

CHAPTER 22

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PART 1

PURPOSE

§22-101. Purpose.

1. The purpose of the regulations within this Chapter is to assure that new building sites are suitable for construction purposes, and to provide for harmonious land development in Sandy Township, Clearfield County by creating conditions favorable to the health, safety, and general welfare of the residents of Sandy Township. This is accomplished through the regulations of this Chapter, the purposes of which include, but are not limited to, the following:
 - A. To guide the future growth and development of Sandy Township in accordance with the Comprehensive Plan of the Township.
 - B. To provide for adequate light, air and privacy; to secure safety from fire, flood, and other danger; and to prevent overcrowding of the land and undue congestion of population.
 - C. To protect the character and social and economic stability of Sandy Township and to encourage the orderly and beneficial development of the Township.
 - D. To protect and conserve the value of land throughout the Township and the value of buildings and improvements upon the land and to minimize the conflicts among the uses of land and buildings
 - E. To guide public and private policy and action in order to provide adequate and efficient transportation, water supply, sewerage, schools, parks, playgrounds, recreation, and other public requirements and facilities.
 - F. To provide the most beneficial relationship between the uses of land and buildings and the circulation of traffic within the Township, having particular regard to the avoidance of congestion in the streets and highways, and the pedestrian traffic movements appropriate to the various uses of land and buildings and to provide for the proper location and width of streets and building lines.
 - G. To establish reasonable standards of design and procedures for subdivision and resubdivisions, in order to further the orderly layout and use of land; and to ensure proper legal descriptions and monumenting of subdivided land.
 - H. To ensure that public facilities are available and will have a sufficient capacity to serve the proposed subdivision.

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- I. To prevent the pollution of air, streams and ponds; to assure the adequacy of drainage facilities; to safeguard the water table; and to encourage the wise use and management of natural resources in order to preserve the community and value of the land.
 - J. To preserve the natural beauty and topography of Sandy Township and to ensure appropriate development with regard to these natural features.
 - K. To provide for open spaces through efficient design and layout of the land.
 - L. To ensure that documents prepared as part of a land ownership transfer fully and accurately describe the parcel of land being subdivided, and the new parcels thus created.
2. The regulations and procedures within this Chapter assure property owners that all plans will be considered and processed based upon established public policy.

(Ord. 1997-3, 5/2/1997, Art. 1)

PART 2

JURISDICTION AND SANCTIONS

§22-201. Grant of Power.

Act 247 of 1968 (as amended), the “Pennsylvania Municipalities Planning Code,” grants the governing body of each municipality within the Commonwealth of Pennsylvania the power to regulate subdivisions, mobile home parks and land development by enacting a subdivision and land development ordinance.

(Ord. 1997-3, 5/2/1997, §201)

§22-202. Jurisdiction.

1. No subdivision of any parcel of land shall be made, nor improvements in connection therewith shall be laid out, constructed, opened or dedicated for public use or travel, except in accordance with the provisions of this Chapter.
2. All subdivision plans, mobile home parks and land development proposed within Sandy Township shall henceforth be submitted to and be approved by the Board of Township Supervisors after review and recommendations by the Sandy Township Planning Commission. Review by Clearfield County is required for comment only. Final approvals rest with the Sandy Township Board of Supervisors. This approval must be received before the plans or deeds for lots within the plans are recorded with the Clearfield County Recorder of Deeds.

(Ord. 1997-3, 5/2/1997, §202)

§22-203. County Review.

Applications and plans for subdivision, mobile home parks and land development located within Sandy Township shall be forwarded on receipt by Sandy Township to the Clearfield County Planning Commission for review and comment. The Township shall not approve such applications and plans until the County comments are received, or until the expiration of 30 days from the date the applications and plans are forwarded by the Township.

(Ord. 1997-3, 5/2/1997, §203)

§22-204. Preventive Remedies.

1. In addition to other remedies, Sandy Township may institute and maintain appropriate actions by law or in equity to restrain, correct, or abate violations, to

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prevent unlawful construction, to recover damages and to prevent illegal occupancy of a building, structure, or premises. The description of property by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.

2. The Township of Sandy may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of this Part. This authority to deny such a permit or approval shall apply to any of the following applicants:
 - A. The owner of record at the time of such violation.
 - B. The vendee or lessee of the owner of record at the time of such violation without regard as to whether such current owner had actual or constructive knowledge of the violation.
 - C. The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.
 - D. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
3. As an additional condition for issuance of a permit or the granting of an approval to any such owner, the current owner, vendee, or lessee for the development of any such real property, the Township may require compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real property.

(Ord. 1997-3, 5/2/1997, §204)

§22-205. Enforcement Remedies.

1. District Justices shall have initial jurisdiction in proceedings brought under this Section.
2. Any person, partnership, or corporation who or which has violated the provisions of this Subdivision and Land Development Ordinance shall, upon being found liable therefore in a civil enforcement proceeding commenced by Sandy Township, pay judgment of not more than \$500 plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied, or payable until the date of the determination of a violation by the appropriate district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to

the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determines that there has been a violation and further determines that there was a good-faith basis for the person, partnership, or corporation violating the Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth (5th) day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.

3. The Clearfield County Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.
4. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than Sandy Township the right to commence any action for enforcement pursuant to this Section.

(Ord. 1997-3, 5/2/1997, §205)

§22-206. Enforcement.

Enforcement remedies as well as preventive remedies may be instituted by the Code Officer, the Township Engineer or any other Township official as designated by the Board of Township Supervisors.

(Ord. 1997-3, 5/2/1997, §206)

PART 3

DEFINITIONS

§22-301. Inclusions.

Words in the singular include the plural and words in the plural include the singular. The word “persons” includes a corporation, an unincorporated association, partnership as well as an individual or any legal entity; “building” includes a “structure” and shall be construed as if followed by the words “or part thereof.” The word “street” includes “road,” “highway” and “lane;” “watercourse” includes “drain,” “ditch” and “stream.” The word “may” is permissive; the words “shall” and “will” are mandatory.

(Ord. 1997-3, 5/2/1997, §301)

§22-302. Definitions of Special Terms.

ALLEY — a strip of land over which there is a public right-of-way and which is designed to serve as secondary access to two or more lots.

APPLICANT (MPC) — a landowner or developer who has filed an application for development including his heirs, successors and assigns. [A.O.]

APPLICATION FOR DEVELOPMENT (MPC) — every application, whether preliminary, tentative or final, required to be filed and approved prior to start of construction or development including but not limited to an application for a building permit, for the approval of a subdivision plat or plan or for the approval of a development plan. [A.O.]

BLOCK — a tract of land bordered on one side by a street and on the remaining sides by streets, railroad rights-of-way, waterways, underdeveloped areas and/or other definite barriers.

BUILDING SETBACK LINE — a line within a lot defining the required minimum distance between any building and the front property or right-of-way line. Please note that all setback and yard requirements must conform to the Sand Township Zoning Ordinance [Chapter 27].

CARTWAY — that portion of a street or alley which is improved, designated, intended, used or capable of being used for vehicular travel.

CODE OFFICER — the Zoning Officer of Sandy Township, Clearfield County, Pennsylvania.

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COMPREHENSIVE PLAN — the general plan utilized to guide the growth, for the protection and development of Sandy Township Clearfield County, adopted by the Board of Sandy Township Supervisors.

COMMISSION (or PLANNING COMMISSION) — the Planning Commission of Sandy Township, Clearfield County, Pennsylvania. [A.O.]

COMMON OPEN SPACE (MPC) — a parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of a development, not including streets, off-street parking areas and areas set aside for public facilities. [A.O.]

DEVELOPER (MPC) — any landowner, agent of such landowner, or tenant with the permission of such landowner who makes or causes to be made a subdivision of land. [A.O.]

DEVELOPMENT — any manmade change to improved or unimproved real estate, including, but not limited to, buildings, mobile homes, or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

DEVELOPMENT PLAN (MPC) — the provisions for development, including a planned residential development, a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space and public facilities. The phrase “provisions of the development plan” when used in this Chapter shall mean the written and graphic materials referred to in this definition. [A.O.]

EASEMENT — a defined right of use for certain lands granted for a special purpose not inconsistent with the general property rights of the owner.

FLOODPLAIN — see the Sandy Township Floodplain Ordinance [Chapter 26].

FLOODWAY — see the Sandy Township Floodplain Ordinance [Chapter 26].

HARDSHIP — physical circumstances or conditions of the land to be subdivided which prevent strict conformity with the provisions of this Chapter and that the authorization of a modification may be necessary to enable the reasonable use of the property.

HOMEOWNERS ASSOCIATION — an incorporation of lot owners for the purpose of providing for ownership and maintenance of community improvements.

IMPROVEMENT — the physical additions, installations and changes required to render usable and desirable lots from raw acreage.

IMPROVEMENT GUARANTEE — any acceptable financial security acceptable under the Pennsylvania Municipalities Planning Code and approved by the Board

of Township Supervisors as being adequate to cover the construction costs of any and all required improvements.

LAND DEVELOPMENT (MPC) — any of the following activities:

- (1) The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
 - (a) A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure.
 - (b) The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.
- (2) A subdivision of land.
- (3) Development in accordance with §503(1.1) of the Pennsylvania Municipalities Planning Code.

[A.O.]

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

LOT (MPC) — a designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit. [A.O.]

MAINTENANCE AGREEMENT — a legally enforceable document which outlines the maintenance responsibilities for private subdivision improvements.

MAJOR SUBDIVISION — any subdivision which is not a minor subdivision.

MINOR SUBDIVISION — the subdivision of land into not more than four parcels, including the residual property located on an existing improved street that does not involve the construction, installation or dedication of new streets, utilities or other public improvements.

MOBILE HOME (MPC) — a transportable, single-family dwelling intended for permanent occupancy, contained in one unit, or in two or more units designed to be joined into one integral unit capable of again being separated for repeated tow-

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ing, 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. [A.O.]

MOBILE HOME LOT (MPC) — a parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single mobile home. [A.O.]

MOBILE HOME PARK (MPC) — a parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobile home lots for the placement thereon of mobile homes. [A.O.]

MODIFICATION — authorized relief from the literal enforcement of this Chapter in accordance with §512.1 of the Pennsylvania Municipalities Planning Code.

MUNICIPAL AUTHORITY (MPC) — a body politic and corporate created pursuant to the Act of May 2, 1945 (P.L. 382, No. 164), known as the “Municipalities Authority Act of 1945.” [A.O.]

ORDINANCE — “Sandy Township Subdivision and Land Development Ordinance.”

PLAN — the map or plan of a subdivision or land development, whether preliminary or final.

PLAN, FINAL — a complete and exact subdivision plan prepared for official recording as required by this Chapter.

PLAN, PRELIMINARY — a general subdivision plan showing existing features of land and proposed streets and lot layout within and adjacent to a subdivision as required by this Chapter.

PLAN, SKETCH — a rough sketch showing the contemplated development of the subdivision and its relationship to adjacent land.

PLANNED RESIDENTIAL DEVELOPMENT (MPC) — an area of land, controlled by a landowner, to be developed as a single entity for a number of dwelling units, or combination of residential and nonresidential uses, the development plan for which does not correspond in lot size, bulk, type of dwelling or use, density or intensity, lot coverage and required open space to the regulations established in any one district created, from time to time, under the provisions of this Chapter. [A.O.]

PLANNING COMMISSION — the words Planning Commission, Township Planning Commission or Commission shall mean the Sandy Township Planning Commission of Clearfield County. [A.O.]

PLANNING CODE — the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as reenacted and amended by Act No. 170 of 1988, and as further amended from time to time.

PLAT (MPC) — the map or plan of a subdivision or land development, whether preliminary or final. [A.O.]

PUBLIC GROUNDS (MPC) — Includes:

- A. Parks, playgrounds, trails, paths and other recreational areas and other public areas.
- B. Sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities.
- C. Publicly owned or operated scenic and historic sites. [A.O.]

PUBLIC HEARING (MPC) — a formal meeting held pursuant to public notice by the Sandy Township or its Planning Commission, intended to inform and obtain public comment, prior to taking action.

PUBLIC MEETING (MPC) — a forum held pursuant to notice under the Act of June 3, 1986 (P.L. 388, No. 84), known as the “Sunshine Act,” 53 P.S. §§271 et seq. [A.O.]

PUBLIC NOTICE (MPC) — notice published once each week for two successive weeks in a newspaper of general circulation in Sandy Township. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days, and the second publication shall not be less than 7 days from the date of the hearing. [A.O.]

REPLAT — the change of a lot line between two abutting existing parcels which does not create a new parcel and where such lot line change is in full compliance with this Chapter, the Sandy Township Zoning Ordinance [Chapter 27] and related ordinances, rules and regulations of the Township and where no change in street lines, changes to utilities or similar items are involved. The consolidation of two, or more existing parcels, to create a single parcel shall be included in this definition of replat. A replat shall be treated as a minor subdivision. Any change not meeting these guidelines may require a plan amendment (see §22-407).

REVERSE FRONTAGE LOT — a lot having its front and rear lot lines abutting the right-of-way of a street.

RIGHT-of-WAY — a strip of land reserved or dedicated for a street, alley, or other public improvement purpose.

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ROAD, PRIVATE — any road which is not a public street may serve not more than three lots and which is intended for private construction, use and maintenance. (See §22-609.)

SIGHT DISTANCE — refers to the maximum distance that a driver can see objects, such as traffic signs, pavement markings, fixed objects, vehicles and pedestrians (See Part 6).

STREET (MPC) — includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and other ways used or intended to be used by vehicular traffic or pedestrians whether public or private. [A.O.]

STREET, CUL-DE-SAC — a local street having one end open to vehicular traffic and being permanently terminated by a vehicular turn-around at the opposite end.

STREET, COMMERCIAL — PAVING — commercial roads service areas whose predominant use is commercial. In function, design and specification, they will be considered as a collector street.

STREET, INDUSTRIAL — industrial roads are primarily designed to serve industrial and manufacturing development. These roads will be designed to accommodate extensive truck traffic of all types.

STRUCTURE (MPC) — any manmade object having an ascertainable stationary location on or in land or water, whether or not affixed to the land. [A.O.]

SUBDIVISION (MPC) — 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 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. [A.O.]

SUBDIVISION — MAJOR — See Major Subdivision.

SUBDIVISION — MINOR — see Minor Subdivision.

SUBDIVISION — REPLAT — see Replat.

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

TOWNSHIP — the Township of Sandy, Clearfield County, Pennsylvania.

TOWNSHIP ENGINEER (MPC) — a professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the Engineer for the Township or its planning agency. [A.O.]

WATER SURVEY (MPC) — an inventory of the source, quantity, yield and use of groundwater and surface water resources within the Township. [A.O.]

(Ord. 1997-3, 5/2/1997, §302; as amended by A.O.)

PART 4
PROCEDURE

§22-401. Statement of Intent.

In order to conserve time, effort, and expense throughout the subdivision review process, the developer shall comply with the procedural guidelines set forth in this Part. The detailed, step-by-step procedures have been established to coordinate efforts between the developer, Board of Township Supervisors, Planning Commission, and other review agencies. A procedural guide for use by all developers is included in the Appendix.

(Ord. 1997-3, 5/2/1997, §401)

§22-402. Regulatory.

1. There shall be no subdivision of any tract of land, replat of an existing subdivision, development of a mobile home park or the expansion of an existing mobile home park or land development nor shall any improvements in conjunction with a subdivision be constructed for public or private use except in accordance with the procedural provisions contained in this Part. It is the sole responsibility of the developer to comply with all procedural requirements.
2. A developer shall not proceed with any improvements within a subdivision until the Board of Supervisors grants approval of the final plan for the subdivision. Furthermore, lots may not be sold or transferred nor any deeds recorded for any lots in the plan without the developer obtaining from the Township Supervisors the unconditional approval of the final plan.

(Ord. 1997-3, 5/2/1997, §402)

§22-403. Subdivision Review Procedure.

A developer seeking approval of a subdivision plan proposed for any land within the jurisdiction of Sandy Township under this Chapter shall follow the procedures and submit the information outlined in this Section.

- A. Step 1. Preapplication Conference. The developer is strongly encouraged to meet informally with the staff of Sandy Township assigned subdivision administrative responsibility by the Board of Township Supervisors. The staff will advise the developer on procedures and requirements, and suggest professional assistance where appropriate. The developer should be prepared to discuss details concerning the proposed subdivision and be prepared to submit the following:

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- (1) Sketch Plan. The sketch plan should show the proposed layout of streets, lots, existing conditions, and improvements. The sketch plan will be for review and comment purposes only, and shall never be considered as a plan which has been submitted for approval. A suggested format for the sketch plan is included in the Appendix.
- (2) Floodplain Determination. The developer must be prepared to locate the approximate boundaries of the development on the applicable Floodplain Maps.

After this conference with the developer, the Township staff will indicate the suitability of the plan for further consideration and submittal of a preliminary or final plan to the Township.

B. Step 2. Preparation and Submittal of the Preliminary Plan, Supporting Data, Subdivision Application and Fee.

- (1) The initial plan filed with the Board of Sandy Township Supervisors for subdivision review shall be considered as a preliminary plan. However, if the plan and supporting data comply, in all aspects, with the requirements for both preliminary and final plans, the Township Supervisors may, in the case of a minor subdivision involving no new improvements, proceed to final action at the first consideration of the plan after review and recommendation by the Township Planning Commission.
- (2) The preliminary plan is not intended for recording. Its purpose is to show graphically all facts needed to enable the Township Supervisors to determine whether the proposed subdivision will comply with the objectives and requirements of this Chapter. The preliminary plan must comply with all of the standards and requirements outlined in this Chapter. A suggested format for the preliminary plan is included in the Appendix.
- (3) The preliminary plan and supporting data shall comply with the requirements of Part 5 of this Chapter.
- (4) Five copies of the preliminary plan shall be submitted to the Board of Township Supervisors by the developer. Five copies of any supporting data must be submitted with the plans. Plans must be filed at least 5 days in advance of the regular monthly meeting of the Sandy Township Planning Commission. [A.O.]
- (5) Upon receipt of an application for a subdivision or land development, a copy of same shall be forwarded to the Sandy Township Planning Commission and the Clearfield County Planning Commission for their review and report.

If any fee is charged by the County for such service, it shall be borne by the developer. The Township Supervisors cannot, by law, approve applications until the County Planning Commission report is received or until the expiration of 30 days from the date the application was forwarded to the County.

- (6) The appropriate application form is available at the Sandy Township Municipal Building (and included in the Appendix and must be completed and submitted with an application fee. The appropriate fee will be outlined on a “Schedule of Fees” established and approved by the Board of Sandy Township Supervisors. This “Schedule of Fees” may be revised from time to time by the Township Supervisors. A copy of the current “Schedule of Fees” is on file at the Sandy Township Municipal Building.
- (7) The application will not be considered complete for review until all plans, supporting data, the application form, and the fees have been submitted to the Township administrative staff. The Township’s administrative staff will determine when an application is complete for review by the Planning Commission before submission to the Board of Supervisors for consideration of approval. Review times established herein shall comply with those required by the Pennsylvania Municipalities Planning Code, but will not commence until a complete application is submitted.

C. Step 3. Preliminary Plan Review.

- (1) The Township Planning Commission will review the preliminary plan and supporting data to determine compliance with the Subdivision and Land Development Ordinance and make its comments and recommendations known to the Board of Township Supervisors, in writing. Before submitting recommendations to the Township Supervisors, the Planning Commission may hold a public hearing thereon after proper public notice.
- (2) The decision of the Board of Township Supervisors to approve, conditionally approve, or deny approval shall be made at a public meeting and be communicated to the developer within 90 days following the date of the next regular meeting of the Sandy Township Planning Commission following the filing date of the application, or after a final order of the court remanding an application, provided that should the said next regular meeting occur more than 30 days following the filing of the application, or the final order of the court the said 90 day period shall be measured from the 30th day following the day the application has been filed. The decision of the Board of Township Supervisors shall be in writing and be communicated to the developer personally or mailed to him at his last known address no later than 15 days following the decision. [A.O.]

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- (3) The written decision will list all conditions which must be satisfied prior to the consideration of a final plan application. The developer must accept or reject, in writing, any conditions within 30 days of receipt of the written decision. Approval of the plan shall be automatically rescinded on rejection of the conditions by the developer or failure by the developer to accept or reject such conditions within the 30 day time period.
 - (4) When the application, plans, and/or supporting data are not approved by the Board of Township Supervisors, the decision shall specify the defects found in the submittals, describe the requirements which have not been met, and cite the specific provisions of this Chapter on which the decision has been made by the Township Supervisors.
 - (5) Failure of the Township Supervisors to render a decision and communicate it to the developer within the time and in the manner required by the Pennsylvania Municipalities Planning Code shall be deemed an approval of the application in terms as presented, unless the applicant has agreed, in writing, to an extension of time or change in the prescribed manner of communicating the decision.
- D. Step 4. Other Agency Reviews and Approvals. Following approval of the preliminary plan, and before review of the final plan by the Planning Commission before referral to the Township Supervisors, the developer must coordinate his development activities, as appropriate, with other local, State and Federal agencies to ensure compliance with other requirements from the respective agencies. The Township staff will provide a list of review agencies to the developer. Neither the Planning Commission nor the Township Supervisors will review any final plan until evidence has been received by them that the developer has complied with all requirements of the review agencies. This evidence must be in the form of a comment letter, approval, permit and/or improvement guarantee, as appropriate. Samples of forms which may be utilized for comments and approvals are contained in the Appendix.
- E. Step 5. Coordination, Approval, from the Pennsylvania Department of Transportation/Department of Environmental Protection and/or the Sandy Township Sewage Enforcement Officer
- (1) Pennsylvania Department of Transportation (PennDOT) – No plan which will require access to a highway under the jurisdiction of the Pennsylvania Department of Transportation shall be finally approved unless the plan contains a notice that a highway occupancy permit is required pursuant to §420 of the Act of June 1, 1945, (P.L. 1242, No. 428), known as the “State Highway Law,” before driveway access to a State highway is permitted. The plan shall be marked to indicate that

access to the State highway shall be only as authorized by a highway occupancy permit.

- (2) Sandy Township shall not be held liable for damages to persons or property arising out of the issuance or denial of a driveway permit.
- (3) Pennsylvania Department of Environmental Protection (PA DEP) and/or Township Sewage Enforcement Officer (SEO). In the event the proposed subdivision or development is proposed for onsite sewage disposal, or involves the extension of an existing sanitary sewer system or the creation of a new sanitary sewer system, compliance with Act 537 (Pennsylvania Sewage Facilities Act), as amended, is absolutely essential before final approval of the plan may be rendered by the Board of Township Supervisors. Normally, evidence of compliance with Act 537 will be required before the Planning Commission will complete its review and make its recommendations to the Township Supervisors. The Township Sewage Enforcement Officer should be contacted for guidance with respect to DEP review of the plan, the need for soil testing and/or a planning module (which must be approved by DEP after appropriate action by the Board of Township Supervisors to amend/revise the Township's Sewage Facilities Plan, as appropriate). It is the clear intention of these regulations that all new lots are to be serviced by approved sanitary sewer service, be it onlot or a community system.

F. Step 6. Preparation and Submittal of the Final Plan, Supporting Data, and Subdivision Application.

- (1) The final plan shall be prepared by a registered surveyor relative to the property survey, with any engineering components prepared by a registered engineer and shall comply with the requirements of §502 of this Chapter, and conform to the approved preliminary plan. A suggested format for the final plan is included in the Appendix.
- (2) The developer may submit the plan in phases for final approval. The developer shall submit the original drawing and five copies of the final plan to the Board of Township Supervisors. Five copies of any supporting data must be submitted with the plans. Plans must be filed at least 5 days in advance of the regular monthly meeting of the Sandy Township Planning Commission. The application will not be considered complete for review until all plans, fees and supporting data have been submitted to the Township staff designated for administration of this Chapter. Staff will determine when an application is complete for review by the Planning Commission. [A.O.]

G. Step 7. Final Plan Review.

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- (1) The Planning Commission will review the final plan and supporting data to determine compliance with this Subdivision and Land Development Ordinance. Before acting on any subdivision plan, the Planning Commission or Board of Township Supervisors, or both, may hold a public hearing thereon after proper public notice. Upon receipt of an application for a subdivision or land development, a copy of same shall be forwarded to the Clearfield County Planning Commission for its review and report. If any fee is charged by the County for such service, it shall be borne by the developer. The Township Supervisors cannot, by law, approve applications until the County report is received or until the expiration of 30 days from the date the application was forwarded to the County.
- (2) The decision of the Township Supervisors to approve, conditionally approve, or deny approval shall be made at a public meeting and be communicated to the developer within 90 days following the date of the next regular meeting of the Sandy Township Planning Commission following the filing date of the application, or after a final order of the court remanding an application, provided that should the said next regular meeting occur more than 30 days following the filing of the application, or the final order of the court the said 90 day period shall be measured from the 30th day following the day the application has been filed. The decision of the Board of Township Supervisors shall be in writing and communicated to the developer personally or mailed to him at his last known address no later than 15 days following the decision. [A.O.]
- (3) The Township Supervisors may grant approval to a final plan with conditions which are subject to acceptance by the developer. The decision of the Township Supervisors to grant the approval with conditions shall be in writing and communicated to the developer personally or mailed to him at his last known address no later than 15 days following the decision. The written decision will list all conditions which must be satisfied prior to the granting of an unconditional final approval by the Township Supervisors. The developer must accept or reject, in writing, any conditions within 30 days of receipt of the written decision. Approval of the plan shall be automatically rescinded on rejection of the conditions by the developer or failure by the developer to accept or reject such conditions within the 30 day time period.
- (4) When the application, plans and/or supporting data are not approved by the Township Supervisors, the decision shall specify the defects found in the submittals, describe the requirements which have not been met, and cite the specific provisions of this Chapter on which the decision has been made.
- (5) Failure of the Township Supervisors to render a decision and communicate it to the developer within the time and in the manner required

by the Pennsylvania Municipalities Planning Code shall be deemed an approval of the application in terms as presented, unless the applicant has agreed, in writing, to an extension of time or change in the prescribed manner of communicating the decision.

- (6) Before approving any final plan with proposed improvements, the Township Supervisors shall require strict compliance with the detailed improvement requirements outlined in Part 7.

H. Step 8. Recording of Final Plan and Deeds.

- (1) Within 90 days after approval of the final plan by the Township Supervisors or 90 days after the date of delivery of an approved plan signed by the Township Supervisors, following completion of conditions imposed for such approval, whichever is later, and before conveyance of any deed out of the plan, the developer shall record the approved final plan with the Recorder of Deeds of the County of Clearfield. The recorded plan shall include all applicable certifications as noted in Part 5 and the Exhibits of this Chapter. The developer shall be responsible for the payment of any recording fee. Proof of recording of final plans and deeds shall be furnished to the Township. [A.O.]
- (2) The Recorder of Deeds shall not accept any plan located in the Township of Sandy, Clearfield County, for recording unless such plan officially notes the approval of the Board of Sandy Township Supervisors. The developer shall file with the Township a recorder's certification that the approved plat has been recorded, along with the appropriate citation and two copies of the approved plat.
- (3) The approval action of the Township Supervisors shall become null and void if the plan is not recorded within 90 days.

(Ord. 1997-3, 5/2/1997, §§403 – 403.8; as amended by A.O.)

§22-404. Effect of Plan Approval on Official Map.

After a plan has been approved and recorded in accordance with this Chapter, all streets and public grounds on the plan shall become a part of the Official Map of the Township without a public hearing, if the Township adopts same.

(Ord. 1997-3, 5/2/1997, §404)

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§22-405. Effect of Ordinance Amendments on Applications for Approval of Plans.

1. From the time an application for approval of a preliminary or final plan is duly filed as provided in this Chapter, and while such application is pending approval or disapproval, no change or amendment of this Chapter shall affect the decision on such application adversely for the applicant, and the applicant shall be entitled to a decision in accordance with the provisions of the governing ordinance as it stood at the time the application was duly filed. In addition, when a preliminary application and plan have been duly approved, the applicant shall be entitled to final approval in accordance with the terms of the approved preliminary application. However, if an application is properly and finally denied, any subsequent application shall be subject to any intervening change in governing regulations.
2. When an application for approval of a preliminary or final plan has been approved without conditions or approved by the applicant's acceptance of conditions, no subsequent change or amendment in this Chapter shall be applied to affect adversely the right of the applicant to commence and to complete any aspect of the approved development in accordance with the terms of such approval within 5 years from such approval. Where final approval is preceded by preliminary approval, the five year period shall be counted from the date of the preliminary approval. The five year period shall be extended for the duration of any litigation, including appeals, which prevent the commencement or completion of the development, and for the duration of any sewer or utility moratorium or prohibition which was imposed subsequent to the filing of an application for preliminary approval of a plan. In the event of an appeal filed by any party from the approval or disapproval of a plan, the five year period shall be extended by the total time from the date the appeal was filed until a final order in such matter has been entered and all appeals have been concluded and any period for filing appeals or requests for reconsideration have expired. Provided, however, no extension shall be based upon any water or sewer moratorium which was in effect as of the date of the filing of a preliminary application. [A.O.]
3. In the case of any doubt as to the terms of a preliminary approval, the terms shall be construed in light of the provisions of this Chapter as they stood at the time when the application for such approval was duly filed.

(Ord. 1997-3, 5/2/1997, §405; as amended by A.O.)

§22-406. Phased Developments.

In the case of a preliminary plan calling for the installation of improvements beyond the 5 year period, a schedule shall be filed by the developer with the preliminary plan delineating all proposed sections as well as deadlines within which applications for final plan approval of each section are intended to be filed. Such schedule shall be updated annually by the applicant on or before the anniversary of the preliminary plan approval, until final plan approval of the final section has been granted, and any modification in

the aforesaid schedule shall be subject to approval of the Township Supervisors at its discretion. Each section in any residential subdivision, except for the last section, shall contain a minimum of 25% of the total number of dwelling units as depicted on the preliminary plan, unless a lesser percentage is approved by the Township Supervisors at its discretion. Provided the developer has not defaulted with regard to or violated any of the conditions of the preliminary plan approval, including compliance with landowner's aforesaid schedule of submission of final plans for the various sections, then the aforesaid projections afforded by substantially completing the improvements depicted on the final plan within five years shall apply and for any section or sections, beyond the initial section, in which the required improvements have not been substantially completed within said 5 year period, the aforesaid projections shall apply for an additional term or terms of 3 years from the date of final plan approval for each section. Failure of the developer to adhere to the aforesaid schedule of submission of final plans for the various sections shall subject any such section to any and all changes in this Chapter enacted by the Township of Sandy subsequent to the date of the initial preliminary plan submission.

(Ord. 1997-3, 5/2/1997, §406)

§22-407. Amendments to Recorded Plans.

1. Proposed amendments to recorded plans must be submitted to the Planning Commission for review and comment before submission to the Board of Township Supervisors for approval. Please note that a replat is not considered an amendment as set forth by this Section. Please see Part 3 for the definition of "Replat." If there are modifications to streets, easements, rights-of-way, sanitary and/or storm sewers, the appropriate agency must be notified and written approval received prior to final approval being granted by the Township Supervisors for the proposed modification(s).
2. Amendments to a recorded plan can be approved by the Township Supervisors under the following conditions:
 - A. The developer shall notify all persons owning lots in the recorded plan by return receipt mail of the nature of the proposed amendment(s), and the date, time, and place the Township Supervisors shall consider the proposed amendment(s). Proof of this notification shall be submitted to the Board of Township Supervisors.
 - B. No lot shall be created that is smaller than the minimum lot sizes required by this Chapter or the Township's Zoning Ordinance [Chapter 27].
 - C. No changes may be made to easements reserved for drainage.
 - D. No lot shall be created which does not front on an approved public road or private road.

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- E. There shall be no negative impact on the character of the development.
 - F. All costs of plan amendments, including any advertising, engineering review and related costs shall be borne by the developer.
3. Where the proposed amendment involves the changing of lot and/or street lines, easements or other improvements, the developer shall prepare a plan amendment in accordance with §22-502 of this Chapter, and submit the proposed plan amendment with supporting data for review by the Commission, the developer shall record the plan amendment in accordance with §22-403(H). All such amended plans shall provide a reference to the Clearfield County, Recorder of Deeds, plan book number and page, and date of the recording of the originally approved plan.

(Ord. 1997-3, 5/2/1997, §407)

§22-408. Minor Subdivision Procedure.

- 1. A subdivision plan shall be considered as a minor subdivision if the proposed plan meets the following conditions:
 - A. The proposed subdivision contains four lots or less, (including the residual tract) all of which have direct and sufficient frontage on an existing public street.
 - B. No new construction or extension of public sewer and/or water lines or other public improvement is required to serve any or all of the lots.
 - C. All replats will be treated as minor subdivisions.
- 2. At the discretion of the Board of Township Supervisors, a developer seeking approval of a minor subdivision may disregard the preliminary plan preparation and review procedures and proceed directly to final plan review after compliance with §§22-501 and 22-502 of this Chapter. All applicable steps in the final plan procedure shall apply to a minor subdivision.
- 3. Any subdivision plan which does not meet the conditions of a minor subdivision shall be considered a major subdivision. A developer seeking approval of a major subdivision shall comply with all steps in this Part.

(Ord. 1997-2, 5/2/1997, §408)

PART 5

REQUIREMENTS FOR PLAN SUBMITTAL

§22-501. Preliminary Plan Requirements.

1. General Information.
 - A. The preliminary plan generally shall be prepared at a scale of 100 feet to the inch or larger. A smaller scale may be permitted where the lot sizes and features permit professionally acceptable presentation of all required details at the reduced scale. The permission of the Code Officer or Township Engineer is required for use of the smaller scale.
 - B. Subdivision name or identifying title.
 - C. Municipality and county in which the subdivision is located (Sandy Township, Clearfield County);
 - D. North arrow, graphic scale and the date of the plan.
 - E. Name, address and telephone number of the owner of the property.
 - F. Name of the person who prepared the plan.
 - G. Total number and use of all lots.
 - H. Zoning district in which the subdivision is located. (Note, development must be consistent with the Sandy Township Zoning Ordinance [Chapter 27].)
 - I. Contours at vertical intervals of 5 feet. (The Township Supervisors may waive this requirement for minor subdivisions if, due to the character of the topography, five foot contour intervals are determined not necessary to properly administer these regulations in connection with the proposed subdivision.)
 - J. Where the preliminary plan covers only a portion of the property owned by the developer, and future plans include subdivision of the remaining area, a sketch shall be submitted of the street and lot layout for the remaining area.
 - K. Applicable preliminary plan certificates as designated in the Appendix of this Chapter.
 - L. The residual parcel is to be shown on the plan. The Code Officer or Township Engineer will work with the developer if the size of the residual parcel would make its display on the plan difficult using the required scale. Note: The residual parcel need not be surveyed.

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2. Existing Features. The preliminary plan shall show the following:
 - A. Tract boundaries with total acreage of the property.
 - B. A “key” map showing the location of the property.
 - C. Identification of original parcel and all adjoining properties including:
 - (1) Owner of record.
 - (2) Deed book and page number.
 - (3) Date of deed.
 - (4) Date of recording.
 - (5) Assessment map, section and parcel number.
 - (6) Names of adjoining developments.
 - D. All existing watercourses, tree mass areas if requested, and other significant natural features.
 - E. The location of the proposed subdivision with respect to the Township’s floodplain areas including information on boundaries of the 100 year floodplain, proposed lots and sites and flood or erosion protective facilities (including evidence of compliance with the Township’s Floodplain Ordinance [Chapter 8].)
 - F. All visible and known building, sewer lines, water mains, drainage culverts, petroleum or petroleum product lines, fire hydrants, power transmission lines and other significant manmade features which would affect the plan of subdivision;
 - G. All existing streets on and abutting the tract including name, number, right-of-way width and cartway width if such information is known.
 - H. All existing property lines, easements or rights-of-way and the purpose for which the easements or rights-of-way have been established.
 - I. Wetlands from the National Wetland Inventory Mapping and USDA Soil Maps, if requested.
3. Proposed Features. The preliminary plan shall show the following:
 - A. Location and width of all proposed streets and right-of-way easements.

- B. Proposed layout of lots showing dimensions, areas in square feet or acreage, numbers, and lot lines.
 - C. Proposed layout of water distribution, sewage collection and stormwater drainage systems.
 - D. Parcels of land proposed to be dedicated or reserved for schools, parks, playgrounds or other public purposes.
 - E. Minimum building setback lines (see Sandy Township Zoning Ordinance [Chapter 27]).
 - F. Where the subdivision lies partially or completely in the floodplain area or where the development borders on the floodplain area, the preliminary plan map shall include detailed information giving the location and elevation of proposed roads, public utilities and building lots. The plan shall also identify the boundaries of the 100 year floodplain, as shown by the most recent flood insurance rate maps.
4. Supporting Information. The property owner shall submit the following information where applicable:
- A. Community Water Supply. A PUC Certificate of Public Convenience, an application for a certificate, an agreement to provide water services from a cooperative association of lot owners or a written agreement from a municipal authority or utility that a community water supply is available.
 - B. Sanitary Sewer System. Any community sewer system must show compliance with appropriate DEP and Act 537 requirements. Any required DEP Modules are to be filed. No subdivision can be finally approved under compliance with DEP regulations is clearly proved.
 - (1) A report prepared by a registered engineer on the feasibility of connecting to an existing community sanitary sewer system or the approved plans for same, all which has been reviewed and approved by the owner of the system.
 - (2) A proposal for a new community sanitary sewer system, including plans and specifications, appropriate approval by DEP and provisions for operation.
 - (3) Evidence of compliance with Pennsylvania Sewage Facilities Act, Township Sewage Enforcement Officer evaluation and DEP approved Planning Module.
 - C. Stormwater management plan to comply with the Township Stormwater Management Ordinance [Chapter 26].

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- D. Site grading and Soil and Erosion Control Plan for the entire subdivision with review and comment provided by the Clearfield County Soil and Water Conservation District.

(Ord. 1997-3, 5/2/1997, §501)

§22-502. Final Plan Requirements.

1. General Information.
 - A. The final plan shall be prepared by a registered surveyor and engineer (as needed).
 - B. The final plan shall be at a scale of 100 feet to the inch unless otherwise specified. (Refer to §22-501)
 - C. The final plan shall conform to the approved preliminary plan.
 - D. The final plan and all necessary certifications, dates, and signatures shall be permanently drawn on stabilized drafting film or other suitable reproducible media. The sheet size must be acceptable to the Clearfield County Recorder of Deeds for recording purposes, but is not to exceed 24 inches by 36 inches.
 - E. Name and seal of the registered surveyor who prepared the plan (as applicable the name and seal of the registered engineer and, or landscape architect shall also be on the plan).
 - F. Applicable final plan certificates as required by this Chapter.
2. Existing and Proposed Features. The final plan shall contain the same information as shown on the approved preliminary plan, any changes or additions required by the Board of Township Supervisors, the Township Planning Commission, and/or other review agency officials, and the following:
 - A. Tract and lot boundaries with bearings and distances and point coordinates relative to control monumentation for all boundary lines, points of tangency and points of curvature as applicable.¹
 - B. Sufficient survey data (lengths of lines, radii, curves, tangent bearings, etc.) to readily determine the locations, bearings and lengths of proposed streets.
 - C. Dimensions and bearings of every lot line.
 - D. Street names.

¹ Note: All tract and lot boundaries shall close to 1:15,000 feet.

- E. Location of permanent reference monuments and markers.
 - F. The exact location and elevation of all proposed buildings, structures, roads and public utilities to be constructed in the floodplain areas. The plan shall also accurately identify the boundaries of the 100 year floodplain area.
 - G. Location, size and invert elevation of all sanitary and storm sewers, and location of all manholes, inlets and culverts within the subdivision.
 - H. Location of proposed water lines where the subdivision will be served by a central water system.
3. Supporting Information. The property owner shall submit the following information where applicable:
- A. Cross-sections and profiles of the proposed streets which show grades at centerline, and are drawn to scale and elevations acceptable to the Township of Sandy. These profiles shall include sewer and manhole information (contact the Sandy Township Engineer for details).
 - B. Planning module and DEP permits and a sanitary sewer plan for the proposed subdivision. The plan must be prepared by a registered engineer or registered surveyor. If the proposal is to connect to an existing sewer system, the owner of the system shall review and approve the plan, in writing.
 - C. A water distribution plan of the proposed subdivision. The plan must be prepared by a registered engineer. If the proposal is to connect to an existing water system, the owner of the system shall review and approve the plan in writing.
 - D. Plans for stormwater management.
 - E. Evidence of review, and if required, approval of an Erosion and Sedimentation Plan by the Clearfield County Conservation District.
 - F. Any protective covenants applied by the developer to the plan of lots shall be placed directly on the final plan drawings or as an attachment for recording with the Recorder of Deeds.
 - G. The developer must show evidence of compliance with all requirements concerning public improvements as outlined in Part 7.
 - H. Proof of review and approval/permits from all applicable agencies.

(Ord. 1997-3, 5/2/1997, §502)

PART 6
DESIGN STANDARDS

§22-601. Application.

The design standards outlined in this Part shall be utilized by developers, surveyors, and engineers in preparing subdivision plans, and will be applied by the Board of Sandy Township Supervisors when reviewing plans for approval. These standards shall be considered as minimum standards for the developer to comply with in the design, development, and improvement of a subdivision. Where strict compliance with the standards is clearly impractical due to site conditions, the Township Supervisors may modify the standards to permit reasonable utilization of the property while securing substantial compliance with the intent and purpose of these regulations. (See §22-1004.)

(Ord. 1997-3, 5/2/1997, §601)

§22-602. Natural Features.

1. Sites with moderate slopes are preferable to either very steep or very level land. Improvement costs and erosion potential increase sharply on sites with slopes over 15%, and very level land presents problems with onsite sewage disposal and stormwater drainage.
2. Existing natural features such as trees and watercourses which would add value to residential developments shall be preserved in the design of a subdivision as conservation measures.
3. Land located within a flood hazard area shall not be subdivided for any use which may endanger life and/or property, or aggravate a flood hazard. Development in flood hazard areas must comply with the rules and regulations of the Township's Floodplain Ordinance [Chapter 8].

(Ord. 1997-3, 5/2/1997, §602)

§22-603. Floodplain Management.

1. Lots located within the 100 year flood plain shall be subject to the following:
 - A. Any lot created or revised shall have no more than 50% of its area within the floodplain, with the exception that large lots may be exempted provided a minimum of one acre of said lot is outside the floodplain, or if its purpose is for dedication of public space (see §22-613).

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- B. Lot access to a public road shall not be restricted or prevented by floodplain areas.
2. If the Board of Township Supervisors determines that only a portion of the proposed plan can be safely developed, they shall limit development to that part and shall require the developer to proceed in accordance with this determination.
3. When the developer does not intend to develop the plan himself and the Township Supervisors determines that additional controls are required to ensure safe development, the Township Supervisors shall require the developer to impose appropriate deed restrictions on the land. Such deed restrictions shall be inserted on every deed and noted on every recorded plan.
4. All construction within the floodplain area must be completed in accordance with all Township floodplain regulations [Chapter 8].

(Ord. 1997-3, 5/2/1997, §603)

§22-604. Stormwater Management.

The following provisions shall only apply to areas not covered by Sandy Township Stormwater Management Ordinances. [Chapter 26] After such ordinances are adopted, they shall be the governing regulation. (Note: The Sandy Lick Creek Watershed is governed by Township Stormwater Management Ordinance 1996-1, 1/2/1996.)

- A. The developer shall provide the subdivision with an adequate stormwater drainage system. The stormwater drainage system shall be separate and independent of any sanitary sewer system. The design and operation of this system shall be consistent with the Pennsylvania Stormwater Management Act of 1978, and any applicable Sandy Township regulations, and shall be subject to the review and approval of the Clearfield County Conservation District.
- B. The goal of the proposed drainage system is to ensure that the maximum rate of stormwater runoff is not greater during and after development than prior to development. Pre- and post-development runoff calculations, detention facilities and the ownership/maintenance of said facilities shall be covered.
- C. Proposed drainage facilities shall be located in the street rights-of-way where feasible or in perpetual, unobstructed easements of appropriate width. Drainage easements shall be shown on the plan for all existing watercourses.
- D. When existing storm sewers are readily accessible and have adequate capacity, the developer shall connect his stormwater facilities to the existing sewers following approval of the Township Supervisors.

- E. Storm sewers or drainage channels which release water onto adjoining land shall empty into a natural watercourse if available. Appropriate drainage rights must be secured from the affected, adjoining, property owners and be indicated on the plan.
- F. Any erosion control facilities recommended by the Clearfield County Conservation District must be fully implemented by the developer.
- G. No disturbance of watercourses shall be permitted, including earthen diversions or filling of stream beds, construction of roads or structures in watercourses, or operation of equipment therein without the approval of the Pennsylvania Department of Environmental Protection and the Clearfield County Conservation District.

(Ord. 1997-3, 5/2/1997, §604)

§22-605. Street Design Specifications.

- 1. All streets proposed for public use on the final plan shall comply with the following design specifications:

Street Type	Minimum Right-of-Way Width	Minimum Cartway Width	Minimum Sight Distances At Intersections	Maximum Grade	Minimum Grade
Local	50 feet	18 feet	200 feet	10%	0.5%
Cul-de-sacs ²	50 feet	18 feet	200 feet	10%	0.5%
Collector	50 feet	24 feet	300 feet	7%	0.5%
Industrial and Commercial	50 feet	24 feet	300 feet	6%	0.5%
Major	(PennDOT Requirements)	30 feet	400 feet	6%	0.5%

- 2. These specifications may be superseded by State design specifications. (See the current edition of PennDOT Publication 70, Guidelines For The Design Of Local Road and Streets.) Additionally, the Township Supervisors may increase the minimum widths and sight distances where deemed necessary in order to ensure public safety.

(Ord. 1997-3, 5/2/1997, §605)

² See §22-607 for additional specifications.

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§22-606. Street Design.

1. Streets shall conform to any plans and official maps which may have been prepared and adopted by the State or by the Board of Sandy Township Supervisors.
2. Streets shall be appropriately related to the topography of the land in order that lots and streets may have acceptable grades.
3. Local streets shall be designed to discourage use by through traffic, but provisions for street connections to adjacent areas will be required where deemed necessary. Where connections are to be made, the proposed street system shall extend existing or recorded streets at the same right-of-way and cartway widths, but in no case at less than the required minimum widths.
4. Half-streets shall be prohibited except to complete an existing half-street in an adjacent tract.
5. Where a subdivision borders on or contains an existing or proposed major street, the Township Supervisors may require marginal access streets, rear service alleys, reverse frontage lots and/or screening in order to protect bordering lots, reduce the number of intersections with the major street and separate local and through traffic. This will be especially considered for areas near major intersections and interchanges.
6. Areas reserved for future street extensions into adjoining tracts must be shown on the plans and be designated for this purpose. No building lots may utilize these areas as their only public access. These areas shall not be dedicated to public use until the streets are extended into an adjoining tract.
7. No cul-de-sac streets are permitted without an adequate turnaround.
8. The finished excavation of proposed streets located within the 100 year flood plain shall comply with the Sandy Township Floodplain Ordinance [Chapter 8].

(Ord. 1997-3, 5/2/1997, §606)

§22-607. Cul-de-sac Streets.

1. Cul-de-sac streets which are designed for permanent public use shall not exceed 500 feet in length, nor be less than 250 feet.
2. Adequate turnarounds shall be provided at the closed end of a permanent cul-de-sac street. Turnarounds shall be constructed to the specifications of the design which shall be approved by the Township. The turnaround radius shall be 40 feet. The right-of-way radius is to be 50 feet. The entire area of the turnaround is to be paved. Road shoulders or berms are not considered to be part of the cartway.

Turnarounds shall have adequate radius with the road to allow a smooth vehicular access to the turnaround.

3. Any road with a temporary dead-end which has been authorized through approved stage development shall be provided with a suitable all-weather turnaround. The use of such turnaround must be guaranteed to the public. It shall be the responsibility of the developer to properly remove the turnaround and repair its area when the street is extended unless the design is compatible with future street extensions. These removal and repair requirements shall apply to both temporary and permanent cul-de-sacs when street extensions are proposed.

(Ord. 1997-3, 5/2/1997, §607)

§22-608. Street Intersections.

1. Streets shall be designed to intersect as nearly as possible at right angles. Streets shall not intersect at an angle of less than 70 degrees or more than 110 degrees.
2. Intersections involving the junction of more than two streets shall be avoided.
3. Clear sight triangles shall be 100 feet for local streets and 120 feet for collector streets measured along the street center lines from their point of intersection.
4. Intersections with major streets shall be located not less than 800 feet apart, measured from center line to center line. Local minor roads shall be at least 200 feet apart measured from center line to center line.
5. Streets intersecting from opposite sides with a common street shall be designed either directly opposite one another creating a four-way intersection or with a minimum off-set of 200 feet between their center lines.
6. All curbs and intersections shall be rounded by a minimum radius of:
 - A. Collector Streets. 20 Feet
 - B. Local Streets. 20 Feet
 - C. Industrial/Commercial. 50 Feet
7. Intersections shall be designed with a flat grade. The approach to any intersection shall have a leveling area which has no greater than a 2% grade at a distance of 60 feet from the nearest right-of-way line of the intersecting street.

(Ord. 1997-3, 5/2/1997, §608)

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§22-609. Private Roads.

1. Private roads may be permitted only when they serve not more than three separate lots that have no other access to a public road.
2. The right-of-way width of a private drive shall be 50 feet. The Township Supervisors may permit widths less than 50 feet if it is impossible to reserve this right-of-way area within the property. All private drive right-of-ways must be surveyed, and bearings and distances must be shown on the plan drawings. The plan must note that the street(s) is/are private and that Sandy Township has no obligations for maintenance. It must be further noted that any private road offered for dedication, in the future, must meet all appropriate Township road requirements.
3. The cartway width and construction specifications must be agreeable to the developer, lot owners who utilize the private drive, and the owners of any properties which contain the right-of-way. Proof of this agreement must be submitted to the Board of Township Supervisors.
4. The following maintenance requirements shall be incorporated as conditions for final approval. These conditions shall be placed, in writing, on the final plan, or attached thereto, and shall be part of the property deed(s).
 - A. Each lot owner having a right to use the private drive shall be equally responsible for the maintenance of the street, and such maintenance responsibilities shall be listed in a maintenance agreement.
 - B. The maintenance agreement shall run with the land and with any future conveyance of the property. The agreement shall be incorporated in and made part of the conveyance binding on the parties, their successors and assignees.
 - C. The Township of Sandy shall not accept any responsibility for the maintenance of a private drive.
5. There shall be no further subdivision of any lot served by a private drive until such time as public streets are constructed to serve the lots.

(Ord. 1997-3, 5/2/1997, §609)

§22-610. Blocks.

1. Blocks shall generally not exceed 1,200 feet in length or be less than 620 feet in length. Developers may seek modifications from this standard for large-lot developments as may be found in certain commercial, industrial and residential subdivisions. However, the burden of proof shall be on the developer to demonstrate that such relief is based upon good site design principles and not merely for convenience.

2. Blocks shall have sufficient width to provide for two tiers of lots of appropriate depth in accordance with the lot size requirements in §22-611.
3. At the discretion of the Township Supervisors, public crosswalk easements of at least ten feet in width shall be provided in blocks exceeding 1,000 feet to facilitate pedestrian access to shopping areas, schools, playgrounds, parks and other community facilities.

(Ord. 1997-3, 5/2/1997, §610)

§22-611. Lots and Lot Sizes.

1. Lots shall comply with the minimum requirements of the Sandy Township Zoning Ordinance [Chapter 27].
2. The Township Supervisors may require that the minimum size of residential lots be increased when compliance with the Pennsylvania Department of Environmental Protection regulations warrant such increase.
3. The depth of a lot shall not exceed three times the width. Developers may seek modifications from this standard for large-lot developments as may be found in certain commercial, industrial and residential subdivisions. However, the burden of proof shall be on the developer to demonstrate that such relief is based upon good site design principles and not merely for convenience.
4. Side lot lines shall be substantially radial or at right angles to street lines.
5. Every lot in a subdivision shall front on a dedicated or public street, unless a private road has been approved by the Township Supervisors.

(Ord. 1997-3, 5/2/1997, §611)

§22-612. Easements.

1. Easements for utilities shall have minimum width of 15 feet. Before determining the exact location and width of easements, the developer shall discuss his Plan with the local public utilities to assure the proper location of easements for the installation of such service.
2. Where possible, easements shall be centered on or adjacent to rear or side lot lines. They shall be drawn only to the edge of the street rights-of-way and shall not be shown on the right-of-way.

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3. Where a subdivision is traversed by a watercourse, drainage channel or stream, there shall be provided a drainage easement conforming to the line of such watercourse and of such width as will be adequate to preserve natural drainage.

(Ord. 1997-3, 5/2/1997, §612)

§22-613. Reservations for Public Use.

If the developer proposes to reserve an area for public use (i.e., schools, parks, other neighborhood and public facilities), the following standards shall be applied to the character, extent and location of the reserved area:

- A. Such areas shall be labeled on the plan as “reserved,” and shall indicate the particular type of public use for which the area is being reserved.
- B. Areas reserved for public use shall be accessible through frontage on a public street and/or pedestrian rights-of-way at least 10 feet in width, and be a suitable size and location for their designated uses.
- C. The developer must establish and assure the future ownership of the permanent, public use, as well as indicate the provisions for the maintenance of the area. Additionally, the Township may accept the dedication of such land or any interest therein for public use and maintenance, solely based upon the decision of the Board of Supervisors.

(Ord. 1997-3, 5/2/1997, §613)

PART 7
IMPROVEMENTS

§22-701. Application.

All improvements proposed in the final plan shall be completed by the developer in accordance with the requirements of the Township and this Part. In addition to meeting the requirements of this Chapter, all improvements, land or right-of-way offered to the Township for acceptance will be accompanied by a deed of dedication. This deed will be prepared in a form and manner acceptable to the Township.

(Ord. 1997-3, 5/2/1997, §701)

§22-702. Installation of Improvements.

1. Generally, streets, alleys, stormwater facilities, public water and community sanitary sewer will become the responsibility of the Township. In the event another agency is responsible for design, maintenance as well as ownership then the Township will identify that agency. The developer will be responsible to work with that agency relative to design, construction, guarantees and maintenance guarantees consistent with this Chapter and the Pennsylvania Municipalities Planning Code.
2. Following completion by the developer and acceptance by the Township, the final plan can be finally approved by the Township Supervisors. (See also §22-702(A))
 - A. Improvement Guarantee.
 - (1) In lieu of the completion of any improvements required as a condition for the final approval of a subdivision plan, the developer shall provide for the deposit of a financial security in an amount sufficient to cover the cost of any improvements or common amenities. Such financial security shall be deposited with, and in favor of the Township of Sandy, Clearfield County.
 - (2) When requested by the developer, in order to facilitate financing, the Township Supervisors shall furnish the developer with a signed copy of a resolution indicating approval of the final plan contingent on the developer obtaining a satisfactory financial security. The final plan shall not be signed nor recorded until the financial improvements agreement is executed. The resolution or letter of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within 90 days unless a written extension is granted by the Township, such extension shall not be unreasonably

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withheld and shall be placed in writing at the request of the developer.

- (3) The Township Supervisors shall determine what types of financial security are acceptable for the purpose of guaranteeing construction of improvements. Such guarantees shall be consistent with the Planning Code and include bonds, irrevocable letters of credit and restrictive or escrow accounts from Federal or Commonwealth chartered lending institutions shall be deemed acceptable financial security. Such financial security shall be secured from a bonding company, or Federal or Commonwealth chartered lending institution chosen by the party posting the financial security, provided said bonding company or lending institution is authorized to conduct such business within the Commonwealth.
- (4) Such bond, or other security shall provide for, and secure to the public, the completion of any improvements which may be required on or before the date fixed in the formal action of approval or accompanying agreement for completion of the improvements.
- (5) The amount of financial security to be posted for the completion of the required improvements shall be equal to 110% of the cost of completion estimated as of 90 days following the date scheduled for completion by the developer. Annually, Sandy Township may adjust the amount of the financial security by comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the 90th day after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment, Sandy Township may require the developer to post additional security in order to assure that the financial security equals said 110% of those improvements which will become Township-owned upon completion of the subdivision. Any additional security shall be posted by the developer in accordance with this Section.
- (6) The amount of financial security required shall be based on an estimate of the cost of completion of the required improvements submitted by the developer and prepared by a professional engineer licensed as such in the Commonwealth of Pennsylvania, and certified by such engineer to be a fair and reasonable estimate of such cost. Sandy Township may refuse to accept such estimate for good cause shown. If the developer and the Township are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by another professional engineer licensed as such in the Commonwealth of Pennsylvania and chosen mutually by the Township and the developer. The estimate certified by the third engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third

engineer is so chosen, fees for the services of said engineer shall be paid equally by the Township and the developer.

- (7) If the developer posting the financial security requires more than one year from the date of posting of the financial security to complete the required improvements, the amount of financial security may be increased by an additional 10% for each one year period beyond the first anniversary date from posting of financial security, or to an amount not exceeding 110% of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one year period by using the above bidding procedure.
 - (8) In the case where subdivision activity is projected over a period of years, the Township Supervisors may authorize submission of final plans by section or stages of development subject to such requirements or guarantees as to improvements in future sections or stages of development as it finds essential for the protection of any finally approved section of the development.
- B. Partial Release from Improvement Guarantee. As the work of installing the required improvements proceeds, the developer posting the financial security may request the Township Supervisors to release or authorize the release of such portions of the financial security necessary for payment to the contractor or contractors performing the work. Any such requests shall be in writing, addressed to the Board of Township Supervisors, and the Township Supervisors shall have 45 days from receipt of such request within which to allow the Township or Engineer to certify, in writing, that such portion of the work on the improvements has been completed in accordance with the approved plan and specifications. On such certification, the Township Supervisors shall authorize release by the bonding company or lending institution of an amount as estimated by the Township Engineer fairly representing the value of the improvements completed or, if the Board of Township Supervisors fails to act within said 45 day period, the Township Supervisors shall be deemed to have approved the release of funds as requested. The Township may retain 10% of the estimated cost of the improvements prior to final release.
- C. Full Release from Improvement Guarantee.
- (1) When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the Township Supervisors, in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Township Engineer to inspect all of the aforesaid improvements. The Township Engineer shall, thereupon, file a report, in writing, with the Township Supervisors who shall promptly mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within 30 days after receipt by the Township Engineer of the

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aforesaid authorization from the Township Supervisors; said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part, and if said improvements, or any portion thereof, shall not be approved or shall be rejected by the Township Engineer, said report shall contain a statement of reasons for such non-approval or rejection.

- (2) The Township Supervisors shall notify the developer, within 15 days of receipt of the Township Engineer's report, in writing by certified or registered mail of the action of the Township Supervisors with relation thereto.
- (3) If the Board of Township Supervisors or the Township Engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the developer shall be released from all liability, pursuant to its performance guaranty bond or other security agreement.
- (4) If any portion of the said improvements shall not be approved or shall be rejected by the Township Supervisors, the developer shall proceed to complete the same and, upon completion, the same procedure of notification, as outlined herein, shall be followed.
- (5) Nothing herein, however, shall be construed in limitation of the developer's right to contest or question by legal proceedings or otherwise, any determination of the Township Supervisors or Township Engineer.
- (6) The Township Supervisors may prescribe that the developer shall reimburse the Township for the reasonable and necessary expense incurred for the inspection of improvements. Such reimbursement shall be based upon a schedule established by ordinance or resolution. Such expense shall be reasonable and in accordance with the ordinary and customary fees charged by the Township Engineer or consultant for work performed for similar services in the community, but in no event shall the fees exceed the rate or cost charged by the engineer to the Township when fees are not reimbursed or otherwise imposed on applicants.
 - (a) In the event the developer disputes the amount of any such expense in connection with the inspection of improvements, the developer shall, within 10 working days of the date of billing, notify the Township Supervisors that such expenses are disputed as unreasonable or unnecessary, in which case the Township Supervisors shall not delay or disapprove a subdivision application due to the developer's request over disputed Engineer expenses.

- (b) If, within 20 days from the date of billing, the Township Supervisors and the developer cannot agree on the amount of expenses which are reasonable and necessary, then the developer and Township Supervisors shall jointly, by mutual agreement, appoint another professional engineer licensed as such in the Commonwealth of Pennsylvania to review the said expenses and make a determination as to the amount thereof which is reasonable and necessary.
 - (c) The professional engineer so appointed shall hear such evidence and review such documentation as the professional developer in his or her sole opinion deems necessary and render a decision within 50 days of the billing date. The applicant shall be required to pay the entire amount determined in the decision immediately.
 - (d) In the event that the Township Supervisors and developer cannot agree on the professional engineer to be appointed within 20 days of the billing date, then, on application of either party, the President Judge of the Court of Common Pleas of the Judicial District in which the Township is located (or if at the time there be no President Judge, then the senior active judge then sitting) shall appoint such engineer, who, in that case, shall be neither the Township nor any professional engineer who has been retained by, or performed services for, the Township or the developer within the preceding 5 years.
 - (e) The fee of the appointed professional engineer for determining the reasonable and necessary expenses shall be paid by the developer if the amount of payment required in the decision is equal to or greater than the original bill. If the amount of payment required in the decision is less than the original bill by \$1,000 or more, the Township shall pay the fee of the Professional Engineer, but otherwise the Township and the developer shall each pay 1/2 of the fee of the appointed professional engineer.
- D. Maintenance Guarantee. On completion of some or all of the required improvements, Sandy Township requires the posting of a financial security to secure the structural integrity and functioning of said improvements in accordance with the design and specifications as depicted with the final plan for a term not to exceed 18 months from the date of acceptance of the dedication. This financial security for maintenance shall be in the same form as otherwise required in this Section for the installation of required improvements. However, in no event shall the financial security for maintenance exceed 15% of the actual cost of the installation of said improvements.

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- E. Remedies to Effect Completion of Improvements. In the event that any improvements which may be required have not been installed as provided in this Chapter or in accordance with the approved final plan, Township of Sandy may enforce any corporate bond, or other security by appropriate legal and equitable remedies. If proceeds of such bond, or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, Sandy Township may institute appropriate legal or equitable action to recover the monies necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other Township purpose.

(Ord. 1997-3, 5/2/1997, §§702-702.5)

§22-703. Monuments and Markers.

The developer shall place permanent reference monuments in all subdivisions as required herein. Any monuments or markers that are removed during construction and/or grading of the site shall be placed in original locations by a registered surveyor at the expense of the person removing them. Reference points for minor subdivisions can be designated by markers. Major subdivisions and land developments shall use markers and monuments as required in this section. Using this Chapter as a guide the Township Engineer shall advise the developer relative to the location of markers and monuments.

A. Monuments.

- (1) Monuments shall be made of precast concrete with a minimum diameter of six inches and a minimum length of 36 inches, and shall be set flush with the finished grade. A brass pin shall be set in the top of each monument and scored or marked to indicate the exact point of crossing of the intersecting lines. The name and registration number of the registered surveyor shall be on the monument.
- (2) For major subdivisions, control monuments shall be used. There will be a minimum of three control monuments for each major subdivision at such locations as designated by the Township Engineer. Additional monuments may be required for larger developments. Such monuments are to be installed after the development of roads and utilities and are considered improvements. As such, a portion of any improvement bond will be retained until their installation.

B. Markers.

- (1) Markers shall consist of magnetic metal pipes or bars at least 36 inches long and not less than 1/2 inch in diameter, and shall be set

flush with the finished grade. They shall be scored to indicate the exact point of crossing of intersecting lines. By use of a plug or cap, the name and registration number of the registered surveyor shall be on all markers.

- (2) Markers shall be set permanently at all lot corners.

(Ord. 1997-3, 5/2/1997, §§703-703.2)

§22-704. Streets.

All streets, except those approved as private drives, shall be irrevocably dedicated, in writing, by the developer to the Township of Sandy immediately on completion and acceptance of construction. Such streets shall be graded to the elevations and dimensions shown on the plans, profiles, and cross-sections submitted by the developer for final plan review, and as approved by the Township Supervisors.

- A. Local Street Construction. All Township streets shown on the approved final plan shall be constructed in accordance with the specifications for street construction of the State PennDOT 408 Construction Specifications (latest edition) and the Road Specifications of Sandy Township.

- (1) Preparation of subgrade.
- (2) Installation of Cartway (including shoulders).³

- B. Collector and Major Street Construction. Specifications for the construction of collector, industrial, commercial and major streets shall meet specifications of Sandy Township or those of the Pennsylvania Department of Transportation, depending on who accepts the road's dedication.

(Ord. 1997-3, 5/2/1997, §§704-704.2)

§22-705. Sewage Disposal.

1. Where a public community sewage system is within 1,000 feet accessible to the major subdivision and 200 feet to a minor subdivision, the developer shall provide the subdivision with a complete sanitary sewage collection system to be connected to the public system. The developer shall receive and submit to the Sandy Township Board of Supervisors a letter from the Sandy Township Sewage Enforcement Officer which assures the sewage system has adequate capacity, and permits the connections to the public system. The developer shall also secure the necessary permit(s) from the Pennsylvania Department of Environmental Protection. All necessary mains and laterals for connections from the lots to the public system as

³ All material and construction shall comply with PennDOT 408 Specifications (latest edition).

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shown on the final plan shall be installed by the developer, in accordance with requirements of the Pennsylvania Department of Environmental Protection and the Authority.

2. Where a public sewer system is not reasonably accessible and proposed sewage treatment is onsite through subsurface disposal, the developer must submit copies of soil test results along with comments from the Township's Sewage Enforcement Officer regarding the suitability of the property for onlot sanitary sewage disposal, Planning Module and Planning Module approval letter from the Pennsylvania Department of Environmental Protection (DEP) to the Township Supervisors that the proposed development will be suitable for onsite, sewage disposal. The approval letter must bear the signature of a representative of the Department of Environmental Protection and/or Sewage Enforcement Officer in accordance with the requirements of the Pennsylvania Sewage Facilities Act, as amended. The Township Supervisors may not approve the final plan until evidence that proposed sanitary sewage disposal is in compliance with the Pennsylvania Sewage Facilities Act is provided.

(Ord. 1997-3, 5/2/1997, §705)

§22-706. Water Supply.

If water is to be provided by means other than by private wells owned and maintained by the individual owners of lots within the subdivision, applicants shall present evidence to the Township Supervisors, as the case may be, that the subdivision is to be supplied by a certified public utility, a cooperative association of lot owners or by a municipal corporation, authority or utility. A copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable evidence.

(Ord. 1997-3, 5/2/1997, §706)

§22-707. Stormwater Runoff.

Storm water plan shall adhere to the requirements of the Sandy Township Water Management Ordinance, Ordinance No. 1996-1 [Chapter 26, Part 3] or such other ordinances as may govern same.

(Ord. 1997-3, 5/2/1997, §707)

§22-708. Street Name Signs.

Street name signs shall be installed in the Township of Sandy in all major subdivisions containing a new street and shall be installed according to standards established by the

Township. Proposed street names shall be reviewed by the Township and the Planning Commission.

(Ord. 1997-3, 5/2/1997, §708)

PART 8

MOBILE HOME PARKS

§22-801. Applicability.

No person, firm or corporation shall construct, expand, operate or maintain a mobile home park in the Township which falls under the jurisdiction of the Ordinance until a Final Plan of said mobile home park has been unconditionally approved by the Board of Township Supervisors after review and recommendation by the Township Planning Commission and the Clearfield County Planning Commission.

(Ord. 1997-3, 5/2/1997, §801.1)

§22-802. Compliance With Other Provisions.

Unless otherwise specified in this Section, all mobile home parks shall comply with all applicable provisions of this Chapter, including but not limited to Part 4 – “Procedure,” Part 5 – “Requirements for Plan Submittal,” and Part 7 – “Improvements.”

(Ord. 1997-3, 5/2/1997, §801.2)

§22-803. General Design Standards.

The design of mobile home parks shall conform to the following standards:

- A. **Park Area Requirements.** A mobile home park shall have a minimum gross area of at least 5 contiguous acres of land.
- B. **Grading and Ground Cover Requirements.** The ground surface in all areas of each mobile home park shall be graded and equipped to drain all surface water in a safe and effective manner. Exposed ground surfaces throughout each mobile home park shall be treated in a manner approved by the Township Supervisors after review by the Clearfield County Conservation District and the Township Planning Commission which will effectively prevent soil erosion and eliminate excessive amounts of mud and dust.
- C. **Lot Requirements.**
 - (1) **Minimum Lot Size.** The minimum width of any mobile home lot shall not be less than 60 feet. The minimum length of each mobile home lot shall be not less than 100 feet, or at least 40% longer than the mobile home to be placed thereon. In any case, the minimum mobile home lot size shall not be less than 6,000 square feet of area.

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- (2) Yards. Mobile homes shall have a minimum side yard of 15 feet, a minimum rear yard of 20 feet, and a minimum front yard of 20 feet. No structures shall be placed in required yard spaces.
- (3) Lot Access. All mobile home lots shall abut on a street of the mobile home park's internal street system and shall be directly accessible from said internal street system without the necessity of crossing any other space.
- (4) Street Number and Names. All mobile home lots shall be given street numbers and all mobile home park streets shall be given names.
- (5) Lot Drainage. Each lot shall be graded to drain water away from the mobile home stand.

D. Required Setbacks, Buffer Strips and Screening.

- (1) There shall be a minimum distance of 20 feet between an individual mobile home and:
 - (a) The property boundary line abutting an adjoining park street.
 - (b) Adjoining recreation area.
 - (c) Parking area.
 - (d) Other common areas.
- (2) All mobile home parks located adjacent to industrial or commercial land use shall be provided with screening such as fences, or natural growth along the property boundary line separating the park and such adjacent nonresidential uses.
- (3) In the event that mobile homes are located in reference to Township roads or rights-of-way intended to be dedicated as public roads, the following setbacks shall be required.
 - (a) Front Yard – Arterial Streets. Fifty feet from the property boundary line abutting on the arterial street.
 - (b) Collector Street. Forty feet from the property boundary line abutting on the collector street.
 - (c) Minor Streets. Thirty feet from the property boundary line abutting the street.

E. Park Street System.

- (1) General Requirements. All mobile home parks shall be provided with safe and convenient vehicular access. Alignment and gradient shall be properly adapted to topography.
- (2) Access. Access to mobile home parks shall be designated to minimize congestion and hazards at the entrance or exit and allow free movement of traffic on adjacent streets. The entrance road connecting the park streets with a public street or road shall have minimum road width of 24 feet, within which parking shall be prohibited. No park entrance shall be within 400 feet of the entrance to any school, public playground, hospital or similar institution.
- (3) Internal streets. Roadways shall be of adequate width to accommodate anticipated traffic, and in any case, shall be a minimum of 20 feet in width.
- (4) Intersections. Not more than two streets shall intersect at any point and a distance of at least 200 feet shall be maintained between center lines of offset intersecting streets.
- (5) Street Construction and Design Standards. All roadways must be provided with a smooth, hard and dense surface in accordance with the dust-free hard surface.

F. Required Off-Street Parking Areas.

- (1) Off-street parking areas shall be provided in all mobile home parks for the use of park occupants and guests. Parking requirements shall meet those of the Sandy Township Zoning Ordinance [Chapter 27].
- (2) Required car parking spaces shall be so located as to provide convenient access to the mobile home but shall not exceed a distance of 200 feet from the mobile home that it is intended to serve. Paving: A smooth, dense, solid and dust-free surface consisting of shale or limestone capable of use throughout the year shall be provided.

G. Foundation, Anchoring and Skirting.

- (1) All mobile homes shall be placed on a permanent foundation which will prevent shifting or settling from frost action, inadequate drainage, vibration, or other forces acting on the super structure (e.g. consisting of block pillars or cement pillars or similar construction).
- (2) It shall be the responsibility of the park owner to provide at least six permanent piers with hook and eye-bolt attachment extending from below frost line to grade level for each mobile home stand.

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- (3) It shall be the responsibility of the tenant to provide blocking from pier top to trailer frame and the necessary cable or chain to secure the trailer to the permanent pier.
- (4) Fire resistant or retardant skirting of compatible design and material shall be installed around all mobile homes.

(Ord. 1997-3, 5/2/1997, §801.3)

§22-804. Utilities.

1. Water Supply.
 - A. General Requirements. An accessible, adequate, safe and potable supply of water shall be provided in each mobile home park. Where a public supply of water of satisfactory quantity, quality and pressure is available, within 1,000 feet of the boundary of the mobile home park, connection shall be made thereto and its supply used exclusively. When a satisfactory public water supply is not available, a private water system may be developed and used as approved by the DEP.
2. Sewage Collection and Disposal.
 - A. General Requirements. An adequate and safe sewage system shall be provided in all parks for conveying and disposing of sewage from mobile homes, service buildings and other accessory facilities. When a public sewage system is available, connection must be made thereto and used exclusively to dispose of sewage. Such system shall be designed, constructed and maintained in accordance with the regulations of the DEP, and all local sanitary sewer regulations.
 - B. Sewage Treatment and/or Discharge. Where the sewer lines of the mobile home park are not connected to a public sewer, all proposed sewage disposal facilities shall be approved by the DEP prior to construction.
3. Electrical Distribution. Underground electrical distribution system connections shall be provided to each mobile home lot within a mobile home park. Such systems shall be installed and maintained in accordance with all applicable specifications regulating the same, including but not limited to the National Electrical Code and the local electric power company's specifications regulating such systems.
4. Natural Gas Systems. Natural gas systems within a mobile home park shall be installed and maintained in accordance with the regulations and specifications of the company supplying said natural gas.

5. Liquified Petroleum Gas (LPG) Systems. Where liquified petroleum gas systems are provided for mobile homes, service buildings and other structures, such systems shall be installed and maintained in a manner to prevent hazards from fire or explosion.
6. Fuel Oil Supply Systems. Where fuel oil supply systems are provided for mobile homes, service buildings and other structures, such systems shall be installed and maintained in a manner to prevent hazards from fire or explosion.

(Ord. 1997-3, 5/2/1997, §801.4)

§22-805. Fire Protection.

1. Fire hydrants shall be required in all mobile home parks where the extension of water lines is required or proposed in accordance with the provisions of this Chapter.
2. The mobile home park area shall be subject to all rules and regulations of the Township, County and Commonwealth pertaining to fire prevention.
3. Mobile home park areas shall be kept free of litter, rubbish and other flammable materials.
4. Portable fire extinguishers of a type approved by the area Fire Marshall shall be kept in public service buildings under park control.
5. All oil and gas tanks located on a mobile home lot shall be secured to the mobile home or a base which extends below the frost line.

(Ord. 1997-3, 5/2/1997, §801.5)

§22-806. Recreational Space Requirements.

A minimum of 6% of the gross area of the mobile home park (not less than 1/2 acre) shall be provided for recreational space. This recreational space shall be easily accessible to all park residents, shall be suitable for a variety of recreational uses and shall be located so as to be free from traffic hazards.

(Ord. 1997-3, 5/2/1997, §801.6)

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§22-807. Park Areas for Nonresidential Uses.

No part of any mobile home park shall be used for non-residential purposes, except such uses that are required for the direct servicing and well-being of park residents and for the management and maintenance of the park.

(Ord. 1997-3, 5/2/1997, §801.7)

PART 9**OTHER STANDARDS FOR LAND DEVELOPMENT****§22-901. Jurisdiction.**

Certain physical developments are classified as land developments in the Pennsylvania Municipalities Planning Code, Act 247 and as such are subject to regulation. The design and construction standards as found elsewhere in the Chapter are applicable to land development as such standards may be appropriate. Land development is characterized by the fact that the development site is typically in a single ownership and the buildings and/or use areas are often rented or leased to prospective users. There is no division of land typical of land subdivision actions, although buildings and/or use areas may be sold at the time of development or at some future time. It shall be unlawful for an applicant to construct land developments as defined herein until:

- A. The final site plan has been approved by the Township and recorded as required by this Chapter.
- B. A valid permit from the Pennsylvania Department of Environmental Protection, where applicable, has been approved for issue to the applicant.
- C. A valid occupancy permit has been secured from the Township or from the Pennsylvania Department of Transportation for highway right-of-way occupancy for the purpose of constructing access facilities.

(Ord. 1997-3, 5/2/1997, §901)

§22-902. Procedures.

1. In processing land developments, the three-step procedure used for subdivisions will not be followed, unless otherwise noted. For land development a preliminary site plan will not be required. A sketch site plan should be submitted. A final site plan shall be required. The land development processing requirements, drawing size, certifications, acknowledgments, number of copies, etc. for submission of site plans shall be the same as for subdivisions (unless otherwise noted) and as set forth in Parts 5 and 6 of this Chapter.
2. Unless exempted by the Pennsylvania Municipalities Planning Code or this Chapter all land development in Sandy Township shall be required to submit a site plan as specified by this Chapter. Specifically exempted from this requirement are:
 - A. Single-family detached dwellings.

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- B. Developments as outlined by §503(1.1) of the Pennsylvania Municipalities Planning Code.
 - C. Additions to residential buildings under 10,000 square feet in size.
 - D. The temporary placement of a mobile home to be used by a relative of the owner-occupant of the lot.
3. All industrial and commercial developments, either new or as expansions of existing developments, will be required to submit site plans. Plans for new or expanded facilities under 20,000 square feet in size will be regarded as minor land developments.
4. Minor land developments will provide such information as required on forms available from the Code Officer or Township Engineer. They will be reviewed by the Township Planning Commission who has the power to approve or deny same, based upon the criteria of this Chapter and the guidance of the Sandy Township Zoning Ordinance [Chapter 27]. If a minor land development is considered by the Planning Commission to have substantial impact upon the Township, the Commission may review it and refer it to the Supervisors following the process for land developments as set forth in this Part. Minor land developments need not be recorded.
5. The final site plan shall be recorded in the County Recorder's Office.

(Ord. 1997-3, 5/2/1997, §902)

§22-903. Site Plan.

In lieu of a plot plan, the developer shall submit a site plan. Such plan shall be at a scale which may range from 1 inch to 10 feet, to 1 inch to 50 feet at 10-foot increments (for example, 1" to 20, etc). Each site plan shall through one, or more, pages show:

- A. Existing site conditions to include topography (at two foot contour intervals), drainage, tree clusters, buildings, utilities, roads, wetlands, flood-plains and nearby properties.
- B. Offsite conditions, which is intended to shown the land development in relationship to surrounding properties, land uses and facilities. Information will include land within 100 feet of the proposed development and will include, topographic contours, building location, ownership, land use, vehicular facilities and circulation as well as related information.
- C. Proposed developments, including buildings (with frontal elevation and footprints), parking, vehicular, and pedestrian access areas, storm drainage, landscaping, lighting plan, utility location and size. This drawing will be to scale, as noted above, with dimensions shown.

- D. Property information with a boundary survey completed by a professional land surveyor.

(Ord. 1997-3, 5/2/1997, §903)

§22-904. Design Standards.

1. Vehicular access connections to the surrounding existing road network shall be safe, shall have adequate site distances, and shall have the capacity to handle the projected traffic.
2. Service areas for the land development shall be planned and constructed such that they are not visible from adjacent uses.
3. The site plan shall show building locations and areas for vehicular circulation.
4. A parking and access plan shall be submitted along with estimated traffic flows. The developer shall demonstrate that the proposed parking/access layout is adequate for the proposed development and is in conformance with the Sandy Township Zoning Ordinance. The developer shall follow professional standards in parking lay out and design. The Township shall use standard reference works in reviewing parking lot layout and design which shall include: PARKING, the Eno Foundation (1990), SITE PLANNING, Lynch and Hack (1986) and TRANSPORTATION AND LAND DEVELOPMENT, Stover and Koepke (1988) as well as individual publications of the American Planning Association.⁴
5. Drainage, see the Sandy Township Stormwater Management Ordinance [Chapter 26].
6. A complete landscaping plan shall be submitted by all developers that includes a complete interior landscape plan in addition to a landscaped transition to adjoining properties. Landscape treatment shall be provided to enhance architectural features, strengthen vistas and important axis, or provide shade. In reviewing the landscaping plan, the Township shall use for reference standard site planning books and guides such as published by the American Planning Association.
7. A complete interior pedestrian circulation plan shall be submitted by all developers indicating the safe and efficient movement of people within and through the site.⁵

⁴ Editor's Note: All traffic, parking and pedestrian plans shall be completed using such standard resource criteria as provided by the American Planning Association or the Institute for Traffic Engineers.

⁵ Editor's Note: All traffic, parking and pedestrian plans shall be completed using such standard resource criteria as provided by the American Planning Association or the Institute for Traffic Engineers.

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8. Exterior Lighting. Adequate lights shall be provided to illuminate streets, driveways, walkways, and parking lots for the safe movement of vehicles and pedestrians at night. Exterior lighting shall be of a design and size compatible with adjacent areas and in accordance with the standards of the Illuminating Engineering Society of America. At a minimum, street lights shall be located at all intersections, at all horizontal curves of 145 degrees or less, all vertical curves in excess of 12% where necessary to provide for safe pedestrian travel, and at all other locations deemed by the Township Engineer to be necessary for the health and safety of the general public and designed to the standards of the Illuminating Engineering Society of America.
9. The Township shall be provided with information on the availability of water and sanitary sewers that is in conformance with Part 6.
10. Utilities. Gas, electric, water, and telephone and cable utilities shall be located in land development in accordance with utility company practice and in accordance with agreements with, or as approved by, the Township Engineer. All such utilities shall be underground.

(Ord. 1997-3, 5/2/1997, §904)

§22-905. Assurance for Completion and Maintenance of Improvements.

1. Insofar as the land development involves the lease or rental of buildings and/or space on the site and site improvements (such as roads, parking areas and stormwater drainage devices), which are to be privately maintained or maintained by a private (nonpublic) organization created by the developer, there is no need for municipal acceptance of the site improvements (roads, stormwater drainage devices). If the developer shall propose and the Township shall agree that certain onsite improvements should be dedicated to the Township the provisions for this approach shall follow those as specified for subdivisions in this Chapter. Where a developer proposed improvements on the site plan and the same is approved by the Township, the developer shall make such improvements as indicated on the plan. Where the developer fails to make or satisfactorily complete such improvements then the developer shall be considered in violation of this Chapter and the actions for the enforcement of this Chapter as set forth by Part 2 shall be instituted. In addition, all permits which the Township issues (building, zoning, etc.) shall be held in abeyance until the developer successfully complies with the requirements of this Chapter.
2. Where the developer does not intend to maintain the improvement and where a homeowners association or similar organization will not be organized for these responsibilities, the developer will submit a plan for maintenance of such facilities. This document will be legally enforceable, one clearly establishing maintenance responsibility. It must be approved by the Township.

(Ord. 1997-3, 5/2/1997, §905)

PART 10
ADMINISTRATION

§22-1001. Grant of Power.

The Board of Sandy Township Supervisors hereby designates the Sandy Township Planning Commission to act and have full authority in the administration of this Chapter and any subsequent amendments thereto.

(Ord. 1997-3, 5/2/1997, §1001)

§22-1002. Appeals.

Any person, firm, or corporation which deems itself aggrieved by any decision of the Board of Township Supervisors may appeal the decision to the Clearfield County Court of Common Pleas.

(Ord. 1997-3, 5/2/1997, §1002)

§22-1003. Application Fees.

The Board of Sandy Township Supervisors may establish and/or amend by resolution a schedule of review fees which shall be charged to the developer. Fees shall be payable to the "Township of Sandy" when the preliminary and final subdivision applications are submitted. The application shall not be considered as complete until such time as the fees have been paid in full. Review fees may include reasonable and necessary charges by the Township's Professional Engineer or consultant for review and report thereon to the Township.

(Ord. 1997-3, 5/2/1997, §1003)

§22-1004. Modifications.

1. The Board of Township Supervisors may grant a modification of the requirements of one or more provisions if the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question, provided that such modification will not be contrary to the public interest and that the purpose and intent of this Chapter is observed.
2. All requests for a modification shall be in writing and shall accompany and be a part of the application for subdivision approval. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based,

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the provision or provisions of the Ordinance involved and the minimum modification necessary.

3. The Township Supervisors shall keep a written record of all action on all requests for modification.

(Ord. 1997-3, 5/2/1997, §1004)

§22-1005. Revision and Amendment.

The Board of Sandy Township Supervisors may revise, modify, and amend this Chapter by appropriate action taken at a scheduled public meeting, all in accordance with the applicable provisions of the Pennsylvania Municipalities Planning code, Act 247, as amended.

(Ord. 1997-3, 5/2/1997, §1005)

§22-1006. Subdivision Records.

The Township shall keep a written record of its findings, decisions, and recommendations related to all subdivision plans filed with it for review and approval. All records of the Township Supervisors shall be public records.

(Ord. 1997-3, 5/2/1997, §1006)

§22-1007. Conflict With Other Regulations/Repeal of Prior Ordinance.

1. The existing Sandy Township Land Subdivision Regulations, Ordinance of September 27, 1965, is hereby repealed. Said repeal to become effective the day prior to the effective date of this Chapter.
2. Wherever there is a difference between minimum standards or dimensions specified in these regulations and those contained in any other official regulations of Sandy Township the more restrictive standard shall apply.

(Ord. 1997-3, 5/2/1997, §1007)

§22-1008. Liability.

The approval of a subdivision plan, or of any improvement, shall not constitute a representation, guarantee, or warranty of any kind or nature by Sandy Township, its Planning Commission, 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 li-

ability on, or a cause of action against the Board of Sandy Township Supervisors or such official, employee or appointee for any damage that may result pursuant thereto.

(Ord. 1997-3, 5/2/1997, §1008)