PennDOT sight distance requirements, unless a Highway Occupancy Permit has already been approved for the use.  |
| _____ | _____ | 18. Sight distance triangles meeting Township requirements   |

H. UTILITY PLAN:

- |       |       |   |
|-------|-------|---|
| _____ | _____ | 1. As applicable, the following existing and proposed items shall be shown for each lot, using standard symbols that are identified on a legend.      |
|       |       | -Well (if not connected to central water system)-with required separation distance shown from septic drain fields, and with dimensions from lot lines |
|       |       | -Primary drain field (with dimensions from lot lines)   |
|       |       | -Secondary drain field - shall be perc tested, and dimensioned from lot lines   |
|       |       | -Suitable soil probe location   |
|       |       | -Suitable percolation test locations (2 sites required meeting DEP requirements)  |
|       |       | -Unsuitable percolation test location(s) - if any   |
| _____ | _____ | 2. If <u>on-lot sewage disposal service</u> is proposed: (see also "Supporting Documentation" in Section 504.O.)                                      |
|       |       | a. proposed contour lines on same sheet as utility layout   |

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NOT SUBMITTED	SUBMITTED*	
_____	_____	b. location of existing and proposed wells within 100 feet of the boundaries of the project
_____	_____	c. proposed or typical location of dwelling/building
_____	_____	d. locations of soils with a seasonally high water table averaging less than 3 feet (see County Soil Survey)
_____	_____	e. exact slope across primary and secondary sewage system sites
		3. If <u>public or central sewage service</u> is proposed:
_____	_____	a. proposed contour lines on same sheet as utility layout
_____	_____	b. location and size of mains and laterals, with locations corresponding to stationing on the profile
_____	_____	c. locations of manholes, with invert elevation of flow line and grade at top of each manhole
_____	_____	d. proposed lot lines and any proposed easements or rights-of-way needed for the utilities
_____	_____	e. location of all other drainage facilities and public utilities in the vicinity of sanitary sewer lines
_____	_____	f. type, size, length and grade of sewer lines
		4. If <u>public or central water service</u> is proposed:
_____	_____	a. location and size of existing and proposed water mains
_____	_____	b. existing and proposed fire hydrant locations
_____	_____	c. distance noted that water lines will have to be extended to reach existing lines (if not already abutting the parcel)
_____	_____	5. Any existing and proposed underground natural gas, electrical, telephone, cable TV or other utility lines, with any easements shown that will affect development
_____	_____	6. List of contacts for all underground utilities in the area, with phone numbers stated on the grading plans (as required by State Act 172)
		I. <u>GRADING AND STORMWATER MANAGEMENT PLAN:</u>
		Note- Section 107 may allow deferral of submission of engineering details until the Final Plan stage.
_____	_____	1. Existing and proposed storm drainage facilities or structures, including detention basins (with capacity), swales, pipes (with sizes), culverts and inlets
_____	_____	2. Capacity, depth, dimensions and locations of detention basins
_____	_____	3. Pre-development and post-development watershed areas for each detention basin or major drainage channel or point of concentration
_____	_____	4. Locations of any proposed or existing stormwater easements
_____	_____	5. Intended design year standards for culverts, bridge structures and/or other stormwater facilities
_____	_____	6. Schematic location of all underground utilities
_____	_____	7. Entity responsible to maintain/ own any detention basin and other stormwater facilities or conveyances
_____	_____	8. Any additional information needed under the Township Stormwater Management Ordinance.
_____	_____	9. Existing and proposed contour lines (see description under "Natural Features")

\* Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

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SUBMITTED SUBMITTED\*

**J. FOR USES OTHER THAN SINGLE FAMILY DETACHED OR TWO FAMILY DWELLINGS:**

- |       |       |  |
|-------|-------|--|
| _____ | _____ | 1. Evidence that the project meets the density requirements of the Zoning Ordinance, stating maximum and proposed densities  |
| _____ | _____ | 2. Evidence that the project will meet the off-street parking requirements of the Zoning Ordinance, including existing, minimum and proposed numbers of spaces.              |
| _____ | _____ | 3. Arrangement of off-street parking spaces, parking aisles, off-street loading areas and extent of areas to be covered by gravel or asphalt                                 |
| _____ | _____ | 4. For single family attached dwellings, any proposed methods to ensure privacy between outdoor semi-private areas (such as fences or walls or plantings between rear yards) |
| _____ | _____ | 5. Illustrative sketches of exteriors of proposed buildings (encouraged but not required)  |
| _____ | _____ | 6. Location of any proposed outdoor storage areas  |
| _____ | _____ | 7. Note stating total square feet of paved area, including gravel areas  |

**K. EROSION AND SEDIMENTATION PLAN: (may be submitted at the Final Plan stage if the applicant provides a written and signed statement that earth will not be disturbed until after Final Plan approval).**

- |       |       |  |
|-------|-------|--|
| _____ | _____ | 1. Drawings showing locations and types of proposed erosion and sedimentation control measures, complying with the regulations and standards of the Lehigh County Conservation District and DEP. |
| _____ | _____ | 2. Narrative describing proposed soil erosion and sedimentation control methods.   |

**L. ROAD PLAN-PROFILES: (with profile drawings on same sheet as plan drawings; unless waived under Section 107.C.3)**

- |       |       |   |
|-------|-------|---|
| _____ | _____ | 1. Profile of existing and proposed ground surface along centerline of street.                                |
| _____ | _____ | 2. Proposed centerline grade with percent on tangents and elevations at 50 foot intervals.                    |
| _____ | _____ | 3. All vertical curve data including length, elevations and minimum sight distance as required by Article 10. |
| _____ | _____ | 4. Cross sections as required by the Township Engineer.   |

**M. SANITARY SEWER AND STORM DRAIN PLAN-PROFILES: (with profile drawings on same sheet as plan drawings) (Unless waived under Section 107.C.3)**

- |       |       |  |
|-------|-------|--|
| _____ | _____ | 1. Profile of proposed ground surface with elevations at top of manholes or inlets             |
| _____ | _____ | 2. Profiles of storm sewer and sanitary sewer lines, corresponding to stationing of any street |
| _____ | _____ | 3. All line crossings of other utilities.  |
| _____ | _____ | 4. Invert elevation and top of grate or manhole elevation.                                     |

**N. CONSTRUCTION DETAILS:**

- |       |       |   |
|-------|-------|---|
| _____ | _____ | Detailed plan and cross-sectional drawings for detention or retention basins. |
|-------|-------|---|

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NOT  
SUBMITTED SUBMITTED\*

- |       |       |  |
|-------|-------|--|
| _____ | _____ | O. <u>CONSTRUCTION DETAILS:</u> (following any applicable Township improvement standards).                                   |
| _____ | _____ | 1. Typical cross-section and specifications for street construction as required by Section 1004.                             |
| _____ | _____ | 2. Drainage swale cross-section and materials.   |
| _____ | _____ | 3. Pipe bedding details.   |
| _____ | _____ | 4. Storm drainage structures details, including cross-sectional drawings, any detention basin outfall structure and spillway |
| _____ | _____ | 5. Sanitary sewer structures.  |
| _____ | _____ | 6. Curb and sidewalk details.  |
| _____ | _____ | 7. Street tree details.  |
| _____ | _____ | 8. Erosion and sedimentation details.  |
| _____ | _____ | 9. Centralized water details.  |

P. SUPPORTING DOCUMENTS AND ADDITIONAL INFORMATION:

- |       |       |  |
|-------|-------|--|
| _____ | _____ | 1. Residual Lands Sketch. If the submitted plans do not include all undeveloped or underdeveloped adjacent or abutting lands owned by the same landowner or under control of the same developer, then a sketch shall be submitted at an appropriate approximate scale, on one sheet, covering all such land holdings together with a sketch of a reasonable future potential street system. Such sketch shall demonstrate that the proposed subdivision provides for the orderly development of any residual lands and/or does not adversely affect the potential development of residual lands. |
| _____ | _____ | 2. Sewage Planning. If a sewage facility planning module is required by DEP, then prior to Preliminary Plan approval, the applicant shall submit 2 complete copies for Township use, plus the Developer shall submit copies of the module and required accompanying plans to various agencies as required under State regulations. The approval of a sewage planning module is not required until final plan approval, but the applicant shall provide evidence that they are forwarding complete submittals to the proper review agencies.  |
| _____ | _____ | 3. Central Water. If central water service is proposed by an existing water company or authority, the applicant shall provide a letter from such water company or authority which states that the company or authority expects to be able to adequately serve the development, that the proposed water system is acceptable.   |
| _____ | _____ | 4. Public Sewage. If service is proposed by a Public Sewage provider, the developer shall submit a copy of a letter from the provider which states that the authority can adequately serve the subdivision, that the proposed sanitary sewage system is acceptable.  |
| _____ | _____ | 5. Nonpublic Sewage. If service is proposed by a central sewage system that is not publicly-owned, the developer shall provide sufficient information to show that the proposed system would be feasible, within DEP regulations and maintained and operated through an acceptable system.   |

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NOT SUBMITTED	SUBMITTED*	
_____	_____	6. Access to State Roads. If access is proposed to a State highway: a) copy of any information submitted to PennDOT and any correspondence from PennDOT regarding the proposed access to State roads (this requirement applies throughout the entire approval process), and b) evidence that the proposed access will meet PennDOT sight distance requirements.
_____	_____	7. Floodplain. If the project would include any area within the 100 year floodplain or any watercourse, a statement from the Zoning Officer indicating that the proposed subdivision or land development would be in compliance with the Floodplain regulations of the Township.
_____	_____	8. A statement describing the organization, major officers and principal shareholders of a corporate developer or the general partner of a partnership that is the applicant.
_____	_____	9. Method of ensuring maintenance of any private street.
_____	_____	10. List of any Modifications or Waivers requested to this Ordinance.
_____	_____	11. Copies of the decisions of any zoning variances, or special exception use approvals that are relevant to the proposal.
_____	_____	12. Stormwater Calculations meeting the requirements of the Township Stormwater Management Ordinance.
_____	_____	13. For industrial operations or industrial storage: A written description of the proposed use in sufficient detail to indicate a) any noise, glare, smoke and fumes nuisances, b) to allow a general determination of possible fire, explosive, toxic, genetic, public health or other hazards and c) to estimate the amount, direction and times of any tractor-trailer truck traffic that is expected.
_____	_____	14. Traffic impact study if required under Article 10
_____	_____	15. Groundwater study if required under Article 10
_____	_____	16. With each revision of a previously submitted plan, the Plan Preparer shall either: a) certify in writing that no changes were made to the Plan, other than changes requested by the Township, or b) list the changes that were made, other than those changes requested by the Township.

504. **CERTIFICATION.** All certification shall comply with the State professional licensing laws. All subdivisions of land shall be certified and stamped by a Registered Land Surveyor. At least one set of all plans provided to the Township, including revisions, shall bear original signatures and original seals of plan preparers, which shall be marked as a "Township File Copy."

**Article 6**  
**Final Plans for Subdivisions**  
**and Certain Land Developments**

601. APPLICABILITY. This Article lists the requirements for final plans for a major subdivision or any land development, except that a “land development” that only involves the following may be submitted under the simplified requirements of Article 7: a) a lot line adjustment, b) an addition of up to 3,000 square feet of building floor area with no new dwelling units on an existing lot, c) minor corrections or minor revisions to a previously approved plan as specified in Section 704, or d) a merger or consolidation of lots (also referred to as reverse subdivision).
602. SUBMISSION AND REVIEW PROCEDURE.
- 602.A. Final Plan Submission Required.
1. A Final Plan Submission for each major subdivision or land development must be filed by the Applicant and reviewed in accordance with the provisions of this Article 6.
  2. A Final Plan shall only be submitted after a Preliminary Plan has been approved by the Board of Supervisors, if a Preliminary Plan is required.
- 602.B. Final Plan Submission Deadline. An applicant shall file a Final Plan Submission within 5 years from the date of the approval of the Preliminary Plan by the Board of Supervisors. Failure to comply with this requirement shall render the Preliminary Plan Submission null and void, and a new Preliminary Plan Submission must be filed under any currently applicable ordinances.
- 602.C. Filing and Distribution.
1. The Applicant shall file with the Township Staff at least 19 calendar days prior to a regular Township Planning Commission meeting (not including a workshop meeting): a) the required fees, and b) the information and plans required under Section 603. Any subsequent submittal of revised plans shall be submitted at least 19 calendar days before a Planning Commission meeting where the plans are intended to be reviewed, unless permission is granted for a later submittal by the Planning Administrator.
  2. The Township Staff shall forward applicable plans and documents to the Township Planning Commission prior to or at the first regularly scheduled Planning Commission meeting after a proper submission.
  3. Applicant's Distribution. It is the applicant's responsibility to:
    - a. make agreements with the appropriate utility companies to guarantee applicable provision of service,
    - b. submit a complete application to PennDOT for any needed permit for access to or work within a State road right-of-way,
    - c. provide information to DEP or other agencies for any permits that might be required,
    - d. submit a copy of the soil erosion and sedimentation plan to the Lehigh County Conservation District, and pay their required review fees, if earth disturbance is proposed, and if such erosion control plan was not approved at the preliminary plan level,
    - e. provide a copy of the plans to the Lehigh Valley Planning Commission, with any required fee,



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- f. if a sewage facility planning module is required by DEP, the applicant shall submit 2 complete copies for Township use, plus shall submit copies of the module and plans to various agencies as required under State regulations. A sewage planning module shall be completed and fully approved prior to final plan approval, and
- g. provide information needed by the Sewage Enforcement Officer, if applicable.

4. The filing of the Final Plan shall conform with the approved Preliminary Plan and any conditions and changes recommended by the Township during the Preliminary Plan review.
5. Revisions. A detailed list of revisions from a previously submitted plan shall be provided whenever a revised plan is submitted. The developer's plan preparer shall certify that the list of revisions is complete.

602.D. Review by Township Engineer.

1. The Township Engineer shall review the submission and provide a report to the Planning Commission and Board of Supervisors. Such review should be provided prior to the first Planning Commission meeting at which the submission will be discussed.
2. The Applicant and/or his/her plan preparer should make reasonable efforts to resolve technical engineering considerations outside of and prior to Planning Commission meetings.
3. A copy of findings of the Township Engineer should be sent or handed in person to the applicant or his/her representative and the Planning Commission.

602.E. Review by Planning Commission. The Township Planning Commission shall accomplish the following within the time limitations of PA Municipalities Planning Code (unless the Applicant grants a written time extension), while allowing a sufficient number of days within this deadline for a decision by the Board of Supervisors.

1. Review applicable reports received from official review agencies,
2. Consider whether the Final Plan Submission meets the requirements of this Ordinance and other applicable ordinances,
3. Recommend approval, conditional approval, or disapproval of the Final Plan Submission in writing to the Board of Supervisors.

602.F. Review by Board of Supervisors. The Board of Supervisors shall:

1. Review the recommendation of the Planning Commission and any reports received from official reviewing agencies,
2. Determine whether the Final Plan Submission meets the requirements of this Ordinance and other applicable ordinances and
3. Approve, conditionally approve or disapprove the Final Plan Submission within the time limits established by the PA Municipalities Planning Code.

(As of the adoption date of this Ordinance, State law requires:

- a. The Board of Supervisors to act on the application and render its decision and communicate it to the applicant not later than 90 days following the date of the regular meeting of the

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- Township Planning Commission next following the date the application is 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 30<sup>th</sup> day following the day the application has been filed.
- b. No subdivision or land development shall be granted final approval until a report is received from the Lehigh Valley Planning Commission or until the expiration of 30 days from the date the application was forwarded to the Lehigh Valley Planning Commission, whichever comes first.)

602.G. Decision by Board of Supervisors.

1. Notice to Applicant. The decision of the Board of Supervisors shall be in writing and shall be communicated to the Applicant personally or mailed to him/her at his/her last known address not later than 15 days following the decision.
2. Dedications.
  - a. The approval of the Final Plan by the Board of Supervisors shall not by itself constitute an acceptance of the dedication of any street or other proposed public way, space, or area, unless the such acceptance is specified at such time.
  - b. Any such acceptance of dedication shall only occur after formal action of the Township at such time.
  - c. As part of an improvements agreement, if the Board of Supervisors elects to accept lands offered for dedication, the submission shall be accompanied by duly executed instruments of conveyance to the Township. Such instruments shall state that the title thereof is free and unencumbered.
  - d. The Board of Supervisors may require that a subdivider provide title insurance.
3. Disapproval. When a Final Plan Submission is disapproved, the decision shall specify defects found in the Submission, shall describe requirements which have not been met, and shall cite the provisions of the statute or ordinance relied upon in each case.
4. Conditions. The Board of Supervisors may attach reasonable conditions to an approval to ensure the carrying out of this Ordinance, other Township Ordinances and State laws and regulations. If conditions are placed upon an approval, it shall be the responsibility of the applicant or his authorized representative, in writing, to accept or reject the conditions within a maximum of 30 days after the date of the decision by the Board of Supervisors. If the applicant fails to accept or reject the conditions within such time period, then it shall be presumed that the applicant has accepted all of the conditions upon the approval. If the applicant rejects any condition, then the approval shall be rescinded, unless a decision of a court determines such condition was not valid.
  - a. The applicant shall be required to show compliance with all the conditions upon the final plan approval within one year after the date of the decision by the Board of Supervisors, unless a written extension is granted by the Board of Supervisors.

602.H. Development in Stages.

1. If requested by the Applicant, the Board of Supervisors may permit the undertaking of the required improvements and the preparation of the Final Plan to be completed in a series of sections or stages, each covering a portion of the proposed subdivision or land development as shown on the Preliminary Plan.
2. If Final Plans are to be filed in sections or stages, each section or stage shall provide sufficient access, utilities and amenities to allow the development to properly function if future stages are not built.
3. The boundaries of phases and the timing of related improvements shall be subject to the approval of the Board of Supervisors.

602.I. Statement of Approval. At the request of the applicant, the Township shall furnish the applicant with a signed copy of a resolution indicating approval of the applicant's final plan contingent upon the applicant providing a satisfactory financial security. The final plan will not be signed by Township officials until a satisfactory financial security is presented. The resolution of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not provided within 90 days, unless a written extension is granted by the Township.

603. FINAL PLAN REQUIREMENTS.

603.A. All of the information and materials listed in this section are required as part of all final plans for: 1) a major subdivision or 2) a land development. **This list of requirements shall serve as both a list of requirements, and as a checklist for the applicant and the Township to ensure completion of submissions.** The applicant shall submit completed photocopies of this section as part of the application.

603.B. The required information listed in this Section may be combined or separated onto different sheets, provided that the plans will be clearly readable. If a particular plan or item was submitted at the Preliminary Plan stage, and is still complete and accurate, then the applicant may reference that submittal in the Final Plan submission instead of providing additional copies.

Section 603.C. Upper Milford Township  
Final Plan for Major Subdivisions and Certain Land Developments -  
Checklist and List of Submittal Requirements

Applicant's Name: \_\_\_\_\_

Applicant's Address: \_\_\_\_\_

Applicant's Daytime Phone No.(s): \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_

\_\_\_\_\_ Date of Submittal:  
\_\_\_\_\_

\* Place a checkmark in the applicable column below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and b) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement. A written request for a waiver or modification is also required under Section 107.

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A. GENERAL SUBMISSION ITEMS: (The Township may require the Applicant to file additional copies)

- |       |       |  |
|-------|-------|--|
| _____ | _____ | 1. 3 copies of Completed Township Application (see Appendix A)   |
| _____ | _____ | 2. Required Township review fee(s)   |
| _____ | _____ | 3. Required Township escrow funds (to fund reviews)  |
| _____ | _____ | 4. 2 copies of the Final Plan Checklist (using the photocopies of the pages in this Section)   |
| _____ | _____ | 5. 11 print copies of the complete Final Plans, with original signatures and seals of Plan Preparers on one "File Copy".   |
| _____ | _____ | 6. 1 print copy of only the Layout Plans, black and white, at a maximum size of 11"x17"  |
| _____ | _____ | 7. 2 sets of Supportive Documents  |
| _____ | _____ | 7. Notification that a copy of the plans were delivered by applicant to the Lehigh Valley Planning Commission  |
| _____ | _____ | 8. If a sewage facility planning module is required by DEP, the applicant shall submit 3 complete copies for Township use, plus shall prove that all copies have been sent as required to review agencies. |
| _____ | _____ | 9. A digital copy of the Plans in PDF format, or other format acceptable to the Township.  |

B. DRAFTING REQUIREMENTS: All information shall be legibly and accurately presented.

- |       |       |  |
|-------|-------|--|
| _____ | _____ | 1. Plans prepared on a standard sized sheet (such as 18"x24", 24"x36", 30"x42" or 36"x48"). A plan shall not be smaller than 18" by 24" in size. All copies of plans should be folded to approximately 9"x12" size in such a manner that the title of the sheet faces out, except exceptionally large and thick sets of plans may be rolled. |
| _____ | _____ | 2. Plans drawn at a scale of 1 inch = 50 feet or other scale pre-approved by the Township Engineer.  |
| _____ | _____ | 3. All dimensions set in feet and decimal parts thereof, and bearings in degrees, minutes and seconds.   |
| _____ | _____ | 4. Differentiation between existing and proposed features  |
| _____ | _____ | 5. Boundary line of the parcel, shown as a heavy boundary line   |

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SUBMITTED SUBMITTED\*

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|-------|-------|---|
| _____ | _____ | 6. If layout plans involve more than one sheet, a map of the layout of the entire project at an appropriate scale on one sheet, with a key map showing how the layout sheets connect.   |
| _____ | _____ | 7. If the parcel(s) crosses a municipal boundary, a map showing both the portions in Upper Milford Township and the other municipality(ies), in sufficient detail for the Township to determine how the parts will interrelate. |
| _____ | _____ | 8. Required profiles shown at a scale of 1"=50' horizontal and 1"=5' vertical, or other scale pre-approved by the Township Engineer.  |
| _____ | _____ | 9. All sheets numbered and listed on one page.  |
| _____ | _____ | 10. Words "Final Plan" and sheet title (such as "Layout Plan") on each sheet  |

C. GENERAL INFORMATION:

- |       |       |  |
|-------|-------|--|
| _____ | _____ | 1. Name of project on each sheet   |
| _____ | _____ | 2. Name of landowner and developer (with addresses)  |
| _____ | _____ | 3. Names and addresses of abutting property owners   |
| _____ | _____ | 4. Lot lines of adjacent lots, and approximate locations of any buildings, common open spaces, detention basins or drainage channels existing or approved within 150 feet of the boundaries of the proposed project  |
| _____ | _____ | 5. Notarized Owners Statement (See Appendix B)   |
| _____ | _____ | 6. Surveyor and plan preparer's statement (See Appendix B)   |
| _____ | _____ | 7. Approval/review signature blocks for: Township Board of Supervisors, Township Planning Commission and Lehigh Valley Planning Commission (see Appendix B)  |
| _____ | _____ | 8. Location map at a standard scale (such as 1"= 2000') showing the boundaries of the project in relation to the approximate location of the following features within 500 feet from the boundaries of the parcel: existing and proposed streets, waterways, trails, preserved open spaces, parks, and municipal borders |
| _____ | _____ | 9. North arrow, graphic scale, written scale   |
| _____ | _____ | 10. Date of plan and all subsequent revision dates (especially noting if this is a revision of a previously approved plan) with space for future revision dates and notations of general type of revisions   |
| _____ | _____ | 11. Deed Book volume and page number from Lehigh County records  |
| _____ | _____ | 12. Existing tax map number and block and lot numbers and property identification numbers for parcel being subdivided  |
| _____ | _____ | 13. A statement on the plan of proposed principal uses that are intended on each lot   |

D. EXISTING RESOURCES AND SITE ANALYSIS MAP:

- |       |       |  |
|-------|-------|--|
| _____ | _____ | 1. Existing contour lines shown at the same scale as the layout plan as follows: <ul style="list-style-type: none"> <li>a. shall be based on a field survey or photogrammetric procedure, with an established bench mark.</li> <li>b. The contour interval shall be sufficient to determine compliance with Township ordinances. An interval of 2 feet for slopes of less than 15% and 5 feet for slopes of 15% or greater is generally recommended.</li> <li>c. Note- Contours are not required to be shown within areas of lots of 10 acres or more that the Plan states are clearly not intended to be altered as a result of this proposed approval, unless needed for stormwater management.</li> </ul> |
|-------|-------|--|

\* Place a checkmark in the applicable column below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and b) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

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EXISTING RESOURCES AND SITE ANALYSIS (CONT.)

_____	_____	2. Identification of any slopes of 15 to 25 percent, and greater than 25 percent
_____	_____	3. Watercourses (with any name), natural springs, lakes
_____	_____	4. Wetlands. Detailed delineations by a qualified professional of wetlands are required with a metes and bounds description and shall be dimensioned from lot lines. a. The applicant may be granted Final Plan approval conditioned upon receipt of all required Federal and State wetland permits. b. See the "supporting documentation" portion of this section regarding wetland studies.
_____	_____	5. Location of any areas within the 100 year floodplain (with differentiation between floodway and floodfringe if available from official Federal floodplain maps)
_____	_____	6. Approximate locations and names of soil types based upon the most current Lehigh County Soil Survey or more detailed professional study, with identification of the following types of soils: alluvial, hydric, depth to bedrock of less than 3 feet or a seasonally high water table of less than 3 feet.
_____	_____	7. Area and location of any proposed common open space (if none proposed, place "W" in Not Submitted Column)
_____	_____	8. If any common open space is proposed: method of ownership and entity proposed to be responsible for maintenance
_____	_____	9. If any common open space is proposed: description of intended purposes, proposed improvements (such as rough grading) and any proposed recreation facilities
_____	_____	10. Principal buildings estimated to be 80 years or older that are proposed to be impacted by the project, with name and description
_____	_____	11. Existing and proposed utility easements and restrictive covenants and easements for purposes which might affect development (stating which easements and rights-of-ways are proposed for dedication to the township)
_____	_____	12. Locations of individual mature trees of greater than 18 inches trunk diameter measured at a height of 4.5 feet above the surrounding average ground level, in addition to outlines of existing wooded areas and treelines
_____	_____	13. Any proposed evergreen screening, buffer yards or earth berming (if required by Township Zoning Ordinance)
_____	_____	14. Areas of existing mature woods that are proposed to be protected and preserved or removed
_____	_____	15. General types, sizes and locations of any required street trees (see Section 1019), paved area landscaping and any other major proposed landscaping.
_____	_____	16. Any proposed fencing (including height and type) and/or landscaping around any stormwater basin (see Section 1008)

\* Place a checkmark in the applicable column below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and b) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

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E. MAN-MADE FEATURES:

- |       |       |  |
|-------|-------|--|
| _____ | _____ | 1. Existing and proposed lot lines. The boundaries of lots (other than a residual lot of at least 10 acres) shall be determined by accurate field survey, closed with an error not to exceed 1 in 10,000 and balanced. The boundaries of any residual parcel which is 10 acres or more may be determined by deed. Any residual lot of less than 10 acres shall fully comply with this Ordinance. |
| _____ | _____ | 2. Location of existing monuments  |
| _____ | _____ | 3. Sufficient measurements of all lots, streets, rights- of-way, easements and community or public areas to accurately and completely reproduce each and every course on the ground.   |
| _____ | _____ | 4. Existing and proposed (if known) building locations and land uses   |
| _____ | _____ | 5. Overhead electrical high-voltage lines and rights-of-ways/easements   |

F. ZONING REQUIREMENTS:

- |       |       |   |
|-------|-------|---|
| _____ | _____ | 1. Applicable zoning district and required minimum lot area   |
| _____ | _____ | 2. Minimum setback requirements shown for each lot  |
| _____ | _____ | 3. Statement of type of water and sewer service proposed (such as "well and on-lot septic")   |
| _____ | _____ | 4. Required and proposed building coverage and impervious coverage (may be stated as "typical proposed" for single family detached homes) |

G. PROPOSED LAYOUT:

- |       |       |  |
|-------|-------|--|
| _____ | _____ | 1. Total acreage of site and total proposed number of lots and dwelling units  |
| _____ | _____ | 2. Identification number for each lot (and for each building if more than 1 principal building per lot)  |
| _____ | _____ | 3. Lot width (at minimum building setback line) and lot area for each lot  |
| _____ | _____ | 4. Dimensions of each lot in feet  |
| _____ | _____ | 5. Existing rights-of-way and cartway widths and locations of existing streets, including existing streets / roads within 200 feet of boundaries of parcel   |
| _____ | _____ | 6. Proposed rights-of-way and cartway widths and locations of existing and proposed streets, including streets proposed as part of other projects within 200 feet of the boundaries of parcel  |
| _____ | _____ | 7. Street centerline information, including bearings and distances   |
| _____ | _____ | 8. Horizontal curve data including radius, tangent, or length and delta, cord bearing and distance. Such information may be listed in a table, using reference numbers on a plan, provided that sufficient information is provided along each course (such as radius and arc length) such that each course can be reproduced in the field. |
| _____ | _____ | 9. Right-of-way and curb lines   |
| _____ | _____ | 10. Beginning and end of proposed street / road construction   |
| _____ | _____ | 11. Street / road improvements proposed by the applicant (such as including any acceleration/deceleration lanes, traffic signal, street re-alignment or construction improvement)  |
| _____ | _____ | 12. Any proposed curbing (place W in Not Submitted column if not proposed)   |
| _____ | _____ | 13. Any proposed sidewalks or walkways (place NA in Not Submitted column if not proposed), with any proposed handicapped ramps at intersections  |

\* Place a checkmark in the applicable column below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and b) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

NOT  
SUBMITTED SUBMITTED\*

PROPOSED LAYOUT: (Cont.)

- |       |       |   |
|-------|-------|---|
| _____ | _____ | 14. Any proposed bicycle paths (place NA in Not Submitted column if not proposed)   |
| _____ | _____ | 15. Names of existing streets and initial proposed names of new streets   |
| _____ | _____ | 16. Designation of streets proposed to be dedicated to the Township or to remain private.   |
| _____ | _____ | 17. Evidence that a proposed new street or driveway entrance to a State road will meet PennDOT sight distance requirements, unless a valid Highway Occupancy Permit has already been issued, or an entrance to a Township road where sight distance requirements are established by Article 10. |

H. UTILITY PLAN:

- |       |       |   |
|-------|-------|---|
| _____ | _____ | 1. Symbols. As applicable, the following existing and proposed items shall be shown for each lot, using standard symbols that are identified in a legend on the plan. |
|       |       | -Well (if not connected to central water system)-with required separation distance shown from septic drain fields, and with dimensions from lot lines                 |
|       |       | -Primary drain field (with dimensions from lot lines)   |
|       |       | -Secondary drain field - shall be perc tested, and dimensioned from lot lines   |
|       |       | -Suitable soil probe location   |
|       |       | -Suitable percolation test locations (2 sites required meeting DEP requirements)  |
|       |       | 2. If <u>on-lot sewage disposal service</u> are proposed: (See also "Supporting Documentation below)  |
| _____ | _____ | a. proposed contour lines on same sheet as utility layout   |
| _____ | _____ | b. location of existing and proposed wells within 100 feet of the boundaries of the project   |
| _____ | _____ | c. proposed or typical location of dwelling/building  |
| _____ | _____ | d. locations of soils with a seasonally high water table averaging less than 3 feet (see Soil Survey of Lehigh County)  |
| _____ | _____ | e. exact slope across primary & secondary septic sites  |
|       |       | 3. If <u>public or centralized sewage service</u> is proposed:  |
| _____ | _____ | a. proposed contour lines on same sheet as utility layout   |
| _____ | _____ | b. location and size of lines and laterals, with locations corresponding to stations on the profile   |
| _____ | _____ | c. locations of manholes, with invert elevation of flow line and grade at top of each manhole   |
| _____ | _____ | d. proposed lot lines and any proposed easements or rights-of-ways needed for the utilities   |



\* Place a checkmark in the applicable column below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and b) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

SUBMITTED	NOT SUBMITTED*	
_____	_____	e. location of all other drainage facilities and public utilities in the vicinity of sanitary sewer lines
_____	_____	f. type, size, length and grade of sewer lines
_____	_____	4. If <u>public or centralized water service</u> is proposed:
_____	_____	a. location and size of existing and proposed waterlines
_____	_____	b. existing and proposed fire hydrant locations
_____	_____	c. distance noted that water lines will have to be extended to reach existing lines (if not already abutting the parcel)
_____	_____	5. As applicable, existing and proposed underground natural gas, electrical, telephone, cable TV and any other utility lines, with any easements shown that will affect development
_____	_____	6. List of contacts for underground utilities in the area, with phone numbers stated on the grading plans, as required by State Act 172
		<b>I. <u>GRADING AND STORMWATER MANAGEMENT PLAN:</u></b>
_____	_____	1. Locations of existing and proposed storm drainage facilities or structures, including detention basins (with capacity), swales, pipes (with sizes), culverts and inlets
_____	_____	2. Capacity, depth, dimensions and locations of detention basins
_____	_____	3. Watershed areas for each drainage structure or swale (for pre and post development) or point of concentration
_____	_____	4. Locations of any proposed or existing stormwater easements
_____	_____	5. Intended design year standards for culverts, bridge structures and/or other stormwater facilities
_____	_____	6. Schematic location of all underground utilities
_____	_____	7. Entity responsible to maintain/ own any detention basin
_____	_____	8. See requirements of the Township Stormwater Management Ordinance
_____	_____	9. Existing and proposed contour lines (see description under "Natural Features")
_____	_____	10. Where cuts or fills extend beyond the right-of-way, cross-sections at 50 feet intervals shall be required unless waived by the Township Engineer
		<b>J. <u>FOR USES OTHER THAN SINGLE FAMILY DETACHED OR TWO FAMILY DWELLINGS:</u></b>
_____	_____	1. Evidence that the project meets the density requirements of the Zoning Ordinance, stating maximum and proposed densities
_____	_____	2. Evidence that the project will meet the off-street parking requirements of the Zoning Ordinance, including existing, minimum and proposed numbers of spaces
_____	_____	3. Arrangement of off-street parking spaces, parking aisles, paved areas and off-street loading areas
_____	_____	4. For single family attached dwellings, any proposed methods to ensure privacy between outdoor semi-private areas (such as fences between rear yard)
_____	_____	5. Illustrative sketches of proposed buildings (encouraged not required)
_____	_____	6. Number, sign area, height and location of proposed signs (may be addressed in future zoning application)
_____	_____	7. Major types and locations of outdoor lighting (may be addressed in future zoning application)
_____	_____	8. Location of any proposed outdoor storage areas
_____	_____	9. Square feet of paved area, including areas covered by stone

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NOT  
SUBMITTED    SUBMITTED\*

K. EROSION AND SEDIMENTATION PLAN: (Unless approved at preliminary plan stage and will be unchanged)

- |       |       |  |
|-------|-------|--|
| _____ | _____ | 1. Drawings showing locations and types of proposed measures, complying with the regulations and standards of the Lehigh County Conservation District and DEP. |
| _____ | _____ | 2. Narrative describing proposed soil erosion and sedimentation control methods.   |

L. ROAD PLAN-PROFILES: (With profile drawings on same sheet as plan drawings)

- |       |       |   |
|-------|-------|---|
| _____ | _____ | 1. Profile of existing and proposed ground surface along centerline of street.                                    |
| _____ | _____ | 2. Proposed centerline grade with percent on tangents and elevations at 50 feet intervals.                        |
| _____ | _____ | 3. All vertical curve data including length, elevations and minimum sight distance as required by Article 10.     |
| _____ | _____ | 4. Cross sections as required by the Township Engineer to be necessary to determine compliance with the ordinance |

M. SANITARY SEWER AND STORM DRAIN PLAN-PROFILES: (With profile drawings on same sheet as plan drawings)

- |       |       |  |
|-------|-------|--|
| _____ | _____ | 1. Profile of proposed ground surface with elevations at top of manholes or inlets |
| _____ | _____ | 2. Profile of storm sewer and sanitary sewer lines, corresponding to stations      |
| _____ | _____ | 3. All line crossings of other utilities.  |
| _____ | _____ | 4. Slope and length of pipes.  |
| _____ | _____ | 5. Invert elevation and top of grate or manhole elevation.                         |

N. ADDITIONAL FINAL PLAN REQUIREMENTS:

- |       |       |   |
|-------|-------|---|
| _____ | _____ | 1. Protective covenants shall be placed on the land providing for:  |
| _____ | _____ | a. clear sight triangle easements (see Sections 1004.H. and 1012.D.   |
|       |       | b. all needed utility, drainage, maintenance, pedestrian, open space or other easements.  |
| _____ | _____ | 2. Required Plan Notations. The following wording shall be required to be placed on any final subdivision or land development plan, as applicable:                                      |
|       |       | a. If access will be provided onto a State highway and a required PennDOT Highway Occupancy Permit" has not been granted then the following or closely similar wording shall be stated: |

"NOTICE - A PennDOT Highway Occupancy Permit for Lot No(s). \_\_\_ is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the "State Highway Law," before driveway access to a state highway is permitted. Access to the state highway shall be only as authorized by a PennDOT Highway Occupancy Permit. No Building Permits, Zoning Permits or Certificates of Occupancy shall be issued for said lot until such time as a PennDOT Highway Occupancy Permit has been secured and filed with the Township. The Township shall not be held liable for damages to persons or property arising out of issuance or denial of a Highway Occupancy Permit by the PA. Department of Transportation, pursuant to Section 508 of the PA. Municipalities Planning Code."

*Upper Milford Township Subdivision and Land Development Ordinance – Adopted March 18, 2010*

\* Place a checkmark in the applicable column below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and b) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

NOT  
SUBMITTED    SUBMITTED\*

N. ADDITIONAL FINAL PLAN REQUIREMENTS: (Cont.)

- |       |       |   |
|-------|-------|---|
| _____ | _____ | b. "Well and sewage disposal systems shall be constructed in accordance with standards of the Pennsylvania Department of Environmental Protection."   |
| _____ | _____ | c. "Individual owners of lots must receive approval from the Township Sewage Enforcement Officer for a sewage permit prior to undertaking the construction of an on-lot sewage disposal system or building that will need to be served by such a system. Additional, no development shall occur in the alternative drain field location without the prior written approval of the Zoning Officer and Sewage Enforcement Officer." |
| _____ | _____ | d. "Upper Milford Township does not guarantee that any individual lot or location within a lot will be able to sustain any type of well or sewage disposal system."   |
| _____ | _____ | e. Notations stating that the property owner is responsible for maintenance of drainage swales.   |
| _____ | _____ | f. Notations stating that wetland permits may be required from the Army Corps of Engineers or PA. DEP.  |
| _____ | _____ | g. Notations recognizing and stating that Upper Milford Township is not liable and is not providing any guarantee regarding any stormwater, wetland, erosion control or any other review.   |
| _____ | _____ | 3. Street Lighting  |
|       |       | a. Existing street lighting   |
|       |       | b. Any proposed street lighting (or notation stating none is proposed), including types of poles, spacing of poles and intensity of lamps   |
| _____ | _____ | 4. Proposed monument and marker locations   |

O. CONSTRUCTION DETAILS: (following any applicable Township improvement standards).

- |       |       |  |
|-------|-------|--|
| _____ | _____ | 1. Typical cross-section and specifications for street construction as required by Section 1004.                             |
| _____ | _____ | 2. Drainage swale cross-section and materials.   |
| _____ | _____ | 3. Pipe bedding details.   |
| _____ | _____ | 4. Storm drainage structures details, including cross-sectional drawings, any detention basin outfall structure and spillway |
| _____ | _____ | 5. Sanitary sewer structures.  |
| _____ | _____ | 6. Curb and sidewalk details.  |
| _____ | _____ | 7. Street tree details.  |
| _____ | _____ | 8. Erosion and sedimentation details.  |
| _____ | _____ | 9. Centralized water details.  |
| _____ | _____ | 10. Design calculations prepared by a Professional Engineer for any retaining wall with a wall height exceeding 4 feet.      |

P. SUPPORTING DOCUMENTS AND ADDITIONAL INFORMATION:

Supporting written and data reports submitted at the time of the preliminary plan are not required to be resubmitted unless they need to be revised to reflect changes between the preliminary and the final plans.

- |       |       |  |
|-------|-------|--|
| _____ | _____ | 1. A copy of any "Supporting Documentation and Additional Information" that was required for the Preliminary Plan and that needed to be <u>adjusted</u> or <u>revised</u> to reflect changes between the Preliminary and the Final Plan. |
|-------|-------|--|

\* Place a checkmark in the applicable column below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and b) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

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SUBMITTED    SUBMITTED\*

P. SUPPORTING DOCUMENTS AND ADDITIONAL INFORMATION: (Cont.)

- |       |       |  |
|-------|-------|--|
| _____ | _____ | 2. <u>If</u> the subdivision or land development was not required to submit a preliminary plan, a copy of any supporting information listed in Section 503 that is applicable to this project.   |
| _____ | _____ | 3. List of Modifications or Waivers requested to this Ordinance that are needed but have not yet been granted  |
| _____ | _____ | 4. Deed Restrictions. All private deed restrictions, homeowner or condominium association agreements or covenants already imposed or to be imposed as a condition to sale that may affect the subdivision or land development plan. Any homeowner or condominium association agreement regarding maintenance of utilities and common facilities may be subject to review by the Township Solicitor and acceptance by the Board of Supervisors.   |
| _____ | _____ | 5. Dedicated Improvements. The developer shall provide a deed of dedication together with an 8 ½" x 11" plan of each such improvement.   |
| _____ | _____ | 6. Nondedicated Streets Agreement. Agreement for any street not offered for dedication stating who is responsible for the improvement and maintenance of such streets. The developer shall be responsible for such maintenance until the condominium or homeowners association is established and operational.   |
| _____ | _____ | 7. Open Space Agreement. A formal contract providing for the maintenance of open space and the method of management, together with all offers of dedication and covenants governing the reservation and maintenance of undedicated open space. This agreement is subject to the review of the Township Solicitor and acceptance by the Board of Supervisors.   |
| _____ | _____ | 8. Storm Drainage Calculations. All calculations relating to facilities appearing on the Grading and Storm Drainage Plan and the Erosion and Sedimentation Plan shall be submitted for review by the Township Engineer. (see Section 1008).  |
| _____ | _____ | 9. Development Schedule. A statement indicating the approximate date when construction can be expected to begin and be completed.  |
| _____ | _____ | 10. State Highway Reviews. The applicant shall submit to the Township a copy of the application to PennDOT for any needed occupancy permit to have access onto a State highway, and shall also submit any review comments received from PennDOT within 5 days of receiving such comments. If a needed permit is not issued prior to Final Approval, such permit shall automatically be a condition of Final Plan approval.   |
| _____ | _____ | 11. Water Certification. If water service is proposed by means other than by private individual wells owned by the owner of each lot, the applicant shall present evidence to the Township that the service will be provided by a certified public utility, a bona fide cooperative association of property owners or by a municipal corporation, authority or utility, as permitted by the Township. <ul style="list-style-type: none"> <li>a. This evidence shall include a copy of 1 or more of the following, as appropriate: a) the "Certificate of Public Convenience" from the PA. Public Utility Commission, b) a copy of an application submitted for such certificate or a cooperative agreement or c) a commitment or agreement to serve the area in question.</li> </ul> |
| _____ | _____ | 12. Wetland Statement. The applicant shall provide a signed statement of whether areas of the parcel proposed to be altered, disturbed or developed includes "wetlands" under the applicable Federal and/or State definitions.   |

\* Place a checkmark in the applicable column below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and b) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

NOT  
SUBMITTED    SUBMITTED\*

P. SUPPORTING DOCUMENTS AND ADDITIONAL INFORMATION: (Cont.)

- |       |       |   |
|-------|-------|---|
| _____ | _____ | 13. If applicable, copy of the wetland study, and qualifications of person who prepared the study.  |
| _____ | _____ | 14. Addresses. Plan showing existing street address numbers of adjacent lots and proposed street address numbers of proposed lots, as issued by the Township.   |
| _____ | _____ | 15. With each revision of a previously submitted plan, the Plan Preparer shall either: <ul style="list-style-type: none"> <li>a. certify in writing that no changes were made to the Plan, other than changes requested by the Township, or</li> <li>b. list the changes that were made, other than those requested by the Township (not including typographic corrections).</li> </ul> |

Q. MATERIALS REQUIRED PRIOR TO RECORDING: The following are not required at the time of final plan submission, but are required prior to recording of the final plan and prior to the construction of any buildings.

- |       |       |   |
|-------|-------|---|
| _____ | _____ | 1. Utilities Agreements and Permits. <ul style="list-style-type: none"> <li>a. All signed agreements or contracts with utility companies, water companies or authorities or sewage companies or authorities for the provision of services to the project.</li> <li>b. Approval letters from all appropriate Federal and State agencies of any private central water supply system or private central sewage disposal system.</li> <li>c. Approved DEP Sewage Planning Module, if applicable</li> <li>d. DEP Water Quality Management Permit, if applicable</li> </ul> |
| _____ | _____ | 2. See "Record Plan" requirements in Section 902.   |
| _____ | _____ |   |
| _____ | _____ |   |
| _____ | _____ |   |

604. CERTIFICATION. All certification shall comply with the State professional licensing laws. All subdivisions of land shall be certified and stamped by a Registered Land Surveyor, as required by State law. At least one set of plans provided to the Township (including revisions) shall bear original signatures and original seals of plan preparers and shall be marked as a "Township File Copy."

**Article 7**

**Minor Subdivisions, Certain Land Developments  
and Lot Line Adjustments**

701. PURPOSE. This Article provides simplified procedures for submitting and reviewing minor subdivisions, certain land developments, and lot line adjustments.
702. SUBMISSION AND REVIEW PROCEDURE. The following submission and review process shall apply for Minor Subdivisions, Lot line adjustments, merger or consolidation of lots (also referred to as reverse subdivision), land developments involving only a single non-residential building addition of less than 3,000 square feet of building floor area with no additional dwelling units, and what the Township determines to be minor corrections or minor revisions of previously approved plans under Section 704.
- 702.A. Final Plan Submission Required. A Final Plan Submission for each application under this Section shall be filed by the Applicant and reviewed in accordance with the provisions of this Article 7. A Preliminary Plan is not required for a submittal under this Article 7.
- 702.B. Filing and Distribution.
1. The Applicant shall file with the Township Staff at least 19 calendar days prior to a regular Township Planning Commission meeting (not including a workshop meeting): a) the required fees, and b) the information and plans required under this Article 7. Any subsequent submittal of revised plans shall be submitted at least 19 calendar days before a Planning Commission meeting where the plans are intended to be reviewed, unless permission is granted for a later submittal by the Planning Administrator.
  2. If a State road is involved, the Applicant shall forward the required information to PennDOT and apply for a highway occupancy permit. If such permit is not granted prior to Final Plan approval, then it shall automatically be a condition of Final Plan approval, and the plans shall not be signed or released for recording by the Township until the PennDOT permit is granted.
  3. Each Final Plan filed for minor subdivisions shall provide the information required by Section 703. Plans for Lot line adjustments shall provide the information required by Section 704.
  4. The applicant shall provide a copy of the plans for review to the Lehigh Valley Planning Commission with the required County review fees. A soil erosion and sedimentation control plan shall be provided to the Lehigh County Conservation District.
- 702.C. Initial Actions by the Staff.
1. The Staff shall review the Submission items filed against a checklist for completeness and shall report such review to the Commission at its next regularly scheduled meeting.
  2. The Staff shall retain in the Township’s files one “File Copy” of all materials submitted by the Applicant.

3. The Staff shall forward the applicable submission information to the Township Engineer and the Township Planning Commission before the next regularly scheduled meeting of the Commission.

702.D. Review by Township Engineer. The Township Engineer should review the engineering considerations in the Plan and prepare an initial report on such considerations to the Planning Commission. The Township Engineer may make additional reports and recommendations to the Planning Commission and the Board of Supervisors during review of the Plan.

702.E. Review by Planning Commission. The Township Planning Commission should accomplish the following within the time limitations of the PA Municipalities Planning Code (unless the applicant grants a written time extension).

1. Review all applicable reports received from the appropriate review agencies and officers;
2. Determine whether the Final Plan Submission meets the requirements of this Ordinance and other applicable ordinances;
3. Review the Final Plan Submission and recommend any needed revisions so that the Submission will conform to this Ordinance and other applicable ordinances; and
4. Recommend approval, conditional approval or disapproval of the Final Plan Submission in writing to the Board of Supervisors.

702.F. Review by Board of Supervisors. The Board of Supervisors shall:

1. Review the recommendation of the Commission and any reports received from any other official reviewing agencies;
2. Determine whether the Final Plan Submission meets the requirements of this Ordinance and other applicable ordinances; and
3. Approve, conditionally approve or disapprove the Final Plan Submission within the time limits established by the PA Municipalities Planning Code.

(As of the adoption date of this Ordinance, State law requires:

- a. The Board of Supervisors to act on the application and render its decision and communicate it to the applicant not later than 90 days following the date of the regular meeting of the Township Planning Commission next following the date the application is 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 30<sup>th</sup> day following the day the application has been filed.
- b. No subdivision or land development shall be granted final approval until a report is received from the Lehigh Valley Planning Commission or until the expiration of 30 days from the date the application was forwarded to the Lehigh Valley Planning Commission, whichever comes first.)

4. County Planning Commission Review. No subdivision or land development shall be granted final approval until a report is received from the Lehigh Valley Planning Commission or until the expiration of 30 days from the date the application was forwarded to the County Planning Commission, whichever shall occur first.

702.G. Decision by Board of Supervisors.

1. The decision of the Board of Supervisors shall be in writing and shall be communicated to the Applicant personally or mailed to him/her at the last known address not later than 15 days following the decision.
2.
  - a. The approval of the Final Plan by the Board of Supervisors shall not by itself constitute an acceptance of the dedication of any street or other proposed public way, space or area, unless such acceptance is specifically made at such time.
  - b. Any such acceptance of dedication shall be specifically stated along with the signatures required for approval.
  - c. If the Board of Supervisors elects to accept lands offered for dedication, the Submission shall be accompanied by duly executed instruments of conveyance to the Township. Such instruments shall state that the title thereof is free and unencumbered. The Board of Supervisors may require an applicant to provide title insurance.
3. If a Final Plan Submission is disapproved, the decision shall specify defects found in the Submission, shall describe requirements which have not been met, and shall cite the provisions of the statute or ordinance relied upon in each case.
4. Conditions. If conditions are placed upon an approval, it shall be the responsibility of the applicant, in writing, to accept or reject the conditions within a maximum of 30 days after the date of the decision by the Board of Supervisors. If the applicant fails to accept or reject the conditions within such time period, then it shall be presumed that the applicant has accepted all of the conditions upon the approval. If the applicant rejects any condition, then the approval shall be rescinded, unless a decision of a court determines such condition was not valid.
  - a. The applicant shall be required to show compliance with all the conditions upon the final plan approval within one year after the date of the decision by the Board of Supervisors, unless a written extension is granted by the Board of Supervisors.

703. MINOR SUBDIVISION FINAL PLAN REQUIREMENTS. All of the following information and materials listed in this section are required as part of all minor subdivision submissions, other than lot line adjustments or submittals under Section 704. **This list of requirements shall serve as both a list of requirements, and as a checklist for the applicant and the Township to ensure completion of submissions.** The applicant shall submit completed photocopies of this section as part of the application.



Section 703 Upper Milford Township

Final Plan Checklist and List of Submittal Requirements for Minor Subdivisions and Certain Land Developments

Applicant's Name: \_\_\_\_\_

Applicant's Address: \_\_\_\_\_

Applicant's Daytime Phone No.: \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_ Date of Submittal: \_\_\_\_\_

\* Place a check in the applicable column, except: 1) insert "NA" in the "Not Submitted" column if not applicable, and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

NOT SUBMITTED SUBMITTED\*

A. GENERAL SUBMISSION ITEMS: (the Township staff may require the submission of additional numbers of copies)

- 1. 3 copies of Completed Township Application (see Appendix A)
2. Required Township review fee(s)
3. Required Township escrow funds (to fund reviews)
4. 2 copies of the Minor Subdivision Plan Checklist (using the photocopies of the pages in this Section)
5. 6 print copies of the complete Subdivision Plans, with original signatures and seals of Plan Preparers on one "File Copy".
6. 2 sets of Supportive Documents
7. Notification that a copy of the plan was delivered by applicant to the Lehigh Valley Planning Commission

B. DRAFTING REQUIREMENTS: All information shall be legibly and accurately presented.

- 1. Plans prepared on a standard sized sheet (such as 18"x24", 24"x36", 30"x42" or 36"x48"). Sheets should be folded to approximately 9"x12" size, in such a manner that the title of the sheet faces out.
2. Plans drawn at a scale of 1 inch equals 50 feet or other scale pre-approved by the Township Engineer
3. All dimensions set in feet and decimal parts thereof, and bearings in degrees, minutes and seconds.
4. Differentiation between existing and proposed features
5. Boundary line of the parcel, shown as a heavy boundary line

C. GENERAL INFORMATION:

- 1. Name and location of project (such as the "Smith Subdivision No. 2")
2. Name of landowner and developer (with addresses)
3. Names and addresses of abutting property owners, with abutting lot lines
4. Notarized Owners Statement of Intent (see Appendix B)
5. Name, address, signature, and seal of the plan surveyor and plan preparer. (See Appendix B)

\* Place a check in the applicable column, except: 1) insert "NA" in the "Not Submitted" column if not applicable, and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

NOT  
SUBMITTED SUBMITTED\*

C. GENERAL INFORMATION: (Cont.)

- |       |       |   |
|-------|-------|---|
| _____ | _____ | 6. Approval/review signature blocks for:<br>(See Appendix B) the Township Board of Supervisors, Township Planning Commission and Lehigh Valley Planning Commission staff                |
| _____ | _____ | 7. Location map at a standard scale (such as 1"=2000') showing the location of the project and watercourses, municipal borders and existing and proposed streets adjacent to the parcel |
| _____ | _____ | 8. North arrow, graphic scale, written scale  |
| _____ | _____ | 9. Date of plan and all subsequent revision dates (especially noting if this is a revision of a previously approved plan)   |
| _____ | _____ | 10. Deed Book volume and page number from County records  |
| _____ | _____ | 11. Tax map number and block and lot number and property identification number for the parcel being subdivided  |

D. NATURAL FEATURES:

- |       |       |   |
|-------|-------|---|
| _____ | _____ | 1. Contour lines shall be: <ul style="list-style-type: none"> <li>a. based on a field survey or photogrammetric procedure at an interval of 2 feet (or other interval pre-approved by the Township Engineer) at a scale of 1"=100' or larger;</li> <li>b. Note- Contours are not required to be shown within areas of lots of 10 acres or more that are clearly not intended to be altered as a result of this proposed subdivision, unless needed for stormwater management</li> </ul> |
| _____ | _____ | 2. Identification of any slopes of 15 to 25 percent, and greater than 25 percent  |
| _____ | _____ | 3. Areas within any hydric soils (see Soil Survey of Lehigh County), with a notation that there are none if that is the case  |
| _____ | _____ | 4. Watercourses (with any name), natural springs, lakes and wetlands.   |
| _____ | _____ | 5. Areas of existing mature woods, with areas noted that are proposed to be preserved or removed  |

E. MAN-MADE FEATURES:

- |       |       |  |
|-------|-------|--|
| _____ | _____ | 1. Existing and proposed lot lines <ul style="list-style-type: none"> <li>a. The boundaries of lots (other than a residual lot of at least 10 acres) shall be determined by accurate field survey, closed with an error not to exceed 1 in 10,000 and balanced.</li> <li>b. The boundaries of any residual parcel which is greater than 10 acres may be determined by deed.</li> </ul> |
| _____ | _____ | 2. Location of existing and proposed monuments.  |
| _____ | _____ | 3. Sufficient measurements of all lots, streets, rights-of-way, easements and community or public areas to accurately and completely reproduce each and every course on the ground.  |
| _____ | _____ | 4. Buildings estimated to be 80 years or older that are proposed to be impacted by the subdivision, with name and description.   |

\* Place a check in the applicable column, except: 1) insert "NA" in the "Not Submitted" column if not applicable, and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

NOT  
SUBMITTED SUBMITTED\*

E. MAN-MADE FEATURES: (Cont.)

- |       |       |  |
|-------|-------|--|
| _____ | _____ | 5. Sewer lines, storm water facilities, water lines, bridges and culverts.   |
| _____ | _____ | 6. Existing and proposed utility easements and restrictive covenants and easements for purposes which might affect development (stating which easements and rights-of-ways proposed for dedication to the municipality). |
| _____ | _____ | 7. Proposed (if known) and existing non-residential building locations and land uses.  |
| _____ | _____ | 8. Easements/covenants addressing maintenance of stormwater easements.   |

F. ZONING REQUIREMENTS:

- |       |       |   |
|-------|-------|---|
| _____ | _____ | 1. Applicable zoning district name, zoning district boundaries and minimum lot area |
| _____ | _____ | 2. Minimum setback requirements shown for each lot                                  |
| _____ | _____ | 3. Sufficient information to determine compliance with the Zoning Ordinance         |

G. PROPOSED LAYOUT:

- |       |       |  |
|-------|-------|--|
| _____ | _____ | 1. Total acreage of site and total proposed number of lots   |
| _____ | _____ | 2. Identification number for each lot  |
| _____ | _____ | 3. Lot width (at minimum building setback line) and lot area for each lot  |
| _____ | _____ | 4. As applicable, the following existing and proposed items shall be shown for each lot, using standard symbols that are identified in a legend on the plan. |

-Well (if not connected to central water system)-with required separation distance shown from septic drain fields, and with dimensions from lot lines

-Primary drain field (with dimensions from lot lines)

-Secondary drain field - shall be perc tested, and dimensioned from lot lines

-Suitable soil probe location

-Suitable percolation test locations

- |       |       |  |
|-------|-------|--|
| _____ | _____ | 5. Existing and proposed storm drainage facilities or structures                             |
| _____ | _____ | 6. Exact slope across proposed primary and secondary on-lot sewage system sites              |
| _____ | _____ | 7. Plan showing proposed street address numbers of proposed lots, as issued by the Township. |

\* Place a check in the applicable column, except: 1) insert "NA" in the "Not Submitted" column if not applicable, and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

NOT  
SUBMITTED    SUBMITTED\*

H. PLAN NOTATIONS. The following shall be stated on the Final Plan, if applicable.

- |       |       |   |
|-------|-------|---|
| _____ | _____ | a. "Well and sewage disposal systems shall be constructed in accordance with standards of the Pennsylvania Department of Environmental Protection."   |
| _____ | _____ | b. "Individual owners of lots must receive approval from the Township Sewage Enforcement Officer for a sewage permit prior to undertaking the construction of an on-lot sewage disposal system or building that will need to be served by such a system. Additional, no development shall occur in the alternative drain field location without the prior written approval of the Zoning Officer and Sewage Enforcement Officer." |
| _____ | _____ | c. "The Township does not guarantee that any individual lot or location within a lot will be able to sustain any type of well or sewage disposal system."   |

I. ADDITIONAL INFORMATION: The Planning Commission may require the submission of any additional information that would be required for the Final Plan of a major subdivision under Section 603, if needed to determine compliance with this Ordinance.

- |       |       |  |
|-------|-------|--|
| _____ | _____ | 1. Residual Lands Sketch. If the submitted plans do not include all undeveloped or underdeveloped adjacent or abutting lands owned by the same landowner or under control of the same developer, then a sketch shall be submitted at an appropriate scale, on one sheet, covering all such land holdings together with a sketch of a reasonable future road system to demonstrate that the proposed subdivision provides for the orderly development of any residual lands and/or does not adversely affect the potential development of residual lands. |
| _____ | _____ | 2. Copy of the DEP Sewage Planning Module application, if applicable, as completed by the applicant, with evidence that the application has been forwarded to the proper review agencies for comments  |
| _____ | _____ | 3. See the requirements of the Township Stormwater Management Ordinance.   |

704. LOT LINE ADJUSTMENTS, MERGER OR CONSOLIDATION OF LOTS (ALSO REFERRED TO AS REVERSE SUBDIVISIONS), AND MINOR REVISIONS OF APPROVED PLANS.

- 704.A. The reduced submission requirements listed in this section shall apply, together with the procedural requirements of Section 702, if either of the following apply:
1. the proposal will meet the definition of a "lot line adjustment";
  2. The proposal only involves a merger or consolidation of lots (also referred to as reverse subdivision) including two or more lots merging into one; and/or
  3. in the determination of the Township staff, which may be based upon the advice of the Township Engineer, the proposal will involve revisions to a previously approved plan and those revisions only involve changes in the supporting documentation or engineering details or to correct erroneous data or minor omissions concerning a plan previously granted final plan approval.
- 704.B. The list of requirements on the following page shall serve as both a list of requirements, and as a checklist for the applicant and the Township to ensure completion of submissions. The applicant shall submit completed photocopies of this section as part of the application. The required information listed in this Section may be combined or separated onto different sheets, provided that the plans will be clearly readable.
- 704.C. Additional Information. The Planning Commission may require that a plan under this section include the submission of specific additional information that would be required if the plan would be a final minor subdivision plan, if such specific information is necessary to determine compliance with this ordinance.
- 704.D. A merger or consolidation of lots (also referred to as reverse subdivision) under this section shall result in the formation of one new lot with one new recorded deed for that new lot.

Section 704.E Upper Milford Township

**Lot Line Adjustments, Merger or Consolidation of Lots**

**(Also referred to as Reverse Subdivisions) and Minor Revisions of Approved Plans.**

**Checklist and List of Submittal Requirements.**

Applicant's Name: \_\_\_\_\_

Applicant's Address: \_\_\_\_\_

Applicant's Daytime Phone No.: \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_ Date of Submittal: \_\_\_\_\_

\* Place a check in the applicable column, except: 1) insert "NA" in the "Not Submitted" column if not applicable, and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

NOT SUBMITTED	SUBMITTED*	
_____	_____	1. Township application/review fee(s)/escrow
_____	_____	2. 3 copies of the Completed Application (see Appendix A)
_____	_____	3. 2 copies of this Checklist (using the photocopies of the pages in this Section)
_____	_____	4. 4 print copies of the complete Final Plans
_____	_____	5. Notification of delivery by applicant of a copy of the plan to the Lehigh Valley Planning Commission
_____	_____	6. Plans prepared on a standard sized sheet (such as 18"x24", 24"x36", 30"x42" or 36"x48")
_____	_____	7. Plans drawn at a scale of 1 inch equals 50 feet or other standard scale.
_____	_____	8. All dimensions set in feet and decimal parts thereof, and bearings in degrees, minutes and seconds.
_____	_____	9. Differentiation between existing and proposed features
_____	_____	10. Boundary line of the parcel, shown as a heavy line
_____	_____	11. Words "Final Plan" and name of project on each sheet
_____	_____	12. Notarized Owners Statement - see Appendix B
_____	_____	13. Plan preparer's statement (See Appendix B)
_____	_____	14. Approval/review signature blocks for: Township Board of Supervisors, Township Planning Commission and Lehigh Valley Planning Commission (see Appendix B)
_____	_____	15. Location map at a standard scale (1"= 2000') showing the location of the project and existing and proposed streets adjacent to the parcel and watercourses and municipal borders
_____	_____	16. North arrow, graphic scale, written scale
_____	_____	17. Date of plan and all subsequent revision dates and submission dates (especially noting if this is a revision of a previously approved plan) with space for future revision dates
_____	_____	18. Existing and proposed lot lines and street rights-of-ways
_____	_____	19. Existing building locations and type of land uses
_____	_____	20. Applicable zoning district and required minimum lot area
_____	_____	21. Minimum setback requirements shown for each lot
_____	_____	22. Note stating type of water and sewer service proposed (such as "well and on-lot septic systems")



**ARTICLE 8**  
**Improvements Guarantees**

801. GUARANTEE OF IMPROVEMENTS INSTALLATION REQUIRED.

801.A. Before approving any subdivision or land development plan for recording, the Board of Supervisors shall require that the Township be assured by means of a proper Improvement Agreement and Performance Guarantee that the improvements required by this Ordinance and the improvements appearing on the plan will be installed in strict accordance with the standards and specifications of this Ordinance.

801.B. Purpose of Security. The security required by this Article shall stand as security for compliance with all Township ordinances, other laws, covenants, stipulations, conditions and rules applicable to the subdivision or land development for which it is filed.

801.C. No construction of permanent buildings or sales of any individual lot or condominium unit shall occur within a subdivision or land development unless:

1. there is on file, with the Township, current duly executed and approved security, or
2. all rough grading is complete and all required public improvements, utilities, streets, drainage facilities, sewers and street lights have been completed and accepted by the Board of Supervisors.

802. IMPROVEMENTS TO BE PROVIDED BY THE APPLICANT.

802.A. In all cases, the subdivider or land developer shall be responsible for the installation of all improvements required by this Ordinance.

802.B. The Township Engineer or other Township designee shall make such inspections of the required improvements at such intervals as may be reasonably necessary to assure compliance with this Ordinance. The reasonable costs of such inspection shall be borne by the subdivider or land developer.

803. IMPROVEMENT AGREEMENT.

803.A. Improvement Agreement Required.

1. All applicants proposing any subdivision or land development which provides for the installation of improvements required by this Ordinance or any improvements or amenities which appear on the Final Plan shall be required to enter into a legally binding Improvement Agreement with the Township prior to recording of the Final Plan, unless the applicant agrees to meet Section 801 concerning the construction of all improvements prior to the construction of any buildings or the sale of any lots or home sites.
2. The Improvement Agreement shall guarantee the installation of said improvements in strict accordance with all Township requirements.



803.B. Terms of Improvement Agreement. The Improvement Agreement shall be acceptable in legal form to the Township Solicitor and shall be acceptable in content to the Township Board of Supervisors. The Township may require that a Improvement Agreement include any of the following items, where applicable, and such additional items as are necessary to carry out this Ordinance:

1. The construction depicted on the approved plans, listed in itemized format, including all approved streets, drainage facilities, utility lines and other improvements.
2. A work schedule setting forth the beginning and ending dates of such work tied to the construction of the development, and provisions to allow proper inspection by the Township Engineer.
3. The provision of a Performance Guarantee for completion of required improvements in compliance with Section 804, including a detailed breakdown of the estimated costs of the improvements, including the total amount of the Performance Guarantee.
4. Provisions concerning the developer's responsibilities for damage to other property, including maintenance by the developer of public liability insurance for the duration of improvements construction, with a hold harmless clause to protect the Township from liability related to such work. A copy or other evidence of such liability coverage shall be provided to the Township prior to such work.
5. Provisions requiring that the applicant and/or other responsible entities ensure that erosion, sedimentation and stormwater management plans are complied with.
6. Provisions for the dedication of streets, water and sewer lines and any other easements or improvements proposed to be dedicated.
7. See Section 902 concerning the requirement for a "RECORD" plan.
8. Provisions for the developer to reimburse the Township for all reasonable engineering costs directly related to the review, construction and inspection of the proposed development and to the review and preparation of the Improvement Agreements.
9. Provisions concerning any violations of the Improvement Agreement.
10. Any other lawful terms which the Board of Supervisors may require to carry out the provisions of this Ordinance.
11. Signatures. The improvement agreement shall be signed by all responsible landowners and/or developers.

803.C. Ownership of Land and Guarantee.

1. A certificate of ownership in the form of Appendix B shall be executed in the exact name in which title is held. If the developer(s) is someone other than the landowner(s), the developer shall also execute this affidavit, along with a security agreement.

*Upper Milford Township Subdivision and Land Development Ordinance – Adopted March 18, 2010*

2. Change in Ownership or Developer. Any conveyance of all or a substantial portion of the unimproved lots or public improvements or streets of any subdivision or land development or change in developers, whether voluntary or by action of law or otherwise, shall require the prior approval of the Board of Supervisors to guarantee validity of the approved plan and conditions. The Board of Supervisors shall require that such new landowner and/or developer, in writing, fully assume all applicable responsibilities under the improvement agreement, including providing required financial security.

803.D. Utility Agreements. If a development will connect into a public water or public sanitary sewage system, the applicable authority, agency or company may also require separate improvement agreements.

804. PERFORMANCE GUARANTEE. The Performance Guarantee for completion of required improvements shall meet the following requirements:

804.A. Security.

1. The Guarantee shall be secured by the credit of any of the following:
  - a. An irrevocable and unconditional letter of credit of a Federal or State chartered lending institution,
  - b. A restrictive or escrow account in a Federal or State chartered lending institution, or
  - c. Such other financial security approved by the Board of Supervisors (which approval shall not be unreasonably withheld), but not including a second or third mortgage on the unimproved lands.
2. Such approved security shall provide for, and secure to the public, the completion of any improvements which may be required within 1 year of the date fixed in the Improvement Agreement for the completion of such improvements.
3. Such financial security shall be posted with a Federally issued or State chartered lending institution chosen by the party posting the financial security, or such other approved entity, provided such institution or entity is authorized to conduct such business within the State.
  - a. The Board of Supervisors may require that evidence be provided that such institution or entity has sufficiently adequate and secure assets to cover the security.
  - b. The Township shall be the authorized signatory on any account in which the escrow funds are held.

804.B. Amount of Security.

1. The amount of financial security to be posted for the completion of the required improvements shall be equal to 110 percent of the cost of completion estimated as of 90 days following the date scheduled for completion by the developer in the official development schedule, and within the process for increases to cover inflation as permitted by the PA Municipalities Planning Code.
2. The cost of the improvements shall be established by an estimate prepared by a PA Registered Professional Engineer, which shall be reviewed by the Township Engineer, within the arbitration process permitted by the PA Municipalities Planning Code.

3. 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 a maximum of an additional 10 percent for each one-year period beyond the first anniversary date from posting of financial security or to an amount not exceeding 110 percent of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one-year period by using the above procedure.
4. Inspection Fees. The amount of financial security shall also include an additional 5 percent of the estimated cost of completion of the work to guarantee payment of inspection fees and related engineering costs.

804.C. Multi-Year or Multi-Stage Development. In the case where development is projected over a period of years, the Board of Supervisors may authorize submission of final plans by phases/stages of development subject to such requirements or improvement guarantees concerning future improvements as it finds necessary for the proper functioning of each phase and for the eventual development as a whole.

805. APPROVAL OF IMPROVEMENTS.

805.A. Advance Notice by Developer of Construction of Improvements.

1. Meetings. Prior to construction or installation of improvements in any new phase or any major facet of construction, the developer or his/her representative shall contact the Township Engineer to determine whether a pre-construction meeting is needed. The Township Engineer may require that such meeting be attended by the responsible contractor(s) and responsible representatives of the developer. In addition, meetings may be required with the utility companies as needed.
2. The developer or his/her representative shall provide a minimum of 3 business days prior notice to the Township Staff prior to beginning each major facet of construction, in order to allow the scheduling of inspections. See also Section 1004.K.11, which requires 5 business days advance notice for street construction.
3. The developer should notify the Township in writing when 1/3 and 2/3rds of the total dollar value of the improvements are completed, and a list of those items completed.
4. See Section 806.A.1.b. concerning improvements completed without proper Township inspection.

805.B. Request for Release of Security. When an improvement has been completed, the party posting the financial security shall notify the Township and request in writing to the Board of Supervisors by certified or registered mail release of related financial security. The developer shall send a copy of that letter to the Township Engineer at the same time.

805.C. Engineer's Report.

1. Within 30 days of a receipt under Section 805.B., the Township Engineer shall submit a written report certifying which improvements have been completed in accordance with the approved plan to the Board of Supervisors and mail a copy of such report by certified or registered mail to the developer or his/her representative at his/her last known address.

2. This report shall be based on the inspections made according to the approved inspection schedule included in the Improvement Agreement and shall recommend approval or rejection of the improvements, either in whole or in part.
3. If the Township Engineer finds any or all of the improvements to be not as required, he/she shall include a statement of the reasons for recommending their rejection in the report.

805.D. Release of Security.

1. After receiving the Township Engineer's Report (but not later than 45 days of the receipt of the request) the Township staff shall review the Township Engineer's report and shall authorize release of an amount as estimated by the Township Engineer fairly representing the value of the improvements completed.
2. Until final release (completion of all improvements), the Township may require retention of a maximum of 10 percent of the cost of each completed improvement.
3. The Township shall notify the developer in writing by certified or registered mail of the decision.

805.E. Completion of Unaccepted Improvements. The developer shall complete any required improvements that the Board of Supervisors determines are not satisfactory or complete. Upon completion, the applicant may request approval in conformance with the procedures specified in Section 805.

805.F. Final Release.

1. When the developer has completed all of the required and necessary improvements, the developer shall request Final Release in conformance with the procedures specified in Section 805. See time limitations and procedures in Section 510 of the PA Municipalities Planning Code.
2. Such Final Release shall include all moneys retained under Section 805.D.3.

805.G. Appeal. Nothing herein shall be construed to limit the developer's right to contest or question by legal proceedings or otherwise any determination of the Board of Supervisors or the Township Engineer.

805.H. Certificates of Use and Occupancy and Completion of Improvements.

1. A temporary or final certificate of use and occupancy shall not be issued and a structure shall not be occupied unless all principal buildings have access to a clearly permanently passable street with at least a complete paving base course and any required curbing installed.
2. In addition to part "H.1." above, no final certificate of use and occupancy shall be issued until the structure is completed as approved with service by all required utilities and with all access onto a street completed to required standards, if applicable.

806. REMEDIES TO EFFECT COMPLETION OF IMPROVEMENTS.

806.A. Enforcement of Security.

1. The Township shall have the authority to use remedies to effect completion of required improvements as provided in Section 511 of the Pennsylvania Municipalities Planning Code. In addition, the Township may pursue civil prosecution of a violation of this Ordinance.
  - a. **Construction Without Inspection.** If required improvements have been completed without providing the Township Engineer or his/her representatives with proper opportunity for inspection, and as a result the Township Engineer cannot determine whether the improvements were properly constructed, then the Board of Supervisors may require that the Developer, at the Developer's expense, remove, replace, sample, test or reconstruct such improvements as necessary to determine compliance with this Ordinance and other applicable Township standards.
2. **Rate of Construction.** Failure of a developer to construct streets and other public improvements reasonably at the same time or prior to the construction of the buildings served by those streets or public improvements, and at the same rate in time at which buildings are completed, shall be a violation of this Ordinance and a cause for default of the security.

806.B. Completion by Township. If the proceeds of such security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the Board of Supervisors may, at its option, install or replace 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.

806.C. Proceeds for Installation of Improvements. The proceeds from use of the security and/or from any legal or equitable action brought against the developer shall be used solely for the installation of the improvements covered by such security and directly related administrative costs.

807. MAINTENANCE GUARANTEE.

807.A. Maintenance Guarantee Required. All applicants proposing any subdivision or land development which provides for the dedication of improvements required by this Ordinance shall be required to provide a legally binding Maintenance Guarantee to the Township prior to acceptance of dedication of the improvements by the Township. In most cases, this Guarantee will be part of the Security Agreement.

807.B. Terms of Maintenance Guarantee. The Maintenance Guarantee shall be acceptable in legal form to the Township Solicitor and in content to the Board of Supervisors, and shall include all of the following:

1. that the Applicant make any repair or reconstruction of any improvement stipulated in the Maintenance Agreement which is specified by the Board of Supervisors if needed because of faulty construction, workmanship, or materials, prior to acceptance of such improvement by the Township;

2. that the Applicant maintain at his/her own cost all improvements stipulated in the Maintenance Agreement, up to a maximum period of 18 months from the date of completion, except for any special purpose escrow or maintenance agreements required by the Township; and
  3. that the applicant post financial security to secure structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plan, for a maximum term of 18 months from the date of completion.
- 807.C. Public Utilities and Authorities. If water mains or sanitary sewer lines, or both and related apparatus or facilities are to be installed under the jurisdiction and under the rules and regulations of a public utility or municipal authority, 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. This amount of financial security shall not also be required by the Township if it is required by such utility or authority.
- 807.D. Type of Security. The Maintenance Guarantee shall be secured by the same form of security as is permitted for the improvements guarantees.
- 807.E. Terms. Such Maintenance Guarantee shall be in the form approved by the Township Solicitor and Board of Supervisors, payable to the Township, to guarantee the maintenance and repair of the streets and other public improvements in the subdivision or land development for 18 months from the date of completion. The applicant shall prove to the satisfaction of the Board of Supervisors that there will be an acceptable system for the long-term maintenance of any stormwater detention basins.
- 807.F. Amount. The amount of the Maintenance Guarantee shall be determined by the applicant's engineer, conditioned upon acceptance by Board of Supervisors, but shall not exceed 15 percent of the actual cost of installation of such improvements.
- 807.G. Release. After a maximum of 18 months from the date of acceptance of dedication of said improvements, the Township shall release the Maintenance Guarantee to the developer (or party that posted the guarantee) if all improvements are in satisfactory condition, as determined by the Township.



**Article 9**  
**Recording of Final Plan**

901. RECORDING OF FINAL PLAN.

901.A. Deadline.

1. The Applicant is responsible to ensure that the Final Plan for any subdivision or land development as approved by the Board of Supervisors is provided to the Township Engineer in a form ready for recording within 90 days after such final approval. The Township Engineer or his / her designee shall then record the Final Plan.
2. If the Final Plan approval included official conditions that must be met prior to recording, then the plan shall be recorded within 90 days following the compliance with such conditions, up to a maximum total of one year following the final plan approval, unless a written extension is provided by the Board of Supervisors.

901.B. The applicant shall be required to compensate the Township for costs of the recording.

901.C. The Final Plan shall not be recorded unless the applicant proves that they have met all required conditions that the Township Staff and/or Township Engineer determine would impact the recorded Final Plan, including but not limited to, issuance of any required PennDOT highway occupancy permit.

901.D. Failure to record the Final Plan within the specified time periods shall cause the approval to become null and void.

902. RECORD PLAN. The applicant shall provide to the Township one signed reproducible and four signed paper clear and legible copies of the Record Plan, unless the County Recorder of Deeds Office may require a different format. The Township copies shall be made after recording, and shall be exact copies of those portions of the approved Final Plan that the Township requires to be recorded. Such Record Plan, at a minimum, shall include all of the following:

902.A. street right-of-ways,

902.B. common open spaces,

902.C. easements, and any covenants that the Township required to be placed on the Final Plan,

902.D. lot lines and lot dimensions,

902.E. water lines, sanitary and storm sewer lines and stormwater drainage facilities,

902.F. the required signatures of Township officials and the Lehigh Valley Planning Commission staff and the date of Township approvals,

902.G. notations stating whether the streets, any common open space and other proposed improvements are to be offered or not offered for dedication to the Township,

902.H. buildings associated with land development applications,

902.I. proposed curb, sidewalk and recreation trails,

902.J. waivers and modifications and Zoning Hearing Board decisions, and associated conditions, and dates of such approvals, and

902.K. additional information from the complete Final Plan that the Township may require be shown.



903. EFFECT OF RECORDING.

- 903.A. Private Improvements. Every street, park, or other improvement shown on a subdivision or land development plan that is recorded, as provided herein, shall be deemed to be a private street, open space, or improvement until such time it may be offered and officially accepted for dedication to the Township, or is duly condemned.
- 903.B. Dedication of Improvements. The Record Plan shall state by formal notation whether the streets, any common open space and other proposed improvements are proposed to be offered or not offered for dedication to the Township.

## **Article 10**

### **Design Standards and Required Improvements**

#### 1001. APPLICABILITY.

1001.A. Minimum Requirements. The design standards and improvements required in this Article are the minimum requirements for approval of a subdivision or land development.

1001.B. Modifications, Waivers and Exceptions. See Section 107 of this Ordinance.

1002. REQUIRED IMPROVEMENTS. This Article sets forth the design and construction standards for required improvements, regardless of whether the improvement will be dedicated to the Township.

#### 1003. OVERALL REQUIREMENTS; TREE PRESERVATION; EROSION CONTROL.

1003.A. Land shall be suitable for the purpose for which it is to be subdivided or developed.

1003.B. Hazardous Conditions. Subdivisions or land developments subject to hazardous conditions (such as open quarries, hazardous or toxic site pollution, limestone solution channels, unconsolidated fill, floods, excessive erosion or unsafe water supply) shall not be approved until the developer has provided or has legally committed to provide adequate measures to overcome or eliminate the hazards, in the determination of the Board of Supervisors, to the best of their knowledge. See also the Township's floodplain requirements.

1003.C. Zoning. All aspects of a proposed subdivision or land development shall conform to the Township Zoning Ordinance and all other Township Ordinances and specifications.

1003.D. Nearby Development. A subdivision or land development and its street pattern shall be coordinated with existing or approved nearby developments or neighborhoods to help develop the area harmoniously and to help prevent conflicts between neighboring development.

1003.E. Open Burning. Open burning during construction is controlled by a separate Township Ordinance.

1003.F. Preservation of Existing Trees. The provisions in the Zoning Ordinance shall apply.

1003.G. Erosion Control and Soil Protection.

1. Ground Cover and Top Soil. After completion of construction on a lot, all exposed ground surfaces that are not paved and that are not covered by approved gravel areas or decorative stones or similar material shall be covered by a minimum of 6 inches of topsoil and a vegetative ground cover that will prevent soil erosion and the raising of dust.

2. Erosion Control. Any earth disturbance should be controlled by proper measures to prevent soil erosion and sedimentation, following DEP regulations and standards of the County Conservation District.
  - a. A soil erosion and sedimentation control plan is required to be submitted to the County Conservation District and found to be acceptable for most types of earth disturbance under the State regulations.
  - b. Compliance with such plan shall be an automatic condition of any approval or permit under this Ordinance.
  - c. Township permits may be suspended if earth disturbance does not comply with such approved plan.
3. Both the owner of the property at the time of any earth disturbance and the person(s)/company accomplishing the work shall be responsible to ensure that adequate erosion control measures are used, and that the grading is in compliance with the Township-approved plan.
4. All lots, tracts, or parcels shall be graded in accordance with the Township Stormwater Management Ordinance to provide proper drainage away from buildings, prevent any surface runoff from ponding, and all other stated purposes of such Ordinance.
5. Grading shall be done in such a way so as to not divert water (other than runoff that previously occurred) onto the property of another landowner without the express consent of the Township and the written permission from the landowner.
6. During grading operations, necessary measures for off-premises dust and mud control shall be exercised at all times in accordance with approved Erosion and Sedimentation Control Plans.
7. Grading equipment shall not be permitted to cross through streams. Provisions shall be made for the installation of temporary culverts and/or bridges as necessary and such crossings shall be permitted in accordance with requirements of DEP.
8. Excavations and Fills.
  - a. Cut and fill slopes shall be no steeper than 2:1 unless stabilized by a retaining wall or cribbing except as approved by the Township Engineer under special conditions. Slopes exceeding 3:1 must have suitable protection against erosion until stabilization is achieved.
  - b. Fills shall be placed and compacted so as to minimize sliding or erosion of soil.
  - c. Fill shall not encroach on watercourses.
  - d. Fill places adjacent to natural watercourses or constructed channels shall have suitable protection against erosion during periods of flooding.

#### 1004. STREETS.

##### 1004.A. Access to Streets.

1. All proposed subdivisions and land developments shall have adequate and safe access to the public street system.
2. Frontage.

- a. Any lot created under this Ordinance shall have frontage and access onto either:
    - 1) a public street (which may be required to be improved as necessary under Section 1004.L), or
    - 2) a private street constructed to the same standards as a public street and that has a permanent system to ensure adequate maintenance.
  - b. If a residential lot is adjacent to two streets, it shall only have vehicle access onto one street. Such limitation shall be stated on the plan.
3. Private Streets and an Existing Lot. A pre-existing lawful lot of record that abuts an existing private street that does not meet Township standards may have access for a single principal use onto such private street, but no new lot shall be created with access onto such street.
4. Access for Emergency Vehicles. Suitable access for emergency vehicles shall be provided within all subdivisions and land developments, including adequate clear width, and including access to reach all principal buildings. Driveways shall be designed to be accessible to emergency vehicles. Driveways that are greater than 100 feet in length and that provide access to a principal building shall have a 10 feet minimum horizontal clearance, a 12 feet minimum vertical clearance and be designed to accommodate the weight of a fire engine with a 73,000 pound aggregate vehicle weight.
- a. Where an access is limited to use by emergency vehicles, the following standards shall apply:
    - 1) A Township-appointed method shall be used to restrict access by non-emergency vehicles, with such construction detail submitted to the Township.
    - 2) One coordinated emergency accessway may be shared by adjacent developments.
    - 3) Existing or proposed utility easements or rights-of-way should be considered for use as emergency accessways.
    - 4) The applicant shall provide evidence that the design of the emergency access will be able to accommodate the weight of emergency vehicles.
    - 5) Such access should be offered for review by the local Fire Company.
- 1004.B. Streets and Topography. Proposed streets shall be adjusted to the contour of the land to produce usable lots and reasonably sloped streets. See the street grade regulations in Section 1004.F.
- 1004.C. Street Continuations.
1. Stub Street Right-of-Way. Where deemed necessary by the Board of Supervisors for efficient movement of traffic, a subdivision or land development shall include the extension of a street right-of-way to the boundary line of the parcel proposed for development to provide for an eventual extension into the adjacent tract for efficient circulation of traffic throughout the area. If a stub street is constructed, see Section 1004.I.4., which addresses temporary turnarounds.
    - a. The Township may require that a concept sketch be submitted showing that the proposed stub street is at a logical location to link with an adjacent parcel.

2. Widening. Where a subdivision or land development abuts or contains an existing street of inadequate cartway or right-of-way width, additional right-of-way and/or cartway width shall be required conforming with Table 10.1, “Design Standards for Streets.” See Section 1004.L. concerning right-of-way.

1004.D. Intersections.

1. The centerlines of streets shall intersect at right angles except where the Board of Supervisors grant a modification under Section 107 after finding that a right angle intersection is not feasible. In such case, the intersection shall be at as nearly a right angle as possible, with an absolute minimum angle of 75 degrees.
2. Alignment of Street Intersections.
  - a. No more than four legs of streets shall intersect at one point, regardless of the names given to each street.
  - b. Where a proposed street or access drive intersects an existing cross street, such proposed street or access drive shall be aligned with any street intersecting on the other side of the cross street.
  - c. If a proposed street cannot intersect at the same location as a street on the other side of the cross street, then the proposed street shall be offset by the following minimum distances from the nearest intersection of streets:
    - 1) 150 feet along a local street,
    - 2) 400 feet along a collector street, and
    - 3) 800 feet along an arterial street.
    - 4) Measurement. The minimum distances of this subsection shall be measured between the points where the centerlines of the rights-of-way of the intersecting streets intersect with the centerline of the cross street.
3. At street intersections, curb lines shall be rounded by arcs with the radii listed below, whichever is most restrictive. The right of way shall be maintained at least 10 feet from the inside of the curb line or edge of pavement. A larger radius may be required by the Township where necessary for trucks or buses (such as off-site intersections) or by PennDOT.

<u>Type of Street</u>	<u>Minimum Radius of Arc at Intersection of Pavement Edge or Curb Line (in feet)</u>
Any street within an industrial district or that provides truck access to an industrial district	55
At least one arterial street, other than above	40
At least one collector street, but no arterial street, other than above	30
Local streets, other than above	15

1004.E. Access Management.

1. Where a subdivision or land development abuts or contains an existing or proposed arterial or collector street, the Township shall require:

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- a. The minimization of the number and length of driveway cuts or street intersections onto an arterial or collector street, which may include requiring the use of shared driveways between adjacent uses or lots, and/or
  - b. The restriction of ingress and egress involving left-hand turns onto or off of the arterial or collector street with Township-approved medians, signage and/or other devices to prevent unauthorized turns, and/or
  - c. The prohibition of driveways from individual dwellings entering directly onto an arterial or collector street. If there is no alternative to this, each driveway entering onto an arterial or collector street shall have adequate turn-around space for vehicles provided within the lot so that vehicles do not back onto the street, and/or
  - d. The construction of a rear street to link driveways from two or more business lots to reach a more appropriate access point onto a more heavily traveled road.
2. All access to commercial and office lots within a subdivision or land development shall use internal access and shared driveways to the maximum extent feasible, as opposed to separate driveway access to roads from individual uses and lots.
  3. See Section 1013 concerning access connections between commercial use parking lots.
  4. A maximum of one access shall be permitted per lot onto any one arterial road. A maximum of one additional access point may be permitted if the applicant demonstrates through a capacity and circulation analysis that an additional access point is necessary to accommodate traffic to and from the site and can be achieved in a safe and efficient manner, or where specifically required by PennDOT.
  5. Lawful existing commercial lots that do not limit vehicle access to defined driveway locations shall be brought into conformance with this Ordinance and the driveway width requirements of the Zoning Ordinance as a condition of a new subdivision or land development approval or where such change is required under a State Highway Occupancy Permit.
  6. Unless specifically required otherwise by the Township or PennDOT, where a property fronts on two or more roads, access shall be obtained from the lowest functional classification road.
  7. See maximum driveway slope at approaches to a road in Section 1012.
  8. See minimum and maximum width of driveway openings in Article 7 of the Zoning Ordinance.
  9. See sight distance requirements in Section 1004.H.
  10. The installation of a non traversable median may be required along an arterial road where in the opinion of the Township Engineer in conjunction with Penn DOT (where relevant), the median is needed to reinforce the prohibition of left turns to or from a driveway. The placement, type and design of the median barrier shall be in

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accordance with the most recent edition of Penn DOT Publication 13M, Design Manual Part II or its successor standard.

11. For minimum use driveways (as defined by PennDOT), the radii shall be a minimum of 15 feet. For low volume and medium volume driveways (as defined by PennDOT), the radii shall be a minimum of 25 feet. For high volume driveways, the minimum radii shall be as approved by the Township Engineer. In all cases, the radii shall be designed to accommodate the largest vehicle expected to frequently use the driveway. Except for joint driveways, no portion of a driveway radius may be located on or along the frontage of an adjacent property.

1004.F. Street Design Standards.

1. Minimum street design standards shall be as shown in Table 10.1., unless PennDOT establishes a more restrictive requirement along a State road.
  - a. Rear or side alleys, where approved, shall have a minimum cartway width of 16 feet for two-way traffic and 12 feet for one-way traffic.
2. Shoulders. In addition to the cartway widths stated above, any street that does not have curbs shall include appropriate **8 feet wide shoulders along each side of an arterial street, 6 feet wide shoulders along each side of the cartway of a collector street and 4 feet wide shoulders** on each side of the cartway of a local street.
  - a. See construction standards in Section 1004.K.
  - b. If the shoulders are paved, they shall be separated by a stripe from the travel-lanes.
3. Horizontal curves shall connect street lines that are deflected in excess of 2 degrees. Vertical curves shall be used at changes of grade exceeding 1 percent. The length of the vertical curve shall be determined by the required sight distance specified in Table 10.1. Vertical curves shall be calculated following the latest published standards of PennDOT. Horizontal curves shall be calculated based upon the following AASHTO formula:  $R_{\min} = V^2 / 15 * (0.01e + f_{\max})$ .
4. All approaches to intersections shall have a leveling area not greater than 4 percent grade for a minimum distance of 25 feet, measured from the nearest edge of cartway of the intersecting street. Vertical curves near an intersection on a local street may be reduced to a 20 mile per hour design speed if a stop condition will be utilized.
5. The minimum grade of any street gutter shall be 1.0 percent.
6. A minimum tangent of 100 feet, measured from edge of cartway, shall be required between a curve and a street intersection.

**TABLE 10.1 - DESIGN STANDARDS FOR STREETS**

(All Dimensions in Feet Unless Specified)

DESIGN SPECIFICATIONS	TYPE OF STREET:		
	Arterial	Collector	Local
Right-of-Way Width	80*****	60*****	50
Cartway Width without curbs and without on-street parking (plus shoulders if required by subsection “2.” above, plus turning lanes as determined to be needed by the Board of Supervisors or PennDOT)	24 to 32	24 to 30	22 *****
Cartway Width:			
- w/curbs on both sides & no on-street parking	30	30	26 *****
- w/curbs on both sides and on-street parking on 1 side	34	34	30 *****
- w/curbs on both sides and on-street parking on 2 sides	36	36	36 **
Plus Acceleration/Deceleration Lane Width (where determined to be needed by the Board of Supervisors or PennDOT)	11	11	NA
Minimum Sight Distance*	500	300	200
Minimum Tangent between Reverse Curves, measured along the street centerline.	200	100	100
Minimum Centerline Radii for Horizontal Curves	500***	300	200
Maximum Grade****	6%	8%	10%
Minimum Grade	1.0%	1.0%	1.0%

\* These standards are for road sight distance, not clear sight distance at intersections. Horizontal sight distances shall be measured from a point 3.5 feet above the road surface to a point 6 inches above the road surface, and shall be based upon standards of PennDOT.

\*\* A Local Residential Street serving only single family detached dwellings may have a minimum cartway width of 26 feet for portions of a cul-de-sac street that ultimately will not serve more than 200 average weekday trip-ends. This reduction shall not apply to a cul-de-sac street that may be extended in the future to serve additional traffic.

\*\*\* Larger radii may be required as determined to be needed by the Township Engineer or PennDOT. The Township may approve a reduced horizontal curve requirements if the applicant proves that the curve would not typically cause vehicles to cross the centerline and if such reduction is proven to be necessary because of the unique conditions of the property.

\*\*\*\* Up to 400 feet of length of a local street may have a maximum grade of 12 percent if the Township determines a less steep grade is not feasible.

\*\*\*\*\* A 32 foot wide minimum cartway width shall be required abutting a development of townhouses or apartments. In addition, a minimum of 0.5 additional parking space per dwelling shall be provided for overflow parking.

\*\*\*\*\* As may be established by PennDOT along a State road.

7. Second Access to Development. Any subdivision or land development of more than 25 dwelling units shall have at least two means of vehicle access into the development. The second means of access may be limited to emergency vehicles, provided the applicant proves the access will be properly designed for its intended purpose. See Section 1004.A.4. regarding emergency access.



8. Boulevard Entrance. Where the Board of Supervisors determine that additional measures are needed to make sure that a street entrance to a subdivision or land development will not be obstructed, the Supervisors may require that a boulevard-type of street entrance be used. The intent is to separate entrances and exits so that both sides of the street are unlikely to be obstructed at the same time. This shall include a one-way entrance of at least 20 feet width and a one-way exit of at least 20 feet width, separated by an island at least 10 feet in width, with a right-of-way width of 70 feet.
9. See Section 1004.L. regarding improvements to existing streets.

1004.G. Street Crown.

1. With the exception of alleys and divided streets, streets shall be constructed with a center crowned cross-section with a minimum slope of 2 percent and a maximum slope of 4 percent from the street centerline, unless required otherwise by PennDOT for a State road.
2. An alley may have an inverted crown.

1004.H. Clear Sight Triangle; Minimum Sight Distance.

1. Clear Sight Triangle.
  - a. See the Clear Sight Triangle requirements in the Zoning Ordinance.
  - b. In addition, the Township may require that such clear sight triangle be elongated where a new street or driveway will enter onto an arterial or collector street. Such clear sight triangle shall be designed to keep an area free of sight obstructions that is equal in length along the arterial or collector street to the clear sight distance that would be required under PennDOT sight distance requirements. Such clear sight triangle may be required regardless of whether a State road is involved.
2. Sight Distances.
  - a. An applicant for access for a new street or driveway onto a Township street shall prove that the new access would meet the same PennDOT sight distance requirements as if the street was a State road. See Section 441.8 of PennDOT highway occupancy regulations, or its successor sections, including the Safe Stopping Sight Distance table.
  - b. If the applicant proves to the Township that it is not possible to meet the desirable sight distances that are stated in PennDOT regulations, then the intersection shall be located at the point of maximum sight distances that are achievable within the street length of the property and shall meet the minimum required safe sight distances set forth in such PennDOT regulations.
  - c. In the event that the applicant proves to the Township that the minimum required safe sight distances cannot be met, then the Board of Supervisors may require one or more of the following:
    - 1) Require that the intersection be located at the point where maximum sight distance can be achieved;
    - 2) Restrict turning movements into or out of the intersection (such as no left turns into or out of the intersection);

- 3) Require the installation of a right turn acceleration or deceleration lane;
  - 4) Require the installation of a left turn standby lane;
  - 5) Require that the horizontal or vertical alignment of the street be altered;
  - 6) Require an alternative form of access, such as a shared driveway with another lot, or access onto a different street; and/or
  - 7) Deny approval of the plan on the grounds that the minimum safe distance requirement cannot be met and that therefore public safety cannot be adequately protected, and/or that any restrictions on turning movements would not be practical or would have adverse impacts upon other properties and streets that may be used for turnarounds.
- d. In the event that turning movements from an intersection are to be restricted, the applicant shall provide a detailed design of the proposed intersection and an engineering analysis of the anticipated impacts resulting from such restricted turning movements. The design and analysis shall be prepared by a professional engineer with expertise in traffic engineering, and shall address the following:
- 1) The impacts on other lots and streets within the vicinity that may be used by motorists for turnarounds.
  - 2) The impacts on public safety, considering sight distance and types of vehicles.
  - 3) The provision of appropriate methods to ensure compliance with the turning restrictions, such as channelization, alignment, and signage. Such methods meet applicable standards of PennDOT.

1004.I. Cul-de-Sac Streets.

1. Cul-de-sac streets shall be permitted with a maximum length of 1,000 feet. Cul-de-sac streets shall be provided with a turn-around with a minimum paved radius of 50 feet to the face of the edge of the cartway. The radius of the right-of-way line return between the bulb and stem of cul-de-sacs shall be a minimum of 150 feet. The curb line or pavement edge radius shall be a minimum of 160 feet.
2. The circular right-of-way of the cul-de-sac shall maintain a minimum 10 feet width between the edge of paving and the edge of the right-of-way. The circular paving of the cul-de-sac shall be connected to the approach paving by an arc having a radius of not less than 50 feet.
3. The Board of Supervisors may permit acceptable alternative turn-around designs where adjustments are needed because of topography.
  - a. The turn-around shall have a sufficient radius to allow movement by school buses, snow plows and delivery trucks, even if a vehicle is parked along the side of the cartway. To accomplish this, a 45 foot radius turnaround shall be required as part of an alternative design and a 24 feet wide paved cartway shall be provided.
  - b. Where a landscaped island is approved in the center of the cul-de-sac, any curbing should be of a mountable design to provide better access for emergency vehicles. The Township may require the establishment of a homeowner association to maintain any landscaped island.

4. No street shall dead-end without an approved turn-around at the end of the street. Temporary stub streets shall be required to include at least a temporary cul-de-sac, if the stub would be longer than 150 feet or serve more than 2 dwellings or lots. In such case, the temporary cul-de-sac land area that is excess shall revert to the adjacent landowners after the turnaround is no longer used. Areas of a temporary cul-de-sac turnaround that is within a proposed street extension shall be constructed to public street construction standards. Areas outside of such street extension shall be constructed with a minimum of 6 inches depth of compacted PennDOT Type 2A aggregate or better.
5. The maximum cross slope on the circular part of a cul-de-sac shall be 6 percent.
6. A cul-de-sac street shall serve a maximum of 25 dwelling units or 250 trips per weekday for non-residential uses. See also Section 1004.F.7.
7. A snow storage easement shall be established at the end of the cul-de-sac, which shall provide for proper drainage as the snow melts. This easement shall be located so that a snow plow can push snow relatively straight from the street to the far end of the cul-de-sac. This snow storage easement shall be located clear of any driveways, mail boxes and electric transformers, and have a minimum width of 40 feet. The snow storage easement shall not obstruct any inlet, and any curbing shall be depressed at the easement. The required curb reveal shall be determined in the field by the Township Engineer.
8. The Township may require that a cul-de-sac street near the edge of a subdivision or land development include provisions to allow the street to be extended in the future onto an adjacent tract. This shall include provisions for a public street right-of-way to the edge of the tract. In such case, the construction costs to extend the street shall be borne by the adjacent developer in the future.

1004.J. Maintenance of a Non-Public Street. As a condition for Final Plan approval, the developer must enter into a legally binding agreement which shall state who is to be responsible for the improvement and maintenance of any street not approved to become dedicated in the future. If an association of property owners is to be made responsible, such association must be legally organized according to a timetable approved by the Township.

1004.K. Street Design and Construction Standards.

1. Streets (and alleys where provided) shall be graded, improved and surfaced to the grades and dimensions shown on plans, profiles and cross-sections submitted by the developer and as approved by the Board of Supervisors and shall meet applicable Township standards.
2. Right-of-Way Grading.
  - a. The right-of-way shall be graded according to the cross-section submitted by the applicant after it has been approved. The excavation shall be backfilled and suitably compacted to the satisfaction of the Township Engineer.
  - b. The finished street surface shall be crowned in conformance with the Township specifications.

- c. A proper super-elevation (banked curves) shall be provided on arterial and collector streets when required by the Township Engineer.
  3. Grading Beyond Right-of-Way.
    - a. The subdivider or developer may be required to grade beyond the right-of-way line in order to provide continuous slope from the right-of-way line to the existing / proposed elevation of the abutting property.
    - b. Such grading beyond the right-of-way shall generally maintain the original directions of slope except where storm water runoff designs dictate changes.
    - c. Approved plans, either preliminary or final, showing proposed grading, shall be binding upon all future lot owners, unless altered by written permission from the Board of Supervisors.
    - d. In no case shall the required street grading extend onto an adjoining property with a different landowner, unless the other adjoining property owner gives a written agreement to the developer to accomplish such work. A copy of such agreement shall be provided to the Township.
  4. Trench Excavation. All trenches excavated within the cartway of an existing or proposed public street or right-of-way shall be mechanically compacted with backfill acceptable to the Township Engineer. See also Federal Occupational and Safety regulations for trenching.
  5. Drainage of streets shall comply with the Township Stormwater Management Ordinance.
  6. Street Construction Standards. All street pavements shall comply with the provisions of this Section, except that PennDOT shall determine the required cross-section for a State road.
    - a. All materials, construction procedures and other specifications shall be in conformance with the PennDOT Publication 408.
    - b. A 6 inch minimum compacted depth stable sub-base shall be provided, using PennDOT Type 2A aggregate or better, unless the Township pre-approves an alternative sub-base. The sub-grade shall be properly rolled and crowned.
      - 1) The Township may require a greater depth where necessary considering the conditions of the sub-grade. Materials that are unsuitable, wet soils and soils subject to frost-heave shall be removed and replaced, drained or otherwise stabilized to handle anticipated loads.
      - 2) The Township may require field and/or laboratory testing of the sub-grade, particularly if on-site shale is proposed to be used.
      - 3) The Township may require compaction tests, with the Township's costs reimbursed by the developer.
    - c. A 4 inch minimum compacted depth 25mm Superpave Hot Mix asphalt base course shall be provided. This depth may be decreased to 3 inches if the depth of the sub-base is increased to 8 inches.
    - d. For local streets, a 1.5 inch minimum depth 9.5mm Superpave Hot Mix Asphalt Wearing Course shall be provided. Such depth shall be 2 inches for a collector street and 3 inches for an arterial street.
    - e. Where shoulders are required, PennDOT "Type 3" or better shoulders shall be provided on each side of the travelway.

- f. All street construction materials shall be certified in writing by the supplier as meeting PennDOT or Township specifications as applicable. The Township may require that a developer provide testing results for paving materials.
  7. Sub-drains. In poorly drained areas, suitable sub-grade drains or parallel drains may be required by the Township. Sub-grade drains shall conform to PennDOT Publication 408 and shall be provided with a suitable outlet.
  8. Alleys and Shared Driveways. Alleys and shared driveways serving more than one lot shall be constructed with a 5 inch minimum compacted depth stone sub-base, 2 inch minimum compacted depth bituminous base course, and a 1.5 inch minimum compacted depth surface course. Shared driveways shall only be allowed under the conditions of Section 1012.E. If a shared driveway is more than 250 feet long, it shall include at least one 9 by 20 feet layby area for every 300 feet that allows one car to wait while another car proceeds.
  9. Guide-Rails. Streets shall be designed with geometric features that minimize the need for guide-rails. Guide-rails shall only be installed where the result of striking an object or leaving the roadway would be more severe than the consequence of striking the guide-rail.
    - a. Guide-rails shall be installed by the developer where necessary to meet the guide-rail standards in the PennDOT publication entitled “Guidelines for Design of Local Roads and Streets” or where otherwise required by the Board of Supervisors. Guide-rails shall meet the construction standards of PennDOT Publication 408 and PennDOT Standards for Roadway Construction.
  10. Street Inspections. The entity constructing a street shall provide the Township Engineer with a minimum 5 business days advance notice before the start of initial construction of improvements and a minimum 2 business days advance notice before the following street construction is accomplished so that an inspection may be scheduled:
    - a. Excavation of the road site.
    - b. Preparation of the road sub-grade.
    - c. Installation of the road sub-base.
    - d. Compaction of the base course.
    - e. Installation of paving material.
- 1004.L. Required Transportation Improvements.
1. Purpose. In recognition of Sections 503(2)(ii) and 503(3) of the Municipalities Planning Code, this Section is primarily intended to ensure that streets bordering a subdivision or land development are coordinated and of such widths and grades and in such locations as deemed necessary to accommodate prospective traffic and to facilitate fire protection and to ensure that the access into and out of subdivisions and land developments is sufficiently safe.
  2. Process. This sub-section "L." shall be carried out through determinations of the Board of Supervisors, after considering any recommendations of the Planning Commission, the Township Engineer, the applicant, the applicant's professional

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representatives, any comments from PennDOT that may be provided regarding a State road and any professional traffic studies that may have been submitted.

3. On-Site / Abutting Traffic Improvements. If, in the determination of the Board of Supervisors, there is a reasonable relationship between the need for an "on-site improvement" and the traffic created by a proposed subdivision or land development, the applicant for such subdivision or land development shall be required to complete the needed improvement or fund his/her fair share of the cost of such transportation improvement and to dedicate sufficient street right-of-way for needed improvements.
  - a. Widening of Abutting Street. An applicant for any land development or subdivision shall be required to widen, pave and improve any abutting street and provide additional right-of-way as needed to meet current Township standards.
  - b. Existing Streets With Insufficient Right-of-Way. Where a public street exists with a right-of-way of less than the width required by this Section, then as part of any new subdivision or land development, additional right-of-way shall be dedicated to bring the adjacent street segment into conformance. For example, if a street has a 33 feet wide right-of-way, and a 50 feet wide right-of-way is required, and a subdivision only involves one side of the street, then the applicant shall dedicate 8.5 feet of additional right-of-way so that there is at least 25 feet of right-of-way from the original centerline of the street.
    - 1) Where a State road is involved, and PennDOT does not wish to accept the additional right-of-way, then the right-of-way shall be offered to the Township. If the Township does not wish to accept the additional right-of-way on a State or Township street, then the record plan shall state that the right-of-way shall be reserved for dedication in the future if needed.
  - c. Such improvements shall be required unless the Board of Supervisors determine:
    - 1) the subdivision or land development does not create any need for the improvement, or
    - 2) a modification is granted under Section 107, or
    - 3) that PennDOT specifically refuses in writing to allow such improvement to a State road in the foreseeable future.
  - d. Any improvement to a State road shall meet all PennDOT standards.
  - e. Fee in Lieu of Street Improvements. Where this Ordinance would require a widening of a street and/or the construction of curbing, and where the applicant desires to not complete such improvements, and where the applicant proves to the satisfaction of the Board of Supervisors that such widening and/or curbing is not essential at that location at the present time, then as a modification under this Ordinance, the Board of Supervisors may offer the option of a fee in lieu of the widening or curbing.
    - 1) The Township Engineer shall provide a review of the need for and cost of the widening or curbing to the Board of Supervisors. The fee shall be equal to 80 percent of the estimated costs of the street widening and/or curbing, unless another fee is established by resolution of the Board of Supervisors.
    - 2) If the Board approves a request of the applicant to pay the fee in lieu of the street widening or curbing, then such fee shall only be used for public street or curbing improvements within the Township. Such funds do not

- necessarily need to be used on the street where the requirement was modified.
- 3) Such funds do not need to be kept in a separate bank account and are not escrow accounts, but should be identified as part of a Road Improvement Account.
  - 4) A waiver may be approved in any case, but such fee shall only apply for a land development or a major subdivision.
4. Types of Required Traffic Improvements.
- a. The following shall be the definition of "on-site improvement," (unless this definition is amended by State law): "all street improvements constructed on the applicant's property, or the improvements constructed on the property abutting the applicant's property necessary for the ingress or egress to the applicant's property."
  - b. On-site improvements may include, but are not limited to, a new or upgraded traffic signal, land dedication to improve an abutting intersection, realignment of an abutting curve in a road or the widening of the abutting cartway and right-of-way.
5. Funding. In place of completing a required street improvement as a condition of final approval, an applicant may enter into a legally binding development agreement with the Township for the applicant to fund the improvement, or his/her fair share of such improvement, as determined by the Board of Supervisors.
6. Staging. Any completion or funding of a required improvement may occur in stages in relationship to the stages of the development, if so stated in a legally binding development agreement and/or as a condition of final plan approval.

1004.M. Traffic Impact Studies.

1. Purposes. To enable the Township to assess the impact of a proposed development on the transportation system. To ensure that proposed developments do not adversely affect the transportation network. To identify any traffic problems associated with access from the site to the existing transportation network. To delineate solutions to potential problems and propose improvements to be incorporated into the proposed development.
2. Applicability.
  - a. A traffic impact study shall be required for any subdivision or land development that at build-out after completion of all phases is projected to generate 250 or more average daily trip ends. "Trip ends" shall mean the total number of trips both entering and exiting the proposed development. These projected trip ends shall be based on the latest edition of the publication titled "Trip Generation," published by the Institute of Transportation Engineers, or upon traffic studies conducted within the last five years at comparable developments that are acceptable to the Township Engineer. The ITE land use codes shall be stated.
  - b. If a development is proposed to be submitted in phases, the initial traffic study shall consider a reasonable estimate of the likely development in later phases, in addition to the current phase.

- c. The boundaries of the study area to be analyzed shall include those existing and proposed streets and intersections which may be affected by the proposed subdivision or land development. If there is any dispute as to whether existing and proposed streets and intersections may be affected or not, the final discretion shall rest with the Township Engineer or designated Traffic Engineer.
  - d. In lieu of submitting a traffic impact study, under the provisions of Section 107, the Board of Supervisors may approve a modification to accept a fee from an applicant to be put towards the cost of a larger more comprehensive traffic study or to accept a developer making an improvement to a street that otherwise would not be required by the Township or PennDOT. For a larger traffic study, the Township shall have the authority to select the consultant or forward the funding to the County or PennDOT to conduct a study.
  - e. Prior to preparing a Traffic Impact Study, the applicant is requested to meet with the Township Engineer and Township Staff, with officials of PennDOT and Lehigh Valley Planning Commission invited.
3. Traffic Impact Study Contents.
- a. Site Description. This section shall include the location, proposed land uses, acreage, construction staging and completion date of the proposed land development. Types of dwelling units and number of bedrooms shall be included for residential developments, and gross and usable floor area for non-residential developments. A brief description of surrounding land uses and other proposed land developments within the study area shall be provided. A study area map should also be included.
  - b. Transportation Facilities Description.
    - 1) The study shall describe the proposed internal transportation system, including vehicular, bicycle, bus and pedestrian circulation, all internal roadway widths and rights-of-way, parking conditions, traffic channelizations and any traffic controls within the site. If the site will be served by public transit, the study shall describe any benches, shelter or transit signs that will be provided.
    - 2) The study shall describe location and design of proposed access, including sight distance limitations and distance from adjacent driveways and intersections.
    - 3) The report shall describe the external roadway system within the study area. Major intersections in the study area shall be identified and mapped. Any proposal for bus or van service shall be described. Pedestrian and bicycle facilities on abutting properties shall also be documented. All proposed or approved roadway improvements within the study area shall be noted.
    - 4) The report shall list the proposed timing of major road improvements, including the Lehigh Area Transportation Improvement Program.
  - c. Existing Traffic Conditions. Existing traffic conditions shall be documented for all streets and intersections in the study area. Traffic volumes shall be recorded for existing average daily traffic, existing peak hour traffic and for traffic during the development's peak hour. Complete traffic counts at all intersections in the study area shall be conducted, encompassing the peak hours of the development and roadway. A volume capacity analysis using the procedures of the current "Highway Capacity Manual" and based upon



existing volumes shall be performed during the peak hour(s) of the development for the peak hour(s) of all roadways and major intersections in the study area. Levels of service shall be determined for each location.

- 1) The study shall include information on traffic crashes in the study area for the previous 5 years, if such information is available from PennDOT or the Township.
- d. Traffic impact of the Development. Estimation of vehicular trips to result from the proposal shall be completed for the peak hour(s) of both the street system and the development. Acceptable source(s) and methodology shall be followed. 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. Safety issues for any pedestrian crossings shall be described. Any characteristics of the site that will cause trip generation rates that vary from the ITE Manual shall be noted.
- e. Analysis of Traffic Impact. The total future traffic demand based on full occupancy of the proposed subdivision or land development shall be calculated for the existing and proposed streets and intersections. This demand shall consist of the combination of the existing traffic expanded to the completion year through the use of an accepted background growth rate, the development-generated traffic, and the traffic generated by other proposed developments in the study area. To assist in determining the background growth rate, the Annual PennDOT Traffic Report shall be considered. A volume/capacity analysis shall also be conducted using the total future demand and the future roadway capacity. This analysis shall be performed using the peak hour(s) for all streets and major intersections in the study area. The Township Engineer may also require this analysis to be conducted for the peak hour(s) of the development. Volume/ capacity calculations shall be completed for all movements at major intersections. Levels of service for all streets and intersections shall be listed.
- 1) The Study shall consider the year when the development will be complete, as well as a time period afterward.
  - 2) The Study shall describe the method that is used to allocate the direction of trips.
  - 3) As applicable, the Study shall analyze traffic signal warrants, traffic signal optimization, turn lane analysis and queue analysis.
- f. Conclusions and Recommended Improvements.
- 1) Any movements on streets and intersections within the study area showing a Level of Service D or worse, based on the latest edition of the “Highway Capacity Manual,” shall be considered deficient. Specific recommendations for the elimination of these problems shall be listed. Unsignalized intersections shall be evaluated for a signal warrant. Highway capacity evaluations shall consider not only the overall intersection level of service, but also each approach and movement to identify any substandard values which need to be improved.
  - 2) All locations where the level of service for the completion year of the development is deficient without the proposed development, the study shall determine improvements which would provide a level of service

and delay no worse than conditions without the subject development.

These improvements may include street and intersection design and improvements, traffic signal installation and operation, traffic signal timing and other improvements. The study shall also provide an analysis to determine improvements which would eliminate all deficient levels of service.

- 3) Actions to facilitate use of bus or van service and carpooling should be included, if applicable.
- 4) The listing of recommended improvements for both streets and transit shall include, for each improvement, the party responsible for the improvement, a preliminary cost estimate and funding of the improvement, and the phase of development during which the improvement is proposed to be completed. Any roadway improvement which requires increased right-of-way shall be identified. The Study should estimate the applicant's fair share of the costs of the needed improvements.
- 5) The traffic impact study may be used as a basis for a Township requirement under Section 1004.L. or another section of this Ordinance
- 6) Improvement plans shall not be submitted to the PA Department of Transportation (PennDOT) before they are submitted to the Township. Approval of a site access plan by PennDOT does not guarantee approval by the Township.

g. Preparation and Review. The preparer of the traffic impact study shall be a professional engineer or transportation planner. The developer shall reimburse the Township for reasonable fees and expenses incurred by the Township Engineer or Traffic Engineer for the review of the developer's traffic impact study and plans.

h. Data sources and methodology shall be described in the report.

#### 1005. BLOCKS.

1005.A. Maximum Length. Residential blocks shall not exceed 2,000 feet in length in subdivisions using an average lot size of 1 acre or larger and shall not exceed 1,500 feet in length in subdivisions having an average lot size less than 1 acre. Where this distance would be exceeded, the Township may require the construction of a cross-street, where topographically feasible.

1. Pedestrian Crossings. The Board of Supervisors may require that a pedestrian access easement be provided to provide pedestrian access where street connections are not available to serve the same purpose. The Township may require a marked crosswalk to be created.
2. Future Street. Blocks shall be considered to be separated by the reservation as part of an approved subdivision plan of a 50 feet minimum right-of-way reserved for a future cross-street, such as a street is intended to serve future interior lots. Such future street is not required to be constructed until such time as the lots fronting on it are subdivided. Such right-of-way shall be retained in the same ownership as the

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abutting interior lot(s) until a street may be developed. Potential future street extensions shall be shown on the plan.

1005.B. Blocks shall be of sufficient width to permit 2 tiers of lots, except where access is limited by virtue of an adjoining arterial street or by virtue of topographic limitations, unless permitted by the Board of Supervisors.

1006. LOTS; FLAG LOTS.

1006.A. Zoning. All lots shall conform to all requirements of the Township Zoning Ordinance, as were in effect at the time such subdivision plan was duly submitted.

1006.B. Street Frontage. Section 1004.A.2. shall apply.

1006.C. The average depth-to-width ratio of a lot shall generally not be greater than 3 to 1, unless otherwise permitted by the Board of Supervisors to accommodate an unusual configuration of the site.

1006.D. Side lot lines shall abut and be approximately at right angles to straight streets and on radial lines to curved streets. Pointed or very irregularly shaped lots shall be avoided.

- 1006.E. 1. Lots abutting two streets on two non-contiguous sides shall ordinarily not be created except as needed to avoid direct vehicular access onto an arterial or collector street by individual driveways.
2. Rear Yard Buffers Along Collector or Arterial Streets.
- a. Any residential lot of less than 2 acres with a rear yard directly abutting a collector or arterial street shall along such rear yard include a 10 feet wide planting strip along the back of the lot, in addition to the minimum yard requirement, with access across this strip clearly prohibited on notes on any approved plan.
  - b. In addition to any street trees required by Section 1019 of this Ordinance, this planting strip shall include evergreen plantings meeting the buffer yard requirements of the Zoning Ordinance or alternative landscaping approved by the Township. American Arborvitae and similar weak-stem plants shall not be used.
  - c. Any fencing in the rear of such lots shall be placed on the inside of such plantings. Such plantings shall be placed so that they do not obstruct safe sight distance.
3. See Section 1004.A.2.b.

1006.F. Flag Lots. Flag lots are lots that do not meet the required minimum lot width at the minimum building setback line, and which have an elongated and more narrow extension connecting the bulk of the lot area with a street. A flag lot shall only be approved where the applicant proves that a flag lot is necessary to minimize the amount of disturbance of natural features or prime agricultural land, and shall not be used to increase the number of dwelling units or lots that would otherwise be allowed on a tract. A flag lot shall need specific approval as such by the Board of Supervisors, after providing the Township Engineer and Planning Commission with an opportunity for comment.

- 1. A maximum of one flag lot shall be allowed for each 3 proposed new lots in a subdivision. The Township may require that a flag lot include a prohibition against future subdivision.
- 2. Only one tier of flag lots shall be allowed.
- 3. The flag lot shall have a driveway within the same lot, which shall connect to a public street.
- 4. A flag lot shall only be allowed for one of the following:
  - a. a single family detached dwelling lot with a minimum lot area of one acre, unless a larger lot is required by the applicable zoning district; or
  - b. a lot that is only occupied by a well, sewage pumping station, stormwater detention basin or similar utility and which is deed restricted against further development.
- 5. The minimum lot width shall be met at the proposed front yard principal building setback line, which shall not be more than 250 feet from a public street.
- 6. The driveway shall be suitable for access by emergency vehicles. See Section 1004.A.4.

1007. RECREATION AREAS AND FEES.

- 1007.A Purposes. To provide adequate open spaces, recreational lands and recreational facilities to serve new inhabitants/occupants of new developments, for both active and passive recreation. To recognize and work to carry out the Park, Recreation and Open Space Plan for Upper Milford Township, which is adopted as Recreation Plan for the Township or by a successor document that may be adopted as the Recreation Plan for Upper Milford Township.
- 1007.B. Applicability. This section shall apply to any subdivision or land development for which a preliminary plan or a combined preliminary/ final plan is submitted after the enactment date of this amendment.
1. This Section 1007 shall not apply to plans that the Township determines only involve adjustments or corrections to an approved preliminary plan or a preliminary plan that was actively before the Township for consideration as of the date of the adoption of this Section, provided the adjustments do not increase the number of proposed dwelling units.
- 1007.C. Limitations on Use of Fees.
1. Any fees collected under this section shall be placed within the Township Recreation Escrow Fund, or its successor account.
  2. To make sure that the lands and facilities are accessible to the inhabitants of the developments that paid fees towards their cost, such fees should only be used within a 5-mile radius of the boundaries of the subdivision or land development that paid the fees, unless the fees are used within a recreation area open to the public that the Township intends to serve the entire Township.
  3. Such fees shall only be used for the following: acquisition of public open space/recreation land and related debt payments, development of public recreational facilities, landscaping of public open space and necessary engineering and design work.
- 1007.D. Land to be Preserved. Any subdivision or land development regulated under this Section 1007 shall be required to preserve the specified amount of recreation land, unless the Board of Supervisors and the applicant mutually agree that recreation fees shall be required in-lieu of land.
1. As a general non-binding guideline, it is the intent of this Section that smaller developments (such as 10 or fewer dwelling units) that do not include land that is adjacent to existing publicly-owned land shall be required to pay a recreation fee in lieu of dedicating land. However, if the applicant refuses to pay such fees, then recreation land shall be required to be preserved.
  2. The land and fee requirements of this section shall be based upon the number of new dwelling units that would be allowed on the lots of a subdivision or land development after approval.

3. Prime Recreation Land. For the purposes of this section, the term “Prime Recreation Land” shall mean land proposed to be established as recreation land that would meet all of the following standards:

- a. less than 6 percent slope,
- b. not a “wetland” under Federal and/or State regulations,
- c. be part of a contiguous tract of at least 2 acres (which may include existing adjacent recreation land), and
- d. not be within the “100 Year Floodplain” as defined by official floodplain maps of the Township.

4. Amount of Recreation land. If a subdivision or land development is required to include recreation land, the following amounts for each permitted new dwelling unit shall apply:

Percentage of the Total Required Recreation Land that Would Meet the Definition of “Prime Recreation Land”:	Minimum Required Recreation Land Per Permitted Dwelling Unit
0% to 25.0%	5,000 square feet
25.1% to 99.9%	2,500 square feet
100%	1,250 square feet

1007.E. Fees. If the Board of Supervisors determines that a proposed subdivision or land development is required to pay fees-in-lieu of dedicating recreation land, this fee shall be \$3,150 for each new dwelling unit, unless such fee is updated by future action by the Board of Supervisors.

1007.F. Decision on Land vs. Fees. The Board of Supervisors shall determine whether a land dedication would be in the public interest, or whether the payment of fees is required. This initial determination should, but is not required to, be made at the time of sketch plan review. The Township should, at a minimum, consider the following in this decision:

1. Whether the land in that location would serve a valid public purpose.
2. Whether there is potential to make a desirable addition to an existing public or School District recreation area or to create a greenway along a creek.
3. Whether the proposed land would meet the objectives and requirements of this section and any relevant policies of the Comprehensive Plan and any Recreation or Open Space Plan.
4. Whether the area surrounding the proposed development has sufficient existing recreation and open space land, and whether it is possible for pedestrians and bicyclists to reach those lands.
5. Any recommendations that may be received from the Planning Commission, the Township Engineer, the local School Board or School District staff and the Township Parks and Recreation Board.

1. Suitability. Recreation land shall be suitable for its intended purpose, in the determination of the Board of Supervisors. The applicant shall state in writing what improvements, if any, he/she will commit to make to the land to make it suitable for its intended purpose, such as grading, landscaping, or development of trails. Such land shall be free of construction debris at the time of dedication. Proposed recreation land shall be suitable to meet the needs of the residents of the development.
  
2. Ownership. Required recreation land shall be dedicated to the Township, unless the Board of Supervisors agree to accept a dedication to any of the following: the School District, the County, a State agency charged with maintaining recreation land, a similar governmental agency, an incorporated property-owner association (such as a homeowner or condominium association) or an established environmental organization acceptable to the Board of Supervisors. In the case of a rental development, the Township may permit the recreation land to be retained by the owner of the adjacent principal buildings.
  - a. If recreation land is to be owned by a property-owner association, the developer shall be required to establish such association in a form that requires all property owners within the development to annually contribute to the maintenance of the recreation land.
    - 1) Any property-owner association agreements regarding required recreation land shall be subject to acceptance by the Board of Supervisors, based upon review by the Township Solicitor.
    - 2) Prior to the sale of any dwelling unit or lot, all deeds shall require each property-owner to pay fees on a regular basis for the maintenance and other expenses of owning such land. The property-owners shall be incorporated with covenants and bylaws providing for the filing of assessments. After providing notice to affected owners, the Township shall have the authority to establish municipal liens upon all properties in the association to fund maintenance of the land and Township legal costs if the property-owners association does not fulfill its responsibilities.
    - 3) An orderly process shall be established for the transfer of the land to the association. The dedication of maintenance responsibilities by a developer to a property-owners association shall not occur until such association is incorporated and able to maintain such land.
    - 4) The property-owners association shall be established in full compliance with applicable State law, including the Uniform Planned Community Act.
  - b. Transfer to another Entity. If the approved plan states that ownership of and/or responsibilities to maintain the recreation land are given to a particular entity, then any transfer of ownership or responsibilities to another entity shall require pre-approval by the Board of Supervisors. Where land is to be owned by a conservation organization, a process shall be established for the land to transfer to a different organization if the first organization is not able to fulfill its obligations.

- c. The Board of Supervisors shall have the authority to refuse to accept an offer of dedication of recreation land to the Township, and/or to determine that an offer does not meet Township requirements.
3. Easements. Any required recreation land dedication shall include a conservation easement to permanently prevent its development for buildings, except buildings for approved types of non-commercial recreation or to support maintenance of the land. Such conservation easements shall, at a minimum, be enforceable by the Board of Supervisors. The Supervisors may require that the easements also authorize their enforcement by a suitable third party.
4. Priorities. Priority shall be given to dedication of land that would be suitable for a) additions to existing public schools and public parks, or b) preservation of woods, steep slopes or other important natural features or land along a creek, or c) for centralized active recreation.
5. Suitability. Land that is not suitable for active or passive recreation shall not be permitted to meet the requirements of this section. Any land area used to meet the requirements of this Section 1007 shall meet the definition of “Recreation Land.” Portions intended for active recreation shall be well-drained, of less than 6 percent average slope and not require filling in of a wetland for use.
6. Access and Contiguousness. Recreation land within a subdivision or land development shall be contiguous, except as may be specifically exempted by the Board of Supervisors, if necessary considering the unique features of the site, and shall have a minimum of 20 feet of road frontage at a location that allows access for maintenance and by pedestrians.
7. Other Ordinances. Any required land dedication or fees under this Section shall be in addition to any land dedication or improvement requirements of any other Township ordinance.
  - a. However, the Board of Supervisors may allow common open space provided under a zoning ordinance provision to also count towards the recreation land requirement if the land will be improved for recreation, capable of meeting all of the requirements of this Section, and be available without charge on a daily basis to the public.
8. Residual Lands. If only a portion of a larger tract of land is currently proposed to be subdivided, or the applicant owns one or more adjacent tracts that are not currently proposed to be subdivided, the applicant shall provide a sketch of a possible future land dedication on these adjacent lands. The intent is to coordinate current plans with any future development, even in the long-term.
9. Coordination With Future Adjacent Dedication. The Board of Supervisors may require that a required land dedication within a property currently being subdivided be placed along an edge of the property so that it may, in the future, be combined with a recreation land/ open space dedication on the edge of an adjoining property when that adjoining property is subdivided or developed.



1007.H. Combination of Land and Fees. Upon mutual agreement of the Board of Supervisors and the applicant, the Township may accept a combination of recreation land and fees-in-lieu of land to meet the requirements of this section for a subdivision or land development. This combination shall be based upon the recreation land requirement applying for a certain number of dwelling units and the fee-in-lieu of land requirement applying for the remaining development.

1. For example, if a development included 25 dwelling units, recreation land could be required for 15 dwelling units and fees could be required for 10 dwelling units.

1007.I. Timing of Residential Fees. Fees required by this Section for all of the dwelling units shall be paid prior to the recording of the final plan, except as follows:

1. If the required fee would be greater than \$4,000, and the applicant and the Township mutually agree to provisions in a binding development agreement to require the payment of all applicable recreation fees prior to the issuance of any building permits within each clearly defined phase or sub-phase of the development, then fees are not required to be paid prior to recording of the final plan but may instead be paid within the requirements of that development agreement.

2. If the applicant agrees to pay such fees in installments, then all such fees shall not be considered to be “paid” for the purposes of any applicable time limitations for utilization under the Municipalities Planning Code until all such fees are paid in full, including all installments and phases.

1007.J. Facilities in Place of Land or Fees. An applicant may submit a written request for a modification of the requirements of this section by offering to construct substantial permanent recreation facilities within the proposed subdivision or land development or on public parkland. Such modification shall only be approved if the applicant clearly proves to the satisfaction of the Board of Supervisors that the facilities will serve a valid public purpose, will be designed following modern standards in a durable manner and will have a higher market value than the land or fees that would otherwise be required.

1. A modification of these requirements may also be approved by the Board of Supervisors if the applicant donates or sells appropriate public recreation land to the Township or the School District. In such case, the applicant shall provide a written appraisal from a qualified professional that the market value of the donation or price reduction is greater than the value of the fee or land requirement that is waived. In such case, the land shall be determined to be suitable for public recreation by the Board of Supervisors.

1008. STORM WATER MANAGEMENT AND FLOODPLAIN. **See the provisions of the Township Stormwater Management and Floodplain Regulations.**

1008.A. Landscaped Screening of Detention Basins.

1. A detention basin with a basin depth of greater than 20 inches shall have landscaping that screens it from view of existing dwellings, a residential zoning district or a public street, unless the basin would meet either of the following conditions:
  - a. it would have an average slope of less than 4 to 1 on the inside of the berm of the basin and both the inside and outside of the basin would be planted in grass

and intended to be mowed or planted in other attractive vegetative ground cover, or

- b. it would be designed to closely resemble a natural pond and be a scenic asset.
2. Any required screening shall meet the landscaping standards of the Township Zoning Ordinance, unless the Board of Supervisors approve an alternate landscaping arrangement that serves the same purposes. This landscaping shall not be required along an area where natural vegetation will be maintained that will completely fulfill this purpose.
3. Thorny and prickly shrubs (that are also attractive) are encouraged to be used around detention basins to discourage entry by children, if there may be a hazard.
4. Areas of stormwater basins that are visible from streets and dwellings shall be attractively maintained.
5. Recreation. When reasonable, efforts should be made to allow suitable recreational uses of portions of detention areas. This might include designing a detention basin with a low-flow channel so that only a portion would be wet after a minor storm, and the remainder would be well-drained during all except the most serious storms. These areas may be acceptable at the discretion of the Township as part of any Township requirement to provide recreation land.

1008.B. Storm Water Easements.

1. Where Required. Where a subdivision or development is traversed by a watercourse, drainageway, channel or stream that the Township Engineer determines is subject to significant stormwater flows, there shall be provided a drainage easement established along the following:
  - a. the 100-year floodway, where that is defined;
  - b. where a 100-year floodway is not defined, a width shall be used that includes a minimum of 25 feet on each side of the top of the primary bank of the waterway.
2. The drainage easements required by the above subsection are intended to preserve the unimpeded flow of natural drainage and to provide for future possible widening, deepening, relocating, improving or protecting of such drainage facilities. The Township Engineer may require up to a 0.5 foot freeboard and/or an additional 10 feet building setback if deemed necessary along newly constructed watercourses.
3. If a major man-made drainage channel would pass within close proximity to homes and possibly threaten the safety of persons, the Board of Supervisors, based upon the advice of the Township Engineer, may require such certain lengths of such channel to be placed within appropriate underground pipes.
4. It shall be the responsibility of the applicant to obtain all stormwater easements on, over or through other properties that are needed to carry out the proposed storm management plan.

5. Areas where stormwater easements have or will be granted shall not be obstructed during or after construction.
6. See also the easement requirements in Section 1011 of this Ordinance, including provisions regarding maintenance and obstructions.

1008.C. Floodplain Regulations. See the Township Floodplain regulations and the relevant provisions of the State Construction Codes.

1. Fill shall not be allowed within the 100 Year Floodplain if it would cause any increase in flood levels.
2. If fill is used within the 100 Year Floodplain, it shall meet the following additional requirements:
  - a. It shall extend laterally at least 15 feet beyond any proposed building footprint.
  - b. It shall consist of well-compacted materials to provide the necessary resistance to erosion, scouring or settling.
  - c. It shall not have a finished slope greater than 3:1.
3. The finished elevation of a proposed street shall be above the 100 year flood level. The applicant shall provide profiles and elevations to show that this requirement will be met.
4. Any structure within the 100 year floodplain shall include openings as needed to allow flood flows to be discharged without increasing flood heights.
5. Sanitary sewage systems shall be floodproofed up to the 100 year flood level.
6. No on-lot septic system shall be located within the 100 year floodplain.
7. All water supply facilities shall be floodproofed up to the 100 year flood level and shall be designed to minimize infiltration of floodwaters into the water supply.

1008.D. Fencing. The Board of Supervisors may require secure fencing to be placed around a stormwater basin.

1009. SEWAGE DISPOSAL SYSTEMS.

1009.A. In General.

1. All subdivisions and land developments shall be served with an approved and adequate sewage disposal system (either on-lot or public) that will meet State and Township regulations.
2. Public Sewage Connections. Any principal building or use within a subdivision or land development that generates wastewater and that in the determination of the Board of Supervisors, based upon the advice of any applicable municipal authority and the Township Engineer, could reasonably connect into a public sewage system may be required by the Township to connect into that system.
  - a. The applicant shall be responsible to pay such reasonable capital expenses that are necessary for such connection.

1009.B. Central Sewage Service.

1. If a municipality or a municipal authority is to provide the central sewage service, such agency shall have the authority to approve or reject the proposed sewage collection system for just cause.

2. Non-Public Sewage Service. If non-public central sewage service is proposed, the Board of Supervisors shall have the authority to permit or not permit such service to meet the sewage requirements of this Section based upon:
  - a. whether public sewage service is expected to be available within 5 years of the date of preliminary plan approval,
  - b. whether the proposed system would be consistent with the Township's official Sewage Facilities Plan and
  - c. whether the system would include an appropriate permanent system for professional operation and maintenance.

1009.C. On-Lot Sewage Disposal System.

1. If connection to a public sewage system is not required at the time of occupancy, and if non-public central sewage system is not approved by the Township under the Township Sewage Facilities Plan, then each lot shall be required to be served by an on-lot sewage disposal system that will meet all applicable State regulations. Each such proposed location shall be tested and approved by Township Sewage Enforcement Officer, prior to approval of the Final Plan. See the requirements of DEP for a planning module.
2. Portable chemical toilets allowed as per DEP regulation or other approved privies shall not be used as a primary method of sewage service for a subdivision or land development that operates more than 10 days in any calendar year, other than publicly-owned outdoor recreation uses and construction sites.
3. Each new lot using on-lot septic service shall include a tested alternate septic system location meeting all DEP regulations, which shall be kept available for use if needed.
4. The applicant shall submit results or a summary of the tests of required on-lot septic tests and shall show approved test locations on the Preliminary Plans in accordance with DEP planning module requirements.

1009.D. Laterals. Each lot with central sewage service shall be served by a separate sewage lateral.

1010. WATER SUPPLY SYSTEMS.

1010.A. In General.

1. All subdivisions and land developments shall be served with an adequate on-lot or central water supply system that will meet DEP and Township requirements.
2. Required Connections to Central Water Systems.
  - a. The Board of Supervisors, after requesting any recommendations of the Planning Commission, the Township Engineer and the appropriate water supplier, may require all lots and principal uses within a subdivision or land development to be connected to an existing public or Township-approved central water system where the Board of Supervisors determines that such connection would be feasible, cost-effective and reasonable, considering the distances that the lines would need to be extended and the average cost per dwelling or lot.

- b. If an applicant does not wish to extend central water service, then the Township may require the applicant to provide a comparison of the estimated total costs of extending the central water service vs. the total costs of developing wells. Such cost comparison shall be prepared by a professional and be provided to the water supplier and the Township Engineer for review. This analysis is intended to assist the Township in determining whether a water extension would be reasonable.
  - 1) The Township shall also have the authority to require a subdivision or land development to include an extension of central water service if such service is needed to resolve a significant public health or safety hazard, or where such extension is required by another ordinance or utility agreement.

3. Dry Water Lines.

- a. The Board of Supervisors, after requesting any recommendations of the Planning Commission, the Township Engineer and the appropriate water supplier, may require that a subdivision or land development include the installation of "dry" water lines if the Board of Supervisors determine that such requirement would be reasonable and that such development is likely to be able to be served by an extension of an existing Township-approved central water system within 10 years.
  - 1) The Township is not responsible to guarantee that such water connection will occur or be possible within the 10 year period.
- b. Such lines shall be required to meet the construction standards of the water supplier to which the lines are intended to be connected.
- c. A developer in such case may only be required to construct:
  - 1) such mains and laterals that would be needed to be located within the right-of-way of a newly constructed or reconstructed street(s) and
  - 2) such other mains that would be needed within the boundaries of the subdivision or land development.

4. Private Water System.

- a. The Board of Supervisors, based upon recommendations of the Township Engineer, may require or permit the development of a new private central water system if such system can reasonably be expected to be connected into an extension of an existing central water supplier within 10 years.
- b. Such system in that case shall be constructed following official standards of the water supplier to which it is intended to be connected.
- c. In such case, the approved plan should include a specific provision offering dedication of such system to the central water supplier in the future, without any purchase cost by such central water supplier.

1010.B. Central Water Supply System.

1. Water Supplier Approval. Proposed extensions of central water systems shall meet all applicable procedures, reviews and requirements of any appropriate municipal authority or water company. Such extension shall be approved by such agency prior to Final Plan approval, although specific detailed service agreements are not required to be signed until prior to recording.

2. Non-Public Supplier. Any new central water system that is not owned by a public authority or municipality shall be found to be acceptable in capacity, pressure, design and construction by the Board of Supervisors, based upon review of the Township Engineer. The Board of Supervisors may deny permission for a subdivision or land development to be served by a non-public central water system if such system cannot guarantee sufficient water pressure and capacity and would not include a suitable process for long-term operation and maintenance. The applicant may be required by the Township to establish a test well prior to recording of any lots to show that adequate water will be available and a back-up well.

1010.C. On-Lot Water System (Wells).

1. Well Locations. When a subdivision or land development is not required to connect to a central water system, acceptable locations for wells shall be shown on plans and each well shall be setback a minimum of 100 feet from any on-lot septic system.
2. Setback. Wells should be located no closer than 25 feet from any future street right-of-way. Wells should also be located to meet minimum requirements of the Federal Housing Administration, in case a FHA mortgage may be sought.

1010.D. Fire Hydrants. All subdivisions and land developments that will be served by central water service shall provide fire hydrants as needed with appropriate water pressure so that all non-residential principal buildings and all dwelling units are within 500 feet of an active fire hydrant. Such distances shall be measured along lengths that are accessible to firefighters.

1. The fire hydrant shall have connections compatible with those used by the Township fire companies.
2. The Township may require that the applicant prove that fire flows will be not be less than 500 gallons per minute in single family detached residential areas and 1,000 gallons per minute in other developed areas, at 20 pounds per square inch residual pressure.

1011. OTHER UTILITIES; UTILITY EASEMENTS.

1011.A. Utilities. All electric power service lines (as opposed to distribution lines) and all telephone, cable television (where available) and natural gas service lines within a new subdivision or land development shall be placed underground.

1011.B. Easements. Easements shall be provided as follows:

1. Stormwater drainage, sanitary sewage, central water, emergency access and other types of easements shall be provided as determined to be needed by the Township and as indicated on the plans.
2. Locations. All lots shall include a stormwater drainage and utility easement around the perimeter of each lot, including adjacent to the street right-of-way. However, such easements shall not be required where buildings are to be attached at a lot line.

3. Width. The standard minimum width of a stormwater drainage or underground utility easement shall be 15 feet, which may be reduced to 10 feet for each lot if a 10 feet minimum easement exists on the abutting side of the abutting lot.
4. See also drainage easement provisions in Section 1008 of this Ordinance.
5. Additional width of easements shall be provided if required by the utility provider or the Board of Supervisors, based upon advice of the Township Engineer. The easement widths along side lot lines may be reduced if the Zoning Ordinance allows a principal building setback that is more narrow than the width of the easement that would otherwise be required.
6. Separation. Minimum separation distances between utility lines shall be as required by the applicable utility or as deemed necessary by the Township Engineer.
7. Utilities. If any activity is proposed within the right-of-way of an underground pipeline or utility, the applicant shall provide written evidence from the operator of such pipeline or utility that such activity is acceptable under their safety standards and the terms of that right-of-way.
8. Maintenance and Obstructions. The owner of the lot shall maintain an easement in such a condition that does not inhibit its intended purpose(s). Fill or structures shall not be placed in an easement in a way that inhibits its intended purpose(s). Specifically, structures or grading that could alter or obstruct stormwater flows in violation of the approved Final Plan shall be prohibited within storm water easements.
9. Township Entry. The Township at its option shall have the right to enter a stormwater easement or any municipal easement to maintain it or improve it for its intended purpose(s), although the Township does not accept the responsibility to complete such work.
10. The following note or a Township-approved equivalent may be required to be placed on the Record Plan, unless another method of maintenance is specifically approved by the Township. The property owner shall have the responsibility for the perpetual maintenance of the permanent stormwater management facilities. No changes shall be made to the stormwater management facilities or finish grading without prior written approval from the Township. A blanket easement is hereby granted giving the Township the right, but not the obligation, to enter the property to perform any required maintenance which has not been properly performed in a timely manner. The property owner shall be responsible for the cost of any maintenance which is performed by the Township. The Township shall lien the property for said costs until the Township has been reimbursed in full.

1012. ACCESS DRIVES AND DRIVEWAYS.

- 1012.A. Construction Standards. See Section 1004.

1012.B. Access; State Roads. A State Highway Occupancy Permit is required for all access onto or work within the right-of-way of a State road. A Township Driveway Permit shall be obtained before any vehicle access is allowed from a State road or Township-owned street.

1. If the Township becomes aware that a State Highway Occupancy Permit is needed, and one has not been issued, the Township may delay the issuance of a Construction Permit and/or Occupancy Permit until such time as such State Permit is issued.

1012.C. Slope and Emergency Access.

1. The maximum slope of an access drive or driveway shall be 14 percent, except the first 20 feet adjacent to a cartway of a street shall have a maximum slope of 4 percent.
2. See Section 1004.A.4.

1012.D. Drainage. The developer shall make adequate provisions to maintain uninterrupted parallel drainage along a street where intersected by an access drive or driveway. Access drives and aisles within parking lots shall be graded and drained to keep the primary travel lane free of stormwater.

1012.E. Shared Driveways. Unless otherwise approved, a driveway shall serve a maximum of one residential lot. A driveway serving more than one residential lot shall only be approved if the applicant proves to the Board of Supervisors that it is needed because of a sight distance concern, to provide proper access management along a road, or to minimize disturbance of natural features or agricultural areas.

1012.F. Turnarounds. For lots abutting collector streets, driveways shall be designed with a location on the lot to turn a vehicle around, so as not to require a vehicle to back out onto that collector or arterial street.

### 1013. OFF-STREET PARKING CONNECTIONS.

1013.A. Interconnected Parking Lots. The Board of Supervisors may require that the following methods be used adjacent to a collector or arterial street where two lots that are each intended for current or future business uses will be contiguous to each other.

1. When two contiguous business uses or lots are in common ownership at the time of subdivision or land development application, the parking lots shall include an inter-connection to allow motorists and pedestrians to travel from one business to another business without needing to re-enter a public street.
2. Where two contiguous lots involving current or future businesses are not in common ownership, the applicant for a subdivision or land development shall seek permission from the abutting lot owner to allow a vehicle interconnection between the parking lots. Unless the abutting property-owner refuses to permit the interconnection, the subdivision or land development shall include the construction of a vehicle and pedestrian inter-connection between the parking areas.
  - a. If the abutting property-owner refuses to permit the inter-connection or the inter-connection is currently not feasible, the Board of Supervisors may require



*Upper Milford Township Subdivision and Land Development Ordinance – Adopted March 18, 2010*  
that the subdivision or land development include an easement allowing a future inter-connection and/or construct the inter-connection as a “stub” up to the applicant’s property line.

3. Where an interconnection is required or planned between two uses or lots, the subdivision or land development shall include a suitable cross-easement that permits vehicles and pedestrians from one use or lot to have access through the parking lot and driveway of the adjacent use or lot.

1014. CURBS.

- 1014.A. Curbs shall only be required where the Board of Supervisors determines they are necessary. Such determination shall consider comments of the Township Engineer and should consider whether the curbs are needed to continue existing curbing along an existing street, whether they are needed for stormwater management purposes, and/or whether they are needed for road edge stabilization.
- 1014.B. If curbs are not provided, appropriate stabilized drainage channels designed to meet the Township Stormwater Management Ordinance shall be required along all streets, within the street right-of-way, or drainage easements.
- 1014.C. Required curbs shall meet the following specifications, unless other specifications are pre-approved by the Township:
  1. Only straight or slant concrete curbs shall be provided, unless a modification is approved under Section 107, such as for granite curbing. Such curbs shall meet construction specifications of PennDOT Publication 408.
  2. Gutter design shall be subject to the approval of the Township Engineer based upon standard engineering practices. The curb reveal shall be between 7 and 8 inches.

1015. SIDEWALKS, PATHWAYS AND DRIVEWAY APRONS.

- 1015.A. Sidewalks built to Township specifications shall be required where the average residential density exceeds 3 dwelling units per acre or where the Board of Supervisors determine they are necessary for safe pedestrian movement, such as near a school.
  1. As a modification under Section 107, an applicant may propose an alternate system of pathways, such as a crushed stone or bituminous pathway, that serve the same purposes as sidewalks and which guarantee public access, but which are not necessarily within a street right-of-way, if approved by the Township Engineer.
- 1015.B. Pathway or Bikeway.
  1. If deemed necessary for the convenient and safe circulation of bicycles and pedestrians, the Board of Supervisors, upon the recommendation of the Planning Commission, may require that a major subdivision or land development include the construction of a pathway or bikeway.
  2. A bikeway/pathway shall have a minimum width of 6 feet and a maximum width of 12 feet. It may be required to be placed within a street right-of-way in place of a sidewalk, or may be placed elsewhere on a lot within an easement or other right-of-way.

1015.C. Location and Width of Sidewalks.

1. Sidewalks, where required or provided, shall be located within the street right-of-way and should be no closer than 4 feet from the curb line. Any area between the sidewalk and curb shall be planted in an attractive vegetative ground cover, such as grass. This strip shall only be paved at driveway entrances.
2. Any required sidewalks shall have a minimum width of: a) 5 feet along arterial streets or along routes used to access primary or secondary schools and b) 4 feet along collector or local streets in other locations.

1015.D. Construction.

1. Sidewalks shall meet construction specifications in PennDOT Publication 408.
2. Bikeways/pathways shall be constructed of a one inch bituminous surface course, a 1.5 inch bituminous binder course, and 6 inches of compacted gravel or crushed stone, unless an alternative standard is pre-approved by the Township. To the maximum extent feasible considering topography, pathways should be accessible to persons in wheelchairs. Stop signs should be posted along bikeways where they meet streets.

1015.E. Maintenance. It shall be the responsibility of the adjacent landowner to maintain, plow snow and remove ice off of and repair sidewalks.

1015.F. Wheelchair Ramps. Ramps shall meet the requirements of the Americans With Disabilities Act and accompanying Federal regulations.

1016. STREET LIGHTING.

1016.A. Street lights or other Township-approved lighting may be provided and installed by the developer along streets within and abutting a proposed subdivision or land development in the following situations:

1. One or more lights may be required at or near an intersection of 2 or more streets; and
2. One or more lights may be required at other locations where the Board of Supervisors deems them necessary to provide safe traffic or pedestrian circulation, to illuminate curves in streets or to illuminate the more isolated areas of a development.

1016.B. The developer shall coordinate with the electric utility regarding the responsibilities between the developer and the utility, and shall reimburse the utility for its reasonable costs for such work.

1016.C. Private Lighting. On all private streets, parking areas and other areas requiring lighting, the developer shall provide materials, installation, energizing and power for all lighting systems necessary for security and public safety. A system acceptable to the Township shall be established for the maintenance of such lights. The Township may require that business and multi-family parking lots and related walkways maintain a minimum 0.5 footcandles of illumination during hours of use.

1017. STREET IDENTIFICATION SIGNS.

- 1017.A. Any new street name signs that are needed shall be provided and installed by the developer, or if the Township volunteers to provide and install such signs, the developer shall reimburse such costs.
- 1017.B. Street names are subject to the approval of the Township. Names shall continue the name of any street with the same or similar alignment.
- 1017.C. Names shall not duplicate or be closely similar to the name of another street within the Township, the same fire company or ambulance service district or the same 5 digit zip code area. The street names shall be submitted for acceptance by the U. S. Postal Service and County Emergency Communications to avoid duplications.

1018. REGULATORY SIGNS. The developer shall install Township-specified, or shall reimburse the Township for the costs of supplying and installing, needed traffic regulatory signs and street name identification signs on public streets. The developer shall be responsible to provide and install signs on private streets. All traffic regulatory signs shall meet current standards of PennDOT.

1019. LANDSCAPING.

1019.A. Street Trees. Within and abutting all land developments and major subdivisions, along any existing or proposed street, or any access drive serving more than one commercial, industrial or institutional principal use or any access drive serving 5 or more dwelling units, street trees are required to be planted. However, street trees shall not be required: 1) along a single family detached residential lot or agricultural lot with a lot area of greater than 3 acres, or 2) where the Township determines that existing healthy trees proposed to be preserved will serve the same function.

- 1. The Board of Supervisors may approve other species of trees than those listed below if the applicant proves to the satisfaction of the Supervisors that the trees would be sturdy, attractive and resistant to disease and road salt.
- 2. A tree required by this Section shall be of the following species. This list shall not regulate types of trees that are not required to be planted by this Ordinance.

- Acer rubrum - American Red Maple
- Acer saccharum - Sugar Maple
- Carpinus - Hornbeam
- Celtis occidentalis - Common Hackberry
- Fagus sylvatica - European Beech
- Fraxinus pennsylvanica - Green Ash
- Fraxinus americana - White Ash
- Ginkgo biloba fastigiata - Maiden Hair Tree (male only)
- Gleditsia triacanthos - Thornless Locust or Honey Locust
- Liriodendron tulipifera - Tulip Poplar
- Prunus sargentii - Sargent Cherry
- Quercus - all varieties of Oak

Sophora japonica - Scholar Tree/Pagoda Tree

Tilia americana - American Linden

Tilia petiolaris - Silver Linden

Tilia euchlora - Crimean Linden

Tilia cordata - Little Leaf Linden

Ulmus - hybrids: Homestead or Sapporo Autumn Gold Elms

Ulmus parviflora - Chinese or Lacebark Elm, not including Siberian Elm

Zelkova serrata - Zelkova

3. In certain cases where evergreen trees would provide a buffer between a street and dwellings, or be more consistent with native vegetation, then the Township may permit the planting of evergreen trees instead of deciduous trees. In such case, the trees are intended to be planted immediately outside of the right-of-way. Such trees shall be of one of the following species:
  - Ilex opaca - American Holly
  - Picea - all varieties of Spruce
  - Pinus - all varieties of Pine
  - Pseudotsuga taxifolia - Douglas Fir
  - a. If more than 10 trees are required to be planted, then no more than 50 percent shall be of one species.
4. Quality of Trees.
  - a. Trees shall be of symmetrical growth, free of insect pests and disease and durable under the maintenance contemplated.
  - b. Trees which have died or have become diseased or pest-ridden within 18 months from the time of planting shall be replaced by the developer.
5. Minimum Sizes and Standards. The trunk diameter (measured at a height of 4.5 feet above the finished grade level) of deciduous shade trees required by this Ordinance shall be a minimum of 2.5 inches. The minimum height above the ground level at the time of planting of evergreen trees required by this Ordinance shall be 6 feet.
6. Planting and Maintenance.
  - a. Trees shall be planted in conformance with good landscaping practices.
  - b. Trees adjacent to or within parking areas shall be properly protected from damage by vehicles by raised curbs, raised earth, protective devices and/or sufficient setback.
  - c. Required trees shall be properly maintained and shall not be removed without being replaced by another tree that meets the requirements of this section.
7. Required Number and Spacing of Street Trees.
  - a. Along streets and access drives where street trees are required, an average of one street tree shall be required for every 50 feet of distance along the street right-of-way line on each affected side of the street. Where a right-of-way does not exist, an average of one street tree shall be required for every 50 feet of length of cartway.
  - b. Spacing. The trees required under this Section shall be spaced throughout the development along the street, but are not required to be planted at exact

intervals and may be clustered following an approved plan. Trees shall be located so that they do not restrict sight distance at driveway and street intersections.

8. Location of Street Trees. The trunks of required street trees shall be planted outside of the street right-of-way, but within the front yard area unless an alternative location is specifically approved by the Township or required by PennDOT. Where trees are not allowed in a location because of a sight distance issue, the trees shall be planted at other locations on the tract.
9. Other Requirements. The street trees required under this Section shall be in addition to any trees required under other Township regulations. The planting of street trees shall follow good nursery practices, and may be required to include staking. Trees shall be properly watered and fertilized.

1019.B. Buffer Yards. See the requirements in the Township Zoning Ordinance.

#### 1020. MONUMENTS AND MARKERS.

##### 1020.A. Monuments.

1. Location. For a major subdivision, permanent reference monuments shall be located at each intersection of rights-of-ways of street(s) constructed by the Developer, at the beginning and ending of all street curves, and at exterior corners of the subdivision or land development. For a minor subdivision, two permanent monuments shall be required, preferably at the street right-of-way line. Alternative monument requirements may be approved by the Township Engineer if an alternate arrangement still permits a surveyor to stake out accurately any building lot shown on the Record Plan.
2. Type. Reference monuments shall be constructed of steel reinforced portland cement concrete or to other materials pre-approved by the Township Engineer, and should have a minimum size of 4 by 4 inches square at the top, 6 by 6 inches square at the bottom, 24 inches in length, and shall have the top flush with the grade level.

1020.B. Markers. All lot corner markers shall be permanently located and shall be at least a 3/4 inch metal pin or pipe with a minimum length of 20 inches, located in the ground to existing grade. Such markers shall be located prior to the lot being offered for sale.

**ARTICLE 11**  
**Additional Standards for**  
**Mobile / Manufactured Home Parks**

1101. APPLICABILITY.

1101.A. The requirements in this Article shall apply to any “Manufactured/Mobile Home Park” as defined by the Zoning Ordinance.

1101.B. Terms. The terms "mobile home" and "manufactured home" shall have the same meaning.

1102. EXEMPTIONS. The following shall not be considered to be a manufactured/mobile home park, but instead shall be ruled by the applicable sections of this Ordinance and the Zoning Ordinance:

1102.A. Offering of more than one manufactured/mobile home for sale for relocation to another tract, other than routine sale of previously occupied homes within a mobile home park.

1102.B. Any development of mobile homes involving only one dwelling unit per fee-simple lot, which shall meet all of the requirements for a single family dwelling residential development;

1102.C. A manufactured/mobile home that is used only as a field office or work or tool house during an on-site construction project as a temporary use.

1103. OTHER REQUIREMENTS OF THIS ORDINANCE.

1103.A. All provisions of this Ordinance shall apply to a manufactured/mobile home park, except for provisions that are specifically amended by this Article.

1103.B. Every proposed mobile home park shall be submitted, reviewed, approved and recorded as a land development. The requirements for a subdivision may also need to be met if one or more new lots are created or lot lines are changed.

1104. GENERAL STANDARDS AND REQUIREMENTS.

1104.A. All mobile homes sites within a mobile home park shall be located on land with an average natural slope of less than 15 percent.

1104.B. Any street, not including an approved parking court, shall meet Township road bed construction requirements that would apply to a public street.

1104.C. The mobile home park shall have adequate access by emergency vehicles and shall include measures to provide adequate water supply for firefighting. If the water supply cannot feasibly be provided on-site, the requirement may be met by the applicant constructing a hydrant to access an available nearby water supply.

1104.D. All mobile home parks of more than 25 dwelling units shall include a qualified resident manager.

1104.E. Access.

1. Vehicle access to individual mobile home spaces shall be from interior parking courts, access drives or private streets and shall not be from public streets exterior to the development. Streets within the development providing access to 20 or more dwellings shall have a paved cartway width of at least 26 feet, and other streets shall have a paved cartway width of at least 22 feet, provided on-street parking is prohibited. If on-street parking is allowed, the minimum cartway width shall be 30 feet.
2. All new streets within the Mobile Home Park shall be private and be maintained as part of the Mobile Home Park.

1104.F. Parking.

1. In addition to the off-street parking required by the Zoning Ordinance, an average of 0.5 off-street parking spaces per dwelling unit shall be provided in convenient locations for visitor parking.
2. An area shall be set aside for the parking of recreational vehicles and boats of residents, with a minimum of one space for every 20 dwelling units.

1104.G. Other Design Standards and Improvements.

1. Every mobile home space shall be graded to provide a level, stable and well-drained stand for the mobile home.
2. Every space shall be provided with underground electric, telephone and T.V. Cable (if available) connections.
3. All fuel storage and supply systems shall be constructed and maintained in conformity with the regulations of all authorities having jurisdiction. No above ground fuel tanks shall be allowed within a required setback.
4. An average of one deciduous street tree shall be provided for each 50 feet of frontage along any street. These trees shall meet the requirements of Article 10 of this Ordinance.

APPENDIX A

FOR OFFICE USE ONLY  
FILE NUMBER  
\_\_\_\_\_

APPLICATION FORM

UPPER MILFORD TOWNSHIP, LEHIGH COUNTY

APPLICATION FOR SUBDIVISION:  Approval  New  
 Review  Resubmission

Date of Application \_\_\_\_\_, 20\_\_\_\_

- Sketch Plan
- Preliminary Plan
- Final Plan
- Minor Subdivision

Name of Subdivision \_\_\_\_\_

Location \_\_\_\_\_

(Attach Preliminary Plan Information where applicable)

Owner's Name \_\_\_\_\_ Telephone Number \_\_\_\_\_

Address \_\_\_\_\_

Applicant's Name \_\_\_\_\_ Telephone Number \_\_\_\_\_

Address \_\_\_\_\_

Engineer's Name \_\_\_\_\_ Telephone Number \_\_\_\_\_

Address \_\_\_\_\_

PLOT DATA:

Existing Zoning \_\_\_\_\_ Total Acreage \_\_\_\_\_ Number of Lots \_\_\_\_\_  
Minimum Lot Size \_\_\_\_\_ Tax Map Sheet, Block and Lot Number(s) \_\_\_\_\_

PLOT IMPROVEMENTS:

Lineal Feet of New Streets \_\_\_\_\_ Water Supply-Private (on lot)  Public   
Sewage System-Private (on lot)  Public

INFORMATION CHECK LIST:

- Indicate by a check (✓) items attached to this application
- print copies  DEP and Sewerage Enforcement Officer suggestions
  - PennDOT or Township Highway entrance suggestions
  - Applicant's signed statement of authorization

APPLICANT SHOULD BE PRESENT AT REVIEW MEETING

Preliminary Plan (only)  print copies  DEP and SEO Approval  Soil Conservation Comments  
 PennDOT or Township Highway entrance application  
 Applicant's signed statement of authorization  
 Drainage Plan  Street Profile  Soil and Subsurface Data  
 Sewage and Water Plans  Fee and Escrow \_\_\_\_\_

Final Plan (only)  print copies  Fee and Escrow \_\_\_\_\_  
 Applicants Notarized Statement of Authorization

Applicant's Signature \_\_\_\_\_

INSTRUCTIONS:

1. Submit this form in triplicate – a copy will be receipted and returned to you.
2. (a) Sketch Plan applicants include attachments as required but need not include Plot Improvement data.  
(b) Preliminary and Final Plan applicants include all requested data as required by ordinance.
3. (a) Sketch Plans may be submitted in person at a regular or special meeting of the Planning Commission.  
(b) Submit Minor Subdivision, Preliminary and Final Plans to the Township Secretary.

Received by Upper Milford Township \_\_\_\_\_ Date \_\_\_\_\_



**APPENDIX B  
STATEMENTS, FORMS AND LETTERS**

**B.1 PLAN PREPARER'S STATEMENTS. - Model Forms.**

I, \_\_\_\_\_, a registered surveyor of the Commonwealth of Pennsylvania, do hereby certify that the Plan, prepared from a field survey on \_\_\_\_\_, 20\_\_\_\_ correctly represents the property boundary of the proposed subdivision or land development.

\_\_\_\_\_  
Date Registered Surveyors' Signature

I, \_\_\_\_\_, a registered surveyor, registered landscape architect or licensed professional engineer in the Commonwealth of Pennsylvania, do hereby certify that the accompanying application, plans and supporting documentation are true and accurate, to the best of my knowledge.

\_\_\_\_\_  
Date Plan Preparer's Signature

\_\_\_\_\_  
Address Printed Name

**B.2 OWNER'S STATEMENT. - Model Form.**

I/we make this statement being duly sworn according to law. I/we state that for the land involving the accompanying plans, we are the majority owners of this property or the authorized officers of the corporation that owns this property, and are in peaceful possession of it, and that there are no suits pending affecting the title of same, and that I/we acknowledge and endorse the accompanying plans and that we will propose a record plan for recording (as applicable), after receiving all required Township approvals.

\_\_\_\_\_  
OWNER'S OR AUTHORIZED CORPORATE OFFICER'S SIGNATURES

\_\_\_\_\_  
Printed Name Printed Name

SWORN AND SUBSCRIBED BEFORE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

B.3 PERMIT/APPROVAL CERTIFICATION - Required, Unless Alternative Text Pre-Approved by the Township.

I/we hereby certify this date of \_\_\_\_\_ that I/we am/are the owners or authorized equitable owners of the property shown and depicted on the accompanying plans and that I/we and my/our heirs and assigns shall comply with all requirements and obtain all permits and approvals required by all local, state and federal agencies and bodies; and I/we agree and acknowledge that any approval of this plan by Upper Milford Township is contingent upon my/our obtaining such permits and approvals, and that if all such permits and approvals are not obtained as required, any and all approvals given by Upper Milford Township with respect to this plan shall automatically become null and void without further action on the part of the Upper Milford Township.

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Notary Public

My Commission Expires:

B.4 APPROVAL/REVIEW BLOCK.

REVIEWED BY THE LEHIGH VALLEY PLANNING COMMISSION

\_\_\_\_\_  
Lehigh Valley Planning Commission Staff Person \_\_\_\_\_ Date

REVIEWED BY THE TOWNSHIP ENGINEER

\_\_\_\_\_  
Township Engineer \_\_\_\_\_ Date

REVIEWED BY THE UPPER MILFORD TOWNSHIP PLANNING COMMISSION

\_\_\_\_\_  
Chair \_\_\_\_\_ Secretary \_\_\_\_\_ Date

APPROVED BY THE UPPER MILFORD TOWNSHIP BOARD OF SUPERVISORS AND ACCEPTED FOR RECORDING

\_\_\_\_\_  
Chair \_\_\_\_\_ Secretary \_\_\_\_\_ Date

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