Subdivision and Land Development Ordinance

(S.A.L.D.O.)

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Copies of this ordinance may also be obtained through the Dingman Township Office.

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Article I - General Provisions

§ 100-01. Title and Short Title

This is an Ordinance providing for the regulation of land developments and subdivisions within the Township of Dingman, Pike County, Pennsylvania. It may be cited as the "Dingman Township Subdivision and Land Development Ordinance" or as the "Dingman Township Subdivision and Land Development Regulations."

§ 100-02. Authority

This Ordinance is adopted under the authority provided to Dingman Township by the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended.

§ 100-03. Purpose

This Ordinance is adopted for the following purposes;

A. Protect and provide for the public health, safety, and general welfare of Dingman Township.

B. Guide the future growth and development of Dingman Township.

C. Provide for adequate light, air, and privacy; secure safety from fire, flood, stormwater, and other danger; and prevent overcrowding of the land and undue congestion of population.

D. Protect the character and the social and economic stability of all parts of Dingman Township.

E. Protect and conserve the value of land, buildings, and improvements throughout Dingman Township and minimize conflicts between land uses.

F. Guide public and private policy and action in order to provide adequate and efficient transportation, water, sewerage, parks, playgrounds, recreation, and other public requirements and facilities.

G. Provide for safe and convenient circulation of people and goods throughout the Township, including pedestrian travel, and provide for the proper location and width of streets and building lines.

H. Establish reasonable standards of design and procedures for subdivisions and land developments in order to further the orderly layout of land, and to ensure proper legal description and monumenting of subdivisions and land developments.

I. Ensure that improvements for public facilities are available and will have a sufficient capacity to serve proposed subdivisions and land developments.

J. Implement Dingman's Township's Comprehensive Plan.

§ 100-04. Jurisdiction

A. This Ordinance shall apply to all subdivisions of land and land developments made on or after the effective date of the Ordinance and not yet recorded, including manufactured/mobile home parks, recreational land developments, and other land developments as defined herein.

B. Lot improvement subdivisions shall be exempt from all other requirements of § 100-15 through § 100-19 and Articles IV through VII of this Ordinance, provided that:

(1) The subdivision map shall be labeled "Lot Improvement Subdivision of _____" and shall accurately identify and show clearly the entirety of the parcels before the lot improvement and shall accurately identify, clearly show and label the resulting parcel or parcels after the subdivision to the satisfaction of the Township and of its professionals.

(2) Nine (9) paper prints and one (1) mylar copy of the subdivision plan shall be submitted to the Planning Commission.

(3) The map shall contain a signature block as required herein.

(4) The original (for review) and one copy (for filing with the Township) of the deed or deeds necessary to convey title pursuant to the lot improvement, or other proof of ownership, shall be submitted. The Applicant shall also provide a proposed deed showing the new lot number(s) after combination and referencing the plan approval by the Township. The deed shall contain the terms “As shown on a lot improvement subdivision plan approved by Dingman Township and recorded on _____ at Map ____ Page ____.” All deeds submitted shall be fully executed and in recordable form. Both deed and map shall be recorded within ninety (90) days of approval.

(5) All existing improvements, including, but not limited to, buildings, structures, roads, driveways, walls, fences, outbuildings, ancillary facilities, accessory structures, wells, and sewage or septic systems shall be shown. If there are no improvements, the parcel(s) shall be labeled “UNIMPROVED”.

§ 100-05. Constitutional Construction

A. The provisions of these regulations in their interpretation and application shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

B. These regulations are not intended to interfere with, abrogate, or annul any other Ordinance, rule, or regulation, statute, or provision of law. Where any of the provisions of these regulations impose restrictions different than any other Ordinance, the more restrictive or higher standards shall govern.

C. If any part or provision of these regulations is judged invalid by any Court of competent jurisdiction, such judgment shall be confined in application to the part or provision upon which the judgment has been rendered and shall not affect or impair the validity of the remainder of these Regulations or the application thereof to other persons or circumstances. The Township Board of Supervisors hereby declares that it would have enacted the remainder of these regulations even without such part, provision, or application.

§ 100-06. Waivers and Modifications

A. The Township Board of Supervisors shall have the power to authorize waivers and modifications of these regulations.

B. Applications for such waivers and modifications shall be submitted in writing by the subdivider or agent at the time the subdivision or land development plan is filed, except in cases where a waiver or modification is proved necessary at a later date by construction conditions. The application shall state fully the grounds upon which it is based, and all the facts relied upon by the agent, subdivider, or developer.

C. The Township Board of Supervisors may, by resolution, authorize a waiver or modification of these regulations when, in its opinion, undue hardship will result from strict compliance therewith, subject, however, to the provisions of the Pennsylvania Municipalities Planning Code and the following:

> (1) Waiver or modification applications shall, in those instances where either the applicant so requests, or the Township determines a waiver or modification could have an impact on adjoining properties, and be subjected to a public hearing pursuant to public notice. The person applying for a waiver or modification shall in such cases pay to the Township, in advance, such sum as provided for by resolution of the Township Board of Supervisors setting forth fees.
>
> (2) Any resolution of the Township Board of Supervisors authorizing a waiver or modification of these regulations shall state in it the reasons on which the Board of Supervisors bases its finding that unreasonable hardship will result from strict compliance with these regulations.

D. In authorizing a waiver or modification, the Township Board of Supervisors may attach conditions and require such guarantee or bond as it may deem necessary to assure compliance with the objectives of these regulations. Modifications may be granted where the following

conditions occur;

(1) There is no reasonable possibility, because of the unique physical circumstances, of developing the property in strict conformity with the provisions of these regulations.

(2) The above hardship would be unique and not shared by other properties in the immediate vicinity.

(3) The waiver would not change the character of the area and would preserve the purpose and intent of these regulations.

§ 100-07. Appeals

In any case, when the Township Board of Supervisors disapproves a subdivision plan, any person aggrieved thereby may appeal the decision pursuant to the Pennsylvania Municipalities Planning Code.

§ 100-08. Violations and Remedies

Any person, partnership, or corporation that violates the provisions of this Ordinance shall be subject to the full range of enforcement and preventative remedies provided to the Township under the Pennsylvania Municipalities Planning Code. This shall include, but not be limited to, payment of a judgment of not more than $500 plus all court costs and reasonable municipal attorney fees. Each day that a violation continues shall constitute a separate violation. The description by metes and bounds, or the lack thereof, in an instrument of transfer or other documents used in the process of selling or transferring, shall not exempt the seller or transferor of rights to develop land from such penalties or from the remedies therein provided. The Township Board of Supervisors may also initiate and maintain civil action:

A. To obtain a writ of injunction against the subdivider who attempts the improper sale, lease, or conveyance of land.

B. To set aside and invalidate any conveyance of land made prior to the recording of any subdivision.

Nothing herein shall prevent the Township from taking such other action as may be necessary to prevent or remedy any violation or to restrain it from following the requirements of the aforementioned Code.

§ 100-09. Amendments

The Supervisors may, after public hearing, amend these regulations pursuant to the Pennsylvania Municipalities Planning Code. These regulations shall also be considered amended whenever any provision of the aforementioned Code is itself amended to require or authorize actions different from those specified herein.

§ 100-10. Municipal Liability

The approval of a subdivision and/or land development plat, or of any improvement installed, shall not constitute a representation, guarantee, or warranty of any nature by the municipality or any official, employee, or appointee thereof, of the safety of any land, improvement, property, or use from any cause whatsoever, and shall create no liability upon, or a cause of action against the municipality or such official, employee, or appointee for any damage that may result pursuant thereto.

§ 100-11. Enactment and Effective Date

BE IT ENACTED into law this 21st day of October, 2003, to be effective five (5) days following.

Article II - Definitions

100-12. General

As used in these Regulations, words in the singular include the plural and those in the plural include the singular. The words "shall" and "will" for the purpose of these Regulations are defined as mandatory. For the purpose of these Regulations, the following terms shall be considered interchangeable:

A. The words Ordinance and regulation(s).

B. The terms Township and Dingman Township

C. The terms subdivider and developer. Unless otherwise expressly stated, the following definitions shall, for the purpose of these Regulations, have the meaning herein indicated. Any pertinent word or term not a part of this listing shall be construed to have its legal definition.

100-13. Glossary of Terms

The following is a list of specific terms, found elsewhere in the Ordinance, along with definitions of their intended meaning:

Agent - Any person other than the subdivider who, acting for the subdivider, submits to the Planning Commission subdivision plans for the purpose of obtaining approval thereof.

All-Weather Surface - The surfacing of a street, parking area, access, or walkway to a mud-free or otherwise permanently passable condition during all seasons of the year and under adverse weather conditions. Macadam, gravel, crushed stone, or other state-approved surfaces will all suffice to meet this test, but the depth and installation of the material shall be subject to the review of the Township Engineer and Roadmaster, as well as approval by the Township Board of Supervisors. Pennsylvania Department of Transportation specifications shall also be applicable.

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

Berm or Shoulder - That portion of a roadway between the outer edge of the traveled way or pavement and the point of intersection of the slope lines at the outer edge of the roadway, for the accommodation of stopped vehicles and for lateral support.

Block - A tract of land or a lot or group of lots bounded by streets, public parks, railroad

rights-of-way, watercourses, bodies of water, boundary lines of the Township, or by any combination of the above.

Building - A structure formed of any combination of materials designed, intended, or arranged for the housing, shelter, enclosure, or structural support of persons, animals, or property of any kind. A multi-family building divided by unpierced masonry walls extending from the ground to the underside of the roof shall not be deemed to be more than one (1) building for the purpose of this Ordinance.

Building Setback Line - A line within a property defining the required minimum distance between any regulated structure as defined in the Township Zoning Ordinance and the adjacent right-of-way line.

Camp - A private land development that may include campsites and permanent buildings - such as camp cabins, camp dormitories, indoor recreational facilities, dining hall, community hall, offices, and storage for maintenance and recreational equipment, and includes water and sewage facilities; and may include outdoor recreational facilities - such as ball fields, tennis courts, basketball courts, and trails. The camp may include overnight stays, and the organization shall have a recreational, educational, religious, or environmental mission. Each Camper's residency is restricted to a period of no more than 90 calendar days annually. ‘Camp’ shall not include hunting and fishing cabins and recreational vehicle campsites.

Campgrounds - See Recreational Land Development definition.

Campsite - A lot within a recreational land development used for tent camping or as a site for recreational vehicles, or a tract of land otherwise offered by the developer or operator through sale, lease, rent, membership, or other means, for camping purposes. Campsites in transient developments may be clustered and not necessarily specifically defined, however, provided the gross density does not exceed that permitted herein.

Cartway - The graded or paved portion of a street used for vehicular travel, excluding shoulders.

Central or Community Sewage - A sewage system designed to serve more than one dwelling unit or building.

Central Water or Community Water - A water supply system designed to serve more than one dwelling unit or building; not including the use of a single well for two dwellings in the same lot.

Clear Sight Triangle - An area of unobstructed vision at a street intersection(s), defined by lines of sight between points at a given distance from the intersecting street centerlines.

Cluster Development - See Conservation Subdivision definition

Commercial, Industrial, and Other Non-residential Land Development - Improvement of a property for any purpose other than residential development (dwellings) or recreational land development (as defined herein), that is not exempted by Section 100-38 hereof.

Commonwealth - The Commonwealth of Pennsylvania and any of its Departments or agencies.

Common Open Space - A parcel or parcels of land or an area of water, or a combination of land and water, within or part of a development site and designed and intended for the use or enjoyment of residents of the development. It does not include streets, off-street parking areas, and areas set aside for utility placement, rights-of-way, or similar public facilities.

Common Property - All of the land and improvements part of a subdivision or land development which is to be jointly owned and maintained by the lot owners, lessees, and/or members of the development and identified as such by the subdivider on any plan offered to the Township for approval.

Completion Guarantee - See Performance or Completion Guarantee definition.

Conditional Approval - A special approval of a subdivision or land development granted by Board of Supervisors with conditions attached thereto.

Conservation Subdivision (Cluster Development) - A form of development for single-family residential subdivisions that permit a reduction in lot area and other development standards, provided there is no increase in the number of lots permitted under a conventional subdivision and the resultant extra land is devoted to open space.

County - The County of Pike, Commonwealth of Pennsylvania, and its Planning Department. Crosswalk or Interior Walk - A right-of-way or easement for pedestrian travel across or within a block.

Cul-de-sac - A minor street providing a single access to a group of lots with a turnabout area at the end of such a street.

Dedication - The deliberate appropriation of land by its owner for any general and public, or limited public use reserving to himself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.

DEP - The Pennsylvania Department of Environmental Protection.

Developer - The owner, or authorized agent of the owner, including but not limited to, any individual, partnership, or corporation that undertakes a subdivision or land development, or any of the activities covered by this Ordinance, particularly the preparation of a subdivision plan showing the layout of the land and the public improvements involved therein. The term "developer" is intended to include the term "subdivider," even though the personnel involved in

the successive stages of this project may vary.

Drainage Facility or Structure - Any ditch, gutter, pipe, culvert, storm sewer, or other structure designed, intended, or constructed for the purpose of diverting surface waters from or carrying surface waters off streets, public right-of-ways, parks, recreational areas, or any part of any subdivision or contiguous land areas.

Driveway - A defined private access from an individual lot or dwelling unit to a public or approved private right-of-way, not including any access designed to service more than one () single-family dwellings or a lot. A driveway shall not intersect with more than one public or private street.

Dwelling - A building or portion of a building that is arranged, intended, designed, or used as the living quarters for one or more families living independently of each other upon the premises. The term "dwelling" shall not be deemed to include hotel, motel, rooming house, or tourist home.

A. Single-Family: A building arranged, designed, and intended for and occupied exclusively by one family.

B. Two-Family: A building arranged, designed, and intended for and occupied by two families living independently.

C. Multi-family: A building arranged, designed, and intended for and occupied by three (3) or more families living independently and having no cooking or sanitary facilities in common with any other dwelling unit, including apartment houses, apartment hotels, flats, and garden apartments

Easement - A right-of-way granted, but not dedicated, for the limited use of private land for a public or quasi-public or private purpose, and within which the lessee or owner of the property shall not erect any permanent structure, but shall have the right to make any other use of the land which is not inconsistent with the rights of the grantee.

Filing Date - The date of the regular meeting of the Planning Commission next following the date an application for preliminary or final approval of a subdivision or land development is received by the Planning Commission Secretary, provided the application has been timely filed under § 100-15. If said next regular meeting occurs more than thirty days following its receipt, the filing date shall be the thirtieth day following its receipt by the Secretary. Submissions lacking information required by this Ordinance, as shall be determined by the Planning Commission, will not be considered filed.

Flag Lot - A lot not fronting on a street or abutting a street or with very limited frontage, where access to the street is by a private driveway constructed to Township standards and shared with another property that does front on or abuts the street.

Frontage - That side of a lot abutting on a street or way.

Land Development - either of the following activities:

A. The improvement of one lot or two or more contiguous lots, tracts, or parcels of land for any purpose involving:

(1) a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots, regardless of the number of occupants or tenure; or

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

B. A subdivision of land. Excepted are the following activities: (1) conversions of single-family dwellings into two-family dwellings and (2) buildings accessory and subordinate to existing principal buildings on the same lot.

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

A. Lot Area - The area of land contained within the limits of the property lines bounding that lot, excluding any area within a highway right-of-way.

B. Lot Width, Average - The average of the widths of a lot at the building setback line and the rear lot line.

Lot Improvement Subdivision - The combination of preexisting approved lots to create one or more larger lots.

Major Improvements - Streets, recreational facilities, offsite sewage facilities, offsite water facilities, stormwater management facilities, and similar facilities intended to render a property usable for intended developments.

Manufactured/Mobile Home - A transportable, single-family dwelling intended for permanent use occupancy, contained in one unit, or in two units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation. The term Manufactured/Mobile Home shall not include recreational vehicles or any unit of less than forty

feet in length or ten feet in width.

Manufactured/Mobile Home Lot - A parcel of land in a manufactured/mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single manufactured/mobile home. The manufactured/mobile home lot in a manufactured/mobile home park may be either owned by the occupant of the manufactured/mobile home or leased from the manufactured/mobile home park owner.

Manufactured/Mobile Home Park - A parcel or contiguous parcels of land that have been so designated and improved so that it contains two or more manufactured/mobile home lots for the placement thereon of manufactured/mobile homes.

Manufactured/Mobile Home Site - That part of an individual lot which has been reserved for the placement of the manufactured/mobile home, appertaining structures, or additions.

Mobile Home - See Manufactured/Mobile Home definition.

Modification - A relief of the requirements of one or more provisions of this Ordinance if the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question, provided that such modifications will not be contrary to the public interest and that the purpose and intent of the ordinance is observed. See Section 100-06.

Official Wastewater Facilities Plan - A comprehensive plan for the provision of adequate sewage systems, adopted by a municipality or municipalities possessing authority or jurisdiction over the provision of such systems, and submitted to and approved by the State Department of Environmental Protection, as provided by the Pennsylvania Sewage Facilities Act and Chapter 71, Rules and Regulations, promulgated thereunder.

On-site Sewage - Any sewage system designed to treat sewage by subsurface means within the boundaries of an individual lot. On-site Water - Any water supply system designed to provide water by means of a drilled well, spring, cistern, artesian well, or other means within the boundaries of the lot being served.

Open Space - The area of land required to be set aside and preserved in an acceptable form of common ownership. Open space shall not contain improvements (including storm drainage facilities or sewage disposal areas) unless such improvements are part of recreational facilities.

Parcel - An area of land resulting from the division of a tract of land for the purposes of transfer of ownership, use, or improvement.

Pavement - Improvement of the traveled portion of a roadway with a hard, solid surface material conforming to the standards herein or the Pennsylvania Department of Transportation specifications, as the case may be.

Performance or Completion Guarantee - A surety bond, certified check, or other security meeting the requirements of Act 247 (Pennsylvania Municipalities Planning Code), and the terms of which are satisfactory to the Township Solicitor, guaranteeing the subdivider will install all required or planned improvements.

Person - Any individual, firm, trust, partnership, public or private association, or corporation, or other entity.

Plan or Plat - A map or chart indicating the subdivision, re-subdivision, or lot improvement subdivision of land, which in its various stages of preparation can include the following:

A. Sketch Plan - An informal plan, identified as such with the title "Sketch Plan" on the map, indicating salient existing features of a tract and its surroundings and the general layout of the proposed subdivision, to be used as a basis for consideration by the Township.

B. Preliminary Plan - A complete plan prepared by a registered professional engineer, registered landscape architect, registered surveyor, or other qualified individual, identified as such with the wording "Preliminary Plan" in the title, accurately showing proposed streets and lot layout, and such other information as required by this Ordinance.

C. Final Plan - A complete and exact plan, identified as such with the wording "Final Plan" in the title, with a professional engineer's or registered surveyor's seal affixed and prepared for official recording.

Recreation Areas - A portion of the required Open Space area suitable for active recreation facilities and which shall not include wetlands, floodplains, or areas considered stone fields, and shall not exceed the applicable maximum slopes.

Recreational Land Development - The division or re-division of a lot, tract, or parcel of land, by any means, into two or more lots, parcels, or other divisions of land, including changes in existing lot lines for the purpose, whether immediate or future, of lease, rent, sale, or transfer of ownership, for the purpose of providing a site for travel trailers, truck campers, camper trailers, motor homes and tents, for transient use. Campgrounds, recreational vehicle parks, and primitive camping facilities, and other similar facilities shall fall under this definition. This definition is not, however, intended to cover second-home communities of single-family dwellings or mobile home parks.

A. Transient Recreational Subdivisions or Land Developments – are publicly operated facilities, or businesses, offering sites with the usual accessory recreational and service facilities, not normally including eating facilities, for use for tent camping and/or recreational vehicle camping by the public at large on a transient basis. Sites are rented on a daily or weekly basis.

B. Non-transient Recreational Subdivisions or Land Developments – are planned private communities with recreational and service facilities, including central water and sewage, and usually a restaurant and/or bar, lounge, chapel, and community hall, for use only by occupants of tents and/or recreational vehicle sites within the campground. Sites may be owned in common or may be owned individually by deed conveyance, or may be leased on an annual basis.

Recreational Vehicle - A vehicular type of unit initially designed as temporary living quarters for recreational camping or travel use, which either has its own motive of power or is mounted on or drawn by another vehicle. The basic types of recreation vehicles are:

A. Travel Trailers - A vehicular unit, mounted on wheels, of such size or weight as not to require special highway moving permits when drawn by a motorized vehicle designated and constructed to provide temporary living quarters for recreational, camping, or travel use, and a size of no more than four hundred (400) square feet in the setup mode when measured at the largest horizontal projections.

B. Truck Camper - A portable unit, designed to be loaded onto, or affixed to, the bed or chassis of a truck and constructed to provide temporary living quarters for recreational, camping or travel use.

C. Motor Homes - A vehicular unit built on a self-propelled motor vehicle chassis, designed to provide temporary living quarters for recreation, camping, or travel use.

D. Camper Trailer - A vehicular unit mounted on wheels and constructed with collapsible partial side walls which fold for towing by another vehicle and unfold at the campsite and designed to provide temporary living quarters for recreational, camping, or travel use.

E. Tent - A movable shelter made of canvas or other similar material and supported by a pole or poles, and designed and manufactured to provide temporary living quarters for recreational and camping use.

F. Self-Contained Unit - A unit that can operate independently of connections to external sewer, water, and electrical systems; has a toilet and holding tank for liquid waste; contains water storage facilities; and may contain a lavatory, kitchen sink, and/or both bath facilities connected to the holding tank.

G. Park Model RV - also known as a recreational park trailer, is a trailer-type RV that is designed to provide temporary accommodation for recreation, camping, or seasonal use.
PMRVs are built on a single chassis, mounted on wheels, and have a gross trailer area not exceeding 400 square feet in the set-up mode. They are certified by their

manufacturers as complying with the ANSI A119.5 standard (as amended) for recreational park trailers.

Right-of-Way - Land set aside for use as a street, alley, or other means of travel.

Setback - A line, parallel to a property boundary or the edge of a highway right-of-way, which defines an area within which buildings and improvements (fences and utility lines excepted) are restricted.

Shared Driveway - A driveway that provides access to two residential lots or dwelling units.

Street - A highway, road, or other vehicular way that serves as a designated public or private thoroughfare, is depicted on an approved subdivision or land development plat, or is otherwise depicted or described in legal documents recorded in the office of the Pike County Recorder of Deeds, including the following:

A. Major Street - An arterial street with signals or stop signs at important intersections that collect traffic from collector streets, and is generally expected to carry 5,000 vehicles or more of annual average daily traffic.

B. Collector Street - A street that collects traffic from minor streets and delivers it to major streets and is generally expected to carry 1,000 to 5,000 vehicles or more of annual average daily traffic.

C. Minor Street - A street that offers access to abutting properties, has little or no through traffic, and is generally expected to carry less than 1,000 vehicles or more of the annual average daily traffic.

D. Interior or Marginal Access Street - A street intended to provide access to lots bordering a public right-of-way to which access has been limited or prohibited, and generally running parallel to such right-of-way.

E. Service Way/Alley - A service drive providing a secondary means of access to abutting properties and not intended for general traffic circulation, including interior access streets not accessible to the public.

Stone Field - Any area where the land surface is stone and void of fines between stones.

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

Supervisors, Board of - The Dingman Township Board of Supervisors.

Surveyor - A registered land surveyor licensed by the Commonwealth of Pennsylvania.
Township - Dingman Township, Pike County, Pennsylvania.

Township Engineer - A Professional Engineer licensed as such by the Commonwealth and appointed or hired on a consulting basis to provide engineering advice to the Township.

Travelway - The street cartway plus shoulders.

Trip-end - The starting point or destination associated with any trip by vehicle. All trips have both a beginning and ending trip-end (two trip-ends).

Waiver - A relief of one or more procedural requirements of this Ordinance if the requirements pertaining to the same are not applicable because of peculiar conditions pertaining to the application or land in question, provided that such waiver will not be contrary to the public interest and that the purpose and intent of the ordinance is observed. See Section 100-06.

Watercourse - A discernible, definable natural course or channel along which water is conveyed ultimately to streams and/or rivers at lower elevations, including streams, rivers, and other water bodies. A watercourse may originate from a lake or underground spring(s) and be permanent in nature, or originate from temporary sources such as runoff from rain or melting snow.

Article III - Plan Submission and Review Requirements

§ 100-14. Coordination with Zoning Ordinance

This Ordinance establishes regulations regarding the subdivision and development of land for uses permitted under the Dingman Township Zoning Ordinance. The Zoning Ordinance regulates where uses take place and establishes standards for lot area, lot width, and other aspects of land use, including criteria for evaluating Conditional Use and Special Exception applications. The Township relies upon many of these standards in processing land subdivisions, and conformance with applicable requirements of the Zoning Ordinance is required for all applications. Where a landowner proposes to develop property that requires Conditional Use or Special Exception approval under the Zoning Ordinance, such Conditional Use or Special Exception approval shall be a prerequisite of land development approval under this Subdivision and Land Development Ordinance.

§ 100-15. General Procedures and Requirements for Land Developments and Subdivisions

A. A Sketch Plan may be submitted to the Township by the developer of any land to be subdivided or developed, for the purpose of classification and preliminary discussion of the proposed subdivision or land development. No action will be taken by the Township with respect to a Sketch Plan, and no discussions concerning the same shall later be construed to have implied approval of any sort.

B. A Preliminary Plan shall be required for all subdivisions and land developments where improvements demanding inspection or financial guarantee are proposed. Should a Preliminary Plan be deemed unnecessary by the Planning Commission, the applicant shall proceed directly with a Final Plan submission, provided all information connected with a Preliminary Plan submission is included.

C. Any person proposing to create a subdivision or land development shall submit, along with the Preliminary Plans required below, one (1) copy of an application for subdivision and land development approval on a form to be supplied by the Township. This application shall include:

(1) The name, address, and telephone number of the property owner of record and those of the subdivider, if different.

(2) The name and number of the road where the proposed subdivision is to be located.

(3) The name, address, and telephone number of the Registered Professional

Land Surveyor preparing the subdivision plans.

(4) A copy of the recorded deed for the property in question.

(5) The type of sewer system proposed and permit number, if granted. Should an existing system be proposed for a new use of greater intensity than the previous use, a Professional Engineer or Certified Pennsylvania Sewage Enforcement Officer shall have first determined such a system is adequate to accommodate the additional wastewater flow, and documents to this effect shall be submitted.

(6) All fees due. All Township fees are to be paid in the form of a check or money order made payable to Dingman Township and collected by the Township Planning Commission Secretary. Fees due the Pike County Planning Commission for review shall be made payable to that agency and collected simultaneously.

(7) Existing and proposed uses of the property.

(8) Any other information necessary to determine compliance with this Ordinance.

D. Six (6) copies of Preliminary Plans shall be submitted. They shall be accompanied by an application as provided above and also include all the items identified in Section 100-17 below. This material shall be submitted no later than Friday of the week prior to the regular meeting of the Township Planning Commission. The Township Planning Commission Secretary shall note receipt of the Preliminary Plan and collect any fees due. The Secretary shall forward copies to the Township Planning Commission for action and the Township code enforcement officer(s) and other officials (e.g., Township Engineer, Emergency 9-1-1 office) as may be appropriate, for analysis of compatibility with this and other Dingman Township Ordinances. Notwithstanding these requirements, however, the Planning Commission may, for review purposes, accept or reject any application brought before it later than Friday of the week prior to its regular meeting. For all submissions, the Planning Commission will hold a hearing pursuant to public notice placed by the Township. The costs of such advertisement shall be charged to the applicant.

The Township Engineer, if required, and the Township Planning Commission shall review the Preliminary Plan to ascertain whether it complies with the requirements of this Ordinance. The Commission may request the subdivider to submit additional information, make certain corrections or changes, or return the Plan as incomplete and, therefore, not acceptable for filing.

The Township shall also, at the time of official receipt of the Preliminary Plan, forward a copy to the Pike County Planning Commission for a review and report, together with a fee sufficient to cover the costs of the review, which fee shall be paid by the applicant. Checks shall be made payable to the Pike County Planning Commission. A copy shall also be provided to the Pike County Conservation District or other involved agencies as may be required by the Township (e.g., Fire Department). All such referrals shall be made directly by the Township.

The review agencies (other than the Pike County Planning Commission) shall, no later than forty-five (45) days following the filing date, make their recommendation for approval or disapproval and submit a report to the Board of Supervisors. The Board of Supervisors shall make its decision regarding the Preliminary Plan within thirty (30) days of its receipt of the reports and communicate that decision in writing to the applicant within fifteen (15) days (90 days total from the filing date), setting forth any reasons for disapproval, should that be the decision.

The Board shall, either prior to or concurrently with subdivision approval, make its decision with respect to the Planning Module for Land Development to revise or supplement its Official Plan, and if approval is granted, said revision or supplement will promptly be forwarded to DEP. Preliminary approval shall require, as a prerequisite, or be conditional upon, DEP acceptance (approval) of the proposed revision. Any conditional approval shall be considered null and void in the absence of such DEP acceptance (approval) unless the Board of Supervisors has determined the legal limit of time for DEP action has expired, giving the applicant a deemed approval. A conditional approval shall expire, in any event, after six (6) months unless some form of DEP approval has been obtained.

After receiving approval of a Preliminary Plan (or when conditions are removed), the subdivider shall install or guarantee installation of the improvements required by this Ordinance and commence the preparation of Final Plans. In the absence of actual installation of improvements, the subdivider may otherwise guarantee them according to the requirements of § 100-18.

E. Final Plan Procedures. Following the installation and inspection of improvements or preparation of satisfactory guarantees for their installation and maintenance, the subdivider may submit Final Plans to the Township. Final Plans shall be processed in the same manner as Preliminary Plans. They may, however, be submitted in stages. No Preliminary Plan (or portions of such Plan) shall remain valid for development of Final Plans after a period of five years from Preliminary Approval if any of the applicable standards of this Ordinance have been modified and no extension of approval has been granted. Moreover, no Final Plans shall be accepted for any subdivision or land development for which DEP has not previously approved or concurrently approved the necessary revision to the Official Wastewater Facilities Plan.

Following approval of the Final Plan by the Board of Supervisors, the subdivider shall, within ninety (90) days, officially record the Final Plan in the Office of the Pike County Recorder of Deeds and also submit proof of recording to the Township within thirty (30) days thereafter. Failure to do so will render the plan void, and the subdivider shall resubmit the Plan for approval, including any fees required.

§ 100-16. Sketch Plans

Sketch Plans for Land Developments and Subdivisions should be to scale, using approximate dimensions and of sufficient size to show the entire tract on one sheet, and should show or include the following:

A. The location of that portion which is to be subdivided in relation to the entire tract.

B. All existing structures, rock outcroppings, stone fields, wooded areas, wetlands, rivers, streams, and lakes within the portion to be subdivided.

C. The name of the owner and of all adjoining property owners as disclosed by the most recent deed or tax records.

D. All streets or roads, streams, water, sewage, gas, and power lines within 500 feet of the subdivision.

E. The tentative layout of the remainder of the tract owned by the subdivider.

F. North Point, graphic scale, date, and name/address of subdivider and landowner.

G. A location map with sufficient information to enable the locating of the property.

H. The proposed use of the property.

§ 100-17. Preliminary Plan Requirements

Preliminary Plans for subdivisions shall be prepared by a Registered Professional Land Surveyors and Preliminary Plans for land developments shall be prepared by a Professional Engineers, Registered Landscape Architects, or other professionals as provided by the Commonwealth of Pennsylvania, with the term "Preliminary Plan" indicated in the title block on all sheets, and original seals and signatures appearing on each sheet connected with the submission. They shall be clearly and legibly drawn at a scale compatible with Pike County tax maps. Maps shall be not less than 11" X 17" nor more than 24" X 36" in size and should, when possible, show the entire tract to be divided. Supplemental detail maps that will not be recorded

may be at any scale and as large as 36" x 42". The Plans and accompanying supplementary data shall contain the following information:

A. Proposed name of the subdivision. This name, to be provided in a "Preliminary Plan" title block shall not duplicate in spelling or pronunciation any recorded subdivision within Pike County. The name and address of the present landowner, as well as subdivider (if different), shall also be provided.

B. Location by municipality and County (to be placed in the title block). The plan shall also include current deed book references, tax map numbers for the affected parcels and a 1" = 2000' location map taken from the applicable U.S.G.S. map(s). It should encompass all parcels within 4,000 feet of the subdivision or land development.

C. The map shall include a title block with the name of the municipality and County and name of the existing owner of record. The North Point, graphic scale, preparation date, and all revision dates shall also be indicated. A signature approval block shall be provided along with a blank area beneath sufficient in size to record any conditions of approval as shall be specified by the Township.

D. Boundaries of the total tract with accurate bearings and distances, and the total tract area in square feet (or acres).

E. Locations, names, and widths of rights-of-way of all streets, widths of utility rights-of-way and other easements, parks and public grounds, and permanent buildings and other significant physical features in, or adjacent to, the subdivision which will have an effect on the design, and all common open space easements.

F. Approximate locations of existing and proposed sewage systems (including on-site systems), sanitary sewer lines, public water mains, storm sewers, electric power and transmission lines, gas lines, and all other items above or below ground with size, direction of flow, and pressure details as may be appropriate or required by the Township Engineer.

G. Names of current owners of abutting properties (including those across the street) with deed book references, and lines showing where they intersect.

H. Existing contours at intervals of at least every twenty (20) feet. The Township reserves the right to request greater detail when the scope or nature of the development demands the same. Contours at intervals of two (2) feet shall be required wherever improvements are planned to be installed.

I. Proposed layout and lengths of streets, alleys, and other public rights-of-way, including widths and proposed names, which shall not duplicate

existing names by spelling or pronunciation. The street proposals shall be accompanied by a submission of plans as required by § 100-30 hereof, including profiles, cross-sections, and preliminary designs for bridges and culverts.

J. The proposed layout, numbering (in consecutive order), and approximate dimensions and area of lots (in square feet or acres), along with the types of dwellings proposed on each lot and the remaining acreage. Development phasing plans and schedules, if any, shall also be provided.

K. Parcels to be dedicated to the public, or reserved for their use, or to be reserved by covenant for residents. These shall be marked as such.

L. The applicable Zoning District and building setback lines. Where lots are located on a curve, or side lines are not parallel, the width at the building line shall also be shown.

M. All drainage easements are marked as such.

N. Approximate final grades in areas of cut or fill.

O. Proposed uses for all lots shall be indicated.

P. Proposed covenants and restrictions, along with any other documents associated with the formation of a Property Owners Association (POA), if any. Such documents shall, at a minimum, require that all property owners be members and pay dues assessed thereby. They shall also address the responsibilities of lot purchasers for the management of common property.

Q. Evidence of water supply. In cases where no public water supply is planned as part of the subdivision, the subdivider shall supply acceptable evidence of the availability of other potable water sources, and designate proposed sites for individual on-site wells. This evidence may be in the form of logs from test wells, logs from existing wells or other documentation or explanation, based on geology or hydrology, acceptable to the Board of Supervisors.

R. A letter from each electric, telephone, cable television, or other utility company servicing the area, indicating that the utility company is aware of the subdivision and identifying the conditions under which such a utility will provide service to the proposed subdivision, unless exempted from PUC or municipal franchise requirements to do so. The plan shall also include the PA One Call number, the One Call telephone number, the date the One Call number was assigned, and other information required by Pennsylvania law (73 P.S. § 179).

S. Erosion and sedimentation plan prepared in consultation with the Pike

County Conservation District (where required), with evidence of that agency's approval also provided.

T. Stormwater management plan prepared in compliance with Section 100-29 of this Ordinance.

U. Seven (7) copies of the Planning Module for Land Development (or evidence of previous approval of such Module), along with all information required to approve as a revision or supplement to the Official Plan and comply with the Township Sewage Facilities Ordinance. Soil types and boundaries shall be mapped. Each Planning Module shall be accompanied by maps over and above any other maps required.

V. Copies of permit applications submitted to either Dingman Township or the Pennsylvania Department of Transportation, as the case may be, for street encroachment or highway occupancy. The Township, however, may waive this requirement where no immediate plans exist to improve the property, provided that any lot where a permit requirement is waived must contain at least 50 acres, and a notice has been placed on the plat that such permits are required. Notwithstanding any exceptions granted, such permits shall be obtained prior to starting construction or guaranteeing any road construction required. When a subdivision is also a lot improvement, and no new access is required for either, or any, resulting lots, then the requirement for a HOP may be waived.

W. Floodplain and wetland boundaries from official maps of the same, generated by the Federal government, if applicable, and evidence of compliance with Township, Commonwealth, and Federal requirements pertaining to such areas. The Township Planning Commission may also require, or the applicant may submit, more detailed wetland delineation studies for purposes of identifying the boundaries of such areas where Federal mapping is of insufficient detail. Such studies shall be certified by an approved wetlands delineator. Any plans that include wetlands mapping shall include the following language:

> "The delineation of wetlands on the plan is not approved or certified by Dingman Township. Any delineation is subject to approval by the appropriate Commonwealth and Federal agencies."

X. Other prominent natural or man-made features such as stone walls and Ledges.

Y. All existing watercourses, streams, ponds, lakes, and other bodies of water. A fifty (50) foot easement shall be established around each body of water of one (1) acre or more in size to limit new building for other than docks and other water-related structures. Such easement shall also be depicted.

Z. Any other information the Planning Commission or Board of Supervisors may require to determine compliance with this Ordinance.

§ 100-18. Requirements for Guarantee of Improvements

A. After approval of the Preliminary Plan, the subdivider, in a manner consistent with the Pennsylvania Municipalities Planning Code, shall provide for the installation of the required improvements (those physical additions and changes necessary to provide usable and desirable lots). Before requesting Final Plan approval, the subdivider must:

(1) Install all the improvements approved on the Preliminary Plan and required in Article IV at the standards required, or

(2) File with the Secretary of the Township a performance guarantee to ensure installation and construction of all required improvements to the standards required. Such guarantee shall meet with the approval of the Township Solicitor as to form and procedure. The subdivider shall meet with the Township Engineer to develop a schedule so that at the time each required improvement is to be installed and, upon its completion, adequate inspections can be made.

B. This Section is designed to be consistent with Section 509 through Section 511 of the Pennsylvania Municipalities Planning Code and the Township hereby incorporate all authorities and requirements contained therein as part of this Ordinance.

(1) Posting - The performance guarantee must be approved by the Board with the advice of the Township Solicitor and Engineer, and must:

(a) Be a corporate surety bond, certified check, or other security, provided the same is satisfactory to the Board and consistent with the requirements of the Pennsylvania Municipalities Planning Code.

(b) Be payable to Dingman Township.

(c) Be in an amount sufficient to complete the required improvements in compliance with these and other Township regulations, plus expected cost increases as provided in the Municipalities Planning Code.

(d) In the case of cash or its equivalent, be held in an escrow fund in the name of the municipality.

(e) Specify a satisfactory completion date for required improvements, which shall not be more than one (1) year from the date of the Final Approval. Provisions may also be made, pursuant to the

aforementioned Code, for completion of improvements in phases or over a longer period, in cases of large developments.

(2) Return - When the required improvements have been completed and approved for conformity with these and other Township regulations by the Township Engineer or other qualified individual designated by the Township and accepted by the Township Board of Supervisors, the guarantee shall be released and returned pursuant to Section 510 of the Pennsylvania Municipalities Planning Code. When any of the required improvements have been completed and approved, or materials for the same have been secured on-site, a portion of the security commensurate with the cost of these improvements, as confirmed by the Township Engineer, may be released and returned.

(3) Default - In the event of default, the obligor and surety shall be liable thereon to the Township for the cost of the required improvements or parts thereof not installed. If proceeds of such bond, or other security are insufficient to pay the cost of installing or making repairs or corrections to all the required improvements covered by said security, the governing body of the municipality may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the moneys necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the required improvements covered by such security, and not for any other municipal purpose.

C. Prior to the certification of any required improvements or release of any guarantee, the subdivider shall pay all inspection and related costs (for professional consultant services, meetings, advertisements, and expenses) associated with the improvements or guarantees. These costs will be assessed as a special fee apart from the regular fees provided for in Section 100-20 of these Regulations. Said payment shall be made to the Township. In the event that payment in full has not been received by the Township of all fees within fifteen (15) days after the invoice for same has been mailed or issued, the Township may, in its discretion, withhold the release of the guarantee and provide no reason for such action other than the nonpayment of the appropriate fees unless the subdivider has filed notice pursuant to the MPC that it disputes the consultant's fees.
D. Where required improvements are being dedicated to the Township, the subdivider shall comply with the applicable requirements of any other Township Ordinances governing dedication of such required improvements. Such dedications shall be limited to those required improvements that the Township Board of Supervisors is willing and able to accept. The subdivider shall also submit a maintenance bond or other approved performance guarantee to guarantee maintenance and repair of those required improvements for eighteen months from the date of dedication. The maintenance bond

shall generally be a maximum of 15% of the costs of required improvements, subject to approval of the Board of Supervisors.

§ 100-19. Final Plan Requirements

Ten (10) paper copies of Final Plans for Land Developments and Subdivisions shall be prepared by a Registered Professional Land Surveyor or other professionals as provided herein and submitted to Dingman Township for approval. The term "Final Plan" shall be indicated in the title block on all sheets and original seals and signatures appearing on each sheet connected with the submission. Each sheet shall be consecutively numbered as "Sheet of ." The plans shall be prepared on sheets of a uniform size no less than 11" x 17" and no greater than 24" x 36" and otherwise conforming to the requirements of the Pike County Recorder of Deeds. Final Plan attachments and exhibits shall be numbered and labeled in accordance with the requirements of this Section and any "subdivision checklists" developed by the Township. The Final Plan shall include, in addition to the information required for the Preliminary Plan submission, the following:

A. Exact locations, widths, and names of all streets and all crosswalks within the subdivision or land development, including centerline profiles.

B. Complete curve data for all curves included in the Plan.

C. Exact descriptions of all easements being provided for services or utilities in the subdivision or land development, and any limitations placed on the use of such easements.

D. Accurate outlines of any lots or areas to be reserved or dedicated for common use by residents of the subdivision or land development, or for general public use, with the purpose indicated thereon.

E. Accurate depictions in meters and bounds of all lots, including front, side, and rear building lines, shown graphically with dimensions. All lots shall be numbered consistent with the Emergency 9-1-1 addressing system. Locations of proposed sewage absorption and/or infiltration areas, proposed water wells, and any existing or proposed structures shall also be indicated.

F. A final version of all restrictions and covenants, if any, that the developer intends to place in the deeds to the lots in the subdivision or land development. If no such restrictions or covenants are to be imposed, a statement to that effect shall be included. Covenants and restrictions may not be modified following Final Approval without the consent of the Township Board of Supervisors.

G. The total tract boundary lines of the area being subdivided, with accurate

distances to hundredths of a foot and bearings to one minute. These boundaries shall be determined by an accurate survey in the field; provided, however, that the boundary(s) adjoining additional unplatted land of the subdivider (for example, between separately submitted Final Plan sections) are not required to be based upon a field survey, and may be calculated. The location of all permanent boundary line (perimeter) markers shall be indicated, along with a statement of the total area of the property being subdivided. In addition, the surveyor shall certify the placement of permanent lot markers for all lots proposed for final approval.

H. The Final Plan shall contain a certificate signed by the project engineer indicating that, 1) all improvements have either been installed and approved by the proper officials or agencies, or 2) that a guarantee has been submitted to the Township in an amount determined by the Board of Supervisors, on advice from the Township Engineer, to be sufficient to ensure their installation.

I. Complete final construction (as built) plans and profiles of installed or proposed public sanitary sewage disposal systems and storm drains, with grades and pipe sizes, unless private septic tanks are to be used. Also, complete final construction plans of installed or proposed public water distribution systems showing pipe sizes and locations of valves and fire hydrants, if any, shall be provided unless private wells are to be used. Locations of all test pits for on-lot sewage and water well sites shall also be indicated on a map.

J. Complete final construction (as built) plans for all other improvements proposed on the Final Plan.

K. Evidence in writing of actual arrangements made with utility companies or agencies for supplying each lot in the subdivision or land development.

L. A key map for the purpose of locating the site to be subdivided, at a scale of not less than 2,000 feet to one inch, showing the relation of the property to adjoining property and to all streets, roads, and municipal boundaries existing within 4,000 feet or any part of the property proposed to be subdivided. U.S.G.S. quadrangle maps may suffice as a base for such a key map.

M. A signature approval block, along with a blank area beneath sufficient in size to record any conditions of approval as shall be specified by the Township. This shall appear on every sheet of the set of plans.

N. A statement that Erosion and Sedimentation and Storm Water Management Plans, as required, have been prepared and approved by the Pike County Conservation District. Stormwater management plans shall also require the specific approval of the Township Engineer.

O. Copies of street encroachment or highway occupancy permits (to be secured prior to any actual road construction) if preliminary approval was conditioned on obtaining such permits.

P. Elevations, rough floor plans, and architectural drawings of typical buildings to allow the Fire Department to assess fire safety needs.

Q. Zoning Districts and boundaries, if applicable.

R. Floodplain and wetland delineations (see Preliminary Plan requirements), along with the following statement: "The delineation of wetlands on the plan is not approved or certified by Dingman Township. Any delineation is subject to approval by the appropriate Commonwealth and Federal agencies."

S. Copies of permits from either Dingman Township or the Pennsylvania Department of Transportation, as the case may be, for street encroachment or highway occupancy. Each Final Plan submission shall, in addition to the items required above, include new submissions of Preliminary Plan data in any instance where there has been a change in the plans or the circumstances surrounding them.

T. In the event that approved restrictive covenants are not placed on the final plan, but rather are included in a separate document, that document, along with any other approved documents, such as but not limited to: fire protection agreements, sewage maintenance agreements or storm water facility maintenance agreements shall be recorded simultaneously with the final plan in the Office of the Recorder of Deeds and reference to those documents and the intended recording thereof shall be placed on such final plan. A certificate of recording shall be filed with the Township for all recorded documents within thirty (30) days of recording.

U. The first page (following the cover page, if any) of the final plan shall include a note that approval of this plan(s) by the Township does not guarantee that any required approvals from outside agencies, such as, but not limited to, the County, State, or Federal government or their agencies, have been obtained.

§ 100-20. Fees

At the time an Application for subdivision approval is filed, a fee shall be paid to the Township by the subdivider; such fee to be determined from a schedule of fees as adopted by the Board of Supervisors by resolution. The Township shall also be empowered to charge an applicant for expenses incurred by either the Planning Board and/or the Board of Supervisors for professional
fees as a result of professional work required on behalf of said Boards, as the result of the filing of an application seeking approval by either Board.
These fees shall include, but will not be limited to, legal, engineering, and consultant fees. The

professionals employed at the request of either Board will submit a written voucher for work performed on an hourly basis, for which fees have been approved by the Board of Supervisors. Payment of fees by the applicant shall be a prerequisite for approval of the application, but shall be paid regardless of whether approval is granted or denied.

The applicant shall be invoiced for all fees promptly by the Township. In the event that payment in full has not been received by the Township for all fees within fifteen (15) days after the invoice for same has been mailed or issued, the Township may, in its discretion, deny the pending application and provide no reason for the denial other than the nonpayment of the appropriate fees unless the subdivider has filed notice pursuant to the MPC that it disputes the consultant's fees.

The application, amended as may be required to bring it into compliance under the ordinance, may be resubmitted to the Board of Supervisors within thirty (30) days after denial, and upon remittance of said fees. At expiration of the thirty (30) day limitation, the application will then be considered a new application, and subject to regulations as set forth herein. Any new application will not be accepted for filing by any Township Board prior to payment of all fees incurred for the application at the current or any prior stage.

§ 100-21. Right of Entry

The Township Board of Supervisors, the Township Planning Commission, and other designated Township officials with responsibilities for the administration of this Ordinance shall, upon request, be granted a reasonable right of entry to any property that is the subject of an application made hereunder, for purposes of gathering information to determine compliance with these provisions. Refusal to provide for such right of entry shall be cause to deny any application.

Article IV - Design Standards

§ 100-22. Application

The design standards and requirements set forth in this Article shall be observed as minimums by the developer in the design of each subdivision or land development within Dingman Township. The Township may require more restrictive standards where necessary to protect the health, safety, and welfare of the public, and where circumstances unique to the property so dictate.

§ 100-23. General Site Requirements

Those areas which are subject to such hazards of life, health, or property as may arise from fire, flood or noise, or are considered to be uninhabitable for other reasons, may not be developed for building purposes unless the hazards have been eliminated or the plans show adequate safeguards correcting the hazards.

The Township, in determining and evaluating potential hazards, shall rely upon information contained in its Wastewater Facilities Plan, its Comprehensive Plan, or any regional and County plans in which it has participated, including stormwater and solid waste management plans. It shall also use historical records, soil evaluations, engineering studies, expert opinions, established standards used by licensed insurance companies or in professional practice, and Federal, State, or local policies as may be applicable.

All portions of a tract being developed or subdivided shall be taken up in lots, streets, designated open spaces, or other proposed uses, so that remnants and landlocked areas shall not be created. All land developments shall also be planned with consideration of impacts on adjacent properties and neighborhoods, including traffic, stormwater drainage, off-street parking, noise, odors, vibrations, landscaping and aesthetics, nuisance activities, and other impacts. Care shall be taken with all land developments to preserve natural features such as trees, water courses, views, and historical features, which will add attractiveness and value to the remainder of the land. Where a land development is proposed on a site that has a slope of more than 15%, the Township may require larger lot sizes than the minimum standards set forth herein.

Damming, filling, relocating, or other interference with the natural flow of surface water along any surface water drainage channel or natural water course shall not be permitted except with the approval of the Township and, where appropriate, the Pennsylvania Department of Environmental Protection.

Wherever possible, lot lines shall follow municipal and county boundary lines rather than cross them, and reserve strips controlling access to lots, public rights-of-way, public lands, or adjacent private lands are prohibited.

§ 100-24. Block and Lots

A. Blocks shall ordinarily not exceed 1,200 feet in length.

B. Pedestrian interior walks may be required, where necessary, to assist circulation or provide access to community facilities. Such crosswalks shall have a width of not less than 10 feet and be all-weather-surfaced for not less than 4 feet in width.

C. Blocks shall be of sufficient width to permit two tiers of lots of appropriate depth, except where an interior street parallels a major street, or where it backs up to a railroad, creek, or another natural barrier.

D. Where a subdivision adjoins a major state highway (one which is designated and marked for two lanes or more and carries at least 100 vehicles per day, the greater dimension of the block shall front along said highway, and interior or marginal access streets may be required to minimize the number of points of access. Such streets may be required whenever topographic conditions, traffic density, or lack of proper sight distance dictate, for reasons of health and safety. Any subdivision of five lots or more with frontages averaging less than 300 feet along the highway shall be subject to this requirement if the Township Board of Supervisors determines, after inspection, that such is necessary for the above stated reasons.

E. Cul-de-sac streets, permanently designed as such, shall not exceed twelve-hundred (1,200) feet in length and shall furnish access to not more than 16 dwelling units. All lots fronting on the cul-de-sac turnaround shall have a minimum lot frontage of fifty (50) feet. Flag lots shall not be permitted on cul-de-sac streets. Cul-de-sac streets shall have, at the closed end, a turnaround with the right-of-way having a minimum outside diameter of not less than 120 feet and shall be paved to a diameter of not less than 90 feet. Drainage of cul-de-sacs shall preferably be toward the open end.

F. All side lines of lots shall be at approximately right angles to straight street lines and approximately radial to curved street lines, except where a variation to this rule will provide a safer or more practical layout.

G. Double frontage lots shall ordinarily not be platted, except as specifically provided herein. In that event, a planting strip of at least 20 feet in width may be required along the back of the lot.

H. If remnants of land exist after subdividing, they shall be incorporated in existing or proposed lots, unless designated as a common area.

I. Corner lots shall have an average width of at least 100 feet. Either of the two sides of a corner lot may be designated as the front, provided the rear yard shall always be opposite the frontage so designated.

J. All lots shall front on a public or private street (existing or proposed), and the right-of-way of the principal access to any subdivision shall be a minimum of fifty (50) feet in width. No subdivision will be approved where the width of the existing right-of-way is less than 50 feet unless the subdivider is able to secure such additional right-of-way as may be required to achieve this width. However, the Township may, to reduce the number of entrances to the public highway and encourage development in and around existing hamlets and villages, grant waivers and modifications from this and other street requirements of this Ordinance to accommodate flag lots and others accessed by private driveways. Flag lots that are not accessed from shared driveways shall not be permitted. The standards applicable to such driveways may be found in § 100-30(Q) of this Ordinance.

K. Dimension standards applicable to all new lots are found in the Dingman Township Zoning Ordinance.

L. (1) Monuments shall be set at all corners and angle points of the boundary of the parent tract to be subdivided, except where permanent monuments meeting the requirements of this section already exist. Monuments shall be of the following type:

a. 2”x 36” galvanized iron pipe filled with concrete and extending 30” below ground or to rock.

b. Railroad rail 36” in length and extending 30” below ground or to rock.

c. Brass pin ¾” grouted into rock.

(2) Markers shall be set at all corners of each proposed lot and shall be ¾” rebar extending 30” below ground or to rock.

§ 100-25. Common Open Space / Recreation Areas

A. Such portion of the development as may be required by the Township Zoning Ordinance, but not less than 10% of the gross area of any subdivision or land development, exclusive of lakes or ponds, shall be designated as common open space for the enjoyment of and be freely and safely accessible to all residents of that subdivision which portion shall be a minimum of one acre. This requirement may be waived or reduced at the discretion of the Board of Supervisors, in instances where less than five (5) lots are involved, or where 4 or fewer additional lots are added to existing developments on a cumulative basis after October 21, 2003.
B. Common open space shall consist of contiguous land areas of no less than one acre in area, shall be freely and safely accessible to all residents of the development, and shall not be used to fulfill open space requirements or provide recreational areas for residents of other subdivisions, land developments, or other sections of this

subdivision. Open space shall not include acreage used for improvements unless such improvements are part of the recreational facilities. Storm drainage facilities and sewage disposal areas are considered improvements.

C. The applicant shall provide, prior to the granting of any Final Plan approval, to the satisfaction of the Township and its Solicitor, documentation for the perpetual preservation and maintenance of the open space, and also for the use and enjoyment of the recreation area/facilities by the lot owners/residents of the units being approved.

D. A minimum of fifty (50%) percent or one acre, whichever is greater, of the required open space area shall be suitable for active Recreation facilities such as ballfields, pavilions, playgrounds, pools, basketball courts, etc. Said area shall not include wetlands, floodplains, or areas considered “stone fields”, and have average slopes less than 12% in grade. The Township may require evidence of such suitability in the form of soil tests, slope analyses, and similar measures.

E. On-site community recreation amenities shall be provided for the use of residents, applying the “Park, Recreation Open Space and Greenway Guidelines” from the National Park and Recreation Association as general criteria for planning purposes. Specific amenities and facilities shall be designed in accordance with approved national standards for that sport, for example, the USTA, the USGA, and Little League Baseball, Amateur Softball Association of America, USA Swimming, US Soccer Federation, etc. Said recreation facility plans shall be reviewed by the Township Engineer, Recreation Consultant, Recreation Commission, and/or any other township professional or commission deemed appropriate. All recreational improvements within each phase shall be installed or financially guaranteed prior to final approval of that phase.

(1) The Township may accept a fee in lieu of the construction of recreational facilities in accordance with §100-25.1 below. Should the applicant propose and the Township accept a fee, the provisions of Section 100-25(D) and (E) above shall not apply.

F. Open Space/Recreation Areas shall not be deemed to be dedicated to or accepted by the Township unless and until the Township has taken formal action with regard to same.

§ 100-25.1 Fees in Lieu of Recreation Facilities

The Fee in Lieu of Recreation Facilities, as described herein, shall be calculated as follows:

1. $1,450.00 x the number of lots and/or dwelling units proposed.
Example: Subdivision with 100 lots x $1,450 per Lot/D.U. = $145,000.

2. The Fee per lot and/or unit is based upon the following analysis:
Dingman Township Park Master Plan Projected Costs by Phase:

Phase IA - $ 856,470
Phase IB - $ 646,826
Phase II – $ 572,210
Phase III - $1,130,351

$3,205,850 = Total projected costs (adjusted 10-25% by phase) to develop the park. Park's projected completion date is Fall 2018.

Dingman Township's current population is approximately 10,000. Projected 65% increase over the next ten years puts the population at approximately 16,500.

The costs of building the recreation facilities provided by the Township Park Master Plan assigned to the additional residents over the next ten years equate to $493 per resident (based on a projected 6,500 residents). This results in an assigned amount of $1,450 per dwelling unit based upon the 2000 Census Bureau average household size of 2.95 people.

C. A fee authorized under this subsection shall, upon its receipt by a municipality, be deposited in an interest-bearing account, clearly identifying the specific recreation facilities for which the fee was received. Interest earned on such accounts shall become funds of that account. Funds from such accounts shall be expended only in properly allocable portions of the cost incurred to construct the specific recreation facilities for which the funds were collected.

D. Upon request of any person who paid any fee under this subsection, the municipality shall refund such fee, plus interest accumulated thereon from the date of payment, if the municipality had failed to utilize the fee paid for the purposes set forth in this section within three years from the date such a fee was paid.

§ 100-26. Water Supply

Where a public water supply is available within 1,000 feet of a proposed subdivision or land development of twenty (20) lots or more, the Township Board of Supervisors may require the subdivider to construct a system of water mains, tied to such system, and provide a connection for each lot. Regardless of this requirement, all subdivisions and land developments shall be served with an adequate water supply and meet the requirements of the Dingman Township Fire Protection Ordinance. Plans and specifications for off-site water systems (extension of an existing system or a proposed new facility) shall be prepared by a Professional Engineer and conform to accepted engineering practices and the requirements of the Dingman Township Fire Protection Ordinance. The system shall, where necessary, include fire hydrants and water storage meeting the specifications of the Association of Fire Underwriters, the applicable Fire

Department, and the Dingman Township Fire Protection Ordinance. Suitable agreements shall also be established for the ownership and maintenance of such distribution system.

The applicant must demonstrate the ability to provide a minimum of 150 gallons of water per capita per day (GPCD) and/or 400 gallons per day (GPD) for each residential dwelling unit to be serviced. Service to industrial or commercial establishments shall meet standards established by the American Water Works Association or insurance industry underwriting standards.

New central or community water supply wells shall be sited, drilled, and tested under the direct supervision of a Registered Professional Engineer or a professional groundwater geologist. Tests shall include analyses of impacts on neighboring wells. Wells shall be so located that no potential pollution sources can exist within a 100-foot radius. The well shall also be generally centered on a reserved parcel of at least one (1) acre in size, with no other improvements unrelated to the well permitted.

Where individual water wells are proposed, the application shall indicate the proposed locations of all proposed well sites to ensure that isolation distance requirements can be met.

§ 100-27. Sewage Disposal

When a public sewage disposal system is located within 1,000 feet of a proposed subdivision or land development of twenty (20) lots or more, the Township Board of Supervisors may require the subdivider to provide a system of collection lines to connect to said system. Regardless of this requirement, all subdivisions and land developments shall be provided with an adequate sewage disposal system(s).

All lots shall contain suitable areas for on-lot sewage disposal systems or be served by an approved central or community sewage disposal system. Plans and specifications, including a Planning Module for Land Development, complete with all appropriate components as required by the Pennsylvania Department of Environmental Protection (to revise or supplement the Township Official Plan), shall be submitted with all preliminary subdivision or land development plans (or final plans where Preliminary Plans are waived). Following preliminary plan approval, the Township will submit copies of the module and necessary documentation to the Commonwealth for review. Commonwealth approval of the module and the Township's revision or supplement to its Official Plan shall be required prior to final approval.

Central or community sewage disposal systems are required for all residential lots and non-residential developments where the Township SEO (Sewage Enforcement Officer) or DEP determine that on-site soil conditions are unsuitable for on-lot subsurface sewage disposal Systems.

Design standards, materials, and specifications shall meet the Pennsylvania Department of Environmental Protection requirements.

Where connection to a central or community sewage system is not required, on-site systems shall be provided in accordance with criteria set forth by the Pennsylvania Department of Environmental Protection. The Township Sewage Enforcement Officer's site and soils evaluation by the test pit method, and a favorable report is required prior to preliminary plan approval. The Sewage Enforcement Officer shall determine the number and location of test pits and soil percolation tests necessary to determine the general suitability of soils throughout the subdivision or land development for on-lot subsurface sewage disposal.

Sanitary sewers shall be designed and constructed in strict accordance with the Pennsylvania Department of Environmental Protection standards and Township standards. Sanitary sewers shall not be used to carry stormwater.

Where individual on-site sewage disposal systems are proposed, the application shall indicate the proposed locations of all proposed system sites to ensure that the isolation distance requirements can be met.

§ 100-28. Erosion and Sedimentation (Formerly § 606 Referenced in Zoning Ordinance)

In the event that any developer shall intend to make land changes by grading, filling, excavating or the removal or destruction of the natural topsoil or vegetative covering thereon in accordance with a subdivision or land development plan submitted to the Township, the same shall only be approved and accomplished after the developer has submitted plans for erosion and sedimentation control measures to the Pike County Conservation District for review and approval and otherwise complied with Commonwealth regulations respecting such plans. A copy of this plan shall be provided to the Township along with evidence of its approval.

§ 100-29. Stormwater Management (Formerly § 605 Referenced in Zoning Ordinance)

A Storm Water Management Plan meeting the requirements of the Township's Watershed Stormwater Management Ordinance(s), where applicable, shall be provided for all subdivisions and land developments. Such a plan shall also be submitted to the Township Engineer and the Pike Conservation District for review and comment on appropriate measures for meeting compliance with the Pennsylvania Storm Water Management Law and associated Federal and State requirements. Where the Township's Watershed Stormwater Management Ordinance is not applicable, a similar plan meeting the following standards shall be submitted. Such a plan shall comply with Chapter 102 of Pennsylvania DEP Regulations. Such a plan shall also be prepared in consultation with the Pike County Conservation District. Stormwater drainage facilities shall be designed to accommodate storms of a 10 year frequency unless a more stringent standard is required by the Township. The general performance standard shall

be that the amount of uncontrolled stormwater leaving the site along any property line after development shall not exceed that estimated for the site prior to development. In instances where stormwater facilities are impractical for engineering reasons, the Township may modify this standard as it applies to a particular project, but shall provide for the maximum practical reduction in flow which can be achieved under the circumstances. The developer shall provide full information, prepared by a registered engineer, regarding the predevelopment stormwater flows and estimates at the time of application.

The following additional requirements shall apply:

(1) Lots shall be laid out and graded to prevent cross-lot drainage away from proposed building areas. Natural drainage courses shall be maintained.

(2) The existing points of natural drainage discharge onto adjacent property shall not be altered, nor shall the rate of water runoff be increased because of development, without the written approval of all affected land owners.

(3) No storm water runoff or natural drainage water shall be so diverted as to overload existing drainage systems, or create flooding or the need for additional drainage structures on other private properties or public lands, without complete approval of provisions being made by the developer for properly handling such conditions. Stormwater calculations and design shall be prepared by a Professional Engineer.

(4) Storm drainage facilities should be designed to handle the anticipated peak discharge from the property being subdivided.

(5) Where a subdivision is traversed by a water course, drainage way, channel, or stream, there shall be provided a drainage easement conforming substantially with the line of such water course, drainage way, channel, or stream, and of such width as will be adequate to preserve the unimpeded flow of natural drainage, or for the purpose of widening, deepening, relocating, improving, or protecting such drainage facilities. Any changes in the existing drainage way shall be subject to the approval of the Pennsylvania Department of Environmental Protection, Water and Power Resources Board, Division of Dams and Encroachments.

(6) Drainage structures that are located on State highway rights-of-way shall be approved by the Pennsylvania Department of Transportation, and a letter from that office indicating such approval shall be directed to the Township prior to final plan approval.

(7) All streets shall be so designed as to provide for the discharge of surface water from their rights-of-way. The slope of the crown on proposed streets shall be consistent with the street requirements that follow.

(8) All proposed surface drainage structures shall be indicated on the preliminary plan.

(9) Drainage plans shall include all appropriate designs, details, and dimensions necessary to clearly explain proposed construction materials and elevations.

(10) Whenever storm drains are required by the Township, such storm sewer systems shall be separate from any sanitary sewer system. Storm drains or storm sewer facilities may be required in any development situation where the Township Supervisors determine that surface drainage facilities are inadequate to prevent excessive erosion and lot or road maintenance problems.

(11) Drainage systems shall be designed in accordance with such design standards as may be promulgated by the Pennsylvania Department of Environmental Protection or the Pennsylvania Department of Transportation, using hydraulic computations to show the effects of the flow of water. The general standard shall be that the amount of stormwater leaving the site along any property line after development shall not exceed pre-development stormwater flows for that area. In no case shall any pipe system of less than 15" in diameter be used underneath a street
or driveway. All dams, lakes, ponds, or stream encroachments shall be designed in accordance with the design standards of DEP.

(12) All drainage systems and structures shall be subject to the approval of the Township Engineer, Township Supervisors, or any such other qualified person as may be appointed for this purpose by the Township Supervisors.

B. Easements shall also be provided for all stormwater drainage ditches or sewers and water courses. All easements shall be shown on the final plan, and the Township or its agents (to include the Planning Commission or other official representatives) shall have the right to enforce the easements relative to water supply and sewage disposal in the event the developer and/or the lot owner's association fails or is unable to enforce them. They shall further have free access to all developments and lots at all times for the purpose of inspection and enforcement.

§ 100-30. Street Requirements (Formerly § Referenced in Zoning Ordinance)

A. The arrangement, character, extent, width, grade, and location of all streets shall conform to the provisions found herein. Every subdivision shall have access to a public right-of-way.

B. Design and Arrangement.

(1) In general, all streets shall be continuous and in alignment with existing streets and shall compose a convenient system to insure circulation of vehicular and pedestrian traffic, with the exception that minor streets shall be laid out including the use of loop streets and cul-de-sacs, so that their use by through traffic will be discouraged.

(2) Where a subdivision abuts or contains an existing or proposed major street, marginal access streets may be required, in order to protect residential areas from heavy traffic and also to provide separation between local and through traffic.

(3) Streets shall be logically related to the topography so as to produce usable lots and reasonable grades as required by this and other Township Ordinances.

(4) New half or partial streets will not be permitted. Wherever a tract that is to be subdivided borders an existing half or partial street, the remaining portion of the street shall be platted within such tract.

(5) Dead-end streets shall be prohibited, except as stubs to permit future street extension into adjoining tracts, or when designed as cul-de-sacs. Temporary cul-de-sacs shall be provided in the case of the former. Also, see § 100-24.E hereof.

(6) Where adjoining areas are not subdivided, the arrangement of streets in new subdivisions shall make provision for the extension of streets.

(7) Streets shall be laid out to intersect as nearly as possible at right angles; in any event, no street shall intersect another at less than sixty (60) degrees. Intersections of more than two streets shall be avoided. Where this proves impossible, such intersections shall be designed with care for safety, and suitable curbs, barriers, signs, and other devices as may be required. Streets entering opposite sides of another street shall be laid out directly opposite one another or offset a minimum of one hundred twenty-five feet (125').

(8) Street and driveway intersections with major streets shall not be so numerous, nor so close to each other, as to impede the flow of traffic. (9) Clear sight triangles shall be provided at all street intersections. Within such triangles, no structure or vision-obstructing object other than utility poles, street lights, street signs, or traffic signs shall be permitted that obscures vision above the height of thirty-six (36) inches and below ten (10) feet measured from the centerline grade of intersecting streets. Such triangles shall be established from a distance of seventy-five (75) feet from the point of intersection of the centerlines. (10) Whenever, in connection with a subdivision, the principal access (whether public or private) to such subdivision, by virtue of bridge weight limits of less than twenty (20) tons or other comparable limitations, would restrict access to the property by emergency vehicles or school buses, the subdivider shall be required to upgrade the bridge to accommodate a weight limit of at least twenty (20) tons.

C. Alleys may be permitted in residential areas under special circumstances, but in no case shall an alley provide the only means of access to a lot. Alleys are required on the rear of all commercial and industrial lots if no other provisions are made for adequate service access or for parking.

D. Street Grades

(1) Profiles: No street grade shall be less than 1/2 percent or exceed the following, with due allowances for reasonable vertical curves:

Major Traffic Streets	**6% (up to 8% for 250 feet)**
Collector Streets	**8% (up to 10% for 250 feet)**
Minor Streets	**12% (up to 15% for 250 feet)**

Streets shall have a grade not to exceed three (3) percent for a distance within fifty (50) feet of the street right-of-way line of any intersecting street.

(2) Cross Section: The gradients of streets shall not be less than 0.5%. On streets where curbs, gutters, and sidewalks are not required, there shall be a shoulder, as provided herein.

(3) Minimum Sight Distance (measured from a vehicle ten (10) feet back of the pavement edge) for intersections connected with new street construction, driveways, and accesses to new land developments:

Posted Speed or Classification by Township (if none posted)	Sight Distance to Left	Sight Distance to Right
55 mph (Major Streets)	845 feet	875 feet
45 mph (Major Streets)	635 feet	570 feet
35 mph (Collector Streets)	440 feet	350 feet
25 mph (Minor Streets)	**250 feet**	**195 feet**

E. Street and Alley Width

(1) The width of all major thoroughfares shall conform to the width designated on the Township's official map, if one shall exist.

(2) The minimum right-of-way widths for streets and alleys are as follows:

Major Streets	80 feet
Collector Streets	66 feet
Minor Streets	50 feet
Alley	25 feet
Crosswalks	10 feet

Where the proposed subdivision fronts on an existing public right-of-way of less than the required width as specified above, the subdivider shall provide additional right-of-way as may be required to conform with these standards. Where the proposed subdivision fronts on only one side of such a road, the entire additional width required shall be provided on that side.

F. On all dead-end roads, a turnabout area with a one hundred (120) foot diameter right-of-way and a ninety (90) foot diameter traveled portion shall be provided.

G. The entire width of the travelway of each street in a proposed subdivision shall be graded and suitably prepared for installation of paving, drainage structures, curbs, and gutters, in accordance with the appropriate standards for the class of street. The subgrade shall be free of sod, vegetative matter, or other similar material. Where poor subsurface drainage conditions exist, adequate drainage shall be installed. The

subgrade construction shall conform to the minimum standards found in Subsection H (2) below.

H. Pavement. [FORMERLY § 703.4 REFERENCED IN ZONING ORDINANCE]

(1) The width of pavement required shall vary, depending upon the character of the development served and the amount of traffic expected to utilize the street. The following are minimum street pavement widths:

Type of Street	Minimum Clearance Beyond Each Shoulder	Minimum Shoulder Width (Each)	Minimum Cartway Pavement Width	Minimum Travelway Width
Major Streets	4 feet	6 feet	24 feet	36 feet
Collector Streets	4 feet	6 feet	24 feet	36 feet
Minor Streets	N/A	N/A	N/A	N/A

(2) The pavement shall be constructed in accordance with the following Specifications:

(a) All stumps, roots, and vegetation shall be removed from the entire graded portion of the road.

(b) Materials shall be suitable to form a firm, unyielding surface.

(c) All rocks exceeding six (6) inches in maximum dimension shall be broken off or removed so that no part of any rock is less than six (6) inches from the finished surface.

(d) All streets shall be well drained, and the minimum size pipe shall be fifteen (15) inches.

(e) Subgrade shall be thoroughly compacted by at least a ten (10) ton roller, or equal.

(f) All streets shall be constructed of a uniform minimum of twelve (12) inches of compacted Pennsylvania Department of Transportation-approved gradation 2-A material, which material shall be installed for the width of the travelway. Material not meeting these specifications may be approved by the Township Roadmaster and Township Engineer on a case-by-case basis where circumstances indicate small amounts of traffic will be involved or site conditions warrant

the use of a different material. Shoulders shall also be constructed to a compacted depth of six (6) inches of the same material as the base.

(g) All Major Streets and all Collector Streets within subdivisions or subdivision combinations of fifty (50) lots or more shall be surfaced with bituminous material meeting specifications set forth in Dingman Township's Road Dedication Ordinance.

(h) Roads intended for public dedication shall comply with Dingman Township's Road Dedication Ordinance.

I. Shoulders and Embankments.

(1) Street shoulders shall be constructed with materials approved by the Township Engineer, and consistent with the requirements herein. The entire shoulder area shall be uniformly and thoroughly compacted by rolling and must be level with the top of the road paving, or as directed by the Township Engineer.

(2) Embankments at the sides of streets and cross-sections of drainage ditches shall not exceed a maximum slope of two (2) feet horizontally to one (1) foot vertically in a cut or fill section. In special cases, the Township Engineer may require more rigid standards.

J. Curbs and Gutters.

(1) Curbs shall be required for public safety purposes in the case of commercial developments and other instances where intensive uses exist or are anticipated along a major or collector street.

(2) Where curbs exist on abutting properties, their extension will ordinarily be required throughout the proposed subdivision.

(3) Curbs shall not be constructed where pavements are less than 20 feet in width, the public street is not paved, or the lot fronts on a private street. Where curbs are not required, adequate gutters shall be graded and protected by seeding or appropriate surfacing.

(4) Curbs may be of the wall type or may be combined with gutters built of concrete. Curbs, combined curbs and gutters, and graded gutters shall be constructed in accordance with standard engineering practice.

K. Walls, Slopes and Traffic Guards.

(1) Where the grade of the street is above or below the grade of the adjacent

land, walls, or slopes shall be constructed in a manner satisfactory to the Township, and shall be sufficient to support the street or the adjacent land, as the case may be.

(2) Where the adjoining embankment has a slope exceeding three (3) feet horizontally to one (1) foot vertically, and the grade of the street is two (2) feet or more above the grade of the adjacent land, guards shall be built to protect travel, if required by the Township Engineer.

L. All streets, including cul-de-sacs and alleys, shall be constructed as shown on the Preliminary Plan approved by the Supervisors and in conformity with the street requirements contained herein. Where such an ordinance does not provide a clear standard, the Township may rely upon the standards promulgated by the Pennsylvania Department of Transportation for local streets. These standards may also be modified wherever necessary to preserve shade, address aesthetic concerns, or otherwise avoid unnecessary earth disturbance, provided the construction standards applicable to the road base are not modified, and the full right-of-way is obtained as required.

M. Four-way street name signs of a design approved by the Board of Supervisors shall be installed at each street intersection by the subdivider at his own expense. Streets that are extensions of, or obviously in alignment with, existing streets shall bear the name of existing streets. Street names shall not be repeated within the Township and shall be subject to Township approval.

N. Street lighting is the responsibility of the applicant to provide, and the lot owners to maintain and operate. The Township Engineer will determine when and if street lighting is necessary, evaluating need on the basis of safety considerations and commonly accepted standards of lighting. Whether or not street lights are initially installed, the developer shall be responsible for providing utility easements for future street lighting installation, upon consultation with the public service utility company involved.

O. The subdivider shall preserve existing shade trees along any proposed street right-of-way unless their removal is clearly required for the safety of construction and use.

P. Requirement for Road Occupancy and Other Permits.

(1) No driveway, street, or drainage facility or structure shall be constructed or altered within a state right-of-way, and no drainage facility of the Pennsylvania Department of Transportation shall be altered or connected to without first obtaining a permit from Penn DOT.

(2) No driveway, local road, drainage facility, or structure shall be constructed or altered within a township right-of-way, and no drainage facility of Dingman

Township shall be altered or connected to without first obtaining a permit from the Dingman Township Supervisors.

Q. Shared driveways may be used to access a maximum of two (2) single-family

(1) Individual driveways serving only one single-family dwelling shall not be subject to any of the street design or improvement requirements of this Section 100-30.Q or this Ordinance.

(2) Standards of construction for shared driveways servicing one or two-family dwelling or two single-family dwellings or lots shall be in accordance with this Section 100-30(Q) provided the deed for each lot (a copy of which shall be submitted) shall contain appropriate restrictive covenants;

(a) setting forth the manner in which the costs of repairs, upgrade and maintenance shall be apportioned between the owners,

(b) restricting each parcel from further subdivision unless or until the driveway or shared driveway is upgraded to a minor street in accordance with the terms of this ordinance and approved by the Township. This subsection shall apply to new or previously approved driveways, and to driveways that predate this ordinance.

(c) documenting that the shared driveway is not the responsibility of the Township and that no one shall have any recourse to the Township for repairs, upgrades, or maintenance, or lack thereof.

(3) The shared driveway shall meet the following minimum design standards:

Minimum Right-of-Way	30 feet
Minimum Pavement Width	12 feet
Minimum Shoulder Width	3 feet
Maximum Grade	16%

A negative slope of not less than two percent (2%), for a minimum distance of twenty feet (20') from the intersecting road right-of-way, shall be provided on the shared driveway to prevent stormwater run-off from flowing onto the intersecting roadway. A leveling area not exceeding four percent (4%) in grade and not less

than forty feet (40') in length shall be provided where the shared driveway intersects with the right-of-way of the adjoining street. A shared driveway may not intersect with more than one public or private street.

(4) Pavement shall consist of an all-weather surface,

(5) Applicants proposing shared driveways of this nature shall not be required to submit detailed engineering data (e.g., profiles, grade analyses, etc.) in conjunction with the submission, but driveways shall be subject to inspection by Township representatives to determine that improvements have been constructed to comply with these standards. Shared driveway entrances or aprons within the adjoining street right-of-way and the shared driveway shall be installed or guaranteed by the Developer and/or Subdivider as required in this Ordinance prior to final subdivision approval. Shared driveways shall not, under any circumstances, be dedicated to the Township as municipal streets.

R. All lots intended for single-family residential use shall be of sufficient size and design to allow for a minimum of two (2) off-street parking spaces per residence. The Township Planning Commission may require prospective sites for such parking areas or other improvements to be designated on Final Subdivision Plans. Parking areas for other land developments shall be provided and depicted in accordance with the applicable standards for those developments (see Article VII).

S. Subdivisions, or expansions of subdivisions, that result in total of twenty-five (25) or more dwelling units shall provide off-street school bus stopping and parking areas, including areas for student waiting and parent parking, sufficient to accommodate the needs of the subdivision, but no less than one student and one parking space for each five dwelling units proposed, plus one bus parking area for each twenty-five (25) dwelling units. Location and design shall be subject to review by the Delaware Valley School District. The Township may modify these requirements where projects are of such scope or occupancy as to demand less parking. Such an area shall also be used to locate all mailboxes associated with such subdivisions. Location and design shall be subject to U.S. Postal Service standards. No individual on-lot mailboxes shall be permitted in these circumstances.

T. All subdivisions and land developments shall otherwise comply with the access and other requirements of the Dingman Township Fire Protection Ordinance.

U. Complete final construction (as built) plans, certified by a Professional Engineer licensed to practice in Pennsylvania, shall be provided for all other street improvements proposed on the Final Plan. Prior to Final Approval, all street improvements shall also be inspected by the Dingman Township Engineer for conformance with the standards of this Ordinance. The Township Engineer shall determine the frequency and duration of inspections required to verify, on a sample test basis, the project's conformance with

Township standards, and fees shall be advanced to the Township by the applicant/developer as required to reimburse such inspections. Such inspections shall, if deemed necessary by the Township Engineer, be scheduled throughout the construction period, and applicants shall be required to coordinate with the Township Engineer in scheduling such inspections. The Township Engineer shall use inspection data as a basis for recommending any changes or additional improvements that may be required prior to issuance of Final Approval by the Board of Supervisors. Such recommendations shall not, however, be a substitute for the project engineer's certification of the as-built construction plans.

Article V - Manufactured / Mobile Home Parks

§ 100-31. Design Standards and Other Requirements

A. A manufactured/mobile home park shall have a gross area of at least five (5) contiguous acres of land under the unified control of an owner/operator or a property owners association.

B. Manufactured/mobile home parks shall not be located in any area subject to any hazard or nuisance, such as excessive noise, vibration, smoke, toxic matter, radiation, heat, odor or glare; nor shall they be located on any soils classified by the U.S.D.A. Natural Resource Conservation Conservation Service as having a seasonal high water table within twenty-four (24) inches of the surface or on any slope of 15% or greater.

C. The ground surface in all parts of every park shall be graded and equipped to drain all surface water in a safe, efficient manner. All stormwater facilities shall comply with the Township Stormwater Management Ordinance and otherwise be designed as required in Section 100-29 of this Ordinance. Stormwater management plans for achieving this objective shall be reviewed by the Pike Conservation District and the Township Engineer.

D. All exposed ground surfaces shall be protected with a vegetative growth that is capable of preventing soil erosion and the emanation of dust during dry weather. The owner shall, within a reasonable period of time, ensure that the above requirements have been satisfied.

E. Park Areas for Non-Residential Uses

(1) Manufactured/mobile home parks shall be restricted to residential uses, except those uses that are required for the direct servicing and well-being of park residents and for the management and maintenance of the park.

(2) Nothing contained in this Section shall be deemed as prohibiting the sale of a manufactured/mobile home located on a manufactured/mobile home lot and connected to utilities.

(3) In all parks designed to accommodate ten (10) or more manufactured/mobile homes, there shall be one or more recreation areas that are easily accessible to all park residents. The size of such recreation areas shall be not less than 10% of the total area of the manufactured/mobile home park. Recreation areas shall be located so as to be free of traffic hazards, and should, where the topography permits, be centrally located.

F. Required Setbacks, Buffer Strips and Screening.

(1) All manufactured/mobile homes shall be located at least seventy-five (75) feet from the right-of-way line of any public street or highway, and at least fifty (50) feet from any other park property boundary lines.

(2) There shall be a minimum distance of twenty (20) feet between an individual manufactured/mobile home and the adjoining pavement of a park street, common parking area, or other common areas and structures.

(3) All manufactured/mobile home parks shall be required to provide screening, such as fencing or natural growth, along the property boundary line separating the park from adjacent uses. A planting or screening plan shall be approved by the Board of Supervisors.

(4) Accessory structures, including tool sheds, trash receptacles, patios, porches, garages, and bike racks, may be erected within required setback and buffer areas, provided that a fire lane of at least ten (10) feet in width is maintained, clear of all obstacles, on each side of each manufactured/mobile home lot. No structures of any kind may be erected within ten (10) feet of the manufactured/mobile home lot line.

G. Erection and Placement of Manufactured/Mobile Homes.

(1) Manufactured/mobile homes shall be separated from each other, and from other buildings and structures, by at least thirty (30) feet.

(2) An enclosure of similar design and material to the manufactured/mobile home itself shall be erected around the entire base of each manufactured/mobile home. Enclosures shall be placed within one year of occupancy of the manufactured/mobile home.

H. Park Street System.

(1) A safe and convenient vehicular access shall be provided from abutting public streets or roads.

(2) The entrance road connecting the park with a public street or highway shall have a pavement width of no less than twenty-four (24) feet and a right-of-way of no less than fifty (50) feet, and no parking shall be allowed on either side of the street. All manufactured/mobile home lots shall be served by the entrance road or internal streets connected thereto, and none shall be served directly from the public street or highway.

(3) Surfaced roadways shall be of adequate width to accommodate anticipated traffic. The minimum pavement width shall be eighteen (18) feet. Dead-end (cul-de-sac) streets shall be provided with a paved turnaround having an outside diameter of no less than seventy (70) feet and shall not exceed 1,200 feet in length. All streets shall have a right-of-way of no less than fifty (50) feet. Rumble strips or other pavement warnings may be required at intersections.

(4) All parks shall be furnished with lighting units so spaced and equipped with luminaries placed at such mounting heights as will provide adequate levels of illumination for the safe movement of pedestrians and vehicles at night.

(5) All park streets shall adhere to the Pennsylvania Department of Transportation "Guidelines for Design of Local Roads and Streets." For purposes of evaluation under these guidelines, park streets shall be considered local access urban highways.

(6) There shall generally be at least two points of ingress and/or egress in each manufactured/mobile home park, but no more than two accesses to a manufactured/mobile home park from any one public right-of-way (emergency accesses excepted), and all driveways to individual units along a public right-of-way shall front on an interior or marginal access street. Accesses shall be separated by at least 150 feet where they intersect with a public street.

I. Walks.

(1) General Requirements - All parks containing ten (10) or more manufactured/mobile homes shall be provided with safe, convenient, all-weather surfaced pedestrian walkways between individual manufactured/mobile homes, the park streets, and all community facilities provided for park residents.

(2) Common Walk System - A common walk system shall be provided and maintained between locations where pedestrian traffic is concentrated. Such common walks shall have a minimum width of three and one-half feet.

(3) Individual Walks - All manufactured/mobile home stands shall be connected to common walks, to paved streets, or to paved driveways or parking spaces connecting to a paved street. Such individual walks shall have a minimum width of two feet.

J. Manufactured/Mobile Home Site. The area of the manufactured/mobile home site shall be improved to provide a permanent foundation for the placement and tie down of the manufactured/mobile home, thereby securing the structure against uplift, sliding, rotation, and overturning. Manufactured/mobile homes shall not be considered placed on a permanent foundation unless wheels have been removed and the home is resting on

concrete piers to the frost level, a foundation of poured concrete, block construction, or a concrete slab.

(1) The manufactured/mobile home site shall not heave, shift, or settle unevenly under the weight of the manufactured/mobile home, due to frost action, inadequate drainage, vibration, or other forces acting on the superstructure.

(2) The manufactured/mobile home site shall be provided with anchors and tie downs, such as cast-in-place concrete "deadmen", eyelets embedded in concrete foundations or runways, screw augers, arrowhead anchors, or other devices securing the stability of the manufactured/mobile home.

(3) Anchors and tie downs shall be placed at least at each corner of the manufactured/mobile home site, and each shall be able to sustain a minimum tensile strength of 2,800 pounds.

K. Manufactured/Mobile Home Lot Size and Density.

(1) All manufactured/mobile home lots shall be served with an off-site sewage disposal system and an off-site water supply, shall have a minimum lot area of 10,000 square feet and shall be not less than 75 feet wide at the setback line. Density within the park as a whole shall not exceed one manufactured/mobile home per 21,780 sq. ft. (0.50 acre), and no less than 50% of the park shall be dedicated to permanent open space. No less than half of this open space shall be usable for active recreational activities and not include wetlands, floodplains, slopes over 15% in grade, or other undevelopable areas.

(2) All square footage areas and density calculations shall be measured or taken exclusive of any rights-of-way. For the purpose of administration, public rights-of-way shall mean all easements or other rights-of-way that are open for free and easy use by other lot occupants and/or the general public.

(3) All lots intended to be conveyed individually to manufactured/mobile home occupants shall meet minimum lot area standards applicable to other single-family homes in recognition of the lesser degree of control inherent in parks managed by multiple owners as opposed to a single operator.L. Water Supply. An adequate offsite supply of water shall be provided for manufactured/mobile homes, service buildings, and other accessory facilities, as required by this Ordinance. The water supply shall be capable of supplying a minimum of 400 gallons per day per manufactured/mobile home, and the water distribution system shall be designed and maintained so as to provide a pressure of not less than 35 pounds per square inch under normal operating conditions, at service buildings and other locations requiring a potable water supply. There must also be an adequate reserve supply of water at adequate pressure to meet

firefighting needs as estimated by the fire company serving the area. Any other applicable requirements of the Pennsylvania Department of Environmental Protection with respect to water supply shall also be met. Fire hydrants may be required at the discretion of the Township Board of Supervisors.

M. Sewage Disposal. An adequate and safe sewerage system shall be provided in all parks for conveying and disposing of sewage from manufactured/mobile homes, service buildings, and other accessory facilities. Such system shall be designed, constructed, and maintained in accordance with the Pennsylvania Department of Environmental Protection and local sewage regulations.

N. Required Off-Street Parking. Off-street parking areas shall be provided in all manufactured/mobile home parks for the use of park occupants and guests. No less than 2 vehicular parking spaces of at least 200 square feet each in size shall be provided for each manufactured/mobile home lot. Common parking areas shall not be located further than 300 feet from the manufactured/mobile home lots they are intended to serve. Any common parking areas shall be all-weather surfaced.

O. Utilities.

(1) Electrical Distribution: All manufactured/mobile home parks shall have an underground electrical/telephone distribution system, which shall be installed and maintained in accordance with the local electric power company's specification regulating such systems. All connections from the meter box to the trailer shall be installed by a qualified electrician, and each trailer shall have its own meter box.

(2) Liquefied Petroleum Gas (LPG) Systems. Liquefied petroleum gas systems, when provided in manufactured/mobile home parks, shall be provided with safety devices to relieve excessive pressures with discharges terminating at a safe location. Systems shall have at least one accessible means for shutting-off gas located outside the manufactured/mobile home, and which shall be maintained in effective operating condition. All LPG piping outside of the manufactured/mobile home shall be well supported and protected against mechanical injury. Undiluted liquefied petroleum gas shall not be conveyed through piping equipment and systems in manufactured/mobile homes. Vessels of more than 12 and less than 60 U.S. gallons gross capacity shall be secured to prevent accidental overturning. No LPG vessel shall be stored or located inside or beneath any storage cabinet, carport, manufactured/mobile home, or any other structure.

(3) Fuel Oil Supply Systems. All fuel oil supply systems, when provided in manufactured/mobile home parks, shall be installed and maintained in conformity with the following regulations:

(a) All piping from outside fuel storage tanks or cylinders to manufactured/mobile homes shall be securely fastened in place.

(b) All fuel oil supply systems shall have shutoff valves located within five (5) inches of storage tanks.

(c) All fuel storage tanks or cylinders shall be securely placed and shall not be located closer than five (5) feet from any manufactured/mobile home parking area or exit.

(d) Storage tanks located in areas subject to traffic shall be protected against physical damage.

P. Licensing and Inspection. The Township Board of Supervisors, by general resolution or in the granting of approval for a manufactured/mobile home park, may attach a condition requiring annual inspection and licensing of manufactured/mobile home parks, including provisions for revocation of licenses if the owner/operators or property owners associations shall fail to meet standards contained herein. The Township Board of Supervisors and/or its designated agents shall, in addition, have the authority, when any provision of this Article is violated, to prohibit the occupancy of any vacant manufactured/mobile home sites in a manufactured/mobile home park until the owners and/or management provide evidence of compliance with these provisions.

§ 100-32. Application to Existing Parks

A. Extensions or enlargements of existing manufactured/mobile home parks by addition of land areas or increase in the number of available lots shall fully comply with the provisions of this Article, except to the extent that they would be modified by restrictive covenants approved by the Township for an existing contiguous portion of the park.

B. No new or replacement manufactured/mobile home in an existing park shall be erected any closer than 20 feet to another home site, structure, or property line; and on one side of the home, there shall be maintained a completely open, unobstructed yard of 10 feet in width for a fire lane. No decks, parking areas, service buildings, or other structures shall be erected in said yard. All replacement manufactured/mobile homes shall comply with the skirting and anchoring requirements applying to manufactured/mobile homes in new parks.

Article VI - Recreational Land Developments

§ 100-33. Design Standards and Other Requirements

A. A campground subdivision or development shall have a gross area of at least five (5) contiguous acres of land in single ownership or under unified control.

B. All campgrounds shall provide and maintain a vegetative screening strip of planted or natural growth, along all boundary lines of adjoining R-1 District properties. Such screening shall be at a depth of not less than twenty (20) feet, to effectively screen the area to a minimum of six (6) feet in height within a reasonable time period (one year of application approval). A planting plan specifying types, size, and location of existing and proposed plant material shall be required and approved by the Board of Supervisors.

C. Recreational land development lots or camping sites in non-transient recreational land developments shall comply with the lot requirements found in § 100-24 hereof. Transient recreational land development lots or camping sites shall be a minimum of fifty (50) feet wide and seventy-five (75) feet deep and may be clustered. Gross density, however, shall not exceed a total of five (5) sites per acre in such instance (eight [8] per acre if tent/primitive type camping only). Frontages on cul-de-sacs may be varied. Individual recreational land development lots or camping sites shall be separated from service building structures and other occupied buildings and structures by a minimum distance of fifty (50) feet. Also, notwithstanding the requirements of Section B above, no recreational vehicle or tent platform shall be located closer than twenty-five (25) feet to the street right-of-way; closer than twenty-five (25) feet to any other recreational vehicle or tent platform; or one-hundred (100) feet to any adjacent property line.

D. At least two off-street parking spaces of one-hundred-eighty (180) square feet each shall be provided for each site. At least one such off-street parking space shall be provided on each lot as required.

E. Street Requirements.

(1) Nontransient recreational land developments. The street design standards contained in Article IV of this Ordinance shall apply to streets within non-transient recreational land developments.

(2) Transient recreational land developments. Transient recreational land development streets shall be not less than fifty (50) feet in right-of-way width, and shall be cleared, graded, and constructed as required by the Township Board of Supervisors, upon recommendation of the Township Engineer, based upon the size

of the development, site conditions, and type of development proposed (i.e., primitive tent camping or RV camping).

F. No individual on-site sewage or water supply shall be permitted, and all community systems for the common use of campsite occupants shall fully comply, as evidenced by approved plans, with the standards imposed by the Pennsylvania Department of Environmental Protection and Dingman Township. All systems shall be designed for 100% occupancy.

G. The following additional regulations shall apply to all recreational land developments.

(1) Appurtenances. No permanent external appurtenances, such as carports, cabanas, gazebos, patios, or similar structures, shall be attached to any recreational vehicle parked in a recreational land development or constructed independently of the recreational vehicle on any campsite. The removal of wheels or placement of the unit on a foundation in such a park is also prohibited.

(2) Location. A recreational land development shall be so located that no entrance or exit from a park shall discharge traffic into a densely populated residential area exceeding one dwelling unit per two acres, nor require movement of traffic from the park through such an area to obtain access to a public highway. A minimum of 150 feet of frontage on a State or Township highway shall be required.

(3) Common Use Areas - A minimum of 10% of the gross site area of the recreational land development shall be set aside and developed as common use areas for open and enclosed recreational facilities. No recreational vehicle site, required buffer strip, street right-of-way, driveway, access, storage area, or utility site shall be counted as meeting this requirement.

(4) Entrances and Exits - Entrances and exits to recreational land developments shall be designed for safe and convenient movement of traffic into and out of the park, and to minimize marginal friction with free movement of traffic on adjacent streets. All traffic into or out of the park shall be through such entrances and exits. Streets shall be laid out to intersect as nearly as possible at right angles; in any event, no street shall intersect another at less than sixty (60) degrees. The radii of curbs and pavements at intersections shall be such as to facilitate easy turning movement for vehicles with a trailer attached. No intersection of an entrance and/or exit with a State or Township highway shall be located where less than 500 feet of sight distance exists in either direction along the State or Township highway, nor shall such intersection be located within 150 feet of any other intersection.

(5) Parking Areas - In connection with the use of any recreational land development, no parking, loading or maneuvering incidental to parking or loading shall be permitted on any public street, sidewalk, required buffer, right-of-way or any public grounds; or any private grounds not part of the recreational land development, unless the owner has given written permission for such use. Each recreational land development operator shall provide off-street parking, loading and maneuvering space located and sealed so that the prohibitions above may be observed, and shall be responsible for violations of these requirements.

(6) Occupancy - Campsites shall be used only for camping purposes. No improvement or any manufactured/mobile home designed for permanent occupancy shall be erected or placed on any campsite. All recreational vehicles in the development shall be maintained in a transportable condition at all times. Any action toward the removal of wheels or the hitch or to attach the recreational vehicle to the ground for stabilizing purposes is hereby prohibited. Moreover, no campsite shall be occupied by the same party for more than 6 consecutive months, and no campsite shall be the primary and principal residence of the owner or any other occupant; each campsite shall be used and occupied (excepting occasional guests) for camping and recreational purposes only by a single household. The Township may require any owner to remove a recreational vehicle from the campground for a period of 7 days, unless such owner can establish a prior removal for a comparable period within the immediately preceding 6 months. These requirements shall be attached to each campsite sale or membership in nontransient recreational land developments by restrictive covenant.

(7) Records - The management of every recreational land development shall be responsible for maintaining accurate records concerning the occupancy of all campsites. The term "management" shall include associations of property owners when such are responsible for the maintenance and operation of common facilities. The Township Board of Supervisors and/or its designated agents shall have access to, and the right to inspect, records for evidence of permanent residency or lack thereof. The Township Board of Supervisors and/or their designated agents shall, in addition, have the authority, when any provision of this Article is
violated, to prohibit the occupancy of any and all campsites in a recreational development until the owners and/or management provide evidence of compliance with these provisions.

(8) Waste Disposal - No owner or occupant of any campsite or recreational land development lot shall permit or allow the dumping or placement of any sanitary or other waste anywhere upon any campsite or elsewhere within the development, except in places designated therefore. No outside toilets shall be erected or maintained on any campsite. Plumbing fixtures within any recreational vehicles

placed upon lots in the recreational land development shall be connected to the sewage disposal system for the development. Sanitary facilities, including toilets, urinals, and showers, shall be provided within five-hundred (500) feet of each lot or campsite. A minimum of one toilet per sex per twenty-five (25) lots or campsites shall be provided.

(9) Fences - All property lines within the development shall be kept free and open; and no fences, except as may be required by screening sections or may exist naturally, ledges or walls, shall be permitted thereon. This shall not, however, preclude the erection of fences around the perimeter of the development.

(10) Nuisances - No noxious or offensive activities or nuisances shall be permitted on any campsite or lot. The management plan shall provide for limiting significant noise-generating activities to specified periods of time that allow for sleeping by neighboring residents.

(11) Animals - No animals shall be kept or maintained on any campsite or lot, except domesticated pets such as dogs and cats. Pets shall be kept confined so as not to become a nuisance.

(12) Garbage and Refuse Disposal - No person shall burn trash, garbage, or other like refuse on any campsite. All such refuse shall be placed and kept in airtight receptacles for the same. No owner shall permit the accumulation of litter, refuse, or junk vehicles on a campsite or lot. All vehicles and recreational vehicles shall be operable and licensed at all times by a state agency.

(13) Camping Accessories - Notwithstanding any provisions herein contained to the contrary, picnic tables, benches, storage sheds, fire boxes or fireplaces, and similar items of personal property, may be placed on a campsite. All personal property on a campsite shall be maintained in good condition so as not to become unsightly.

(14) Ditches and Swales - Each owner shall keep drainage ditches and swales located on his campsite free and unobstructed and in good repair, and shall provide for the installation of such culverts upon his campsite as may be reasonably required for proper drainage. He shall also prevent erosion on his campsite or lot.

(15) Drilling and Mining - No drilling, refining, quarrying, or mining operation of any kind shall be permitted, nor shall drilling for water or digging of water wells be permitted on any individual campsite or lot.

(16) Vehicle Parking - No recreation vehicle shall be parked on any street or roadway within the development.

(17) Fire Rims - Each campsite fireplace shall be provided with a fire rim of concrete construction at least eight (8) inches in height to contain the fire and fully comply with the Dingman Township Fire Protection Ordinance.

(18) Water Supply - Potable water drinking fountains shall be provided within three-hundred (300) feet of each campsite, and firefighting needs shall also be addressed in the case of recreational land developments accommodating recreational vehicles by providing an emergency water source approved by the local fire department and in accordance with the Dingman Township Fire Protection Ordinance. The operational standards contained in this section shall be incorporated in restrictive covenants attached to the deeds for lots in nontransient recreational developments and shall be made part of a management plan for any transient recreational developments, which covenants and/or plan shall be approved by the Township Board of Supervisors in its review of preliminary and final plans for the recreational development. A management plan shall be required for all recreational land developments, and restrictive covenants incorporating the standards of this section shall be required of all nontransient recreational developments. This shall be in addition to the submission requirements contained in Article III of this Ordinance. A plan or set of covenants which does not adequately provide for conformance with this Section shall not be approved and, in the case of the latter, shall provide for the establishment of a bona fide property owners association. The plan and/or covenants shall also provide the Township with the option (but not the obligation) of being a party to their enforcement and include a right for the Township to periodically inspect the development for continued compliance with the plan and/or covenants.

§ 100-34. Application to Existing Developments

The regulations of this Article VI shall apply to any extensions of existing recreational subdivisions and land developments, including increases in the number of lots or available spaces, even though no addition to total land area is involved. However, nothing herein shall apply to existing facilities.

Article VII - Other Land Developments

§ 100-35. Nonresidential Subdivisions and Land Developments

A. Application and Procedure. All commercial, industrial, and other non-residential land developments shall comply fully with the provisions of the Dingman Township Zoning Ordinance. They shall also comply fully with the procedures set forth in Article III of this Chapter, "Plan Submission and Review Requirements," regardless of whether or not any actual conveyance of land by metes and bounds or other means is involved. Plans for any new or expanded commercial, industrial, or other non-residential developments shall be prepared and submitted for review and approval in the same manner as plans for subdivisions.

B. Streets, Drives, Parking Areas, and Sidewalks

(1) Traffic movements in and out of commercial and industrial areas should not interfere with external traffic, nor should they create hazards for adjacent residential Areas.

(2) The design of streets, service drives, and pedestrian ways should provide for safe and hazard-free internal circulation, including provision for fire lanes where appropriate.

(3) The points of ingress and egress shall be designed so as not to require commercial or industrial traffic to pass through residential areas.

(4) The private street, driveways, drives, parking areas, sidewalks, and other means of pedestrian and vehicle access for the public shall be paved pursuant to the standards hereinafter set forth. These standards shall apply to all new commercial uses, industrial uses, or conversions of non-commercial uses to commercial uses to which the public will be provided access. Areas of access for vehicles and pedestrians, which will not be open to the public, such as employee parking and delivery truck unloading/loading areas, may be upon approval by the Township, be exempt from the paving requirement.

(5) The foregoing provisions shall not apply to the No Impact Home-based Businesses and Home Occupations.

(6) The minimum paving standards are as follows:

i. Pedestrian walks serving as an accessible route shall comply with all ANSI Standards. Other pedestrian routes shall be constructed on an all-weather surface consisting of either 2 inches of asphalt wearing course, 4 inches of reinforced concrete, or other acceptable surfaces (i.e., pavers, etc)

ii. Vehicular access and parking areas shall be constructed to the following minimum standards:

- 8 inches subbase, Number 2A compacted to 95% density (modified proctor)
- 2 ½ inches binder course
- 1 ½ inches wearing course

iii. Access drives and parking areas shall be curbed or shall provide other acceptable means to convey stormwater to collection devices.

C. Plan Review Standards. Plans shall be prepared to address specific site conditions and, more particularly, the site requirements of Section 100-23 of this Ordinance, delivering the best possible service to customers in terms of traffic circulation, parking, and pickup and delivery services, while also protecting the public health, safety, and general welfare. Parking and access shall conform to the requirements of the Dingman Township Zoning Ordinance.

D. Lot, Block, and Setback Standards.

(1) Lot sizes shall be sufficient to provide adequate space for off-street parking and loading, landscaping, and other facilities. They shall also be substantial enough to buffer the use from adjacent residences and mitigate any negative environmental impacts on the community or neighborhood.

(2) Any setback that does not adequately buffer a land development from adjacent residences, residential lots, and residential districts, or otherwise mitigate environmental impacts shall be increased as may be necessary to accomplish these purposes, and landscaping shall be required to immediately create an effective buffer. Such buffers shall, at a minimum, meet any zoning requirements applicable. A landscaping plan shall be prepared by the developer and approved by the Township. Where a property line is not wooded, a planting strip of at least thirty (30) feet in width, and more if required by the Township Board of Supervisors, shall be required to buffer adjoining property owners. Such

planting strip shall consist of two or more rows of offset White Spruce plantings, or other species of comparable screening value, at least six feet in height and sufficient to ensure that direct views of the project will be largely obscured on an immediate basis. Any additional buffer area required by the Board shall be not less than the minimum required to effectively contain impacts to the property being developed (e.g., maintain odors, lights, vibrations, and noise on-site, ensure that industrial operations are fully screened, etc.).

(3) All setbacks in the case of uses which may generate significant amounts of commercial truck traffic, floodlighting, noise, or odors, including trucking terminals,
distribution facilities, amusement parks, auto race tracks, wood product manufacturers, concentrated animal feeding operations not otherwise exempt from this Ordinance, all-night recreational facilities, junkyards, or similar enterprises shall be increased to a minimum of 200 feet where off-site water supply and sewage disposal facilities are provided and a minimum of 300 feet where on-site water supply and sewage facilities are used. Additional setbacks, landscaping, or other buffer screening may be required where such areas are not forested. Also, in those instances where greater setbacks are demanded by other Township regulations, those greater setbacks shall apply. "Significant" shall mean any degree or amount of impact which can be seen, felt, heard, smelled, or otherwise detected by the human senses from two-hundred (200) feet away on a regular and continuing basis.

§ 100-36. Multi-Family Dwelling Projects

A. General Procedure. Multi-family dwelling projects shall be considered subdivisions and land developments subject to the jurisdiction of this ordinance. This shall apply to all subdivisions of property in connection with the development, regardless of whether or not these are connected with building development, and approvals required shall be requested and acted upon concurrently as one subdivision. Application for preliminary approval of multi-family dwelling projects, accordingly, will be made to Dingman Township in the manner provided under Article III hereof. The developer shall also submit the following additional information:

(1) An application for multi-family dwelling approval on a form to be supplied by the Township or, in the absence of such form, by a letter or brief from the developer or the developer's representative, indicating how the development will meet the general site requirements of this ordinance and otherwise comply with the intent of this section, describing the organization and management of the project.
(2) A proposed lot plan showing the approximate (generally within five feet)

location of all buildings and improvements, including parking areas, planting strips (if any), signs, storm drainage facilities, water supply and distribution system, sewage treatment and collection systems and the specific areas provided as open space in connection with the requirements of this Ordinance. Building layouts, floor plans and profiles shall also be provided, indicating building dimensions, numbers, and sizes of units, common ownership or use areas (apart from the open space referenced below), lighting, and such other information as shall be required to determine compliance with the design standards contained herein and any other building standards which may be applicable in Dingman Township. Setbacks from property lines, improvements, and other buildings shall also be indicated.

(3) A schedule or plan, and proposed agreement(s) either with the Township or a property owners' association for the purpose of dedicating, in perpetuity, the exclusive use and/or ownership of the recreation area and open space required by this Ordinance to the prospective dwelling owners or occupants. Such agreement may be incorporated in the applicant's proposed covenants and restrictions, but shall in any event, provide to the satisfaction of the Township that maintenance and use of the property, regardless of ownership, be restricted to either: (1) activities intended for the sole benefit of the occupants of the particular project proposed, or (2) permanent open space as hereinafter provided.

(4) Letters from fire protection and other emergency service providers indicating their knowledge of the proposed land development, the extent of their capacity to provide service and any limitations that may apply with respect to such service.

B. Processing Schedule. The application package shall be processed on a schedule identica with requirements for review and approval of other Preliminary Plans under the Subdivision and Land Development Ordinance, including providing the Pike County Planning Commission with an opportunity to review copies of the entire package.

C. Planning Commission Action. The Township Planning Commission, before recommending action to the Board of Supervisors, may also hold a public hearing pursuant to the Pennsylvania Municipalities Planning Code. The Dingman Township Planning Commission shall then report its findings together with a recommendation for approval, conditional approval, or disapproval.

D. Board of Supervisors Action. The Board of Supervisors shall act on the Preliminary Plan and "Planning Module for Land Development" concurrently, making the Preliminary Plan approval, if one shall be given, subject to approval by the Pennsylvania Department of Environmental Protection (DEP). The plan approval shall be null and void absent such DEP approval unless the Board of Supervisors shall have determined the legal limit of time for DEP action has passed. No building permit shall be issued to the applicant,

however, until all conditions attached to the approval of any Preliminary Plan, including DEP approval of the "Planning Module," shall have been satisfied, and nothing herein shall be construed as permitting the issuance of a building permit prior to Preliminary approval. This requirement notwithstanding, the building permit application shall be made with the Preliminary Plan and shall, if granted, be valid for a period equal to that for Preliminary Plan approval. If the Preliminary Plan shall be rejected no building permit shall be granted.

E. Installation of Improvements. Following Preliminary Plan approval, the developer shall provide for the installation of required or proposed improvements, including, but not limited to, landscaping, streets, parking areas, storm drainage facilities, recreational facilities, and lighting. Building improvements shall similarly be completed or guaranteed prior to the applicant's request for Final Approval. No right of occupancy shall, however, exist until such time as Final Plan approval shall have been granted in accordance with the procedures and informational requirements of this ordinance, and buildings have been completed and inspected by the Building Permit Officer. Complete as-built building plans shall also be submitted as part of the Final Plan application.

F. Recording Requirement. No person shall sell, transfer, lease, agree, or enter into an agreement to sell or lease any land and/or building or interests in the individual dwelling units to be created, or erect any building thereon except in accordance with the provisions of this Section, unless Final Plan approval has been granted and the Final Plan has been recorded in the Office of the Pike County Recorder of Deeds.

G. Land Area Per Dwelling Unit. Multi-family dwelling projects shall be required to provide community on-lot or central sewage disposal and central water supply. They shall not exceed the floor area ratios specified in Section 415.2 of the Dingman Township Zoning Ordinance.

H. Recreation Areas and Open Spaces. All areas of a multi-family development not conveyed to individual owners, and not occupied by buildings and required or proposed improvements, shall remain as permanent open space or be dedicated to a recreation area to be used for the sole benefit and enjoyment of the residents of the particular units being proposed. Such open space shall be not less than 50% of the land development, be part of the same parcel and contiguous, and be subject to the following regulations:

> (1) Recreation areas shall be immediately adjacent to the proposed units and freely and safely accessible to all residents of the development and shall not be used to fulfill open space requirements or provide recreational areas for residents of other units, excepting those provided for in subsection (2) below. No less than 50% of the total land area of the multi-family land development shall be dedicated to permanent open space. No less than 50% of this open space shall be usable for active recreational activities and shall not include wetlands, floodplain, slopes over 15% in grade, or acreage used for improvements unless such improvements

are part of the recreational facilities (e.g., clubhouse). Storm drainage facilities and sewage effluent disposal areas are considered improvements.

(2) Land designated simply as open space shall be maintained as open space and may not be separately sold, used to meet open space or recreation area requirements for other developments, subdivided, or developed except that a holding zone may be reserved for future development pursuant to such density requirements as presently exist, provided such lands are specifically defined and indicated as "reserved for future development" on all plats. Such lands shall not be included in calculating permitted density for the proposed development. These provisions, however, shall not be construed as granting or reserving to the developer any rights or privileges to develop on the basis of a "pre-approved plan" if density or other zoning requirements shall have been modified to preclude such development.

(3) Open space areas shall be maintained so that their use and enjoyment as open spaces are not diminished or destroyed. Such areas may be owned, preserved and maintained by either one or both of the following mechanisms:

> (a) Dedication to a property owners' association, which assumes full responsibility for maintenance of the open space.
>
> (b) Deed-restricted private ownership, which shall prevent development of the open space, provide for its maintenance, and protect the rights of owners or occupants of dwelling units to use and enjoy, in perpetuity, such portion of the open space as shall have been dedicated to recreation area for the project. This is intended to allow the owner/developer to retain ownership and use of a portion of the property (for hunting, fishing, etc.), provided the permanence of the open space is guaranteed.

Whichever mechanism(s) may be used, the developer shall provide to the satisfaction of the Township and its Solicitor, and prior to the granting of any Final Plan approval for the perpetual maintenance of the open space, and also the use and enjoyment of the recreation area by residents of the units being approved. No lots shall be sold nor shall any building be occupied until and unless such arrangements or agreements have been finalized and recorded.

(4) Developments of five (5) units or more (or where 5 or more additional units are added to existing developments on a cumulative basis after October 21, 2003) shall also provide on-site community recreation amenities for the use of residents, applying the “Park, Recreation Open Space and Greenway Guidelines from the National Park and Recreation Association as general criteria for planning purposes. Specific amenities and facilities shall be designed in

accordance with approved national standards for that sport, for example, the USTA, the USGA, Little League Baseball, Amateur Softball Association of America, USA Swimming, US Soccer Federation, etc. All recreational improvements within each phase shall be installed or financially guaranteed prior to final approval of that phase.

I. Design Criteria. All multi-family dwelling projects shall comply with design criteria established under Section 415 of the Dingman Township Zoning Ordinance.

J. Water and Sewage Facilities. All multi-family developments shall be served with community on-lot or central sewage facilities and water supplies as defined herein.

K. Non-Residential Uses. Non-residential uses in a multi-family development shall be limited to clubhouses (including snack shops), recreational facilities, and minor home occupations.

L. Conversions of Existing Structures. Conversions of motels, hotels, or other existing structures to multi-family dwelling use, regardless of whether such conversions involve structural alterations, shall be considered subdivisions and land developments and be subject to this ordinance. If the proposed project does involve structural alterations, the Preliminary Plan shall include a certification of a registered architect or engineer to the effect that the existing building is structurally sound and that the proposed conversion will not impair structural soundness.

M. Maintenance of Common Facilities. Maintenance of a multi-family dwelling project shall be vested (1) an association or other legal entity organized prior to the offering of the first unit for occupancy, or (2) a manager, who may be the developer, or a person designated by the developer before the developer offers a unit for occupancy, or (3) the owners or occupants of units themselves if the total number of owners or occupants within the development is not more than five (5). If the developer shall opt to manage the project or designate a manager, the preliminary application shall include financial statements, a description of previous management experiences, and other data sufficient for the Township to ascertain the financial responsibility of the manager.

The association or manager, as the case may be, shall be responsible for maintenance, repair, and replacement of the common areas of the development, including buildings and, if applicable, the furniture, fixtures, and equipment within the units. The project instruments shall specify the expenses which the maintenance organization may incur and collect from purchasers as a maintenance fee and secure maintenance of the project, as well as enforcement of applicable covenants and restrictions in perpetuity. The Township may require that a Certified Public Accountant review such financial data for purposes of determining that proposed fees are, in fact, adequate to secure maintenance on a continuing basis.

The developer shall, in filing a Preliminary Plan, provide a narrative description of how responsibility for maintenance and care of the units, common areas, and other amenities will be assured and a pro forma operating budget for the maintenance organization including a breakdown of the common expense to be borne by the maintenance organization and a separation of long-term maintenance costs from ongoing routine maintenance costs. There shall also be provided a narrative description of how the developer proposes to assure maintenance and care of the units and common facilities during any sales program, based on which the Township may require additional temporary facilities to accommodate service demands. Copies of all applicable instruments shall be provided for purposes of determining that long-term arrangements for maintenance of common facilities have, in fact, been made by the developer and/or with the occupants.

Any developer who proposes to construct multi-family dwellings for transient use under the terms of this ordinance and who proposes to convey the common elements of said multi-family dwelling project to an association of purchasers of units therein shall submit a maintenance bond or other performance guarantee acceptable to the Township Solicitor ensuring long-term maintenance and repair of said common elements. Such maintenance bond or other guarantee shall;

(1) Be for a period of not less than fifteen (15) years from the date of the final approval of said multi-family dwelling-transient use by the Township;

(2) Be in an amount equal to the amount collected or to be collected for long-term maintenance (as indicated in the budget referenced above) by the developer or other responsible parties from each purchaser during the first year after sales to such purchases begin, multiplied by the total number of expected Purchasers. If the development shall be subject to the Pennsylvania Uniform Condominium Act or other applicable Commonwealth statutes governing the sale of real property used for multi-family occupancy, the developer shall certify as to his or her compliance with said statutes. To the extent the provisions of such statutes conflict with this subsection, such certifications shall suffice as to conformance with these requirements. If a developer is not subject to the Pennsylvania Uniform Condominium Act, he or she shall present an Attorney's opinion to this effect.

§ 100-37. Conservation Subdivisions

Developments of single-family homes where the dwelling units are grouped in sections to maximize the amount of common open space and preserve the natural settings shall be designated as conservation subdivisions. This section is intended to provide for such conservation subdivisions so that landowners might be able to preserve the equity in their land

for development purposes while also preserving open space for public benefit. Conservation subdivisions can produce the same return for landowners, reduce the cost of public services, create a far more solid sense of community, and truly preserve open space, while conventional subdivisions tend to isolate, require more roads and services, reduce the potential for agriculture, and consume vast amounts of open space in the name of "preserving rural character." They shall be processed in the same manner as other subdivisions and in accordance with the standards and procedures that follow.

A. Sketch Plan Requirements. A landowner interested in developing a conservation subdivision shall prepare two Sketch Plans as provided herein, one illustrating a conventional subdivision and the other depicting how the property might be developed using the conservation subdivision technique.

B. Permitted Number of Dwelling Units. The maximum permitted number of dwelling units shall be determined by deducting from the total tract area:

(1) All areas within the rights-of-way of any existing or proposed streets; and

(2) All areas occupied by public utility easements.

(3) All wetlands, floodplains, slopes of 15% or more, water bodies and other undevelopable areas.

The net figure shall be divided by the minimum lot size applicable, and rounded to the nearest whole number of dwelling units permitted.

C. Dwelling Types Permitted. Only single-family detached and two-family dwellings shall be employed in this concept. All other dwelling types shall be considered multi-family dwellings and be subject to the applicable standards of this Ordinance pertaining to those dwellings. All dwellings in a conservation subdivision shall be served with community on-lot or central sewage and central water.

D. Reduction of Development Standards. Development standards for lot size, lot width, and setbacks may be reduced as necessary to create a safe and workable design that maximizes preservation of open space, provided the total density (in individual dwelling units) for the tract shall not exceed that which would result from a conventional subdivision plan designed in accordance with this ordinance, as determined from the basic Sketch Plan submission. No lot in a conservation subdivision shall be less than 50% or exceed 150% of the minimum lot size that otherwise would apply excepting that up to 20% of the open space requirement may be met with estate lots exceeding ten (10) acres in lot area, provided that such lots are limited to one dwelling unit each.

E. Open Space Requirements. No individual parcel of common open space shall be less than one (1) acre except as to roadway median strips, traffic islands, walkways, trails, courtyards, play areas, recreation facilities, and drainageways leading directly to streams, historic sites, or unique natural features requiring common ownership protection. No less than 50% of the total land area of the multi-family land development shall be dedicated to permanent open space. No less than 50% of this open space shall be usable for active recreational activities and shall not include wetlands, floodplain, slopes over 24% in grade, or acreage used for improvements unless such improvements are part of the recreational facilities (e.g., clubhouse). Storm drainage facilities and sewage effluent disposal areas are considered improvements.

(1) Developments of five (5) units/lots or more (or where 5 or more additional lots are added to existing developments on a cumulative basis after October 21, 2003) shall also provide on-site community recreation amenities for the use of residents, applying the “Park, Recreation Open Space and Greenway Guidelines” from the National Park and Recreation Association as general criteria for planning purposes. Specific amenities and facilities shall be designed in accordance with approved national standards for that sport, for example, the USTA, the USGA, Little League Baseball, Amateur Softball Association of America, USA Swimming, US Soccer Federation, etc. All recreational improvements within each phase shall be installed or financially guaranteed prior to final approval of that phase.

(2) Open Space/Recreation Areas shall be provided as outlined herein, but the Township may accept a fee in lieu of the construction of recreational facilities in accordance with Section 100-25.1.

F. Protection of Open Space. The open space resulting from conservation design shall be permanently protected through a conservation easement and generally titled to a property owner's association (POA) prior to the sale of any lots or dwelling units by the subdivider. Membership shall be mandatory for each property owner within the subdivision and successive owners with voting of one vote per lot or unit, and the subdivider's control, therefore, passing to the individual lot/unit owners on sale of the majority of the lots or units. All restrictions on the ownership, use, and maintenance of common open space shall be permanent, and the POA shall be responsible for liability insurance, local taxes, and maintenance of all open space, recreational facilities, and other commonly held amenities. Each property owner must be required to pay their proportionate share of the POA's cost, and the POA must be able to file liens on the lot/unit owner's property if levied assessments are not paid. The POA must also have the ability to adjust the assessment to meet changing needs.

G. Trail Requirements. All lots and dwelling units shall have direct access to the open space provided in a conservation subdivision, and there shall be a system of marked

and/or improved trails developed to connect the open spaces with each other and with individual lots and dwelling units.

§ 100-38. Camps

A. A camp shall meet the lot area and density requirements as set forth in the Zoning Ordinance.

B. All camps shall provide and maintain a vegetative screening strip of planted or natural growth, along all boundary lines of adjoining R-1 District properties. Such screening shall be at a depth of not less than twenty (20) feet, to effectively screen the area to a minimum of six (6) feet in height within a reasonable time period (one year of application approval). A planting plan specifying types, size, and location of existing and proposed plant material shall be required and approved by the Board of Supervisors.

C. Buildings and structures shall be located closer than twenty-five (25) feet to the street right-of-way, or thirty-five (35) feet to the edge of traveled way; or one-hundred (100) feet to any property line.

D. Adequate Buildings and structures suitable for occupancy shall be provided to house the maximum occupancy of the camp.

E. Street Requirements. The street design standards contained in Article IV of this Ordinance shall apply to streets within the development. All access drives in the development shall be designed to the minor street standard, at a minimum.

F. No individual on-site sewage or water supply shall be permitted, and all community systems for the common use of the camp development shall fully comply, as evidenced by approved plans, with the standards imposed by the Pennsylvania Department of Environmental Protection and Dingman Township. All systems shall be designed for 100% occupancy.

G. The following additional regulations shall apply:

(1) Entrances and Exits - Entrances and exits to camps shall be designed for safe and convenient movement of traffic into and out of the park, and to minimize marginal friction with free movement of traffic on adjacent streets. All traffic into or out of the development shall be through such entrances and exits. Streets shall be laid out to intersect as nearly as possible at right angles; in any event, no street shall intersect another at less than sixty (60) degrees. The radii of curbs and pavements at intersections shall be such as to facilitate easy turning

movement for vehicles with a trailer attached. No intersection of an entrance and/or exit with a State or Township highway shall be located where less than 500 feet of sight distance exists in either direction along the State or Township highway, nor shall such intersection be located within 150 feet of any other intersection.

(2) Parking Areas - In connection with the use of any camp, no parking, loading, or maneuvering incidental to parking or loading shall be permitted on any public street, sidewalk, required buffer, right-of-way, or any public grounds; or any private grounds not part of the camp, unless the owner has given written permission for such use. Each camp operator shall provide off-street parking, loading, and maneuvering space located and sealed so that the prohibitions above may be observed, and shall be responsible for violations of these requirements. Parking and Loading Areas shall conform to the requirements set forth in the Zoning Ordinance.

(3) Records - The management of every camp shall be responsible for maintaining accurate records concerning the occupancy of all camps. All camps shall be permitted by the Pennsylvania Department of Health. The Township Board of Supervisors and/or its designated agents shall have access to, and the right to inspect, records for evidence of appropriate permits. The Township Board of Supervisors and/or their designated agents shall, in addition, have the authority, when any provision of this Article is violated, to prohibit the occupancy of any and all camps in a recreational development until the owners and/or management provide evidence of compliance with these provisions.

(4) Waste Disposal - No owner or occupant of any camp development shall permit or allow the dumping or placement of any sanitary or other waste anywhere within the development, except in places designated therefore. No outside toilets shall be erected or maintained within the development. All Plumbing fixtures within any structure shall be connected to the sewage disposal system for the development. Sanitary facilities, including toilets, urinals, and showers, shall be provided within five-hundred (500) feet of each occupied structure. A minimum of one toilet per sex per twenty-five (25) occupants shall be provided.

(5) Fences - All property lines within the development shall be kept free and open; and no fences, except as may be required by screening sections or may exist naturally, ledges, or walls, shall be permitted thereon. This shall not, however, preclude the erection of fences around the perimeter of the developed areas.

(6) Nuisances - No noxious or offensive activities or nuisances shall be permitted in the development. The management plan shall provide for limiting significant

noise-generating activities to specified periods of time that allow for sleeping by neighboring residents.

(7) Garbage and Refuse Disposal - No person shall burn trash, garbage, or other like refuse in the development. All such refuse shall be placed and kept in dumpsters in enclosed areas.

(8) Water Supply – A central water system meeting the requirements of PADEP shall be provided for the development. Fire Protection in accordance with the Dingman Township Fire Protection Ordinance shall be provided.

H. The operational standards contained in this section shall be incorporated in a management plan, which shall be approved by the Township Board of Supervisors in its review of preliminary and final plans for the camp. This shall be in addition to the submission requirements contained in Article III of this Ordinance. The plan shall also provide the Township with the option (but not the obligation) of being a party to their enforcement and include a right for the Township to periodically inspect the development for continued compliance with the plan and/or covenants.

§ 100-39. Application of Land Development Standards

Notwithstanding any requirements that may exist under the Pennsylvania Municipalities Planning Code to submit an application for approval, the land development standards contained herein shall not apply to the following:

A. Temporary or accessory activities that do not involve any of the activities listed in § 100-35.D of this Ordinance.

B. Minor building alterations, repairs, or maintenance activities.

C. Conversion of single-family dwellings to two-family dwellings.

D. Replacement, rehabilitation, or reconstruction of a structure or facility for the same use at the same scale.

E. Construction of any non-residential structure of less than one-thousand (1,000) square feet in floor area that does not involve any of the activities listed in § 100-35. D of this Ordinance.

The above list is intended to clarify, in terms of their practical application, the exceptions already provided under the Pennsylvania Municipalities Planning Code. No person is exempt from the demands to file any plan required under such Code, regardless of whether or not standards for the same have been included in this Ordinance.