

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

BOROUGH OF KENHORST

BERKS COUNTY, PA

August 2012
Ordinance No.

KENHORST BOROUGH
339 South Kenhorst Boulevard
Kenhorst PA 19607

Township Manager Attest

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ARTICLE I AUTHORITY, TITLE AND PURPOSE

Section 101 Authority

An Ordinance providing for the control of the subdivision and development of land and the approval of plat and re-plats of land within the jurisdiction of the Borough Council of the Borough of Kenhorst, Berks County, Pennsylvania, as a part of the Comprehensive Plan of the Borough of Kenhorst, now; therefore, be it ordained by the Borough Council of the Borough of Kenhorst, Berks County, Pennsylvania, under the Authority of Article V of the "Pennsylvania Municipalities Planning Code", of the Act of the General Assembly No. 247 of 1968, as amended.

Section 102 Title

This Ordinance shall be known and may be cited as "The Subdivision and Land Development Regulations of the Borough of Kenhorst".

Section 103 Purpose

The purpose of this Ordinance shall be to provide uniform standards to guide the subdivision and re-subdivision of land of the Borough of Kenhorst in order to promote the public health, safety, convenience and general welfare of the Borough. It shall be administered to insure orderly growth and development, the conservation, protection and proper use of land; the proper distribution of population; and to provide adequate provisions for traffic circulation, recreation, light and air, utilities and services.

It is not intended by this Ordinance to in any way impair or interfere with existing provisions of other laws or ordinances, or with private restrictions placed upon property by deed, covenant or other private agreement.

ARTICLE II JURISDICTION AND APPLICATION

Section 201 Compliance Required

After the effective date of this Ordinance, no subdivision or land development or any lot, sewer, water main, or other improvements in connection therewith shall be laid out, constructed, opened, or dedicated for public use or travel or for the common use of occupants of buildings abutting thereon, except in accordance with the provisions of this Ordinance.

Section 202 Recorded Plans

The provisions of the Ordinance shall not apply to a subdivision recorded prior to the effective date of this Ordinance. The provisions of this Ordinance shall apply to and control all other land subdivisions within Kenhorst Borough, except as provided for in Section 203 and 204.

Section 203 Replatting or Resubdivision

Any replatting or resubdivision of land, including a change of a recorded plan, shall be considered a new subdivision and shall comply with the provisions of this Ordinance.

Section 204 Pending Plans

If an application for approval of a Plan, whether Preliminary or Final, is pending approval or disapproval at the time of the effective date of this Ordinance, no provision of this Ordinance shall effect the decision on such application adversely to the applicant and the applicant shall be entitled to a decision in accordance with the governing ordinances as they stood at the time the application was filed.

Section 205 Approved Plans

When a Subdivider has had an application for approval of a Preliminary or Final Plan approved prior to the effective date of this Ordinance, no provision in this Ordinance shall be applied to affect adversely the right of the Subdivider to commence and complete any aspect of the approved Preliminary or Final Plan in accordance with the terms of such approval within five (5) years from the date of such approval. When approval of a Final Plan has been preceded by approval of a Preliminary Plan, the five (5) year period shall be counted from the date of preliminary approval. If there is any doubt as to the terms of approval, the terms shall be construed in light of the provisions of the governing ordinances or Plans as they stood at the time when approval was given.

A Preliminary or Final Plan approved before the effective date of this Ordinance which is not recorded within five (5) years after the date of approval of the application for review of the Preliminary Plan (or if a Final Plan was approved

without the prior approval of a Preliminary Plan, within five (5) years after the effective date of approval of the Final Plan) shall comply with all the provisions of this Ordinance.

ARTICLE III PROCEDURES

Section 301 Intent

1. Hereafter, subdivision and land development plans shall be reviewed by the Borough Planning Commission, the County Planning Commission and other Borough, State, or County officials as deemed necessary, and shall be approved or disapproved by the Borough Council in accordance with the procedures specified in this article and in other sections of this Ordinance.
2. For all subdivisions, except those exempted from standard procedures, a sketch plan, preliminary plan, and a final plan must be submitted. Those subdivisions exempted from this procedure and the procedures to follow in the case of exempted subdivisions are to be found in Section 306 of this Ordinance.

Section 302 Sketch Plan

1. A Sketch Plan for any proposed subdivision of land located within the Borough may be submitted to the Borough Planning Commission for review. Sketch plans for minor subdivisions shall comply with the requirements of Section 401.
2. Sketch plans are submitted as a basis for informal discussion between the Borough Planning Commission and the Subdivider and submission of a sketch plan shall not constitute official submission of a plan except in the case of minor subdivisions.
3. Submission. The Subdivider shall submit six (6) black-on-white prints on paper of the sketch plan to the Borough Secretary. The Borough Secretary will distribute the copies as follows
 - A. Two (2) copies to the Secretary of the Borough Planning Commission.
 - B. Two (2) copies to the County Planning Commission.
 - C. One (1) copy to the Borough Engineer.
 - D. One (1) copy retained for the permanent files and use of the Borough Council.
4. Review. After a sketch plan has been submitted, the plan shall be reviewed by the Borough Planning Commission at the Commission's next regularly scheduled meeting, provided that:
 - A. The sketch plan shall be submitted no less than fourteen (14) calendar days prior to the scheduled meeting. If the plan is not submitted at least fourteen (14) days prior to the next regularly scheduled meeting, the Planning Commission may decline to review the plan at the next regularly scheduled meeting and review the plan at the following regularly

scheduled or a special meeting, subject to time limitations of Act 247, as amended.

- B. A written report of the Berks County Planning Commission regarding the sketch plan has been received by the Borough Planning Commission prior to the scheduled meeting. If such a report has not been received, the Borough Planning Commission may decline to review the plan at its next regularly scheduled meeting and review the plan at the following regularly scheduled meeting or at a special meeting. If no report is received from the County Planning Commission within thirty (30) days after it received a request to review the sketch plan, the Borough Planning Commission should proceed to take official action on the Plan in question.
5. At a regular or special meeting the Borough Planning Commission shall review the sketch plan to determine its conformance to the requirements of this Ordinance and suggest any modifications of the plan which are deemed advisable and necessary to secure conformance to the applicable regulations of this Ordinance.

Section 303 Preliminary Plan

1. Submission. Preliminary Plans and required supplementary data for all proposed subdivisions, except minor subdivisions, shall be submitted by the Subdivider or his agent to the Borough Secretary. Such submission shall occur no less than fourteen (14) days prior to a regularly scheduled meeting of the Borough Planning Commission. The Borough Secretary shall not accept a Plan from the Subdivider or his agent if the Plan is not submitted in compliance with this provision.
- A. All applications for approval of a plan shall be acted upon and the decision communicated to the applicant by the Borough not later than 90 days following the date of the regular meeting of the governing body or the planning agency (whichever first reviews the application) next following the date the application is filed, or after a final order of the court remanding an application, provided that should the said next regular meeting occur more than 30 days following the filing of the application, or the final order of the court, the said 90-day period shall be measured from the 30th day following the day the application has been filed.
 - B. The application for review of the Preliminary Plan shall not be considered as officially accepted for review, nor officially submitted to the Borough until the date that the Borough Engineer notes it's compliance with the submission requirements.
 - C. The Borough Engineer shall determine whether all the requirements of Section 303.2 (Official Submission of Preliminary Plan) and Section 402 (Preliminary Plan Requirements) are met. If the requirements of these two

(2) Sections are not met the Borough Engineer may indicate in writing to the Subdivider or his agent that the Plan shall be resubmitted to comply with the requirements of Section 303.2 and Section 402. The Borough Engineer shall indicate in what ways the Plan did not comply with the requirements of these Sections.

D. A Preliminary Plan Receipt or a letter indicating the Borough's refusal to review a plan shall be sent to the Subdivider or his agent after the Borough Secretary has received a Plan from the Subdivider or his agent and before the first regularly scheduled meeting of the Borough Planning Commission held after the Borough Secretary has received a Plan.

2. Official submission of a Preliminary Plan shall be comprised of:

A. Submission of five (5) completed copies of Application for Review of Preliminary Subdivision Plan.

B. Submission of twelve (12) black-on-white prints on paper of the Preliminary Plan. If a subdivision is located in or is adjacent to another municipality, one additional print shall be submitted for each additional municipality involved.

C. Five (5) copies of all other information and plans which are required.

D. Payment of the filing fee, which shall be charged in order to cover the cost of reviewing the subdivision plan.

E. An affidavit that the applicant is the owner or equitable owner of the land proposed to be subdivided.

3. Distribution. The Borough Secretary shall distribute submitted information as follows:

A. To the County Planning Commission:

1.) Two (2) prints of the preliminary plan plus one (1) additional print of the Preliminary Plan in each of the following circumstances:

a. Whenever the property being subdivided abuts a state legislative route.

b. Whenever a proposed subdivision is located in or adjacent to more than one municipality, in which case one additional print shall be submitted for each additional municipality involved.

2.) One (1) copy of Application for Review of Preliminary Subdivision Plan.

3.) One (1) copy of all other required information and plans.

B. To the Borough Planning Commission:

1.) Two (2) copies of the plan.

2.) One (1) copy of Application for Review of Preliminary Subdivision Plan.

3.) One (1) copy of all other required information and plans.

C. To the Borough Engineer:

1.) One (1) copy of the Plan.

2.) One (1) copy of Application for Review of Preliminary Subdivision Plan.

3.) One (1) copy of all other required information and plans.

D. To the Borough Zoning Officer:

1.) One (1) copy of the Plan.

E. To the President of the Borough Council:

1.) Two (2) copies of the Plan.

2.) One (1) copy of Application for Review of Preliminary Subdivision Plan.

3.) One (1) copy of all other required information and plans.

F. To be retained by the Borough Secretary:

1.) One (1) copy of the Plan.

2.) One (1) copy of Application for Review of Preliminary Subdivision Plan.

3.) One (1) copy of all other required information and plans.

4. Review. When a Preliminary Plan has been officially accepted for review by the Borough it shall be reviewed by the Borough Planning Commission at its next regularly scheduled meeting, provided that the written report of the County

Planning Commission regarding the Plan in question has been received prior to that regularly scheduled meeting and the Borough Planning Commission determines that it will be able to adequately study the Preliminary Plan before the regularly scheduled meeting.

- A. If the Borough Planning Commission has not received such written report from the County Planning Commission, the Borough Planning Commission may decline to review the Plan at its regularly scheduled meeting and review the Plan at a special meeting or at another regularly scheduled meeting.
- B. No official action should be taken by the Borough Planning Commission with respect to a Preliminary Plan until the Commission has received written reports regarding the Plan in question from the County Planning Commission and, where applicable, the Pennsylvania Department of Environmental Resources, the Pennsylvania Department of Transportation and the Berks County Conservation District. If no report is received from the County Planning Commission within thirty days after it received a request to review the Preliminary Plan, the Borough Planning Commission should proceed to take official action on the Plan in question.
- C. At a regularly scheduled or special meeting the Borough Planning Commission shall review the Preliminary Plan to determine its conformance to the standards contained in these regulations and shall recommend such changes and modifications as it shall deem necessary or advisable to assure compliance with this Ordinance.
- D. The Borough Engineer and the Borough Zoning Officer shall review each plan to ascertain whether the Plan meets the requirements of this Ordinance and if the Plan does not meet these requirements, recommend what modifications in the Plan are required to secure compliance with the requirements of this Ordinance.
- E. When reviewing a Plan at a regularly scheduled or special meeting the Borough Planning Commission should consider, in addition to its own comments, written reports regarding the subdivision in question from the following:
 - 1.) The Borough Engineer.
 - 2.) The Borough Zoning Officer.
 - 3.) The County Planning Commission.
 - 4.) When the property being subdivided abuts a State Legislative Route or when preliminary highway design would affect the property, the report of the Pennsylvania Department of Transportation on the effect of the proposed subdivision on existing or proposed State Highway facilities.

- 5.) Whenever sediment controls may be needed the report of the Berks County Conservation District.
- F. The Borough Planning Commission shall notify the following of any action taken by the Borough Planning Commission in accordance with the requirements of the Municipal Planning Code:
- 1.) The Borough Secretary.
 - 2.) The President of the Borough Council.
 - 3.) The Borough Engineer.
 - 4.) The Borough Zoning Officer.
 - 5.) The County Planning Commission.
 - 6.) The Subdivider or his agent.
5. Report to Borough Council
- A. If all the requirements of this Ordinance are met and the review of the plan is favorable, the Chairman of the Borough Planning Commission shall note such fact on one copy of the Preliminary Plan and one copy of all supporting data and forward these to the Borough Council together with a recommendation for approval of the Plan.
 - B. If the review of the Borough Planning Commission is unfavorable because the requirements of this Ordinance have not been met or because the Commission deems modifications of the Plan as submitted desirable or necessary, the recommended modifications in the Plan and/or the specific provisions of this Ordinance which have not been met shall be noted on one copy of the Preliminary Plan and one copy of all supporting data and these shall be forwarded to the Borough Council together with a recommendation that the Plan not be approved.
6. Review by Borough Council. When a Preliminary Plan has been submitted to the Borough Council by the Borough Planning Commission, the Plan shall be reviewed at a regularly scheduled meeting of the Council or at a special meeting.
- A. At a regularly scheduled or special meeting the Borough Council shall review the Preliminary Plan and the written reports of the Borough Planning Commission, the Borough Engineer, the Borough Zoning Officer, and all other reports which may have been received from County and State agencies. The Borough Council shall either approve or disapprove the Plan. No official action shall be taken by the Borough Council with respect to a Preliminary Plan until the Borough has received the written report of the County Planning Commission, the Pennsylvania Department of Transportation, and the Berks

County Conservation District, provided that such reports are received within thirty days after the County Planning Commission received a request to review the Preliminary Plan. Failure of the County Planning Commission to act within thirty days shall constitute approval of the Plan as submitted and the Borough Council may officially act on the basis of such approval. Within five (5) days after the meeting at which the Plan is reviewed, the Borough Secretary shall notify in writing the following of the action taken by the Borough Council regarding the Preliminary Plan:

- 1.) Borough Planning Commission.
- 2.) Borough Engineer.
- 3.) Borough Zoning Officer.
- 4.) County Planning Commission.
- 5.) Subdivider or his agent.

B. The Borough Council shall within ninety (90) days after the date the Borough accepted a Preliminary Plan for review notify the Subdivider or his agent of the action taken by the Council.

- 1.) If a special meeting of the Borough Council prior to a regularly scheduled meeting is required in order to comply with the requirements of Section 303.6.B, such a special meeting shall be scheduled.
- 2.) Before acting on a Preliminary Plan, the Council may arrange for a public hearing on the Plan, giving public notice as defined in Act 247 of 1968, the Pennsylvania Municipalities Planning Code.

C. The action of the Council may be favorable, approving the Plan, or unfavorable, disapproving the application of which the Plan forms a part. The findings and reasons upon which the Council's action is based shall be given in writing to the individuals and groups listed in Section 303.6.A and stated in the minutes of the meeting at which the Council reviews the Plan. When the Plan as submitted is not approved, the report shall specify the requirements of this Ordinance which have not been met and recommend changes which should be made in the Plan to secure approval.

D. The approval of a Preliminary Plan does not authorize the recording of the Subdivision Plan nor the sale or transfer of lots.

E. When a Preliminary Plan has been approved no subsequent change in the zoning, subdivision, or other governing ordinance or plan 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 five (5) years from the date of such approval. The terms of such approval shall be construed in light of the provisions of the governing ordinances or plans as they stood at the time approval was given.

- F. Approval Stipulations. The approval of a Preliminary, Plan shall assure a Subdivider that:
- 1.) The general layout of streets, lots and other features shown on the Preliminary Plan is approved and shall be the basis for the preparation of final detailed improvement plans and the Final Plan, provided that the Final Plan is submitted within one (1) year of the date of the approval of the Preliminary Plan or submitted within an extended period of time if such an extension is approved by the Borough Council.
 - 2.) The general terms and any special conditions under which the approval of the Preliminary Plan was granted will not be changed. The Subdivider should note that a Final Plan not submitted within one year of the date of approval of a Preliminary Plan, or within an extended period of time if such an extension is granted by the Borough Council, may be considered a new Preliminary Plan.

Section 304 Final Plan

1. Submission. Within twelve (12) months after approval of the Preliminary Plan, a Final Plan with all necessary supplementary data shall be submitted to the Borough Secretary. An extension of time may be granted by the Borough Council upon written request, provided that the extension of time shall not exceed one year. Failure to meet this time limitation may result in a determination by the Commission that it will consider any plan submitted after twelve (12) months as a new Preliminary Plan.
 - A. Final Plans and required supplementary data for all proposed subdivisions, except minor subdivisions, shall be submitted in person by the subdivider or his agent to the Borough Secretary. Such submission shall occur no less than fourteen (14) days prior to a regularly scheduled meeting of the Borough Planning Commission.
 - B. All applications for approval of a plan shall be acted upon and the decision communicated to the applicant by the Borough not later than 90 days following the date of the regular meeting of the governing body or the planning agency (whichever first reviews the application) next following the date the application is filed, or after a final order of the court remanding an application, provided that should the said next regular meeting occur more than 30 days following the filing of the application, or the final order of the court, the said 90-day period shall be measured from the 30th day following the day the application has been filed.

- C. The application for review of the Final Plan shall not be considered as officially accepted for review, nor officially submitted to the Borough until the date that the Borough Engineer notes it's compliance with the submission requirements.
 - D. A Final Plan Receipt or a letter indicating the Borough's refusal to review a Plan shall be sent to the Subdivider or his agent after the Borough Secretary has received a Plan from the Subdivider or his agent and before the first regularly scheduled meeting of the Borough Planning Commission held after the Borough Secretary received a Plan.
2. Official submission of a Final Plan to the Borough shall be comprised of:
- A. Submission of six (6) completed Application for Review of Final Subdivision Plan.
 - B. Submission of fifteen (15) black-on-white prints on paper of the Final Plan, which shall fully comply with Section 403 of these regulations.
 - C. Whenever a proposed subdivision is located in or adjacent to more than one municipality one additional print shall be submitted for each additional municipality involved.
 - D. Submission of five (5) copies of all other supplementary data and plans as outlined in Section 403.
 - E. Submission of six (6) copies of all written agreements, including but not limited to, Home Owners Association Declarations or Bylaws, Condominium Declarations or Bylaws, Stormwater Agreements, Easements, etc.
 - F. Any additional fees, if required, to cover the cost of reviewing the subdivision plan.
3. The Borough Planning Commission may permit submission of the Final Plan in Sections, each section covering a reasonable portion of the entire proposed subdivision as shown on the approved Preliminary Plan.
4. The Final Plan shall conform in all important respects to the approved Preliminary Plan and shall incorporate all modifications required by the Borough Council in their approval of the Preliminary Plan. Failure to comply with past reviews shall constitute grounds for the Planning Commission to refuse to accept the Plan for review. The Commission may accept a Final Plan modified to reflect any substantial changes on the site of the proposed subdivision or in its surroundings which occurred after the Preliminary Plan review. If substantial changes on the site do occur, the Borough Council shall determine whether a modified Final Plan will be accepted or whether a new Preliminary Plan shall be submitted.

5. Distribution. Distribution of Final Plans and supporting data submitted to the Borough Secretary shall be made as follows:

A. To the County Planning Commission, if the Borough Planning Commission determines that the County Planning Commission should be asked to review the Final Plan

- 1.) One (1) copy of Application for Review of Final Subdivision Plan.
- 2.) One (1) copy of all required supplementary data and plans.
- 3.) One (1) copy of all written agreements.
- 4.) Two (2) copies of the Plan.
- 5.) When the property being subdivided is in or adjacent to more than one municipality, one additional copy of the Plan for each additional municipality involved.
- 6.) When the property being subdivided abuts a State Legislative Route, one additional copy of the Plan.

B. To the Borough Engineer:

- 1.) One (1) copy of Application for Review of Final Subdivision Plan.
- 2.) One (1) copy of the Plan.
- 3.) One (1) copy of all supplementary data and plans.
- 4.) One (1) copy of all written agreements.

C. To the Borough Zoning Officer:

- 1.) One (1) copy of the Plan.

D. To the Borough Solicitor:

- 1.) One (1) copy of the Application for Review of Final Subdivision Plan.
- 2.) One (1) copy of the Plan.
- 3.) One (1) copy of all written agreements.

E. To the Borough Planning Commission:

- 1.) One (1) copy of Application for Review of Final Subdivision Plan.

- 2.) Two (2) copies of the Plan.
- 3.) One (1) copy of all supplementary data and plans.
- 4.) One (1) copy of all written agreements.

F. To the President of Borough Council:

- 1.) One (1) copy of Application for Review of Final Subdivision Plan.
- 2.) Six (6) copies of the Plan.
- 3.) One (1) copy of all supplementary data and plans.
- 4.) One (1) copy of all written agreements.

G. To be retained by the Borough Secretary:

- 1.) One (1) copy of Application for Review of Final Subdivision Plan.
- 2.) One (1) copy of all supplementary data and plans.
- 3.) One (1) copy of the Plan.
- 4.) One (1) copy of all written agreements.

6. Review of Final Plan. When a Final Plan has been officially accepted for review by the Borough, it may be reviewed by the Planning Commission at its next regularly scheduled meeting, provided that if the County Planning Commission has been asked to review the Final Plan the written report of the County Planning Commission regarding the Plan in question has been received prior to that regularly scheduled meeting and that the Borough Planning Commission determines that it will be able to adequately study the Final Plan before the regularly scheduled meeting.

A. If the Borough Planning Commission has requested and not received such a written report from the County Planning Commission, the Borough Planning Commission may decline to review the Plan at its regularly scheduled meeting and review the Plan at a special meeting or at another regularly scheduled meeting.

B. At the meeting at which the Final Plan is reviewed the Borough Planning Commission shall review the Plan to determine its conformance with the requirements of this Ordinance. At this meeting written reports regarding the subdivision in question from the Borough Zoning Officer and the Borough Engineer shall be reviewed. If any reports regarding the subdivision in question from the County Planning Commission or other County or State

agencies have been received prior to the meeting, these reports shall also be reviewed at the meeting.

- C. If the County Planning Commission has been asked to review a Final Plan, no official action should be taken by the Borough Planning Commission with respect to a Final Plan until the Commission has received a written report regarding the Plan in question from the County Planning Commission and, where applicable, the Pennsylvania Department of Transportation, provided such reports are received within thirty days after the County Planning Commission received a request to review the Final Plan.
 - D. After the Final Plan is reviewed by the Borough Planning Commission, the Borough Secretary shall notify the applicant in writing of the action taken by the Council in accordance with the Municipal Planning Code requirements.
 - E. If all the requirements of this Ordinance are met and the review is favorable, the Planning Commission shall authorize its Chairman to place on the Plan Reviewed and Approved by the Borough Planning Commission, together with the date of such action, and forward the Plan to the Borough Council.
 - F. If the review of the Borough Planning Commission is not favorable, the Planning Commission shall recommend that the Plan not be approved and explicitly state the reasons for such action. Any modifications in the Plan which the Planning Commission feels should be prerequisites to approval of the Final Plan shall also be noted. Copies of these statements shall be distributed to the persons listed under Section 304.6.E of this Ordinance.
7. Review by Borough Council. When a Final Plan has been submitted to the Borough Council by the Planning Commission, the Plan may be reviewed by the Council at a regularly scheduled meeting or at a special meeting.
- A. At a regularly scheduled or a special meeting the Borough Council may review the Final Plan and any written reports regarding the Plan from the Borough Planning Commission, the County Planning Commission, the Borough Engineer, the Borough Zoning Officer and where applicable, the Pennsylvania Department of Transportation or any other reports which may be required.
 - B. If the County Planning Commission has been asked to review a Final Plan, no official action shall be taken by the Borough Council with respect to a Final Plan until the Borough has received the written report of the County Planning Commission and, where applicable, the Pennsylvania Department of Transportation, provided that such reports are received within thirty (30) days after the County Planning Commission received a request to review the Final Plan. Failure of the County Planning Commission to act within thirty days shall constitute approval of the Plan as submitted and the Borough Council may officially act on the basis of such approval.

- C. Before acting on a Final Plan, the Council may arrange for a public hearing on the Plan, giving public notice as defined in Act 247 of 1968, the Pennsylvania Municipalities Planning Code, as amended.
- D. After the Final Plan is reviewed by the Council, the Borough Secretary shall notify the applicant in writing of the action taken by the Council in accordance with the Municipal Planning Code requirements.
- E. Action by the Council may be favorable, giving preliminary approval to the Final Plan, or the action may be unfavorable, giving disapproval to the application of which the Plan forms a part. The findings and reasons upon which the Council's action is based shall be given in writing to the persons listed under Section 304.7.D and also stated in the minutes of the Borough Council. Any modifications in the Plan required as prerequisites to approval of the Final Plan shall be stated.
- F. The Borough Council shall within ninety (90) days after the date the Borough accepts a Final Plan for review notify the Subdivider or his agent of the action taken by the Council.
- G. A Plan which has been preliminarily approved shall not be recorded until the requirements of Section 306 Recording of Final Plan, have been met.

Section 305 Recording of Final Plan

1. Within thirty (30) days after a Final Plan has received preliminary approval and before a Plan may be recorded and before the issuance of any building permits, the Subdivider shall deliver to the Borough Council a performance guarantee in the form of a corporate bond or other acceptable security in an amount of one hundred twenty (120) percent of the cost of all improvements required by this Ordinance and the Zoning Ordinance and the approved improvement plans and as estimated by the Borough Engineer. The performance guarantee shall guarantee the construction and installation, within one (1) year from the deliverance of the guarantee, of those improvements to be located within that portion of the Final Plan which has been approved by the Borough Council. Upon written application the Council may at their discretion extend the one year period by not more than two (2) additional years by formal resolution.
2. After a Final Plan has received preliminary approval, improvements required by this Ordinance and indicated as being provided by the Subdivider may be installed. Upon written application the Council may by formal resolution reduce the amount of the performance guarantee when the improvements have been completed in part and the completed improvements have been approved by the Borough. If the performance guarantee is reduced, it shall be reduced by the amount which was expended for the completed improvements.
 - A. Remedies to Effect Completion of Improvements. In the event of default under a performance guarantee, the Borough may enforce any security by appropriate legal and equitable remedies. The proceeds of the performance

guarantee received by the Borough may be used to construct and install the improvements. If the cost of the improvements exceeds the amount of the performance guarantee, the Subdivider shall be liable for the amount in excess of the amount which the Borough has expended for such improvements. In the case that the amount of the performance guarantee exceeds the actual cost of improvements made, the Borough shall return the unused sum to the surety or the person who has paid or deposited the performance guarantee.

- B. Release of Performance Guarantee. When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the Borough, in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Borough Engineer. Upon receipt of such notice, the Borough Engineer shall inspect all of the aforesaid improvements. The Borough Engineer shall thereupon, file a report, in writing, with the Borough Council, and shall promptly mail a copy of the same to the developer by certified or registered mail. 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 Borough Engineer, said report shall contain a statement of reasons for such non-approval or rejection. The Borough Council shall notify the developer in writing within the time allotted by the Municipal Planning Code by certified or registered mail of their action. If any portion of the said improvements shall not be approved or shall be rejected by the Borough Council, the developer shall proceed to complete the same and, upon completion, the same procedure of notification, as outlined herein, shall be followed.
3. Within thirty (30) days after preliminary approval of the Final Plan by the Council and before the issuance of any building permit, the Subdivider shall deliver to the Borough Council Secretary a maintenance guarantee in an amount not less than ten percent of the Borough Engineer's estimate of the cost of all improvements required by this Ordinance. The guarantee shall guarantee that the Subdivider shall maintain all such improvements in good condition for a period of Eighteen (18) months after completion of construction and installation of all such improvements. If the maintenance guarantee is not so delivered the preliminary approval of the Final Plan shall expire thirty (30) days after the date of that approval.
 4. After preliminary favorable action by the Borough Council and the Borough Planning Commission and after the completion of the procedures required by these regulations the Council and the Planning Commission shall place their endorsements on the record plan and on as many other copies of the Final Plan as may be desired. The Record Plan of the subdivision which has secured final approval shall be signed by the President of the Borough Council and the Borough Seal shall be affixed to the Plan. No subdivision plan may be legally recorded unless it bears Borough approval indicated by the signature of the President of the Borough Council and the Borough Seal.
 5. The Record Plan shall be a clear and legible plan prepared in accordance with the Recorder of Deeds standards.

6. No subdivision plan may legally be recorded unless it has been endorsed by the County Planning Commission and bears the County Planning Commission stamp "Reviewed". Such endorsement shall be indicated on the Record Plan. As a prerequisite for endorsement the County Planning Commission will require a minimum of two (2) paper prints bearing the Borough Seal and the endorsement by the Borough Planning Commission and the Borough Council. The County Planning Commission will accept additional prints if they are submitted for our "Reviewed" stamp. In addition, the County Planning Commission requires a letter from PennDOT indicating approval of the intersection as proposed prior to plan endorsement and the developer will also be required to obtain a letter from the appropriate utility company indicating that it has received Final Plans for the design of an underground electric system. After the Plan has been given Final approval by the Borough, the Plan shall be submitted to the County Planning Commission for endorsement.
7. The subdivider shall file the Record Plan with the County Recorder of Deeds within ninety (90) days of the date of the meeting at which Borough Council gave approval to the Final Plan. If the subdivider fails to record the Final Plan within such period, the action of the Borough shall be null and void. The subdivider shall provide the Borough with satisfactory evidence that he has filed the Record Plan with the County Recorder of Deeds prior to issuance of any zoning or building permits.
8. The Borough shall receive one (1) reproducible plan on Mylar of the Final Plan as approved.
9. All streets, parks, or other improvements shown on the subdivision plan shall be deemed to be private until such time as the same have been offered for dedication to the Borough and accepted by resolution of the Borough Council. If any improvement is to be dedicated to the Borough, such offer of dedication shall be submitted to the Borough for acceptance prior to the recording of the Final Plan. The acceptance of any improvement shall be by a separate action of the Borough Council.

Section 306 Plans Exempted from Standard Procedures

1. Auction Sale. In the case of the proposed subdivision of land by process of auction sale, the following procedure may be used by the subdivider:
 - A. The Subdivider shall prepare and submit a Preliminary Plan, in accordance with these regulations.
 - B. The Preliminary Plan shall comply with the requirements of Section 402 of this Ordinance and in addition contain the following notation:

"This property is intended to be sold by auction on or about _____, 20___, in whole or in part according to this Plan. Sale of lots at such auction shall be in the form of agreement to purchase, and no actual transfer of ownership or interest in such lots shall proceed until a Final Plan showing such division of property shall have been approved by the Borough

Council, in accordance with its regulations, and recorded in the office of the County Recorder of Deeds.”

- C. The auction sale may then proceed in accordance with the above notation, after which the Subdivider shall prepare and submit a Final Plan in accordance with these regulations.

- 2. Minor Subdivisions. Where the intent of the Subdivider so expressed in writing is to create no more than two (2) parcels, lots, or tracts of land from the original tract and the land fronts on an existing improved Borough or State road, the Borough Planning Commission may require the Subdivider to prepare a Sketch Plan for record. This Plan shall show the simple subdivision accompanied by the required data outlined in Section 401 of this Ordinance. Further subdivisions from a tract recorded under this section will require a review of Plans in accordance with the standard procedures of this Ordinance.

- 3. Resubdivision
 - A. Any replatting or resubdivision of land, including changes to recorded plans, shall be considered a subdivision, and shall comply with these regulations, except that:
 - 1.) Lot lines may be changed from those shown on a recorded plan provided that in making such changes:
 - a. No lot or tract of land shall be created or sold that is smaller than the minimum dimensions required by the Borough Zoning Ordinance, and
 - b. Easements or rights-of-way reserved for drainage shall not be changed, and
 - c. Street locations and block sizes shall not be changed, and
 - d. No lot shall be created which does not abut a street, and
 - e. The character of the area shall be maintained, keeping lot sizes and land uses, dimensions and proportions relatively close to those of contiguous developments.
 - 2.) In every case wherein lot lines are changed as permitted above, at the completion of each section the Subdivider shall:
 - a. Submit to the Borough and County Planning Commissions copies of the Final Plan revised to show such changes. After this submission the Borough Planning Commission will in writing advise the Subdivider and the Borough Secretary if the revised Plan complies with Section 306.3.A.1.

- b. When the Plan does comply with Section 306.3.A.1, the Subdivider shall submit the Record Plan to the Borough for the endorsements of the Borough Planning Commission and the Borough Council. The Subdivider shall also submit the Record Plan to the County Planning Commission for its endorsement (which shall specifically identify the previous Record Plan thus superseded) and then record the Plan if endorsement is secured.
- c. The Record Plan shall be a clear and legible black-on-white print on paper.

ARTICLE IV PLAN REQUIREMENTS

Section 401 Sketch Plans

1. The scale and sheet size of the sketch plan shall be as required in Section 402.1 for preliminary plans. The sketch plan shall contain at least the following data, legibly drawn to scale.
 - A. Name and address of the subdivider and record owner.
 - B. Name of the subdivision or land development, the date of the plans and plan status.
 - C. Tract boundaries, accurately labeled and a statement of the total acreage of the tract.
 - D. North point and graphic and written scales.
 - E. The name of the person or firm responsible for the design of the subdivision or land development.
 - F. The names of owners of adjoining properties and the names of adjoining subdivisions and land developments.
 - G. A key map for the purpose of locating the property being subdivided, drawn to a scale of one inch (1") equals eight hundred feet (800') and showing the relation of the property, differentiated by tone or pattern, to adjoining property and to all streets, roads and municipal boundaries within one thousand feet (1,000') of the proposed subdivision.
 - H. Significant topographical and physical features (i.e., water bodies, quarries, floodplains, tree masses, railroad tracks, existing buildings, existing water supply and sewage disposal systems, etc.) on the tract.
 - I. Proposed general street and lot layout. When apartments and/or townhouses are proposed, the general building, street, recreation and parking layout shall be shown. When commercial or industrial buildings are proposed, the general building, street, parking and loading layout shall be shown. Proposed street cartway and right-of-way widths shall be indicated.
 - J. A statement telling what methods of water supply and sewage disposal will be used.
 - K. A statement telling the proposed use of each lot, parcel and building indicated on the plan and approximate lot sizes.
 - L. Soils types throughout the tract.

- M. Name of municipality subdivision is located in.
 - N. Where a sketch plan shows the proposed subdivision of only a part of the subdivider's total property, the plan shall be accompanied by a plan of the proposed street system for the remainder of the property so that the street system in the submitted portion can be considered in relation to future connections with the unsubmitted portion. In the case of extremely large properties, the Borough Planning Commission may delimit the area for which a prospective street system on adjacent property must be shown. The subdivider shall also include a statement indicating proposed future land use for the unsubmitted portion of his property
 - O. Contour lines at intervals of no more than 10 feet taken from U.S.G.S. maps, aerial survey or field survey with source of datum.
 - P. Existing rights-of-ways, easements and utilities on or adjacent to the tract.
 - Q. Zoning district lines within the property and zoning district designations and area, yard and height requirements applicable to the property.
2. In the case of a sketch plan for record, the following additional information shall be shown:
- A. A signed and notarized Certification of Ownership and Acknowledgment of Plan.
 - B. Submission of one (1) completed Application for Review of Minor Subdivision Plan.
 - C. Certificates for approval by the Borough Planning Commission and Borough Council
 - D. The seal of the surveyor or engineer responsible for the plan.
 - E. Precise bearings and distances for all parcels to be conveyed (which shall be field surveyed).
 - F. Base flood elevations for the Special Flood Hazard Areas.
 - G. Building setback lines and all proposed structures.
 - H. Existing street cartway and right-of-way lines and widths for streets within and adjacent to the tract.
 - I. An erosion and sediment control plan, which shall be reviewed by the County Conservation District and approved by the Borough Council. The Borough may permit, at its discretion, a statement that individual lot purchasers will be responsible for the preparation of erosion and sediment control plans prior to any earthmoving activities.

- J. If the subdivision proposes a new driveway intersection with a state route, a copy of the highway occupancy permit for such intersection. Any conditions listed in a permit shall be noted on the plan. In lieu of a permit for a driveway intersection, the Borough Council may permit the following note to be placed on the plan:
- a. A highway occupancy permit is required pursuant to Section 420 of the Act of June 1, 1945, as amended, known as the "State Highway Law," before a driveway access to a state highway is permitted. Access to the state highway shall only be as authorized by a highway occupancy permit.
 - b. The approval of this subdivision/land development plan shall in no way imply that a state highway permit can be acquired or that this municipality will support, encourage or not oppose the granting of such a permit. It is possible that access to the property from a state highway will not be permitted by the commonwealth and the property therefore cannot be used for the purpose intended by any purchaser. Purchasers are accordingly warned and should govern themselves accordingly, acquiring state and local highway occupancy permits before purchasing any premises.
- K. The source of title to the land.
- L. A blank space measuring 3 ½ inches by 6 inches shall be left, preferably adjacent to the Borough certification, in which the appropriate stamp of the County Planning Commission may be applied.

Section 402 Preliminary Plans

1. The Preliminary Plan shall be clearly and legibly drawn to a scale of one inch (1") equals fifty feet (50') with all dimensions shown in feet and hundredths of a foot except that:
 - A. If the average size of the proposed lots in the subdivision is five (5) acres or larger, the plan may be drawn to a scale of one inch (1") equals one hundred feet (100'), or
 - B. If the subdivision proposes lots with an average frontage of less than fifty feet (50'), the plan may be drawn to a scale of one inch (1") equals twenty feet (20'), or
 - C. If the subdivision contains more than two hundred (200) acres, the plan may be drawn to a scale of one inch (1") equals two hundred feet (200').
2. The original drawing, and all submitted prints thereof, shall be made on sheets either:

- A. Seventeen inches (17") to eighteen inches (18") by twenty two inches (22") to twenty-four inches (24"), or
 - B. Twenty-two inches (22") to twenty-four inches (24") by thirty-four inches (34") to thirty-six inches (36"), or
 - C. Thirty-four inches (34") to thirty-six inches (36") by forty-eight inches (48").
3. If the Preliminary Plan requires more than one (1) sheet, a key diagram showing relative location of the several sections shall be drawn on each sheet.
 4. The Preliminary Plan shall show:
 - A. Name of the proposed subdivision or other identifying title other than the name of the property owner and of the Borough.
 - B. North point, graphic scale, written scale, and date, including the month, day and year that the original drawing was completed, and the month, day and year that the original drawing was revised, for each revision.
 - C. Name, address and seal of registered engineer or surveyor responsible for the plan.
 - D. Name and seal of registered engineer, surveyor or land planner responsible for the subdivision plan, or any part thereof.
 - E. Names of all abutting subdivisions, if any, with the book and page numbers were recorded and the names of the owners of all adjacent unplatted land, if any, and the book and page numbers were recorded.
 - F. A key map for the purpose of locating the property being subdivided, drawn to a scale of one inch (1") equals eight hundred feet (800') and showing the relation of the property, differentiated by tone or pattern, to adjoining property and to all streets, roads and municipal boundaries within one thousand feet (1,000') of the proposed subdivision.
 - G. Total tract boundaries of the property being subdivided, showing bearings, distances, and a statement of total acreage of the property.
 - H. Zoning data, including the following:
 - 1.) Zoning district lines, existing and proposed, shall be provided. A separate print of the plan shall be submitted showing this information. Bulk and use regulations shall be provided.

- I. Contour lines at vertical intervals of no more than two feet (2') for land with average natural slope of four percent (4%) or less and at intervals of no more than five feet (5') for land with average natural slope exceeding four percent (4%).
- J. Location and elevation of the datum to which contour elevations refer; where reasonably practicable, datum used shall be a known, established bench mark.
- K. All existing sewer lines, water lines, fire hydrants, utility transmission lines, culverts, bridges, railroad, water courses, flood plain areas based on a thirty (30) year storm and other significant man-made or natural features within the proposed subdivision and within fifty feet (50') from the boundaries of the proposed subdivision.
- L. All existing buildings or other structures, and the approximate location of all existing tree masses and large individual trees within the proposed subdivision.
- M. All existing streets, including streets of record (recorded but not constructed), on or abutting the tract, including names, right-of-way widths, cartway (pavement) widths and approximate grades.
- N. All existing soils types, soils characteristics for detention and retention pond areas, natural drainage channels, water bodies and courses, tree masses, quarries, rock outcroppings, wetlands, significant specimen trees and other significant natural features within the proposed subdivision or land development.
- O. Special Flood Hazard Areas (SFHAs), also known as the base flood, including delineation of floodway and flood fringe, established by study of FEMA, with base flood elevations for the one-hundred-year storm. For those watercourses for which studies have not been performed by FEMA, calculated one-hundred-year floodplains shall be established by the developer in accordance with Appendix IV of this chapter. When a subdivision or land development contains a floodplain, the elevation of roads, building sites, fills, flood and erosion protection facilities and public utilities included within the floodplain and within 100 feet of the floodplain shall be given. In the case of a proposed revision of a FEMA-mapped floodplain, approval of such revisions from FEMA shall be submitted.
- P. All existing easements and rights-of-way and the purposes for which the easements or rights-of-way have been established.
- Q. The full plan of proposed development, including:
 - 1.) For all proposed streets, their location, suggested name, right-of-way and cartway widths, a statement of any conditions governing their use

and suggested type. The designation of type is subject to the approval of the Borough. Streets to be dedicated shall be indicated. For streets which will not be dedicated, the arrangements to be made for the ownership and maintenance of those streets shall be given.

- 2.) Location, width and purpose of all easements and right-of-ways, including letters of approval from the appropriate utility.
 - 3.) Suggested street names and all public utility and private easement locations.
 - 4.) Building reserve (setback) lines along each street and the proposed placement of each building.
 - 5.) Lot lines, with approximate dimensions, lot numbers, a statement of the total number of lots and parcels and approximate lot areas.
 - 6.) A statement of the intended use of all nonresidential lots and parcels.
 - 7.) The location of all common parking areas and access drives to the parking areas, the size and number of parking stalls, width of aisles and access drives and tentative grades of parking areas and access drive. The location, number and dimensions of off-street loading areas shall also be indicated.
 - 8.) Lot numbers and a statement of the total number of lots and parcels.
 - 9.) Water mains and sanitary and/or storm sewer (and other drainage facilities) with the size and material of each indicated and any proposed connections with existing facilities.
 - 10.) Parks, playgrounds, and other areas to be dedicated to the Borough shall be noted. Areas to be reserved for public use, but not to be dedicated shall be noted and any conditions governing such use and the arrangements to be made for the maintenance of these areas shall also be noted.
 - 11.) Provisions for pedestrian and other non-vehicular circulation throughout the tract, when provided by means other than sidewalks.
5. The Preliminary Plan shall be accompanied by the following supplementary data as applicable:
- A. Typical street cross-section drawing(s) for all proposed streets. Cross-section drawings may be shown on either the Preliminary Plan or on the profile sheets required by Section 402.5.B or 402.5.C.

- B. Tentative profiles along top of cartway (pavement) edges or along the top of curb for both sides of each proposed street shown on the Preliminary Plan. Such profiles shall show natural and finished grades at one of the following sets of scales or any combination thereof:
- 1.) One inch (1") equals ten feet (10') horizontal and one inch (1") equals one foot (1') vertical, or
 - 2.) One inch (1") equals twenty feet (20') horizontal and one inch (1") equals two feet (2') vertical, or
 - 3.) One inch (1") equals forty feet (40') horizontal and one inch (1") equals four feet (4') vertical, or
 - 4.) One inch (1") equals fifty feet (50') horizontal and one inch (1") equals five feet (5') vertical.
- C. In lieu of the separate profile sheets required by Section 402.5.B above, the tentative finished cartway (pavement) edge or top of curb grades for both sides of each street may be labeled on the Preliminary Plan.
- D. Where deemed necessary by the Borough Engineer or the Borough Planning Commission, a plan for the surface drainage of the tract to be subdivided. Such plan shall include storm water run-off calculations for the entire property being subdivided and all property at a higher elevation in the same watershed when fully developed and shall show the proposed method of accommodating the anticipated run-off.
- E. Preliminary designs of any bridges or culverts which may be required. Such designs shall meet all applicable requirements of the Water and Power Resources Board and/or the Pennsylvania Department of Transportation.
- F. In the case of land development plans, a landscaping plan showing the proposed type, size and location of trees, shrubs and other plantings, lighting plan and the location of refuse collection areas shall be shown. A table showing extent of compliance with the area, yard and height regulations of the Borough Zoning Ordinance shall be provided.
- G. Where a preliminary plan shows the proposed subdivision of only a part of the subdivider's total property, the plan shall be accompanied by a plan of the proposed street system for the remainder of the property so that the street system in the submitted portion can be considered in relation to future connections with the unsubmitted portion. In the case of extremely large properties, the Borough Planning Commission may delimit the area for which a prospective street system on adjacent property needs to be shown. The subdivider shall also include a statement indicating the proposed future land use for the unsubmitted portion of his property.

- H. The location and types of erosion and sediment control measures as outlined in Section 508.5.
- I. Where the subdivider propose to locate a street or other improvement within a portion of a utility right-of-way, a letter from the appropriate utility company giving permission to located within the right-of-way.
- J. A plan for the preservation of existing natural features of the site or a narrative statement indicating how such features will be preserved.
- K. Sight distance calculations for vertical curves in streets:
 - 1.) Horizontal curve radii of cartway and right-of-way lines at street intersections. The proposed cartway tie-in to existing street cartways shall be indicated.
 - 2.) On the subdivision plan or a plan view drawings of streets, station numbers corresponding to the street profile
 - 3.) Guide rail locations and construction details
 - 4.) Clear sight triangles at street intersection
 - 5.) A typical treatment of the construction of driveways and the handling of storm drainage where driveways will interest streets. The Borough may require driveway culverts to be sized and such size noted on the plan.
 - 6.) Proposed location and type of traffic control devices
- L. Areas of 10% to 15% slopes, 15% to 25% slopes and areas of over 25% slope.
- M. The applicant shall identify on-site properties, sites or structures listed on or eligible for listing on the National register of Historic Places, the Pennsylvania Register of Historic Places and/or the Berks County Register of Historical Places. Applicant shall also identify such other properties and structures as may be of local historic significance by means of a field survey by the Berks County Conservancy, Historic Preservation Trust of Berks County or such other individual or organization of equivalent expertise. Properties or structures that are identifiable links to past ownership, such as markers or cemeteries, shall be identified. The applicant shall describe the ways in which the applicant intends to preserve, protect and maintain such historic properties or structures and other man-made resources.
- N. In the case of subdivision or land development plans proposed to be submitted in stages at final plan, a drawing delineating the proposed stages and indicating the order of submittal and schedule of submittal of the stages.

Staging of sanitary sewer, water and storm drainage facilities and the location of any temporary street turnarounds shall also be indicated.

- O. Schematic architectural drawings of proposed townhouses, apartment buildings and commercial and industrial buildings, including building orientation
- P. Proposed driveway locations and evidence that the standard for driveways established in Section 504.4 can be met.
- Q. The location of all trees and/or woodlands to be removed or otherwise affected by this development along with the location of trees and/or woodlands to remain.
- R. Proposal for fire protection, which shall be reviewed by the Borough Fire Marshal.

Section 403 Final Plans

1. The Final Plan shall be clearly and legibly drawn to a scale of one inch (1") equals fifty feet (50') with dimensions shown in feet or hundredths of a foot; except that:
 - A. If the average size of the proposed lots in the subdivision is five (5) acres or larger, the plan may be drawn to a scale of one inch (1") equals one hundred feet (100') or
 - B. If the subdivision proposes lots with an average frontage of less than fifty feet (50'), the plan may be drawn to a scale of one inch (1") equals twenty feet (20').
2. The original drawing, and all submitted prints thereof, shall be made on sheets either:
 - A. Seventeen inches (17") to eighteen inches (18") by twenty two (2) inches (22") to twenty-four inches (24"), or
 - B. Twenty-two inches (22") to twenty-four inches (24") by thirty-four inches (34") to thirty-six inches (36"), or
 - C. Thirty-four inches (34") to thirty-six inches (36") by forty-eight inches (48").
3. If the Final Plan requires more than one sheet, a key diagram showing the relative location of the several sections shall be drawn on each sheet.
4. The Final Plan shall show:
 - A. Name of proposed subdivision or other identifying title, and of the Borough.

- B. North point, graphic scale, written scale, and date, including the month, day and year that the original drawing of the Final Plan was completed and the month, day and year that the original drawing was revised, for each revision.
- C. Name of the record owner (and subdivider) of the tract, and the source(s) of title to the land being subdivided, as shown by the records of the County Recorder of Deeds.
- D. The name, address and seal of the registered professional engineer or surveyor responsible for the plan.
- E. The names of all abutting subdivisions, if any, with the book and page numbers were recorded, and the names of the owners of all adjacent unplatted land, if any, and the book and page number where recorded.
- F. A key map for the purpose of locating the property being subdivided, drawn to a scale of one inch (1") equals eight hundred feet (800') and showing the relation of the property) differentiated by tone or pattern, to adjoining property and to all streets, roads and municipal boundaries within one thousand feet (1,000') of the proposed subdivision. In addition, a scale and north point shall be indicated.
- G. The total tract boundary lines of the area being subdivided with accurate distances to hundredths of a foot and bearings to one quarter (1/4) of a minute. These boundaries shall be determined by accurate survey in the field which shall be balanced and closed with an error of closure not to exceed one foot (1') in ten thousand feet (10,000'); provided, however, that the boundary(s) adjoining additional unplatted land of the subdivided (example, between separately-submitted Final Plan sections) are not required to be based upon field survey, and may be calculated. The location and elevation, if established, of all boundary line (perimeter) monuments shall be indicated, along with a statement of the total area of the property being subdivided,
- H. Zoning data, including all of the following:
 - 1.) Zoning district lines, existing and proposed shall be provided. A separate print of the plan shall be submitted showing this information. Bulk and use regulations shall be provided.
- I. The location, name (and/or number) and right-of-way, cartway and ultimate right-of-way widths and lines of all roads within the subdivision or land development.
 - 1.) Center-line radii of horizontal curves, intended ownership and a statement of any conditions governing the use of streets shall be indicated.

- 2.) Streets to be dedicated shall be indicated. For streets which will not be dedicated, the arrangements to be made for the ownership and maintenance of those streets shall be given
 - 3.) The applicant shall submit letters from the Borough, the postmaster of the area and the Berks County Department of Emergency Services, 911 Coordinator having jurisdiction in the area in which the subdivision or land development is located, stating that the proposed street names are acceptable.
- J. The name (or number) and cartway and right-of-way widths and lines of all existing public streets and the name and location of all other roads within the property.
- K. The following data for the cartway edges (curb lines) and right-of-way lines of all recorded (except those which are to be vacated) and/or proposed streets and for the right-of-way lines of all existing streets within the property.
- 1.) The length - in feet to the second decimal point of all straight lines and any two (2) functions of a chord of all curved lines, and
 - 2.) The width (in feet) of the cartway, right-of-way and, if required, of the ultimate right-of-way, and (in degrees, minutes and seconds) of the delta angle of all curved lines, including curved lot lines.
- L. All lot lines shall be completely dimensioned in feet to the second decimal point, if straight, and if curved, with central angle in degrees, minutes and seconds and length of arc and radius. All angles of each lot shall be shown in degrees, minutes and seconds. Each lot shall be balanced to an accuracy of 1:10,000. All internal angles within the lots shall be designated to the closest second.
- M. Lot numbers (numbered consecutively) and a statement of the total number of lots (and parcels). In single family or townhouse development list the lot size in square feet for the smallest lot.
- N. Location, size and proposed use and design of all parks, playgrounds, landscaped areas, recreation areas, public buildings and other public uses. Areas to be dedicated to the borough shall be noted. Areas not to be dedicated shall be noted, conditions governing such areas shall be listed and the arrangements to be made for the ownership, administration and maintenance for these areas shall be given, including applicable agreements and deed restrictions. A note indicating the Borough is not responsible for construction or maintenance of any area, park improvement, plantings, street or alley not dedicated for public use shall be placed on the plan. Bearings and distances and areas shall be provided for existing public lands; property

to be dedicated or reserved for public, semipublic or community use, including streets; and areas to which title is reserved by the landowner.

- O. A statement of the intended use of all non-residential lots, with reference to restrictions of any type which exist or will exist as covenants in the deed for the lots contained in the subdivision and, if recorded including the book and page number of the County Deed Book.
- P. The proposed building reserve (setback) line for each lot, or the proposed placement of each building in other than single family lot developments, in accordance with Zoning Ordinance requirements.
- Q. Clear sight triangles as required by section 502.9.
- R. The location (and elevation, if established) of all existing and proposed street monuments as required by Section 602.9.
- S. All easements or rights-of-way where provided for or owned by public services and any limitations on such easements or rights-of-way. Rights-of-way shall be shown and accurately identified on the plan, and easements shall either be shown or specifically described on the plan. Easements should be located in cooperation with the appropriate public utilities.
- T. Location, size and invert elevation of all sanitary, and/or storm sewers and location of all manholes, inlets and culverts (this data may be submitted as a separate plan). All manholes, inlets and culverts shall be separately numbered in consecutive order. The location and size of all water mains shall also be shown.
- U. Provisions for pedestrian and other non-vehicular circulation throughout the tract, when provided by means other than sidewalks.
- V. The location of all common parking areas and access drives to the parking areas, the size number of parking stalls, the width of aisles and access drives and proposed grades of parking areas and access drives. Location, number and dimensions of off-street loading areas shall be indicated.
- W. If the subdivision proposes a new street intersection with a state legislative route, the intersection Occupancy Permit number(s) shall be indicated for all such intersections. A letter from the Pennsylvania Department of Transportation approving the proposed intersection is required.
- X. A certificate of ownership, acknowledgement of plan and offer of dedication shall be lettered on the plan, using the form specified in Appendix I and shall be duly acknowledged and signed by the owner(s) of the property before an officer authorized to take acknowledgement of deeds.

- Y. Certificate for approval of the plan by the Borough Council, and, where applicable, by the Borough Planning Commission and the Borough Engineer.
 - Z. A blank space measuring three and one-half inches (3-1/2") by six inches (6") shall be left, preferably adjacent to the Borough certification in which the appropriate stamp of the County Planning Commission may be applied.
 - AA. Special Flood Hazard Areas. Including delineation of floodway and flood fringe, established by study of FEMA, with base flood elevations for the one-hundred-year storm.
 - 1.) When a subdivision or land development contains a floodplain, the elevation of roads, building sites, fills, flood and erosion protection facility and public utilities included within the floodplain and within 100 feet of the floodplain shall be given.
 - 2.) In the case of a proposed revision to a FEMA-mapped floodplain, a letter of approval of such revision from FEMA.
 - BB. In the case of any residential subdivision of five lots or more, a note advising potential purchaser(s) of any lot(s) shown thereon to contact the local utility company regarding costs of underground utilities.
 - CC. Location and elevation of the datum to which elevations refer. Datum used shall be a known, established bench mark.
 - DD. Wetlands shall be delineated by a certified professional and a buffer shall be provided around the wetlands.
5. The Final Plan shall be accompanied by the following supplementary data, where applicable:
- A. Typical street cross-section drawing(s) for all proposed streets. Cross-section drawings may be shown either on the Final Plan or on the profile sheets required by Section 402.5.B.
 - B. Profile sheets for all proposed streets within the tract. Such profiles shall show at least the following information, properly labeled:
 - 1.) Existing (natural) profile along both cartway edges of each street.
 - 2.) Proposed finished grade at the top of both curbs or proposed finished grade at both cartway edges.
 - 3.) The length of all vertical curves.
 - 4.) Existing and proposed sanitary sewer mains and manholes.

- 5.) Existing and proposed storm sewer mains, inlets, manholes, and culverts.
 - 6.) Existing and proposed water mains.
- C. The profile sheets required by Section 403.5.B shall be legibly drawn at one of the following sets of scales or any combination thereof:
- 1.) One inch (1") equals ten feet (10') horizontal and one inch (1") equals one foot (1') vertical, or
 - 2.) One inch (1") equals twenty feet (20') horizontal and one inch (1") equals two feet (2') vertical, or
 - 3.) One inch (1") equals forty feet (40') horizontal and one inch (1") equals four feet (4') vertical, or
 - 4.) One inch (1") equals fifty feet (50') horizontal and one inch (1") equals five feet (5') vertical.
- D. All offers of dedication, and covenants governing the reservation and maintenance of undedicated open space, which shall bear the certificate of approval of the Borough Solicitor as to their legal sufficiency.
- E. Such private deed restrictions, including building setback lines, as may be imposed upon the property as a condition to sale, together with a statement of any restrictions previously imposed which may affect the title to the land being submitted.
- F. Whenever a subdivider proposes to establish a street which is not offered for dedication to public use, the Borough Planning Commission may require the subdivider to submit, and also to record with the plan, a copy of an agreement made with the Borough on behalf of his heirs and assigns, and signed by the Borough Solicitor, and which shall establish the conditions under which the street may later be offered for dedication, and shall stipulate, among other things:
- 1.) That the street shall conform to the Borough specifications or that the owners of the abutting lots shall include with the offer of dedication sufficient money, as estimated by the Borough Engineer, to restore the street to conformance with the Borough specifications.
 - 2.) That an offer to dedicate the street shall be made only for the street as a whole.
 - 3.) That the method of assessing repair costs be as stipulated, and

- 4.) That agreement by the owners of 51% of the front footage thereon shall be binding on the owners of the remaining lots.
 - G. A plan for the surface drainage of the tract, including stormwater runoff calculations and the proposed method of accommodating the anticipated runoff.
 - H. Design of any bridges or culverts. Such designs shall meet all applicable requirements of the Pennsylvania Department of Transportation and the Pennsylvania Department of Environmental Protection. Capacity/loading calculations shall be submitted,
 - I. With a proposal to change or diminish the course, current or cross section of any stream or body of water or to construct or change any water obstruction. Wetlands or streambank, approval and a permit from the Pennsylvania Department of Environmental Protection and/or Army Corps of Engineers when required or applicable.
 - J. A Plan for the preservation of existing natural features on the site or a narrative statement indicating how such features will be preserved.
 - K. The location and types of erosion and sediment control measures as outlined in Section 508.5.
 - L. Sets of final improvement plans and Improvements Agreement.
 - M. With a proposal to change or diminish the course, current or cross section of any stream or body of water, or to construct or change any water obstruction, approval and a permit from the Water and Power Resources Board of the Pennsylvania Department of Environmental Resources. This requirement applies to all lands having a drainage area (basin) exceeding 320 acres.
6. A landscaping plan showing the number, location, size and species of all plant material that will be planted within the subdivision.
 7. The Borough Council may require a Subdivider to submit a separate landscape plan showing the number, location, size and species of all shrubbery that will be planted.
 8. A lighting plan showing the type and height of fixtures, the brightness of fixtures and lighting levels throughout the site.
 9. A final grading plan shall be submitted at the time of final plan submission.
 10. An erosion and sediment control plan for the tract. The Planning Commission must be in written receipt, from the Berks County Conservation District, of the approval of the sediment and erosion control measures for the proposed subdivision. In the event the subdivision has not received the District's approval and the intent of the subdivision

is to create only single-family detached lots along existing roads, the Borough may permit developer to place the following notation on the plans:

“Any and all lots contained within this subdivision are NOT for development of any type until or unless the seller of the lot or purchaser of the lot has submitted and obtained sediment and erosion control measure approval from the Berks County Conversation District. Each individual lot must obtain this approval prior to earth moving activities.”

11. Copies of Planning Module for Land Development as mandated by Pennsylvania Department of Environmental Protection shall accompany the final plan.
12. Provisions for fire protections, which shall be reviewed by the Borough Fire Marshal.
13. Where the developer proposes to locate a street, driveway or other improvement within a portion of a utility right-of-way or to relocate within the right-of-way or relocate the existing line.
14. Schematic architectural drawings of proposed buildings, including building orientation.
15. Provisions for traffic control.
16. Lowest floor elevations for proposed building.
17. A table showing extent of compliance with the area, yard and height regulations of the Borough Zoning Ordinance.
18. Horizontal curve radii of cartway and right-of-way lines at street intersections. The cartway tie-in to existing street cartways shall be indicated.
19. A typical treatment for the construction of driveways and the handling of storm drainage where driveway will interest streets. The Borough may require driveway culverts to be sized and such size noted on the plans.
20. Copies of all approvals required for sanitary sewer and water systems shall be received prior to approval of the final plan, including confirmation that the appropriate agencies can and will serve the proposed development.
21. When the tract contains wetlands, a copy of all required permits or permit waivers from PADEP and/or Army Corps of Engineers.

ARTICLE V - DESIGN STANDARDS

Section 501 Application and General Standards

1. The standards and requirements contained in Articles V and VI are intended as the minimum for the promotion of the public health, safety and general welfare, and shall be applied as such by the Borough Planning Commission and Borough Council in reviewing all subdivision plans.
2. Whenever other Borough regulations impose more restrictive standards and requirements than those contained herein, such other regulations shall prevail; otherwise, the standards and requirements-of these regulations shall apply.
3. The standards and requirements of these regulations may be modified by the Borough Planning Commission if, in the judgment of the Borough Planning Commission, the proposed plan achieves substantially the objectives of these regulations and is further protected by such covenants or other legal provisions as will assure conformity to and achievement of the subdivision plan.
4. Land subject to hazards to life, health, or property, such as may arise from fire, floods, disease, or other causes, shall not be subdivided for building purposes unless such hazards have been eliminated or unless the subdivision plan shall show adequate safeguards against them, which shall be approved by the appropriate regulatory agencies.
5. Subdivision plans shall give due recognition to the Official Plan of the Borough or to parts of the Official Plans which have been adopted pursuant to statute.
6. Land proposed for subdivision shall not be developed or changed by grading, excavating, or by the removal or destruction of the natural topsoil, trees, or other vegetative cover unless adequate provisions for minimizing erosion and sediment are provided under title 25, chapter 102, Rules and Regulations of the Pennsylvania Department of Environmental Resources and Section 508.5 of these regulations.

Section 502 Streets

1. General Standards
 - A. The location and width of all streets shall conform to the Official Plans or to such parts thereof as may have been adopted by the Borough and/or the County.
 - B. The proposed street system shall extend existing or recorded streets at the same width as the existing or recorded streets if these streets meet the standards of Section 502.3. If the existing or recorded streets do not meet the standards of Section 502.3, the proposed street extensions shall meet the standards of Section 502.3.

- C. Where, in the opinion of the Borough Planning Commission, it is desirable to provide for street access to adjoining property, streets shall be extended by dedication to the boundary of such property.
- D. New minor streets shall be so designed as to discourage through traffic, but the subdivider shall give adequate consideration to provision for the extension and continuation of major and collector streets into and from adjoining properties.
- E. Where a subdivision abuts an existing street of improper width or alignment, the Borough Planning Commission may require the dedication of land sufficient to widen the street or correct the alignment.
- F. Private streets (streets not to be offered for dedication) are prohibited, unless they meet the design standards of these regulations for public streets.

2. Partial and Half Streets

- A. New half or partial streets will not be permitted.

3. Street Widths

- A. Minimum street right-of-way and cartway (pavement) widths shall be as shown on the Official Plans or Comprehensive Plan, or if not shown on such plans, shall be as follows:

Street Type	Required Widths (in feet)
Minor Street	
Right-of-Way	50
Cartway	30
Collector Street	
Right-of-Way	60
Cartway	16
Major Street	
Right-of-Way	See Note (a)
Cartway	See Note (b)
Permanent Cul-de-Sac	
Right-of-Way	50
Cartway	30
Marginal Access Street	
Right-of-Way	See Note (b)
Cartway	24

Service Street	
Right-of-Way	34
Cartway	24

NOTES:

(a) As specified in the Official Plans, or Comprehensive Plan, or as determined after consulting with the Borough, the County Planning Commission, and the Pennsylvania Department of Transportation.

(b) Variable, depending on the width of the adjacent right-of-way but not less than 36'.

- B. Additional right-of-way and cartway widths may be required by the Borough Planning Commission for the purpose of promoting the public safety and convenience, or to, provide parking in commercial and industrial areas and in areas of high density residential development.

4. Restriction of Access

- A. Whenever a subdivision abuts or contains an existing or proposed street with an ultimate right-of-way of eighty (80) feet or more, the Borough Planning Commission may require restriction of access to the major street by:

- 1.) Provision of reverse frontage lots, or
- 2.) Provision of service streets along the rear of the abutting lots, together with prohibition of private driveways intersecting the major streets, or
- 3.) Provision of marginal access streets, provided that the reserve strips establishing such marginal access streets shall be definitely placed within the jurisdiction of the Borough under an agreement meeting the approval of the Borough.

- B. Except as specified by Section 502.4.A.3, reserve strips shall be prohibited.

5. Street Grades

- A. There shall be a minimum center line grade of three quarter percent (3/4%).

- B. Center line grades shall not exceed the following:

- 1.) Minor Street: ten (10) percent
- 2.) Collector Street: six (6) percent
- 3.) Major Street: six (6) percent
- 4.) Street Intersection: five (5) percent

- C. Grades up to fifteen (15) percent may be permitted on a minor street where secondary access to the street is possible over streets with grades of ten (10) percent or less.

6. Horizontal Curves

- A. Whenever street lines are deflected in excess of two (2) degrees, connection shall be made by horizontal curves.
- B. To ensure adequate sight distance minimum center line radii for horizontal curves shall be as follows:
 - 1.) Minor Streets: one hundred fifty (150) feet
 - 2.) Collector Streets: three hundred (300) feet
 - 3.) Major Streets: five hundred (500) feet
- C. A tangent of at least one hundred (100) feet shall be introduced between all horizontal curves on collectors and major streets.
- D. To the greatest extent possible, combinations of the minimum radius and maximum grade shall be avoided.

7. Vertical Curves

- A. At all changes in street grades where the algebraic difference in grade exceeds one (1) percent, vertical curves shall be provided to permit the following minimum sight distances:
- B. Minor Streets: two hundred (200) feet
 - 1.) Collector Streets: three hundred (300) feet
 - 2.) Major Streets: four hundred (400) feet

8. Intersections

- A. Streets shall intersect as nearly as possible at right angles, and no street shall intersect another at an angle of less than sixty (60) degrees, or more than one hundred twenty (120) degrees.
- B. No more than two (2) streets shall intersect at the same point.
- C. Streets intersecting another street shall either intersect directly opposite to each other, or shall be separated by at least one hundred fifty (150) feet between center lines, measured along the center line of the street being intersected.

- D. Intersections shall be approached on all sides by a straight leveling area, the grade of which shall not exceed five (5) percent within fifty (50) feet of the intersection of the nearest right-of-way lines.
- E. Intersections with major streets shall be located not less than one thousand (1,000) feet apart, measured from center line to center line, along the center line of the major street.
- F. Street curb intersections shall be rounded by a tangential arc with a minimum radius of:
 - 1.) Twenty (20) feet for intersections involving only minor streets;
 - 2.) Thirty (30) feet for all intersections involving a collector street;
 - 3.) Forty (40) feet for all intersections involving a major street.
- G. Street right-of-way lines shall be parallel to (concentric with) curb arcs at intersections.

9. Sight Distances at Intersections

- A. Clear sight triangles shall be provided at all street intersections. Within such triangles, no vision-obstructing object shall be permitted which obscures vision above the height of thirty (30) inches and below ten (10) feet measured from the center line grade of intersecting streets. Such triangles shall be established from a distance of:
 - 1.) Seventy-five (75) feet from the point of intersection of the center lines, except that,
 - 2.) Clear sight triangles of one hundred and fifty (150) feet shall be provided for all intersections with major streets.
- B. Wherever a portion of the line of such triangles occurs behind (i.e., from the street) the building setback line, such portion shall be shown on the Final Plan of the subdivision and shall be considered a building setback line.

10. Cul-de-sac Streets

- A. Dead-end streets are prohibited unless designed as cul-de-sac streets or designed for future access to adjoining properties
- B. Any street dead-ended for access to an adjoining property or because of authorized stage development shall be provided with a temporary, paved turnaround, within the subdivision, and the use of such turnaround shall be guaranteed to the public until such time as the street is extended.

- C. Cul-de-sac streets, permanently designed as such, shall not exceed five hundred (500) feet in length and shall not furnish access to more than twenty (20) dwelling units.
- D. Unless future extension is clearly impractical or undesirable, the turnaround right-of-way shall be placed adjacent to the tract boundary with sufficient additional width provided along the boundary line to permit extension of the street at full width.
- E. All cul-de-sac streets, whether permanently or temporarily designed as such, shall be provided at the closed end with a fully paved turnaround: minimum radius to the pavement edge or curb line shall be fifty (50) feet, and minimum radius of the right-of-way line shall be sixty (60) feet. The sidewalk area within the right-of-way line should conform to the straightway portion of the street and the curvature of the street.
- F. Drainage of cul-de-sac streets shall preferably be towards the open end. If drainage is toward the closed end, it shall be conducted away in an underground storm sewer.
- G. The center line grade on a cul-de-sac street shall not exceed eight percent (8%) and the grade of the diameter of the turnaround shall not exceed five percent (5%).

11. Street Names

- A. Proposed streets which obviously are in alignment with other streets already existing and named, shall bear the names of the existing streets.
- B. In no case shall the name of a proposed street duplicate an existing street name in the Borough or postal district, irrespective of the use of the suffix: street, road, avenue, boulevard, drive, way, place, court, lane, etc.
- C. All street names shall be subject to the approval of the Borough, the postmaster having jurisdiction, and the Berks County Department of Emergency Services, 911 Coordinator having jurisdiction in the area in which the subdivision or land development is located.

12. Service Streets (Alleys)

- A. Service streets are prohibited in subdivisions for single family detached residences, except where required to avoid direct driveway access to major streets.
- B. Service streets may be permitted in other types of residential development, provided that the subdivider produces evidence satisfactory to the Borough

Planning Commission or Borough Council of the need for such service streets, provided such are not the primary means of access.

- C. Where permitted, service streets in residential developments shall have a minimum paved width of twenty-four (24) feet except that, where service streets serve dwellings on only one side, the Borough Planning Commission may permit a paved surface of not less than twelve (12) feet.
- D. No part of any dwelling garage or other structure shall be located within twenty-two (22) feet of the center line of a service street.
- E. Except where other adequate provisions are made for off street loading and parking consistent with the use proposed, service streets shall be required in commercial and industrial districts and shall have a minimum paved width of twenty-four (24) feet.
- F. Dead-end service streets shall be avoided, but where this proves impossible, dead-end service streets shall be terminated with a paved circular turnaround;
 - 1.) With a minimum radius to the outer pavement edge (curb line) of fifty (50) feet.
- G. Service street intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall be rounded or cut back sufficiently to permit safe vehicular circulation.

Section 503 Blocks

1. Layout

- A. The length, width and shape of blocks shall be determined with due regard to:
 - 1.) Provisions of adequate sites for buildings of the type proposed;
 - 2.) Zoning requirements;
 - 3.) Topography;
 - 4.) Requirements for safe and convenient vehicular and pedestrian circulation, including the reduction of intersections with major streets.

2. Length

- A. Blocks shall have a maximum length of one thousand six hundred (1,600) feet and a minimum length of five hundred (500) feet, provided, however, that the Borough Planning Commission or Borough Council may decrease

the maximum and/or minimum lengths of blocks if in the opinion of either body, the topography of the land in question and/or surface water drainage conditions warrant such a decrease.

- B. In the design of blocks longer than one thousand (1,000) feet, special consideration shall be given to the requirements of satisfactory fire protection.
- C. Where practicable, blocks along major and collector streets shall not be less than one thousand (1,000) feet long.

3. Crosswalks

- A. Crosswalks may be required wherever necessary to facilitate pedestrian circulation and to give access to community facilities. A minimum of one (1) crosswalk is required in blocks of over one thousand (1,000) feet in length.
- B. Such crosswalks shall have a width of not less than ten (10) feet and a paved walk of not less than four (4) feet.
- C. Curb cuts at crosswalks with ramps to the sidewalks should be designed to meet applicable Americans with Disabilities Act requirements.

4. Sidewalks

- A. Sidewalk slope between curb and building line shall be 0.02 feet per foot.
- B. Where curb grades meet at intersection, sidewalk slope may vary between a minimum of 0.005 feet per foot and maximum of 0.04 feet per foot. Change in slope between the curb line and the standard 0.02 feet per foot shall be accomplished in a distance equal to three (3) times the sidewalk width.
- C. Curb cuts at crosswalks with ramps to the sidewalks should be designed to meet applicable Americans with Disabilities Act requirements.

5. Depth

- A. Residential, blocks shall be of sufficient depth to accommodate two (2) tiers of lots, except;
 - 1.) Where reverse-frontage lots are required along a major traffic street, or
 - 2.) Where prevented by the size, topographical conditions or other inherent conditions of property, in which case the Borough Planning Commission may approve a single tier of lots.

6. Commercial and Industrial Blocks

- A. Blocks in commercial and industrial areas may vary from the elements of design detailed above if required by the nature of the use. In all cases, however, adequate provision shall be made for off-street parking and loading areas as well as for traffic circulation and parking for employees and customers.

Section 504 Lots and Parcels

1. General Standards

- A. The size, shape and orientation of lots shall be appropriate for the type of development and use contemplated, and in accordance with the provisions of the Borough Zoning Ordinance.
- B. Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines.
- C. Where feasible, lot lines shall follow municipal boundaries rather than cross them, in order to avoid jurisdictional problems.
- D. Generally, the depth of residential lots shall be not less than one (1) nor more than two and one-half (2-1/2) times their width.
- E. Depth and width of parcels intended for non-residential uses shall be adequate for the use proposed and sufficient to provide satisfactory space for on-site parking, loading and unloading, setbacks, landscaping, etc.
- F. If, after subdividing, there exists remnants of land, they shall be either:
 - 1.) Incorporated in existing or proposed lots, or
 - 2.) Legally dedicated to public use, if acceptable to the Borough.
- G. Where extra width has been dedicated for widening of existing streets, lots shall begin at such extra width line, and all set-backs shall be measured from such line.
- H. Where access to land within a subdivision or land development will be solely by proposed roads within an adjoining municipality, the Borough Council may require assurance from the adjoining municipality that adequate provisions have been made to ensure construction of the proposed access roads.
- I. When the rear wall of a building will face a public street, the Borough Council may require a landscape screen, fence, earth mounding or similar screening device subject to the borough approval between the building and the public street.

2. Lot Frontage

- A. All lots shall have direct access to an existing or proposed public street, or to a private street, if it meets the requirements of these regulations.
- B. Double or reverse frontage lots shall be avoided except where required to provide separation of residential development from major streets or to overcome specific disadvantages of topography or orientation.
- C. All residential reverse frontage lots shall have a rear yard with a minimum depth of seventy-five (75) feet, measured in the shortest distance from the proposed dwelling unit to the ultimate right-of-way and shall, within such rear yard and immediately adjacent to the right-of-way, have a planting screen easement of at least ten (10) feet in width, across which there shall be no right of access.
- D. After consideration of street speeds, traffic volumes, projected traffic generated at a proposed land use and the location and arrangement of existing and proposed driveways and intersections, the Borough Council may require the developer to install at his expense an acceleration or deceleration lane, or both, to serve a proposed driveway or street. If additional street right-of-way is required to construct the acceleration or deceleration lane, the additional right-of-way shall be provided by the developer. When required by the Borough Council, the developer shall furnish a study to the Borough which will provide the information necessary to permit the determination as to whether an acceleration or deceleration land is required.
- E. Subdivision and land developments shall be provided with internal streets to which the lots will have driveway access in order to minimize the number of driveway intersections with existing public streets. This reduction in driveway intersection will lessen interruptions to traffic flow and accident hazards and minimize sedimentation and runoff problems onto existing public streets.

3. Building Reserve (Setback) Lines

- A. All building reserve (setback) lines shall be as required by the Borough Zoning Ordinance or other regulations, and be measured from the ultimate right-of-way line of all abutting streets.
- B. On any lot abutting a railroad, no dwelling shall be placed within seventy-five (75) feet of any portion of the railroad right-of-way line.

4. Driveways and Off-Street Parking

- A. Each off street parking space shall contain a minimum of two hundred (200) square feet. This shall be in addition to adequate aisles for maneuvering and movement of vehicles. The grade of such parking areas shall not exceed five (5) percent.
- B. Each proposed dwelling unit in a subdivision shall be provided with at least two (2) off-street parking spaces per family, or the requirements of the Borough Zoning Ordinance, whichever is stricter.
 - 1.) In the case of single-family or two-family dwelling buildings such off-street parking space(s) shall be provided behind the street right-of-way line and may be as an attached or separate garage(s), carport(s) or driveway(s).
 - 2.) In the case of multiple family dwelling buildings, such off-street parking space may be provided in the form of a parking compound(s) located adjacent to or near the multi-family building, providing at least two (2) off street parking spaces per unit.
- C. Commercial and industrial subdivisions shall meet the off-street parking requirements of the Borough Zoning Ordinance.
- D. Private driveways on corner lots shall be located at least forty (40) feet from the point of intersection of the nearest street curb lines.
- E. In order to provide a safe and convenient means of access, grades on private driveways should not exceed fifteen (15) percent. Driveways shall be paved.
- F. In order to provide safe and convenient ingress and egress, private driveway entrances should be rounded at a minimum radius of three (3) feet, or should have a flare constructed that is equivalent to this radius, at the point of intersection with the cartway edge (curb line). Where necessary a clear sight triangle shall be established in accord with Section 502.9.A.1.

5. Lot Size

- A. The minimum lot size and width requirements are to be found in the Borough Zoning Ordinance.
- B. Lot size shall be determined from the ultimate right-of-way line of adjacent street; lot width to be in accordance with conditions of the Borough Zoning Ordinance.

Section 505 Sanitary Sewage Disposal

- 1. As part of all subdivision and land development plan applications, the applicant shall develop a plan for the collection, conveyance and treatment of wastewater considering the following criteria:

- A. Each property shall connect with the Borough sanitary sewer system.
 - B. The plan for sewage disposal shall be consistent with all pertinent design requirements specified by the Borough, the City of Reading and Pennsylvania Department of Environmental Protection.
 - C. The plan for sewage disposal shall be prepared to consider all pertinent local, regional, state and federal permitting requirements.
2. Unless otherwise permitted by the Borough, all proposed land uses shall be required to connect to the City of Reading's sewage disposal system subject to the following provisions:
- A. The City of Reading shall review all such subdivision or land development plan applications, which shall review the adequacy of the proposed sanitary sewer improvements. The Borough Council shall not approve a proposed subdivision or land development plan until the City of Reading has issued a letter of adequacy for the proposed sanitary sewer improvements.
 - B. All proposed sanitary sewage disposal facilities shall be located, designed, constructed and installed in accordance with the standards and specifications of the City of Reading and Kenhorst Borough Code.
 - C. The applicant shall be responsible for any required off-site sanitary sewage disposal improvements that may be necessary to accommodate the wastewater flow from the development. All such off-site improvements shall be coordinated with the City of Reading.
 - D. When required, the appropriate planning modules or exemption requests shall be submitted to Kenhorst Borough and the Pennsylvania Department of Environmental Protection for review and consideration.

Section 506 Water-Supply

1. As part of all subdivision and land development plan applications, the applicant shall develop a plan for water supply considering the following criteria:
- A. Each property shall connect with the Borough water system.
 - B. The water distribution system shall be designed to furnish an adequate supply of water to each lot, with adequate main sizes and fire hydrants locations to meet the specifications of the Middle Department Association of Fire Underwriters. A copy of approval of such system by the appropriate public agency or utility company shall be submitted with the Final Plan. Suitable agreement shall also be established for the ownership and maintenance of such distribution system.

- C. The plan for water supply shall be consistent with all pertinent design requirements specified by the Reading Area Water Authority or PA American Water Company and Pennsylvania Department of Environmental Protection.
 - D. The plan for water supply shall be prepared to consider all pertinent local, regional, state and federal permitting requirements.
 - E. A fire hydrant shall be located within four hundred (400) feet of all new lots and buildings.
 - F. Where modifications to an existing lot or structure are proposed that require a Land Development Plan under this ordinance, a fire hydrant shall be located within four hundred (400) feet of the lot and building unless a waiver from the Fire Marshal is obtained.
2. Unless otherwise permitted by the Borough, all proposed land uses shall be required to connect to the Reading Area Water Authority or PA American Water Company water supply system subject to the following provisions:
- A. The Reading Area Water Authority or PA American Water Company shall review all such subdivision or land development plan applications, which shall review the adequacy of the proposed water supply improvements. The Board of Commissioners shall not approve a proposed subdivision or land development plan until the Reading Area Water Authority or PA American Water Company has issued a letter of adequacy for the proposed water supply improvements.
 - B. All proposed water supply facilities shall be located, designed, constructed and installed in accordance with the standards and specifications of the Reading Area Water Authority or PA American Water Company and the Kenhorst Borough Code.
 - C. The applicant shall be responsible for any required off-site water supply improvements that may be necessary to provide a reliable supply of water to the development. All such off-site improvements shall be coordinated with the Reading Area Water Authority or PA American Water Company.

Section 507 Storm Drainage

- 1. The Borough Water Ordinance shall govern all storm drainage and conveyance. Storm sewers, culverts and related installations shall be provided as necessary to:
 - A. Permit unimpeded flow of natural water courses;
 - B. Ensure adequate drainage of all low points along the line of streets;

- C. Intercept storm water run-off along streets at intervals related to the extent and grade of the area drained;
 - D. Ensure adequate drainage at intersections of driveways with streets
2. Storm sewers and related installations shall be required only when the run-off of storm water cannot be satisfactorily handled within the street cartway. The Borough Engineer shall determine whether the run-off can be or cannot be satisfactorily handled within the street cartway.
 3. Where existing storm sewers are reasonably accessible, and of adequate capacity, proposed subdivisions shall, if necessary, connect to the existing storm sewers.
 4. In the design of storm drainage facilities, special consideration shall be given to avoidance of problems which may arise from the concentration of storm water run-off onto adjacent developed or undeveloped properties.
 5. Storm drainage facilities shall be designed not only to handle the anticipated peak discharge from the property being subdivided, but also the anticipated increased run-off that will occur when all the property at a higher elevation in the same watershed is fully developed.
 6. Where a subdivision or land development is traversed by or contains a pond, lake, watercourse, drainage way, channel, storm drainage system or stream, there shall be provided a drainage easement that conforms substantially with the line of such pond, lake, watercourse, drainage way, channel, storm drainage system or stream of such width as will be adequate to preserve the unimpeded flow of drainage (one-hundred-year flow) and to provide for widening, deepening, relocating, improving or protecting such features or drainage facilities. Minimum easement width shall be ten (10) feet from each side of the watercourse, water body, stream, pond, lake or drainage facility, but the Borough may require a greater easement when necessary. Bearing and distances shall be provided for the boundaries of easement.
 - A. Any changes in an existing drainage way shall be subject to the approval of the Pennsylvania Department of Environmental Protection, the Army Corps of Engineers or the Federal Emergency Management Agency when each or all have jurisdiction. All permits and approvals shall be issued prior to construction or storm drainage related improvements.
 - B. The developer shall properly grade and seed slopes and fence open ditches when a safety hazard can result. Areas within easements shall be kept as lawn or in natural conditions to allow maintenance and entrance.
 7. All drainage facilities shall be designed to adequately handle surface runoff and carry it to suitable outlets and shall be designed in accordance with the Borough's Stormwater Management Ordinance.

8. All streets shall be so designed as to provide for the discharge of surface water from their rights-of-way.
9. The slope of the crown on proposed streets shall be not less than 1/8 of an inch per foot and not more than 1/3 of an inch per foot. Refer to Appendix IV.
10. Adequate facilities shall be provided at low points along streets and at street intersections where necessary to intercept run-off. Crossing gutters will not be permitted.
11. Where downspouts are directed to the curb, the bottom of the opening within the curb shall be a minimum of one inch (1") above the finished grade of the street.

Section 508 Public Use and Service Areas

1. Public Grounds

- A. In reviewing subdivision plans, the Borough Planning Commission shall consider whether community facilities, especially schools, in the area are adequate to serve the needs of the additional dwellings proposed by the subdivision, and shall make such report thereon as it deems necessary in the public interest.
- B. Subdividers shall give earnest consideration to the desirability of providing or reserving areas for facilities normally required in residential neighborhoods, including churches, libraries, schools and other public buildings; parks, playgrounds and playfields; shopping and local business centers. Areas provided or reserved for such community facilities should be adequate to provide for building sites, landscaping and off-street parking as appropriate to the uses proposed. Prior to the preparation of plans, subdividers of large tracts should review with the staff of the Borough Planning Commission the minimum standards for various community facilities applicable to the tract being subdivided.
- C. The Borough Planning Commission shall consider the need for suitable open areas for recreation and establish requirements for the subdivider. The minimum standards to be used by the Commission in requiring the reservation of open space shall be as follows (d.u./ac. is dwelling units per acre):

Density	% of Tract
1-3 d.u. /ac.	5%
3.1-6	10%
6.1-10	15%
10.1-15	20%
over 15	25%

The above figures shall apply in land subdivisions or land developments which intend to provide housing for the following number of families by unit type.

Unit Type	Open space Required
Single Family	50 units or more
Town House & Multi-Family	densities in excess of 4.0 and/or involving 20 or more units
Mobile Home Park	always required

When mixed unit types are proposed within a development (ex: Single Family and Town-Houses) open space shall be required where there are 50 or more total units and/or a density in excess of 4.0.

When the developer provides open space as required, he shall include appropriate recreation facilities for utilization of the open space and satisfactory assurance for maintenance of the open space.

Undevelopable land (slopes in excess of 25%, marsh land, etc.) shall not comprise more than 50% of the required open space.

- D. The Borough Council may by resolution prohibit the subdivider from erecting any structure on, removing or destroying any trees or topsoil on, doing any grading on, and making any use of any land in his subdivision which is designated for street, park, or other public use on the Official Map of the Borough. The resolution may prohibit the subdivider from engaging in such actions for a period of one year after the subdivider has submitted a written notice to the Borough Council announcing his intentions to develop the land designated for public use, or has made formal application for an official permit to build a structure for private use. The reservation for public grounds shall lapse at the end of one year unless the Borough Council shall have acquired the property or begun condemnation proceedings to acquire such property before the end of the year.

2. Community Assets

- A. Consideration shall be shown for all natural features, such, as large trees, which if preserved, will add attractiveness and value to the remainder of the Subdivision. Trees shall be preserved wherever possible.

3. Utility Easements

- A. Easements with a width of fifteen (15) feet shall be provided for poles, wires, conduits, storm and sanitary sewers, gas, water and heat mains and/or other utility lines intended to service the abutting lots. No structures or trees shall be placed within such easements.

- B. To the fullest extent possible, easements shall be centered on or adjacent to rear or side lot lines.
- C. There shall be a minimum distance of twenty (20) feet from the right-of-way line, measured in the shortest distance, between any proposed dwelling unit and any petroleum, petroleum products or natural gas transmission line which traverses the subdivision.
- D. Whereas or petroleum transmission lines are a part of the proposed development, either existing within or requiring relocation, construction shall occur within a right-of-way of fifty (50) feet minimum and shall comply to the applicable requirements of the Pennsylvania Public Utilities Commission Regulations.
- E. Underground electric distribution lines are to be installed in all new subdivisions of five (5) lots or more. Underground telephone lines and television cable lines shall be installed in all new subdivisions. In existing subdivisions with five (5) or more unimproved lots any extensions of the electric distribution lines shall be placed under ground. It is desirable that all new service laterals from existing overhead distribution lines shall be placed under ground. An approved plan for the utilization of an electric distribution system shall be submitted to the Borough prior to the recording of a final plan.

4. Utilities

- A. All basic utility services line for electric, natural gas, cable television and telephone shall be placed underground.
- B. The installation of all utilities shall be in strict accordance with the engineering standards and specifications of the public utility company.
- C. Where such underground utilities are located under the proposed cartway they shall be put in place, connected, and approved before the streets are constructed and before any person is permitted to occupy any building to be served by such utilities.
- D. Prior to approval, the applicant shall be responsible for contacting all utility companies to determine the locations and depths of all underground utilities within the tract of land being subdivision or developed.
- E. A complete list of the applicable utility companies and their phone numbers shall appear on the approved subdivision plan or land development plan.

5. Erosion and Sediment Controls

- A. Land proposed for subdivision shall not be developed or changed by grading, excavating, or by the removal or destruction of the natural topsoil, trees or other vegetative cover unless adequate provisions for minimizing erosion and sediment are provided by the Plan.
- B. An approved plan for erosion and sediment control shall be prepared and installations necessary to implement this plan shall be made by the developer as required improvements.
- C. The plan for erosion and sediment control shall meet the standards and specifications of the Berks County Conservation District and Pennsylvania Department of Environmental Protection.
- D. The following guidelines shall be applied as needed in developing erosion and sediment control measures:
 - 1.) Stripping of vegetation, grading, filling, excavating or other alteration of the landscape shall be done in such a way that will minimize erosion.
 - 2.) Whenever feasible, natural vegetation shall be retained, protected and supplemented.
 - 3.) The disturbed area and the duration of exposure shall be kept to a practical minimum.
 - 4.) Disturbed soils shall be stabilized as quickly as practicable.
 - 5.) Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.
 - 6.) The permanent vegetation and mechanical erosion control and drainage measures shall be installed as soon as practical in the development.
 - 7.) Provisions shall be made to effectively accommodate the increased run-off caused by changed soil and surface conditions during and after development. Where necessary the rate of surface water run-off shall be mechanically retarded.
 - 8.) Sediment in the run-off water shall be trapped until the disturbed area is stabilized by the use of debris basins, sediment basins, silt traps or similar measures.
- E. The following guidelines shall be applied as needed in excavation and fills as part of erosion and sediment controls:

- 1.) All lots, tracts, or parcels shall be graded to provide positive drainage away from the building, without ponding.
 - 2.) Grading and cut-fill operations shall be kept to a minimum to ensure conformity with the natural topography, to minimize the erosion hazard, and to adequately handle the surface run-off.
 - 3.) Cut and fill slopes shall not be steeper than 2:1 unless stabilized by a retaining wall or cribbing except as approved by the Borough Council when handled under special conditions.
 - 4.) Adequate provisions shall be made to prevent surface water from damaging the cut face of excavations or the sloping surfaces of fills.
 - 5.) Cut and fills shall not endanger adjoining property.
 - 6.) Fill shall be placed and mechanically compacted to minimize sliding or erosion of the soil.
 - 7.) Fills shall not encroach on natural water courses or constructed channels.
 - 8.) Fills placed adjacent to natural water courses or constructed channels shall have suitable protection against erosion during periods of flooding.
 - 9.) Grading will not be done in such a way so as to divert water onto the property of another landowner without the expressed consent of the Borough Council and the adjoining landowner.
 - 10.) During grading operations, necessary measures for dust control shall be exercised.
 - 11.) Grading equipment will not be allowed to cross live streams. Provision will be made for the installation of culverts or bridges.
- F. The period of storage on the land being developed of materials used in grading operations shall be kept to minimum. Such storage shall not be continued after the completion of all grading activities and may be stored for only short periods before the commencement of grading activities.

6. Standards for Mobile Home Parks

- A. Mobile home parks shall be considered subdivisions and shall comply with all the design standards and improvement specifications found in Articles V and VI of this Ordinance.

- B. The submission, review, approval or disapproval, and recording of any mobile home park shall be in accordance with the provisions of Article III of this Ordinance.
- C. The Plan of any mobile home park shall comply with the requirements stated in Article IV of this Ordinance.
- D. All mobile home parks shall comply with all the requirements for mobile home parks as may be listed in the Borough Zoning Ordinance.

ARTICLE VI IMPROVEMENT SPECIFICATIONS

Section 601 General Requirements

1. Physical improvements to the property being subdivided shall be provided, constructed, and installed as shown on the Record Plan, in accordance with the requirements of the Borough. Upon completion as-built plans shall be submitted for the Borough records.
2. As a condition to review of a Final Plan by the Borough Planning Commission, the subdivider shall agree with the Borough as to installations of all improvements shown on the Plan and required by these regulations and shall execute and file Subdivision Improvements Agreement as prepared by the Borough Solicitor.
3. All improvements installed by the subdivider shall be constructed in accordance with the applicable design specifications of the Borough or, where none apply, as prepared by the Borough Engineer. Where required, the specifications of the applicable State agency shall be used.
4. Supervision of the installation of improvements required by Section 602 following shall in all cases be the responsibility of the Borough or of the appropriate State regulatory agency.

Section 602 Required Improvements

The following improvements, as shown on the Record Plan, shall be provided by the subdivider:

1. Street Grading. All streets shall be graded at full right-of-way width. All portions of street right-of-way not included within street cartway shall be graded at a slope not to exceed two foot (2') horizontal and one foot (1') vertical (six inches (6") per foot). In areas where sidewalks are required, street grading within the sidewalk areas shall conform to grades for sidewalks and slopes shall begin beyond the inside edge of sidewalks.
 - A. Planting strips within street right-of-way shall be graded, properly prepared and seeded or sodded with lawn grass.
 - B. Where wet conditions are encountered, the Borough Council may require underdrains.
2. Cartway Paving. All streets intended to be dedicated to public use shall be paved to full cartway width (as shown on the Final Plan), in accordance with Borough requirements. Refer to Appendix IV.
3. Curbs. Curbs shall be installed along both sides of all streets. Curbs shall be either the vertical type or a combination curb and gutter. The transition from one type of curb to another shall be made only at a street intersection.

4. Sidewalks.
 - A. Sidewalks with a width of five (5) feet shall be installed as required by the Borough on both sides of all streets except that:
 - B. Where required, sidewalks shall be installed on only one (1) side of marginal access streets; and
 - 1.) No sidewalks shall be required along service streets.
 - C. Wherever sidewalks are required, curbs shall also be required, and in accordance with the specifications of Section 602.3.
5. Storm Sewers. Storm Sewers and related facilities shall be installed consistent with acceptable design principles and the recommendations contained in the Borough Water Management Ordinance.
6. Sanitary Sewage Disposal
 - A. The subdivider shall provide a complete public sanitary sewage disposal system. The design and installation of the public system shall be subject to the approval of the Borough Engineer.
 - B. The plan for sewage disposal shall be consistent with all pertinent design requirements specified by the Borough, the City of Reading, and the Pennsylvania Department of Environmental Protection.
7. Water Supply
 - A. The subdivision shall be provided with a complete public water distribution system. The design and installation of such public system shall be subject to the approval of the Borough Engineer and the City of Reading Water Bureau.
 - B. The plan for water supply shall be consistent with all pertinent design requirements specified by PA American Water Company and Pennsylvania Department of Environmental Protection.
8. Fire Hydrants. Fire hydrants shall be installed within 400 feet of all existing and proposed structures, measured by way of accessible streets, and be approved by the Fire Marshal.
9. Monuments
 - A. Markers shall be placed, if nonexistent at the intersections of all lines forming angles and at changes in direction in the line of boundary (perimeter) of the property being subdivided. In addition, at least two (2)

permanent stone or concrete, monuments shall be accurately placed on consecutive boundary (perimeter) corners and their respective elevations established.

- B. All monuments shall be placed by a Registered Professional Engineer or Surveyor so that the center of the monument shall coincide exactly with the point of intersection of the lines being monumented.
- C. Monuments shall be set with their top level with the finished grade of surrounding ground, except:
 - 1.) Monuments which are placed within lines of existing or proposed sidewalks shall be so located (preferably beneath sidewalks) that their tops will not be affected by lateral movement of the sidewalk; and
 - 2.) Where monuments are located beneath a sidewalk, proper access shall be provided for their use.
- D. All streets shall be monumented with a stone or concrete monument (on the right-of-way line) at the following locations or on the five (5) feet range line.
 - 1.) At least one (1) monument at each street intersection;
 - 2.) At changes in direction of street lines, excluding arcs at intersections;
 - 3.) At each end of each curved street line, excluding curb arcs at intersections;
 - 4.) An intermediate monument wherever topographical or other conditions make it impossible to sight between two (2) otherwise required monuments;
 - 5.) At such other placed along the line of streets as may be determined by the Borough Engineer to be necessary so that any street may be readily defined in the future.

10. Street Signs. Street name signs shall be installed at all street intersections. The design and placement of such signs shall meet PA DOT standards and be subject to Borough approval.

11. Lighting.

- A. Street lights are to be installed in all subdivisions with a minimum of 0.3 foot-candles.

- B. Street lights shall be provided in all parking lots at a minimum of 0.5 foot-candles.
12. Markers. Metal markers shall be accurately placed at all lot corners prior to development or sale of lots.
 13. Traffic control devices. The traffic control devices shown on the approved plan, including such items as stop signs and signs restricting parking, shall be installed.
 14. Rock removal. Provision shall be made for rock removal in the subdivision improvements agreement and guaranty.
 15. When required by the Borough Council pursuant to section 504.2.D, acceleration and deceleration lanes shall be provided.
 16. Backfilling. Utility excavations in areas of streets, access drives, parking areas and loading areas shall be backfilled in accordance with the following standards:
 - A. Backfilling shall be done as promptly as possible.
 - B. The trench shall be filled with stone acceptable to the Borough to a height of at least one foot (1') above the top of the conduit, pipe or pipe bell.
 - C. The remainder of the trench shall be backfilled with 2-RC and promptly compacted. The backfill material shall be mechanically tamped in approximately twelve inch (12") layers, to a minimum of 95% using the Modified Proctor method.
 - D. Where openings are made behind the curbline, work shall be done as required in these specifications and the opening covered with good topsoil to a depth of six inches (6") and seeded or sodded to the satisfaction of the Borough.
 - E. Whenever the trenches have not been properly filled or if settlement occurs, they shall be refilled, compacted, smoothed off and finally made to conform to the surface of the ground.
 - F. Frozen material shall not be used for backfill, nor shall any backfilling be done when material already in the trench is frozen.

Section 603 Shade Trees

1. Shade Trees. Reasonable effort should be made by the subdivider to preserve existing shade trees, which will be shown on the plan as remaining trees. In addition, deciduous hardwood trees with a minimum caliper of one and one-half (1-1/2) inches should be provided. Such trees should be planted between the sidewalk and the building reserve (setback) line at least five (5) feet from the sidewalk or between the curb and sidewalk, provided the planting strip is a minimum of ten (10) feet wide.

Section 604 Requirements for dedication of improvements for public use

1. The Borough of Kenhorst will accept for public use only those improvements which have been constructed in accordance with specifications and requirements of applicable sections hereof and proof of compliance with the specifications and requirements of the Borough. Proof of compliance with the specifications and requirements of the Borough may be provided by requesting the Engineer to inspect the work and supervising the work during construction and installation of same or by providing test data acquired under the supervision of the Engineer.

Section 605 Acceptance of dedication of improvements by the Borough

1. At the Borough's discretion, the Borough may hereafter choose to accept any improvement for public use constructed in accordance with these specifications upon receipt of a petition containing a general release in favor of the Borough, duly executed by all of the abutting freeholders, and requesting the Borough to accept such improvements for public use, providing that all other conditions imposed by the Pennsylvania Municipal Planning Code concerning the taking over of said improvements are complied with.

Section 606 Maintenance of undeveloped lots and land in commercial and industrial subdivisions and land developments.

1. Topsoil piles, debris, rubbish, construction materials and other materials resulting from grading or construction activities on a lot in or a portion of a commercial or industrial subdivision or land development shall be removed from that lot and any other lot or portion of a land development on which it was deposited prior to issuance of a use and occupancy permit for said construction. All areas disturbed for storage of materials shall be graded and seeded with grass prior to issuance of such permit.

ARTICLE VII ADMINISTRATION AND AMENDMENT

Section 701 Fees

1. The Borough Council shall establish by resolution a collection procedure and Schedule of Fees to be paid by the subdivider at the time of filing a Preliminary Plan in the case of a Major Subdivision and prior to the Recording of a Minor Subdivision Plan.
2. The Schedule of Fees shall be obtainable in the office of the Borough Secretary, and shall be posted therein and in such other places as the Borough Council may designate.
3. No Final Plan shall be approved unless and until all fees and charges have been paid in full.

Section 702 Modifications

1. The provisions of this Ordinance are intended as minimum standards for the protection of the public health, safety and welfare. The Borough Council may modify or extend said provisions conditionally in individual cases as may be deemed necessary in the public interest, provided, however, that such variation shall not have the effect of nullifying the intent and purpose of this Ordinance. If the literal compliance with any mandatory provisions of these regulations is shown by a subdivider, to a majority of the Borough Council present at a prescheduled public meeting, to be unreasonable and to cause undue hardship as they apply to his property to be subdivided, the Borough Council may grant a variance to the subdivider from such mandatory provisions if the variance will promote the public interest.
2. No changes, erasures, modifications or revisions shall be made in any plan of a subdivision after approval has been made by the Council and endorsed on the plan, unless the said plan is first resubmitted to and approved by the Borough Council.
3. Challenges
 - A. Any person desiring to challenge the validity of any provision of this Ordinance or any amendment thereof shall make such challenge in accordance with the provisions of Act 247 of 1968, the Pennsylvania Municipalities Planning Code, as amended.

Section 704 Penalties

1. No lot in a subdivision shall be sold, no permit to erect any building upon land in a subdivision shall be issued, and no buildings shall be erected in a subdivision until a

Final Plan of such subdivision shall have been approved and properly recorded and until improvements have been either constructed or, guaranteed.

2. Any person, co-partnership or corporation who shall subdivide any lot, tract, or parcel of land, layout, construct, open or dedicate any street, sanitary sewer, storm sewer or water main for public use or travel or for the common use of occupants for buildings abutting thereon, sell any lot or erect any building in a subdivision without first having complied with all the provisions of this Ordinance shall be guilty of a misdemeanor.
3. Upon conviction of such misdemeanor, such persons or the members of such co-partnership or the officers of such corporation responsible for such violation shall pay a fine not exceeding one thousand dollars (\$1,000) per lot or parcel or per dwelling within each lot or parcel. All fines collected shall be paid to the Borough of Kenhorst.
4. The Borough Council may initiate and maintain civil action:
 - A. To obtain a writ of injunction against the owner or agency who attempted the improper sale or conveyance of land.
 - B. To set aside and invalidate any conveyances of land made prior to Final Plan Approval of any subdivision.
5. Nothing herein shall prevent the Borough from taking such other action necessary to prevent or remedy any violation.

Section 705 Keeping of Records

1. The Borough Planning Commission and the Borough Council shall keep a record of their findings, decisions, and recommendations relative to all subdivision plans filed for review. Such records shall be made available to the public for review.

Section 706 Responsibility

1. The subdivider shall be responsible for observing the procedures established in this Ordinance and for submitting all plans and documents as may be required.

Section 707 Conflicts

1. Whenever there is a difference between the minimum standards specified herein and those included in other official regulations the more stringent requirements shall apply.
2. All existing ordinances or parts of ordinances which are contrary to the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

Section 708 Revision and Amendment

1. The Borough Council may from time to time on its own motion revise, modify, or amend these regulations in order to increase their effectiveness or to expedite the approval of subdivision plans.
2. Any revisions, modifications, or amendments to these regulations shall be made in accordance with the procedures of Act 247, as amended, after a public hearing on the proposed revisions, modifications, or amendments.

Section 709 Severability

1. Should any article, section, subsection, paragraph, clause, phrase, or provision of these Regulations be declared by a court of competent Jurisdiction to be invalid, such judgment shall not affect the validity of the Regulations as a whole or any part or provision thereof other than the part so declared to be invalid or unconstitutional.

ARTICLE VIII DEFINITIONS

Section 801 Definitions and Interpretation

Section 801 clarifies by DEFINITION terminology used within and in relationship to this subdivision and land development ordinance.

1. Unless otherwise expressly stated, the following terms shall, for the purpose of these regulations, have the meaning indicated:
2. Words in the singular include the plural and those in the plural include the singular.
3. Words used in the present tense include the future tense.
4. Words "person", "subdivider" and "owner" include a corporation, incorporated association and a partnership, or other legal entity, as well as an individual.
5. The word "building" includes structures and shall be construed as if followed by the phrase "or part hereof".
6. The word "watercourse" includes channel, creek, ditch, dry run, spring, stream and river.
7. The words "should" and "may" are permissive; the words "shall" and "will" are mandatory and directive.
8. Other terms or words used herein shall be interpreted or defined as follows:
9. Alley - See Service Street.
10. Block an area bounded by three (3) or more streets.
11. Building any enclosed or open structure other than a boundary wall or fence, occupying more than four (4) square feet of area.
 - (a) Detached - A building which has no party wall.
 - (b) Semi-Detached - A building which has only one party wall in common with another building.
 - (c) Attached - A building which has two (2) party walls in common with another building.

A building is also any structure having a roof supported by columns, piers, or walls, including structures having temporary or permanent support. Any structure having an independent entrance or electrical, mechanical or heating system shall be considered a single building.

12. Building Reserve (Setback) Line -The line within a property defining the minimum required distance between any dwelling to be erected and an adjacent right-of-way or front lot line.
13. Cartway (Roadway) - The portion of a street right-of-way, paved or unpaved, intended for vehicular use.
14. Clear Sight Triangle - An area of unobstructed vision at street intersections defined by lines of sight between points at a given distance from the intersections of the street center lines.
15. Commission - The Planning Commission of the Borough of Kenhorst.
16. County - The County of Berks, Commonwealth of Pennsylvania.
17. County Planning Commission. - The Planning Commission of the County of Berks.
18. Crosswalk (Interior Walk) - A publicly or private owned right-of-way for pedestrian use extending from a street into a block, or across a block to another street.
19. Development Plan - The provisions for development of a planned residential, commercial, or industrial development, including a plat of subdivision, all covenants related to 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 ordinance shall mean the written graphic material referred to in this definition.
20. Developer (Subdivider) - Any landowner, agent or such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or land development.
21. Drainage Right-of-way - The lands required for the installation of sanitary or storm sewers or drainage ditches, or required along a natural stream or water course for preserving the channel and providing for the flow of water therein to safeguard the public against flood damage.
22. Dwelling Unit - Any structure or part thereof, designed to be occupied as living quarters as a single housekeeping unit.
23. Easement - A right-of-way granted, but not dedicated, for limited use of private land for a public or quasi-public purpose, and within which the owner of the property shall not erect any permanent structure, but shall have the right to make any other use of the land which is not inconsistent with the rights of the grantee.
24. Endorsement - The application of the County Planning Commission's appropriate stamp and the signature of the Executive Director to the final plan. The application of the Borough Planning Commission's appropriate stamp, the signature of the Chairman

of the Commission, the signatures of the President and secretary of the Borough Council, and the Borough Seal.

25. Engineer - A licensed Professional Engineer registered by the Commonwealth of Pennsylvania.
26. Grade - The inclination, with the horizontal, of a road, unimproved land, etc., which is generally expressed by stating the vertical rise or fall as a percentage of the horizontal distance.
27. Improvements - Those physical additions and changes to the land that may be necessary to produce usable and desirable lots.
28. Land Development.
 - (1) The improvement of one or more contiguous lots, tracts, or parcels of land for any purposes involving (a) a group of two (2) or more buildings, or (b) the division or allocation of land between or among two (2) or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, building groups, condominiums or other features;
 - (2) A subdivision of land.
29. Landowner - The legal or beneficial owner or owners of land including the holder of an option 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, shall be deemed to be a landowner for the purpose of these regulations.
30. Land Planner - A recognized professional individual or firm affiliated with registered Engineers, Architects, and/or Surveyors capable of preparing development plans.
31. Lot - Any parcel of land, regardless of size, intended as a unit for transfer or ownership, use or improvement or for development.
32. Lot Area - The area contained within the property lines of a lot (as shown on the plan) excluding space within all street rights of-way and within all permanent drainage easements, but including the areas of all other easements.
33. Maintenance Guarantee - A guarantee by the subdivider that he shall maintain all improvements in good condition for a period of one year after completion of construction and installation of all such improvements.
34. Marker - A metal pipe or pin of at least three-quarter inch (3/4") or seven-eighths inch (7/8") and at 30 inches in length.

35. Mobile Home - A transportable, single family dwelling intended for permanent occupancy, office or place of assembly contained in one unit, or two (2) units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.
36. Monument - A stone or concrete monument with a flat top at least four (4) inches in diameter or square, containing a copper or brass dowel (1/4" drill hole) and at least 24 inches in length (preferred 30 inches to 36 inches). The bottom sides or radius must be at least two (2) inches greater than the top, to minimize movements caused by frost.
37. Multiple Dwelling Building - A building providing separate dwelling units for three (3) or more families.
38. Municipality - Borough of Kenhorst.
39. Owner - Any person, firm, association or syndicate, co-partnership or corporation having a proprietary interest in any land sought to be subdivided in pursuance with this resolution.
40. Parcel - See "Lot".
41. Performance Guarantee - Any security which may be accepted in lieu of a requirement that certain improvements be made before the Borough gives final approval to the plan, including performance bonds, escrow agreements, and any other collateral or surety agreements.
42. Plan, Sketch - An informal plan, not necessarily to exact scale, indicating salient existing features of tract and its surroundings and the general layout of a proposed subdivision prepared by the subdivider, an Engineer, a Surveyor, or Land Planner.
43. Plan, Preliminary - A tentative subdivision plan (and including all required supplementary data), in lesser detail than a final plan, showing approximate proposed street and lot layout as a basis for consideration of a major subdivision prior to preparation of a final plan prepared by an Engineer or Surveyor.
44. Plan, Final - A complete and exact subdivision plan (and including all required supplementary data), prepared for official recording of a major subdivision by statute, to define property rights and proposed streets and other improvements prepared by a Registered Engineer or Registered Surveyor.
45. Plan of Record - The copy of the Final Plan which contains the original endorsements of the County Planning Commission, the Borough Planning Commission and the Borough Council, and is intended to be recorded with the County Recorder of Deeds and is prepared by a Registered Engineer or Registered Surveyor.

46. Plan, Major Street - That element of the Borough Comprehensive Plan, now or hereafter adopted, which shows the general location, alignment and dimensions, and the identification and classification of existing and proposed major streets, highways, and other thoroughfares.
47. Plan, Official - The Comprehensive Development Plan and/or Master Plan and/or Future Land Use Plan and/or Ultimate Right-of-way Plan and/or Official Map and/or Topographical Survey and/or other such plans, or portions thereof, as may have been adopted, pursuant to statute, for the area of the Borough in which the subdivision is located.
48. Plat - A map or plan of a subdivision, whether preliminary or final.
49. Public Grounds - Includes (1) parks, playgrounds and other public areas; and (2) sites for publicly owned buildings and facilities.
50. Reserve Strip - A parcel of ground in separate ownership separating a street from other adjacent properties, or from another street, either proposed or existing.
51. Resubdivision - See "Subdivision."
52. Reverse Frontage Lot - A lot extending between and having frontage on two (2) generally parallel streets, (excluding service streets), with vehicular access solely from one street.
53. Review - Whenever the County Planning Commission and/or the Borough Planning Commission possesses such jurisdiction, the action of "Review" shall also include "Review and Approval", or if necessary, "Review and Disapproval".
54. Right-of-way - The total width of any land reserved or dedicated as a street, alley, crosswalk or for other public or semi-public purposes.
55. Roadway - See "Cartway."
56. Sanitary Sewage System, Public - A sanitary sewage collection system in which sewage is carried from individual lots by a system of pipes to a central treatment and disposal plant
57. Sight Distance - The required length of roadway visible to the driver of a passenger vehicle at any given point on the roadway when the view is unobstructed by traffic. Sight distance measurement shall be made from a point 0.5 feet above the center line of the road surface to a point 0.5 feet above the center line of the road surface.
58. Special Flood Hazard Areas (SFHAs) – The 1% annual chance flood (100-year flood), also known as the base flood. The area that has a 1% annual chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood.

59. Street - A strip of land, including the entire right-of-way (i.e., not limited to the cartway) to provide access to more than one (1) lot. The word "street" 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. Streets are further classified according to the function they perform:
- A. Minor Streets - A street used primarily to provide access to abutting properties;
 - B. Cul-de-sac Street - A minor street intersecting another street at one end, and terminating in a vehicular turn around at the other end;
 - C. Half (Partial) Street - A street generally parallel and adjacent to a property line, having a lesser right-of-way width than normally required for improvement and use of the street.
 - D. Marginal Access Street - A minor street, parallel and adjacent to a major street (but separated from it by a reserve strip) which provides access to abutting properties and control of intersections with the major streets;
 - E. Collector Street - A street which, in addition to providing access to abutting properties, intercepts minor streets to provide a route serving fifty (50) or more dwelling units to give access to community facilities and/or other collector and major street (Streets in industrial and commercial subdivisions shall generally be considered collector streets);
 - F. Major Street - A street serving a large volume of comparatively high-speed and long-distance traffic, including all facilities classified as main and secondary highways by the Pennsylvania Department of Transportation.
 - G. Service Street (Alley) - A minor right-of-way providing secondary vehicular access to the side or rear of two (2) or more properties.
 - H. Internal Street - A minor street used for circulation and access within a development project involving multi-residence or commercial or industrial uses.
60. Subdivider - Any individual, co-partnership or corporation (or agent authorized thereby) which undertakes the subdivision or development of land, as defined by this ordinance, as the owner or equitable owner (or agent authorized thereby) of the land being subdivided or developed.
61. Subdivision - The division or redivision of a lot, tract or parcel of land by means into two (2) or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, transfer of ownership or building or lot development; provided, however, that the division of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access shall be exempted. The term subdivision shall

refer, as appropriate in these regulations, to the process of subdividing land or to the land proposed to be subdivided. A subdivision also includes division over any period of time after the enactment of this ordinance of a parcel of land having frontage on an existing or proposed street into two (2) or more parcels having frontage on the existing or proposed street.

The term “subdivision” shall also include any development of a parcel of land, for example, an industrial park, shopping center, multiple dwelling project, or mobile home park, which involves installation of streets and/or alleys, even though the streets and/or alleys might not be dedicated to public use and the parcel might not be divided immediately for purposes of conveyance, transfer or sale, or even though the owner does not transfer legal or equitable title (for example, structures for rental purposes)

The term subdivision includes any replotting of land including changes in recorded plans.

62. Surveyor - A licensed Surveyor registered by the Commonwealth of Pennsylvania.

63. Borough Planning Commission - The Planning Commission of Kenhorst Borough.

64. Water Distribution System, Public - A system for supplying and distributing water from a common source to dwellings and other buildings, but generally not confined to one neighborhood.

APPLICATION FOR APPROVAL OF MINOR SUBDIVISION PLAN

To: Kenhorst Borough Planning Commission.

Application is hereby made for review of the Plan of a proposed Minor Subdivision of land submitted herewith and more particularly described below:

1. Name of Applicant(s): _____

Address: _____

Phone: _____ Fax: _____

Email: _____

2. Name of Owner(s): _____
(If other than Applicant)

Address: _____

Phone: _____ Fax: _____

Email: _____

3. Applicant's interest, if other than owner: _____

4. Location of Subdivision: _____
(Street)

_____ (Block)

5. Engineer or Surveyor responsible for plan: _____

Address: _____

Phone: _____ Fax: _____

Email: _____

6. Total Acreage: _____ Number of Lots: _____
7. Acreage being subdivided: _____ Minimum Lot Area _____ Sq. Ft.
8. Lot use proposed:
- | | |
|----------------------|-----------------------|
| Single Family _____ | Commercial _____ |
| Two (2) Family _____ | Industrial _____ |
| Townhouse _____ | Other (Specify) _____ |
| Multi-Family _____ | |
9. Zoning Data: Classification: _____
- Zoning changes to be requested: _____
10. Number of off-street parking spaces proposed:
- | | |
|-------|-------------|
| _____ | Garages |
| _____ | Driveways |
| _____ | Parking Lot |
| _____ | Other |
11. List proposed improvements:
1. _____
 2. _____
 3. _____
 4. _____
12. Date of Plan: _____

Signature of Applicant

For Borough Use Only

Received by _____ Date: _____
(Secretary of Planning Commission)

Action of Borough Planning Commission: _____

Chairman

Date: _____

Secretary

Action of the Borough Council: _____

President

Date: _____

Secretary

APPLICATION FOR REVIEW OF A PRELIMINARY SUBDIVISION PLAN

To: Kenhorst Borough Planning Commission.

Application is hereby made for review of the Preliminary Major Land Subdivision Plan submitted herewith and more particularly described below:

1. Name of subdivision: _____

Plan Dated: _____

County Deed Book No.: _____ Page No.: _____

2. Name of Applicant(s): _____

Address: _____

Phone: _____ Fax: _____

Email: _____

3. Name of Property Owner(s): _____

(If other than applicant)

Address: _____

Phone: _____ Fax: _____

Email: _____

4. Applicant's interest if other than owner: _____

5. Engineer or Surveyor responsible for plan: _____

Phone: _____ Fax: _____

Email: _____

6. Total Acreage: _____ Number of Lots: _____

7. Acreage of Adjoining land in same ownership (if any): _____

8. Lot use proposed:
- | | |
|----------------------|-----------------------|
| Single Family _____ | Commercial _____ |
| Two (2) Family _____ | Industrial _____ |
| Townhouse _____ | Other (Specify) _____ |
| Multi-Family _____ | |
9. Will construction of buildings be undertaken immediately? ___Yes ___No
- By Whom? _____ Subdivider
 _____ Other Developers
 _____ Purchasers of individual lots
10. Number of off-street parking spaces proposed:
- | | |
|-------|-------------|
| _____ | Garages |
| _____ | Driveways |
| _____ | Parking Lot |
| _____ | Other |
11. Lineal feet of new streets planned: _____
12. Are all streets proposed for dedication? ___Yes ___No
13. Deed restrictions that apply or are contemplated (If no restrictions, state none. If "yes" attach copy):

14. Acreage proposed for open space: _____
15. Zoning data: Classification: _____
 Zoning changes to be requested: _____
16. Have appropriate public utilities been consulted? ___Yes ___No
17. Has County Planning Commission Form been prepared and attached hereto? ___Yes ___No
18. List proposed improvements and utilities and intentions to install or post performance guarantee prior to final approval:

Improvement

Intention

1.
2.

3.

4.

5.

19. List of maps and other material accompanying application and number of each:

	<u>Item</u>	<u>Number</u>
a.		
b.		
c.		
d.		
e.		

Date: _____

Signature of Applicant:

By: _____

For Borough Use Only

1. Date received by Borough Secretary: _____

2. Date reviewed by Borough Planning Commission: _____

3. Referrals and Dates:

- (a) County Planning Commission _____
- (b) Borough Engineer _____
- (c) Pennsylvania Dept. of Environmental Protection _____
- (d) Others _____

4. Reports received and Dates:

- (a) County Planning Commission _____
- (b) Borough Engineer _____
- (c) Pennsylvania Dept. of Environmental Protection _____
- (d) Others _____

5. Borough Planning Commission Action

_____ Approved
(Date)

_____ Disapproved for the following reason:

Attest: _____
(Secretary)

6. Action of the Borough Council: _____

Date: _____

_____ (President)

_____ (Secretary)

For Borough Planning Commission Use Only - Preliminary Plan Review

1. Date application was received: _____

Amount of fee paid: _____

(Secretary)

2. Date reviewed by Borough Planning Commission: _____

3. Referrals and dates:

- (a) County Planning Commission _____
- (b) Borough Engineer _____
- (c) Pennsylvania Dept. of Environmental Protection _____
- (d) Others _____

4. Reports received and dates:

- (a) County Planning Commission _____
- (b) Borough Engineer _____
- (c) Pennsylvania Dept. of Environmental Protection _____
- (d) Others _____

5. Borough Planning Commission Action

_____ Approved
(Date)

_____ Approved subject to the following modifications:
(Date)

_____ Disapproved for the following reason:
(Date)

Attest: _____
(Secretary)

(Chairman)

6. Action of the Borough Council

_____ Approved
(Date)

_____ Approved subject to the following modifications:
(Date)

_____ Disapproved for the following reason:
(Date)

Attest: _____
(Secretary)

(President)

APPLICATION FOR REVIEW OF FINAL SUBDIVISION PLAN

To: Kenhorst Borough Planning Commission.

Application is hereby made for final approval of the Final Land Subdivision Plan submitted herewith and described in the accompanying maps and documents.

1. Name of subdivision: _____

Plan Dated: _____

County Deed Book No.: _____ Page No.: _____

2. Name of Applicant(s): _____

Address: _____

Phone: _____ Fax: _____

Email: _____

3. Name of Property Owner(s): _____

(If other than applicant)

Address: _____

Phone: _____ Fax: _____

Email: _____

4. Date of tentative approval of Preliminary Plan: _____

6. Final Plan follows exactly the approved Preliminary Plan: _____ Yes _____ No
If no, list changes:

7. List of maps and other documents accompanying application and the number of each.

	<u>Item</u>	<u>Number</u>
(a)		
(b)		
(c)		
(d)		
(e)		
(f)		
(g)		
(h)		

Date: _____

Signature of Applicant:

By:

For Borough Use Only

- 1. Date received by Borough Secretary: _____
- 2. Date reviewed by Borough Planning Commission: _____

- 3. Referrals and Dates:
 - (a) County Planning Commission _____
 - (b) Borough Engineer _____
 - (c) Pennsylvania Dept. of Environmental Protection _____
 - (d) Others _____

- 4. Reports received and Dates:
 - (a) County Planning Commission _____
 - (b) Borough Engineer _____
 - (c) Pennsylvania Dept. of Environmental Protection _____
 - (d) Others _____

5. Borough Planning Commission Action

_____ Approved
(Date)

_____ Disapproved for the following reason:

Attest: _____
(Secretary)

6. Action of the Borough Council: _____

Date: _____ (President)

_____ (Secretary)

APPENDIX I

Certification of Ownership, Acknowledgement of Plan and Offer of Dedication.

The following certification, in the wording shown, must be labeled and completed on the Final Subdivision Plan:

Commonwealth of Pennsylvania

County of Berks

On this, the _____ day of _____, 20____ before me, the undersigned officer, personally appeared _____ who being duly sworn according to law, deposes and says that he is the _____ of the property shown on this plan, that the subdivision plan thereof was made at his/its direction, that he acknowledges the same, and that all streets shown and not heretofore dedicated are hereby dedicated to the public use.
(If necessary, insert "except those labeled 'Not for Dedication'")

Notary Public

Owner

Date

Date

Notary Seal

My commission expires _____, 20____

APPENDIX II

CERTIFICATION OF ACCURACY

The following certification, in the wording shown, must be labeled and completed on the Final Subdivision Plan:

I hereby certify that the plan shown and described hereon is true and correct to the accuracy required by the Land Subdivision Regulations of the Borough of Kenhorst and that the perimeter monuments have been accurately placed as required by Section 4.337 thereof.

Registered Surveyor responsible for the preparation of the plan.

(SEAL)

APPENDIX III

CERTIFICATION OF MUNICIPAL APPROVAL

PLANNING COMMISSION CERTIFICATE:

At a Public meeting of the Borough of Kenhorst Planning Commission on _____, 20____
the Planning Commission recommended approval of the plan as shown hereon.

	Chair

BOROUGH COUNCIL CERTIFICATE:

At a Public meeting of the Borough of Kenhorst Borough Council on _____, 20____
the Borough Council approved the plan as shown hereon.

	Secretary
Borough Seal	President

APPENDIX IV

STREET CONSTRUCTION STANDARDS

A. Subgrade Excavation and/or Fill, Grading and Preparation

1. Clearing and grubbing operations shall consist of removal of all roots, brush, debris, sod, rubbish, junk, decayed wood, vegetation or objectionable material to a depth of at least 8" below the existing ground in areas of excavation and in areas of fill having a depth of less than 5 feet contained within the building lines/right-of-way lines of the street. All trees, stumps and roots shall be removed to a depth of not less than 2 feet below the finished subgrade.
2. The subgrade shall be well rolled and compacted and proof rolled during an inspection of the Borough Engineer.

B. Street or Cartway Materials and Construction

1. All streets and cartways shall have a minimum of 8" of 2A stone.
2. Base material shall be PA DOT approved SuperPave material, well rolled and compacted to a depth of 4" on minor and cul-de-sac streets and 6" compacted depth on collector streets.
3. Finished street or cartway surface shall be 1-1/2" 9.0 mm PA DOT approved SuperPave wearing course.
4. All street or cartway construction shall be in strict accordance with Pennsylvania Department of Transportation, Form 408, latest revisions.