

**McKEAN TOWNSHIP
SUBDIVISION AND LAND DEVELOPMENT
ORDINANCE**

ERIE COUNTY, PENNSYLVANIA

1996

**Prepared by the
McKEAN TOWNSHIP PLANNING COMMISSION
for the
BOARD OF McKEAN TOWNSHIP SUPERVISORS
McKean Township Municipal Building
McKean, Pennsylvania 16426**

With amendments through July 2002

TABLE OF CONTENTS

Article I General Provisions

Section 101	Short Title.....	1
Section 102	Purpose.....	1
Section 103	Authority.....	2
Section 104	Jurisdiction and Application.....	2
Section 105	Municipal Responsibility and Liability.....	2
Section 106	Effective Date and Repealer.....	2
Section 107	Copies.....	3

Article II Definitions

Section 201	General Interpretations.....	4
Section 202	Meaning of Words.....	4

Article III Major Subdivisions and Land Development

Section 301	Pre-Application Investigation.....	14
Section 302	Preliminary Plan Application.....	14
Section 303	Approval of Preliminary Plan.....	15
Section 304	Final Plan Application.....	16
Section 305	Approval of Final Plan.....	17
Section 306	Recording of Plan.....	18

Article IV Procedures – Minor Subdivisions and Replats

Section 401	Pre-Application Investigation.....	19
Section 402	Preliminary Plan Application and Approval.....	19
Section 403	Final Plan Application and Approval.....	19
Section 404	Replats.....	19
Section 405	Recording of Plan.....	19

Article V Assurances of Completion

Section 500.1	General.....	20
Section 501	Improvements.....	20
Section 502	Financial Security.....	21

Article VI Development Standards

Section 601	General Standards.....	23
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Article VII Plan Requirements

Section 701	Sketch Plan.....	24
Section 702	Preliminary Plan.....	24
Section 703	Final Plan.....	26

Article VIII Design Standards

Section 801	General.....	30
Section 802	Streets.....	31
Section 803	Curbs and Sidewalks.....	37
Section 804	Blocks.....	38
Section 805	Lots and Building Lines.....	38
Section 806	Lot Grading for Subdivisions and Land Developments.....	39
Section 807	Easements.....	40
Section 808	Street Names.....	40
Section 809	Storm Water Drainage.....	40
Section 810	Utility Regulations for Subdivision and Land Development.....	40
Section 811	Flood Plain Area Regulations.....	40
Section 812	Sanitary Sewer Systems.....	41
Section 813	Water.....	41
Section 814	Driveways.....	42

Article IX Required Improvements

Section 901	General.....	43
Section 902	Improvements.....	43

Article X Construction Requirements

Section 1001	General.....	45
Section 1002	Monuments and Markers.....	45
Section 1003	Water Supply.....	46
Section 1004	Sanitary Sewage Conveyance.....	46
Section 1005	Storm Sewers.....	47
Section 1006	Streets, Cul-De-Sacs, Curbs and Sidewalks.....	48
Section 1007	Utilities.....	49
Section 1008	Erosion Control.....	49

Article XI Mobilehome Park Regulations

Section 1101	Applicability.....	50
Section 1102	Plan Requirements.....	50
Section 1103	Preliminary Plan.....	50
Section 1104	Final Plan Approval.....	50

Section 1105	Design Requirements.....	51
Section 1106	Utility Requirements.....	53
Article XII Acceptance of Public Improvements		
Section 1201	General.....	54
Article XIII Other Standards for Land Development		
Section 1301	Jurisdiction.....	55
Section 1302	Procedures.....	55
Section 1303	Site Plan.....	55
Section 1304	Design Standards.....	56
Section 1305	Assurance for Completion and Maintenance of Improvements.....	57
Article XIV Administration, Amendment and Modification		
Section 1401	Amendments.....	58
Section 1402	Filing Fee and Review.....	58
Section 1403	Records.....	58
Section 1404	Appeals.....	58
Section 1405	Validity.....	58
Section 1406.1	Preventative Remedies.....	58
Section 1406.2	Enforcement Remedies.....	59
Section 1407	Modification of Regulations.....	60
Section 1408	Conflict.....	60
Appendix		

ORDINANCE NO. 3-96

AN ORDINANCE OF THE TOWNSHIP OF McKEAN, COUNTY OF ERIE, DEFINING AND REGULATING THE SUBDIVISION OF LAND AND THE DEVELOPMENT THEREOF; ESTABLISHING PROCEDURES FOR THE CONSIDERATION OF MINOR AND MAJOR SUBDIVISIONS, MOBILEHOME PARKS AND LAND DEVELOPMENTS; REQUIRING THE PREPARATION OF, PRELIMINARY, FINAL AND AS-BUILT PLANS; REQUIRING CERTAIN IMPROVEMENTS TO BE MADE OR GUARANTEED TO BE MADE BY THE SUBDIVIDER OR DEVELOPER AND ESTABLISHING DESIGN STANDARDS FOR IMPROVEMENTS; REGULATING THE SALE OF LOTS, ERECTION OF BUILDINGS, LAYING OUT, CONSTRUCTION, OPENING AND DEDICATION OF STREETS, WATER LINES, SEWERS, OTHER FACILITIES AND PUBLIC IMPROVEMENTS; PROVIDING FOR THE ADMINISTRATION OF THIS ORDINANCE; AND PRESCRIBING PENALTIES FOR VIOLATION.

ARTICLE I

GENERAL PROVISIONS

Section 101 Short Title

This Ordinance shall be known as the “McKean Township Subdivision and Land Development Ordinance”.

Section 102 Purpose

This Ordinance is adopted for the following purposes:

- 102.1 To assure sites suitable for building purposes and human habitation.
- 102.2 To provide for the harmonious, orderly, efficient and integrated development of the Township.
- 102.3 To assure new development will be coordinated with existing Township development.
- 102.4 To provide for adequate easements and rights-of-way for drainage and utilities.
- 102.5 To make provisions, as needed, for the reservation of land as it may be needed for public grounds.
- 102.6 To accommodate prospective traffic, facilitate fire protection and make such provisions as are necessary for public safety and convenience.
- 102.7 To make provisions for appropriate standards for streets, storm drainage, sanitary sewers, water facilities, curbs, gutters and such other improvements as shall be considered needed by the Township.

102.8 To promote the sound layout and design for subdivisions and land developments.

102.9 To allow for new and flexible standards of design, where appropriate.

102.10 To secure equitable handling of all subdivision plans by providing uniform procedures and standards.

102.11 To implement the McKean Area Comprehensive Plan.

Section 103 Authority

The Township of McKean is vested by law with jurisdiction and control of the subdivision of land, mobilehome parks and land development located within the Township limits in accordance with Article 5 of the Pennsylvania Municipalities Planning Code.

Section 104 Jurisdiction and Application

Plans for subdivisions, mobilehome parks and land development within the Township shall be submitted to, and approved by, the Township before they are recorded. Such approval is in addition to, and does not supersede, those required by other ordinances, resolutions, or regulations of the Township. Developers should also refer to the McKean Township Zoning Ordinance (including Flood Plain Regulations), Storm Water Management Ordinance, Driveway Ordinance, as well as other local development regulations. The application of this Subdivision and Land Development Ordinance is subject to the limitations of Section 508(4) of the Pennsylvania Municipalities Planning Code. The application of the Township's Zoning Ordinance and other regulations may also be governed by 508(4).

Section 105 Municipal Responsibility and Liability

The provisions within this Ordinance are designed to fulfill the purposes cited in Section 102. The degree of protection sought by the conditions and requirements of this Ordinance for the present and future residents and land owners in the Township is considered reasonable for regulatory purposes. This Ordinance does not imply that compliance with the minimum requirements for subdivisions, mobilehome parks or land developments will render such subdivision, mobilehome parks or land development free from inconveniences, conflicts, danger or damages. Therefore, this Ordinance shall not create liability on the part of the individual members of the Board of Supervisors, the McKean Township Planning Commission or any officer, appointee or employee of the Township for any damages that may result from reliance on this Ordinance or any administrative decision lawfully made thereunder.

Section 106 Effective Date and Repealer

This Ordinance shall become effective five (5) days from final passage and shall remain in effect until modified or rescinded by the Board of Supervisors. This Ordinance shall supersede and

replace all other conflicting regulations issued by the Township previous to the approval date of this Ordinance, specifically Ordinance 1 of 1979.

Section 107 Copies

Copies of the Township of McKean Subdivision and Land Development Ordinance shall be made available to the general public at a fee adequate to compensate the Township for the cost of reproduction.

ARTICLE II

DEFINITIONS

Section 201 General Interpretations

Unless otherwise expressly stated, the following terms shall, for the purpose of this Ordinance, have the meaning indicated: words in the singular include the plural, and the words in the plural include the singular. The word “person” includes a corporation, unincorporated association and a partnership as well as an individual or any other legal entity. The words “shall” and “will” are mandatory; the word “may” is permissive. An “agency” shall be construed to include its successors or assigns. Words not defined in this Article or the Pennsylvania Municipalities Planning Code shall have the common meaning given to them as expressed in the 1993 10th Edition, Merriam Webster’s Collegiate Dictionary, a copy of which is located in the McKean Township Municipal Building.

Section 202 Meaning of Words

Alley: A passage of way open to public travel which affords generally a secondary means of vehicular access to abutting lots and is not intended for general traffic circulation.

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

Application for Development: Every application, whether preliminary, tentative or final, required to be filed and approved prior to the start of construction or development including, but not limited to, an application for a building permit, for the approval of a subdivision plat or plan or for the approval of a land development.

Block: An area divided into lots and usually bounded by streets.

Building: Any structure designed or intended for the support, enclosure, shelter or protection of persons, animals or property.

Building Line: An imaginary line located a fixed distance from the front line of the lot and interpreted as being the nearest point that a building may be constructed to the front lot line. The building line shall limit the location of porches, patios, and similar construction, steps excepted, to the face of this line.

Cartway: The improved surface of a street or alley designed for vehicular traffic. Does not include shoulders or surface outside the gutter line

Clear Sight Triangle: A triangular area of unobstructed vision at street intersections defined by lines of sight between points at a given distance from the intersection of street center lines. (See illustration in Appendix and Section 802.6).

Code Officer: The duly designated administrator of this Ordinance.

Commission: The Planning Commission of the Township of McKean.

Comprehensive Plan: The McKean Area Comprehensive Plan and any amendments thereto.

County: The County of Erie, Pennsylvania.

County Planning Department: The Planning Department of the County of Erie.

Cul-de-Sac: A street intersecting another street at one end and terminating at the other in a vehicular turn-around.

Cut: An excavation. The difference between a point on the original ground and a designated point of lower elevation on the final grade. Also, the material removed in excavation.

Department of Environmental Protection (DEP): The Pennsylvania Department of Environmental Protection, its bureaus, divisions, department and/or agencies, as may from time to time be established, or such Department or Departments as may in the future succeed it.

Designated Floodplain Areas: A relatively flat or low land area adjoining a river, stream, or watercourse which is subject to partial or complete inundation in a 100-year flood and so defined by the Federal Emergency Management Agency.

Detention Pond: An area in which surface water runoff is temporarily stored pending its release at a controlled rate.

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

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

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

Drainage: The removal of surface water or groundwater from land by drains, grading or other means, and includes control of runoff to minimize erosion and sedimentation during and after construction or development.

Drainage Facility: Any ditch, gutter, culvert, storm sewer or other structure designed, intended or constructed for the purpose of carrying, diverting or controlling surface water or groundwater.

Drainage Easement: The lands required for the installation of storm water sewers or drainage ditches, or required along a natural stream or watercourse for preserving the channel and providing for the flow of water therein to safeguard the public against flood damage.

Driveway: A private vehicular passageway providing access between a street and a private parking area or private garage.

Dwelling Unit: Any structure, or part thereof, designed to be occupied as living quarters as a single housekeeping unit.

Easement: A right granted for limited use of private land for public and quasi-public purposes including such things as utilities and drainage. There shall be no structures on any easements granted to the Township of McKean and to any officially created municipal authority.

Engineer: A professional engineer licensed as such in the Commonwealth of Pennsylvania.

Erosion: The removal of surface materials by the action of natural elements.

Erosion and Sediment Control Plan: A plan showing all present and proposed grades and facilities for storm water, drainage, erosion and sediment controls, and which is in accordance with Section 1008 of this Ordinance.

Excavation: Any act by which earth, sand, gravel, rock or any other similar material is dug into, cut, quarried, uncovered, removed, displaced, relocated or bulldozed and shall include the conditions resulting therefrom.

Fill: Any act by which earth, sand, gravel, rock or any other material is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface and shall include the conditions resulting therefrom. The difference in elevation between a point on the original ground and a designated point of higher elevation on the final grade. The material used to make a fill.

Flood Prone Area: A relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or water course; and/or any area subject to the unusual and rapid accumulation of surface waters from any source.

Future Right-of-Way: The future right-of-way of a street designated on the Official Map of the Township of McKean established by Ordinance.

Grading and Drainage Plan: A plan showing all existing ground features and proposed grading, including existing and proposed surface and subsurface drainage facilities, described by grades, contours, and topography.

Improvements: Those physical additions and changes to the land that may be necessary to produce usable and desirable lots.

Land Development: Any of the following activities:

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

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

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

3. See also Article I and Article V of the Pennsylvania Municipalities Planning Code.

B. A subdivision of land.

C. “Land development” does not include development which involves:

1. The conversion of an existing single-family, detached dwelling or single-family, semi-detached dwelling into not more than three residential units, unless such units are intended to be a condominium;

2. The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building; or

3. The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For the purposes of this subsection, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by the proper authorities.

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

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

Lot, Area of: The total horizontal ground area of a lot computed exclusive of any portion of the right-of-way of any public or private thoroughfare, street, road, alley or easement of access of use; but including any easement for essential service.

Lot, Corner: A lot at the junction of and fronting on two or more intersecting street rights-of way.

Lot, Double Frontage: An interior lot which abuts streets in both the front and rear. (See illustration in Appendix.)

Lot, Interior: A lot having side lot lines which do not abut on a street. (See illustration in Appendix.)

Lot, Non-Conforming: A lot the area of dimension of which was lawful prior to the adoption of amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption or amendment.

Lot of Record: A lot which meets the Lot of Record definition as set forth by the McKean Township Zoning Ordinance, Ordinance 2 of 1983, as amended.

Lot, Reverse Frontage: A lot extending between and having frontage on an arterial street and a local access street, and with vehicular access solely from the latter.

Lot, Width of: A mean horizontal distance between the side lot lines measured at its widest and narrowest points.

Maintenance Guarantee: Any financial security, acceptable under Article V of the Pennsylvania Municipalities Planning Code, which may be accepted by the Township of McKean for the maintenance of any improvements required by this Ordinance.

Major Subdivision: Any subdivision not classified as a minor subdivision.

Marker: A metal stake placed to designate the boundary and corners of lots in the subdivision of land for the purpose of reference in land and property survey and to facilitate the sale of lots. (See Section 1002.)

McKean Township Sewer Authority (Sewer Authority): The duly constituted Sewer Authority of the Township of McKean, Erie County, Pennsylvania.

McKean Township Water Authority (Water Authority): The duly constituted Water Authority of the Township of McKean, Erie County, Pennsylvania.

Minor Subdivision: The subdivision of land into not more than three (3) parcels, including the residual property, located on an existing improved street that does not involve the construction, installation or dedication of new streets, utilities or other public improvements.

Mobile home: A transportable, single family dwelling intended for permanent occupancy, contained in one unit or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation. (The term does not include recreational vehicles or travel trailers.)

Mobile Home Lot: A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home.

Mobile Home Park: A parcel or contiguous parcels of land which has been so designated and improved that it contains two (2) or more mobile home lots for the placement thereon of mobile homes.

Modification: When a sub-divider can show that a provision of this Ordinance would cause unnecessary hardship if strictly adhered to, and where because of topographic or other conditions peculiar to the site, in the opinion of the Planning Commission a departure may be made without destroying the intent of such provisions, the Planning Commission may recommend and the Board of Supervisors may authorize a modification. Any modification thus authorized and the reasoning on which departure was justified shall be entered on the minutes of the Board of Supervisors. A modification applies only to the particular subdivision for which it is granted.

Monument: A concrete, stone, or other permanent object placed to designate boundary lines, corners of property, and rights-of-way of streets and utilities, for the purpose of reference in land and property survey. (See Section 1002).

Municipal Authority: A body politic and corporate created pursuant to the Act of May 2, 1945 (P.L. 382, No. 164), known as the "Municipalities Authority Act of 1945."

Person: An individual, partnership, corporation, or other legally recognized entity.

Plan, Final: A complete and exact subdivision plan, mobile home park or site plan prepared for official recording as required by statute and this Ordinance (see Article VII).

Plan, Preliminary: The preliminary drawing indicating the proposed layout of the subdivision, mobile home park or site plan to be submitted to the Township of McKean for consideration, as required by this Ordinance (see Article VII).

Plan, Sketch: An informal plan indicating salient existing features of a tract and its surroundings and general layout of the proposed subdivision.

Plan, Soil Erosion and Sedimentation Control: A plan for controlling erosion and sediment during construction which shall provide all steps, including scheduling, to assure erosion and sediment control during all phases of construction, including final stabilization.

Planning Code: The Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended by Act 170 of 1988 and such other amendments to same as may be adopted from time to time.

Planning Commission: The Planning Commission of the Township of McKean, Erie County, Pennsylvania.

Plat: The map or plan of a subdivision or land development, whether preliminary or final.

Public: Public includes any municipality owned and/or operated use.

Public Grounds: Includes:

1. parks, playgrounds, trails, paths and other recreational areas and other public areas;
2. sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities; and
3. publicly owned or operated scenic and historic sites.

Public Hearing: A formal meeting held pursuant to public notice by the Township of McKean or the McKean Township Planning Commission, intended to inform and obtain public comment, prior to taking action in accordance with the Pennsylvania Municipalities Planning Code.

Public Meeting: A forum held pursuant to notice under the Act of July 3, 1986 (P.L. 388, No. 84), known as the “Sunshine Act”.

Public Notice: Notice as required under the provisions of the Pennsylvania Municipalities Planning Code.

Replat: See Subdivision – Replat.

Reserve Strip: A narrow parcel of ground having inadequate area for building purposes separating a street or a proposed street from other adjacent properties.

Reverse Frontage Lot: A lot extending between, and having frontage on an arterial street and a minor street, and with vehicular access solely from the latter.

Right-of-Way: Land dedicated for use as a public street, alley or crosswalk, which may also be used by sewer, water, storm sewer, electric, gas, telephone and cable system(s). (See also Future Right-of-Way.)

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

Sedimentation: The process by which mineral or organic matter is accumulated or deposited by moving wind, water, or gravity. Once this matter is deposited (or remains suspended in water), it is usually referred to as “sediment”.

Sewage Disposal System, Community: A system of piping, tanks or other facilities serving two (2) or more lots and collecting, treating and disposing of domestic sewage into a subsurface soil absorption area or retaining tank located on one or more of the lots or at another site.

Sight Distance: The extent of unobstructed vision, in a horizontal or vertical plane, along a street, as defined in Section 802 of this Ordinance.

Slope: The face of an embankment or cut section; any ground whose surface makes an angle with the plane of the horizon.

Street: Includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other ways or strips of land used or intended to be used by vehicular traffic or pedestrians whether public or private, and including the entire right-of-way. Particular types of streets are further defined as follows:

A. Arterial (Expressway): This class of highway facility is devoted entirely to the task of moving large volumes of traffic and performs little or no land service function. It is generally characterized by some degree of access control. Normally, this classification should be reserved for multi-lane, divided roads with few, if any, grade intersections.

B. Collector: This class of road serves the internal traffic movement within the municipality and connects developed areas with the arterial system. They do not accommodate long, through trips and are not continuous for any appreciable length. The collector system is intended to simultaneously supply abutting property with the same degree of land service as a minor street and accommodate local internal traffic movements.

C. Commercial: Commercial roads service areas whose predominant use is commercial. In function, design and specification, they will be considered as a collector street.

D. Local and Minor: The minor street’s sole function is to provide access to immediately adjacent land.

E. Industrial: Industrial roads are primarily designed to serve industrial and manufacturing development. These roads will be designed to accommodate extensive truck traffic of all types.

Street Centerline: An imaginary line which passes through the middle of the right-of-way and the cartway simultaneously, or which is in the center of the right-of-way in cases where the cartway is not centered in the right-of-way.

Structure: Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

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

Subdivision – Major: See Major Subdivision.

Subdivision – Minor: See Minor Subdivision.

Subdivision – Replat: The change of a lot line between two (2) abutting existing parcels which does not create a new parcel and where such lot line change is in full compliance with this Ordinance, the McKean Township Zoning Ordinance and related ordinances, rules and regulations of the Township. A replat shall be treated as a minor subdivision.

Substantially Completed: Where, in the judgment of the Township Engineer, at least ninety percent (90%) (based on the cost of the required improvements for which financial security was posted) of those improvements required as a condition for final approval have been completed in accordance with the approved plan, so that the project will be able to be used, occupied or operated for its intended use.

Surveyor: A professional surveyor, licensed as such in the Commonwealth of Pennsylvania.

Swale: A low-lying stretch of land characterized as a depression used to carry surface water runoff.

Temporary Turn-around: A temporary circular turn-around at the end of a road which terminates at or near the subdivision boundary bordering undeveloped land.

Top Soil: Surface soils and subsurface soils which normally are fertile soils and soil material, ordinarily rich in organic matter or humus debris. Top soil is usually found in the uppermost soil layer called the A Horizon.

Township of McKean Township: The Township of McKean, Erie County, Pennsylvania.

Township Engineer: A professional engineer licensed as such in Pennsylvania, duly appointed as the Engineer of the Township of McKean.

Undeveloped Land: Any lot, tract, or parcel of land which has not been graded or in any other manner prepared for the construction of a building or other improvement.

Utility Plan: A plan to show all existing and proposed fire hydrants, water and sewer lines, storm sewer lines, gas and electric lines, cable television facilities, and street lighting.

Water Facility: Any water works, water supply works, water distribution system or part thereof, designed, intended or constructed to provide or distribute potable water.

Water Survey: An inventory of the source, quantity, yield, and use of groundwater and surface-water resources within the Township.

Watercourse: A permanent stream, intermittent stream, river, brook, creek, or a channel, drain, or ditch for water, whether natural or man-made.

ARTICLE III

PROCEDURES – MAJOR SUBDIVISIONS AND LAND DEVELOPMENT

Section 301 Pre-Application Investigation

- 301.1 Developers are urged to discuss possible development sites with the Township prior to submission of the Preliminary Plan. Based upon past experience, developers incur unneeded cost and often incorrectly prepare plats. Consequently, the Township considers this step very important. The purpose of the pre-application meeting is to afford the developer the advice and assistance of the Township. A second purpose is to determine if the proposed development is in general accordance with this Ordinance. The developer is encouraged to further discuss the proposal with PennDOT or utility companies as may be appropriate. Meetings with the Erie County Department of Health and the Erie County Department of Planning are also necessary. The Erie County Subdivision Guide shall also be taken into consideration when any subdivision of land is proposed. The discussion of and preparation of land is proposed. The discussion of and preparation of plans and information for a pre-application discussion does not constitute the filing of either a preliminary or final plan.
- 301.2 A sketch plan may be prepared and presented for informal review and discussion at the same time. Sketch plans should generally include those items listed under Plan Requirements, Article VII, Section 701 of this Ordinance.
- 301.3 This process is advisory only. It does not relieve any developer from meeting all the requirements of this Ordinance.

Section 302 Preliminary Plan Application

- 302.1 The Preliminary Plan and all information and procedures relating thereto shall, in all respects, be in compliance with the applicable provisions of this Ordinance when submitted to the Township. It is the responsibility of the developer to coordinate his plans pursuant to the provisions of this Ordinance with all private and public service agencies and utility companies.
- 302.2 An original plus five (5) copies of the Preliminary Plan and all required exhibits shall be received during regular office hours of the Township and must be received at least two (2) weeks prior to the Planning Commission meeting.
- 302.3 Information to be filed with Preliminary Plans shall generally include those items listed under Plan Requirements, Article VII, Section 702 of the Ordinance, and shall be prepared in accordance with, and submitted with the number of copies, as specified herein. The Erie County Subdivision Process Guide shall also be taken into consideration when any subdivision of land is proposed.

- 302.4 In cases where the subdivision fronts on an existing or proposed State Highway or has proposed streets entering on such highways, the developer shall submit the plans to the Pennsylvania Department of Transportation (PennDOT) for review and permit(s) as required. All plots shall note the requirements of Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428).

Section 303 Approval of Preliminary Plan

- 303.1 The McKean Township Code Officer shall receive all Preliminary Plans. After receipt, the Code Officer shall review said Plans for completeness. The Township may forward plans to the Township Engineer as part of the review process. Any fee for such a review shall be assessed in accordance with Section 503 of the Pennsylvania Municipalities Planning Code. Subdivisions which are not in substantial compliance with this Ordinance will be returned to the developer as an incomplete submission and shall not be regarded as filed. After such review, a copy of the Plan will be referred to the McKean Township Planning Commission and a copy referred to the Erie County Department of Planning for review and recommendations.
- 303.2 The Pennsylvania Municipalities Planning code allows for a public hearing to be held on an application for subdivision approval, either Preliminary or Final. If the township supervisors decide that a public hearing is necessary, it may arrange for same, or it may request that the Planning Commission conduct the hearing as part of its review process. If a hearing is held, public notice will be given.
- 303.3 The Township Supervisors shall take final action on the Preliminary Plan no later than ninety (90) days following the date of the next regular meeting of the Planning Commission following the date that the application is filed with the Township; provided, however, that should the next regular meeting occur more than thirty (30) days following the filing of the application, the ninety (90) day period shall then be measured from the thirtieth (30th) day following the day the application was filed. The Board of Supervisors shall render its decision during a public meeting. The Supervisors may approve the Plan, disapprove the Plan or approve the Plan with certain conditions. If the Supervisors either disapprove the Plan or approve it conditionally, it shall cite the provisions of this Ordinance upon which it has taken such action. Within fifteen (15) days after its action, the Supervisors shall notify the developer, in writing, of the action taken, and specifying what changes, if any, will be required prior to the approval of the Final Plan. If a conditional approval is granted, the developer must accept same, in writing, in twenty (20) days. If the developer fails to accept the Supervisor's conditions, if any, set forth in its Preliminary Plan approval within twenty (20) days from notification, the approval shall be automatically rescinded.
- 303.4 Any changes of the Preliminary Plan required, as prerequisite to approval, will be noted on two (2) copies of the Preliminary Plan. One (1) copy of the conditionally approved Preliminary Plan will be returned to the developer and one (1) copy will be retained by the Township.

- 303.5 The purpose of the Preliminary Plan is to define, in detail, the design, construction standards, lot layout, and related items for a subdivision. It is necessary that such matters be resolved prior to the submission of the Final Plan. [See also Section 508 (4) (v) of the Pennsylvania Municipalities Planning Code.]
- 303.6 One (1) reproducible original or permanent copy of the Preliminary Plan on stable plastic tracing film will be required. Said copy is to show the Preliminary Plan as approved with all required changes.

Section 304 Final Plan Application

- 304.1 After the developer has received official notification that the Preliminary Plan has been approved and what changes, if any, must be made if the Plan is to proceed to consideration as a Final Plan and has accepted these conditions, the developer has five (5) years in which to submit a Final Plan. If the developer does not do so within the five (5) year period, the approval of the Preliminary Plan shall become null and void unless and extension of time is requested by the developer in writing and is granted, in writing, by the Township before the expiration date. [See also Section 508 (4) (v) of the Pennsylvania Municipalities Planning code.]
- 304.2 The information, certificate, and plans to be filed with the Final Plan application shall include those items listed under Plan Requirements, Article VII, Section 703 of this Ordinance.
- 304.3 Assurance of the completion of improvements, where required, shall be submitted in accordance with Article V.
- 304.4 At least one (1) copy of the Final Plan on stable plastic drafting film (permanent copies), along with ten (10) prints thereof and all other exhibits required for approval shall be filed with the Code Officer. A copy of typical exhibits is found in the Appendix.
- 304.5 When an extension of time is granted for the submission of a Final Plan, the Township shall do one of two things when the Final Plan is submitted: (1) make a finding that the conditions on which its approval of the Preliminary Plan were based have not changed substantially, or (2) require changes in the Plan, prior to final approval, that will reflect any substantial changes on the site of the subdivision or in its surrounding, that have taken place since the grant of preliminary approval.
- 304.6 It is not necessary for the whole Plan that received preliminary approval to be submitted as a Final Plan. The Final Plan may be submitted in sections, each covering a portion of the entire proposed subdivision shown on the Preliminary Plan. In the case where development is projected over a period of years, the Township may authorize submission of final plats by section or stages of development subject to such requirements or guarantees as to improvements in future sections or stages of development as it finds essential for the protection of any finally approved section of the development. [See also Section 508 (4) (v) of the Pennsylvania Municipalities Planning Code.]

304.7 The developer must provide sewerage and water system plans for the entire development site of the Preliminary Plan regardless of the number of sections or stages to be initially developed. (See also Section 503.1 of the Pennsylvania Municipalities Planning code.)

Section 305 Approval of Final Plan

305.1 The Code Officer of the Township of McKean shall receive all Final Plans. Plans must be received at least two (2) weeks prior to the Planning Commission meeting. After receipt, the Code Officer shall review said Plans for completeness and conformance to the Preliminary Plan and any conditions relevant thereto. The Township may forward plans to the Township Engineer as part of the review process. Any fee for such a review shall be assessed in accordance with Section 503 of the Pennsylvania Municipalities Planning Code. Submissions which are not in substantial compliance with this Ordinance will be returned to the developer as incomplete submissions and shall not be regarded as filed. After such review, a copy of the Plan will be sent to the McKean Township Planning Commission and a copy referred to the Erie County Department of Planning for review/recommendations by these bodies respectively. The Erie County Department of Planning shall have thirty (30) days in which to complete its review. This time period shall commence on the date that a complete Final Plan (including any other exhibits required for approval) is submitted to the County. The Erie County Subdivision Process Guide shall also be taken into consideration.

305.2 The Pennsylvania Municipalities Planning Code allows for a public hearing to be held on any application for subdivision approval, either Preliminary or Final. If the Township Supervisors decide that a public hearing is necessary, it may arrange for same, or it may request that the Planning Commission conduct the hearing as part of its review process. If a hearing is held, public notice will be given.

305.3 If after the review required by 305.1 the Board of Supervisors finds that the Final Plan is in conformance with this Ordinance, it shall sign the Final Plan subject to Section 1002. One (1) copy of the Final Plan will be retained for the Township's records.

305.4 If the Board of Supervisors finds that the Final Plan is not in conformance with this Ordinance, it shall not sign the Final Plan, and shall notify the developer as to the section(s) of this Ordinance that is not being complied with.

305.5 The developer may wish to seek a modification of certain regulations where, owing to special conditions, a literal enforcement of this Ordinance would result in unnecessary hardship to the developer. All requests for modification shall then be reviewed and considered by the Board of Supervisors in accordance with Section 1407 of this Ordinance.

305.6 The Board of Supervisors shall take final action on the Final Plan no later than ninety (90) days following the date of the next regular meeting of the Planning Commission following the date that the application is filed with the Code Officer; provided, however,

that should the next regular meeting occur more than thirty (30) days following the filing of the application, the ninety (90) day period shall then be measured from the thirtieth (30th) day following the day the application was filed.

The Board of Supervisors shall render its decision during a public meeting. The decision shall be communicated to the developer in writing no later than fifteen (15) days following the date the decision was made.

The formal date of approval shall be deemed to be that date following approval by the Board of Supervisors whereby the developer provides satisfactory evidence that all conditions set forth by the Supervisors' approval have been met. In no event shall that time extend beyond one hundred twenty (120) days from the date of the Supervisors' action.

- 305.7 No Final Plan shall receive approval by the Board of Supervisors unless the developer shall have filed with the Township financial guarantees in accordance with Section 509 of the Pennsylvania Municipalities Planning Code in favor of the Township, or designated agency, or shall have completed all required improvements listed in Article IX or as the Township may require in the public interest.
- 305.8 Upon completion of the improvements in accordance with the specifications of this Ordinance or those of the Township or designated agency, the developer shall take steps to dedicate the improvements and have the same accepted by the Township or designated agency.

Section 306 Recording of Plan

- 306.1 After completion of all procedures and upon approval of the Final Plan, the Plan shall then be immediately recorded with the County Recorder of Deeds. In no case shall the Final Plan be recorded after ninety (90) days from the date of the Final Plan approval (See 305.6). Should the developer fail to record the Final Plan within such a period, the approval shall be considered null and void in accordance with Section 513 of the Pennsylvania Municipalities Planning Code. Re-approval thereafter may be granted by the Board of Supervisors, provided no changes have been made to the Final Plan.
- 306.2 The final Plan shall be recorded with the County Recorder of Deeds before proceeding with the sale of lots, issuance of building permits or the construction of buildings. Proof of such recordation shall be required by the Township.
- 306.3 Recording the Final Plan after approval shall have the effect of an irrevocable offer to dedicate all public streets and other public ways to public use, and to dedicate or reserve all park reservations, and school sites and other public service areas as hereafter provided. Approval shall not impose any duty upon the Township concerning maintenance or improvement of any such dedicated streets, parks, areas or portions of same until the proper authorities of the township shall have made actual appropriation of the same by Ordinance.

ARTICLE IV

PROCEDURES – MINOR SUBDIVISIONS AND REPLATS

Section 401 Pre-Application Investigation

401.1 The applicable provisions of the pre-application procedure for major subdivisions should be followed.

Section 402 Preliminary Plan Application and Approval

402.1 A Preliminary Plan is not required, but may be submitted at the developer's option.

Section 403 Final Plan Application and Approval

403.1 All applicable provisions of the Final Plan application and approval procedures (Article III) shall be followed, as shall the provisions of Article VII, Plan Requirements. All applications shall be complete.

Section 404 Replats

404.1 Replats involve the transfer of land between adjacent lots where no new building lot is created. No replat may create a lot in violation of this Ordinance or of the McKean Township Zoning Ordinance. Replats will be considered as minor subdivisions.

Section 405 Recording of Plan

405.1 Minor subdivisions and replats shall be recorded as provided by Section 306.

ARTICLE V

ASSURANCES OF COMPLETION

Section 500.1 General: The purpose of these regulations is to provide sound subdivision and land development standards for the Township of McKean.

Section 501 Improvements

- 501.1 The developer shall, for all major subdivisions, agree to complete all improvements in accordance with these regulations or such other improvements as the Township may require in the public interest as a prerequisite to approval of the Final Plan. Such improvements include those which will be dedicated to the Township, an appropriate municipal authority or similar designated agency.
- 501.2 No plan shall receive Final Plan approval unless the developer shall have completed all improvements as required by these regulations or shall have filed with the Township or appropriate agency, surety or other financial security guaranteeing the completion of such improvements. (See Section 502.)
- 501.3 The Board of Supervisors shall require the Township Engineer to check final construction plans for their correctness and to inspect the construction of improvements where the Township is to assume ownership or be responsible for maintenance. The cost of Plan review and inspection will be borne by the developer in accordance with the Pennsylvania Municipalities Planning code [see generally Section 503 (1) and 510 (g)]. The review and inspection of improvements to be dedicated to authorities or agencies where the Township will not maintain same will be in accordance with such organization's practices.
- 501.4 Upon completion of the improvements in accordance with the specifications of this Ordinance and upon final inspection of the improvements by the Township Engineer, the developer shall take the final steps to dedicate the improvements and have the same accepted by the Township. (See Article XII.) Improvements to be dedicated to authorities or agencies where the Township will not maintain same will be in accordance with such organization's practices.
- 501.5 Improvements may include, but not necessarily be limited to, the following:
- A. Monuments or markers.
 - B. Grading, streets, curbs and walks, as required.
 - C. Sanitary sewers.
 - D. Water service, including fire hydrants.

- E. Storm drainage improvements, as required.
- F. Erosion and sedimentation control measures, as required.
- G. Street lighting.
- H. Street signs.

Section 502 Financial Security

The purpose of this Section is to provide for the filing of financial security as allowed by Section 509 of the Pennsylvania Municipalities Planning Code. Where the improvement is to be dedicated to any authority or agency other than the Township, the developer will follow that organization's practices. In any event, it is the clear intent of this Ordinance that all improvements required by this Ordinance be either installed and approved or the developer will post adequate financial security as required by Section 509 of the Pennsylvania Municipalities Planning Code before Final Plan approval is granted.

502.1 An assurance of proper completion of the improvements by financial security in the subdivision shall be made by one of the following methods, or such other method as shall be satisfactory to the Township of McKean:

- A. A bond, irrevocable letter of credit, restrictive or escrow account, certified check, or other security satisfactory to the Township and in accordance with Section 509 of the Pennsylvania Municipalities Planning Code, which shall run or be made payable to the Township.
- B. In the case of a bond, it shall also:
 - 1. Be with surety satisfactory to the Township.
 - 2. Be in form, sufficiency, and execution acceptable to the Township.

502.2 The amount of the financial security shall be in an amount determined to equal one hundred ten percent (110%) of the cost of the required improvements in accordance with Section 509 of the Pennsylvania Municipalities Planning Code, and shall be approved by the Township Engineer.

502.3 The bond, certified check or other securities shall specify the time for the completion of the required improvements. Such time shall be satisfactory to the Township Supervisors, but not exceed one (1) year. When the improvements have been completed and approved by the Township, the guarantee shall be released and returned. When a portion of the required improvements has been completed and approved by the Township, a portion of the bond, monies or security commensurate with the cost of the improvement may be released and returned in accordance with Section 509 of the Pennsylvania Municipalities Planning Code.

In no event shall the entire performance assurance be returned to the developer. At least ten percent (10%) shall be retained until:

- A. All improvements have been completed, approved by the Township Engineer and accepted by the Township.
- B. The required maintenance bond (see Article XII) has been filed and accepted by the Township.
- C. All the requirements of Article XII, specifically including the filing of as-built drawings, have been met.

502.4 In the event that cash or its equivalent is deposited as an improvement guarantee, it shall be held in an escrow fund, which may bear interest to the credit of the developer, but the developer shall pay all costs for the maintaining of such escrow fund.

502.5 In the event any improvements which may be required by this Ordinance are not installed as provided herein, the Township may institute remedies to effect the completion of such improvements as provided by Section 511 of the Pennsylvania Municipalities Planning Code or any actions provided for under law.

502.6 For circumstances relating to Financial Security not specifically delineated in the Ordinance, including the amount of same and the resolution of disagreements relative to such security, it is the intention of the Township of McKean to follow the guidelines and procedures as set forth by Sections 509 and 510 of the Pennsylvania Municipalities Planning Code.

ARTICLE VI

DEVELOPMENT STANDARDS

Section 601 General Standards

601.1 It is the policy of the Township that these regulations shall state minimum standards for development.

601.2 The following requirements and guiding principles for land subdivision shall be observed by all developers, and the Township shall consider the suitability as to location of any proposed subdivision with respect to the following:

A. Any development in areas considered by the Township as habitable yet subject to periodic or occasional inundation shall comply with the regulations as established under Section 811 of this Ordinance and any other Federal, State or Local municipal law, rule and regulation, including, but not limited to, the Flood Plain Management Act.

B. No subdivision showing reserve strips controlling the access of public ways will be approved.

C. The following regulations and/or legislation must also be complied with:

1. Pennsylvania Sewage Facilities Act (contact the Erie County Department of Health).

2. Pennsylvania Storm Water Management Act.

3. The McKean Township Storm Water Management Ordinance (Ordinance 1092).

4. Township of McKean Zoning Ordinance and other ordinances pertaining to land use or development which includes floodplain regulations.

5. McKean Township Driveway Ordinance (Ordinance 2-91).

6. Regulations of the Pennsylvania Department of Transportation relating, but not limited, to driveway and street openings.

7. Wetland regulations and restrictions.

8. Ordinance 3 of 1991, the Radioactive Waste Ordinance of McKean Township.

ARTICLE VII

PLAN REQUIREMENTS

Section 701 Sketch Plan

- 701.1 A subdivision sketch plan should be submitted by the developer or property owner as a basis for informal and confidential discussion with the Code Officer.
- 701.2 Data furnished in a sketch plan shall be at the discretion of the developer. The sketch plan need not be to scale and the precise dimensions are not required. It is suggested that the following items be included in the sketch plan presentation:
- Subdivision boundary
 - North arrow
 - Streets on and adjacent to the tract
 - General topographical and physical features
 - Proposed general street layout
 - Proposed easements
 - Information relative to and the location of water and sanitary sewer lines in and adjacent to the proposed subdivision.
 - Surrounding property and the names of owners
 - Name, address and telephone number of the Surveyor, and, if needed, Engineer
 - Existing zoning district, zoning district boundary lines or nearby zoning district boundary lines in the subdivision

Section 702 Preliminary Plan

- 702.1 A Preliminary Plan is required for major subdivisions. Copies of the Preliminary Plan drawing shall consist of an original drawn on stable plastic film and shall be in permanent ink. Accurate, permanent photographic reproducible reproductions in black will be accepted in lieu of inked drawings. Copies may be either black on white or blue on white prints. Five (5) copies shall be submitted to the Code Officer.
- 702.2 The Preliminary Plan shall be drawn at a scale of either one inch equals fifty feet (1" = 50') or one inch equals one hundred feet (1" = 100') scale where warranted. In unusual circumstances, other scales may be acceptable. If the Preliminary Plan is drawn in two (2) or more sections, it shall be accompanied by a key map showing the location of the various sections. The size of the Preliminary Plans shall be consistent with the requirements for Final Plans.
- 702.3 The following information shall be shown on, or included with, all Preliminary Plans when they are submitted to the Township:
- A. Proposed subdivision name, identifying title and the words "Preliminary Plan".

- B. Name and address of the owner of the tract or of his agent, if any, and of the developer.
- C. Date, north arrow, and graphic scale.
- D. Total acreage of the tract, number of lots, proposed land use, remaining acreage of any unsubdivided land.
- E. Zoning district (s).
- F. Tract boundaries which shall show distances and bearings.
- G. A key map, for the purpose of locating the site in the Township, showing the relation of the tract to adjoining property and streets, roads, bodies of water, and municipal boundaries.
- H. Contours at vertical intervals of two (2) feet for land with average natural slope of four percent (4%) or less, and at vertical intervals of five (5) feet for more steeply sloping land. Locations of bench marks will be shown. Contour data for minor subdivisions will not be required.
- I. The names of all owners of all immediately adjacent unplatted land; the names of all platted subdivisions immediately adjacent to the development, and the locations and dimensions of any streets or easements terminating adjacent to the development.
- J. The locations and dimensions of all existing streets, roads, railroads, public sewers, aqueducts, water mains, and feeder lines, fire hydrants, gas, electric, communication and oil transmission lines, streams, intermittent drainage ways, swales, and other significant features within the property proposed to be subdivided, or within one hundred (100) feet of said property.
- K. The location of all buildings and approximate location of all tree masses within the property.
- L. A description and map of the existing vegetative cover.
- M. A full plan of the development, showing the location of all proposed streets, roads, alleys, utility easements, parks, playgrounds, pedestrian ways, and other public areas, sewer and water facilities; proposed lot lines and approximate dimensions of lots; lot numbers and/or block numbers in consecutive order; and all streets and other areas designed for appurtenant facilities, public use, or future public use, together with the conditions of such dedications or reservations.
- N. Components for Act 537 on-lot sewage disposal system, if applicable. Status of any required DEP sewer system or water system permits (as applicable), including permits or approvals for any needed approval of the Erie County Health Department.

O. Preliminary designs of sewerage and water plans. These designs may be submitted on separate sheets.

P. Typical cross-sections and centerline profiles for each proposed street shall be shown on the Preliminary Plan (see Article VIII). These profiles may be submitted as separate sheets.

Q. A complete Drainage Plan. (See also Storm Water Management Ordinance.)

R. Preliminary designs of any bridges or culverts which may be required. These designs may be submitted as separate sheets.

S. Name, address and telephone number of Engineer/Surveyor.

702.4 The following certificate, where applicable, shall appear on the Preliminary Plan:

A. Certificate for the approval of the Township of McKean Board of Supervisors.

B. Certificate for review of the McKean Township Planning Commission and the Erie County Department of Planning.

C. Certificate of the Surveyor and/or Engineer (if required) as to the accuracy of the survey and/or design.

702.5 Where the Preliminary Plan submitted covers only a part of the subdivider's entire holding, a sketch plan of the prospective future street system of the unsubmitted part shall be furnished; the street system of the submitted part will be considered in the light of adjustments and connections with future streets in the part not submitted.

Section 703 Final Plan

703.1 A Final Plan is required for all subdivisions.

703.2 The Final Plan original for all subdivisions shall be drawn on stable plastic film, and shall be in permanent ink. Accurate, permanent photographic reproductions in black will be accepted in lieu of inked drawings. In addition to the original, ten (10) prints shall be submitted. Copies can be either black on white or blue on white print.

703.3 Sheet size for Final Plans shall be eighteen by twenty-four (18 x 24) inches or twenty-four by thirty-six (24 x 36) inches in size for all subdivisions. (Note, Erie County Recorder's Office requires 18 x 24 for recordation - typical practice is to reduce the original plat.)

703.4 If the Final Plan is drawn in two (2) or more sections, it shall be accompanied by a key map showing the location of the several sections.

703.5 The Final Plan shall be drawn at the scale as required of Preliminary Plans unless otherwise approved by the township Supervisors.

703.6 The following information shall be included on Final Plans where applicable:

- A. Block and lot numbers (in consecutive order).
- B. Lot lines and tract boundaries with accurate bearings and distances. Distances to be to the nearest hundredth of a foot; bearings to the nearest second. Survey closure shall be 1:00,000 or less. A copy of the closure computations shall also be submitted as a matter of record.
- C. Exact acreage of entire subdivision and each individual lot. Acreage to be to the nearest hundredth acre exclusive of rights-of-ways, or other public areas.
- D. Accurate bearings and distances to the nearest established street corners or official monuments. Reference corners shall be accurately described on the Plan.
- E. Accurate locations of all existing and recorded streets intersecting the boundaries of the tract.
- F. Complete curve data for all curves included in the Plan, including radius, delta angle, tangent and arc length.
- G. Street centerlines with accurate dimensions in feet and hundredths of feet, with bearings of such street centerlines.
- H. Street names.
- I. Location and material of all permanent existing and proposed monuments and lot markers.
- J. Easements for utilities and any limitations on such easements.
- K. Accurate dimensions of existing public land and of any property to be dedicated or reserved for public, semi-public or community use; and all areas to which title is reserved by owner.
- L. Source of title to the land of the subdivision and to all adjoining lots, as shown by the books of the County Recorder of Deeds and names of the owners of all adjoining unsubdivided land.
- M. Any other information required by these regulations.

703.7 The following certificates, where applicable, shall be shown on the Final Plan:

- A. Certification, with seal, by a registered land surveyor and/or engineer, as appropriate, to the effect that the survey and plan are correct.
- B. Certificate for approval by the McKean Township Board of Supervisors.
- C. Certificate of review of the McKean Township Planning Commission and the Erie County Planning Department.
- D. A statement, duly acknowledged before a Notary Public with Seal, and signed by the owner or owners of the property, to the effect that the subdivision or development shown on the Final Plan is the act and deed of the owner, that he/she is the owner of the property shown on the survey and plan, and that he/she desires the same to be subdivided or developed and recorded as shown. Said statement to include and offer of dedication of public roads, easements or other improvements as needed.
- E. A certificate to provide for the recording of the Subdivision or other Plan.
- F. A highway occupancy permit notice when so required by Section 508 (6) of the Pennsylvania Municipalities Planning code.

Note: Approved forms of some of these required certificates are set forth in the Appendix of this Ordinance.

703.8 The following information, in addition to that shown on the Final Plan, shall be submitted to the Township for Final Plan review, when applicable. Five (5) copies shall be submitted unless noted otherwise.

- A. Application for approval.
- B. Approval of sanitary sewerage service and water service by the appropriate Municipal Authority and/or utility company, as applicable. (One [1] copy)
- C. Draft of any proposed covenants to run with land.
- D. Tentative timetable for the proposed sequence of development for the subdivision, if required.
- E. House numbering will be in accordance with the system developed by the Erie County Department of Planning as issued by the Township Code Officer. The developer may choose street names subject to the recommendations of the Planning Commission and the approval of the Board of Supervisors. No street, other than an extension, may be given the name of an existing street that is located in McKean Township. The developer is advised to consult

with the local U. S. Post Office as well as the Erie County Management Agency/911 System to avoid any confusing duplication of street names.

F. Required assurances of completion or a letter of approval of required improvements by the Township Engineer, per Section 502 of this Ordinance, or by a designated agency per Section 501 of this Ordinance. (One [1] copy)

G. Certificate of dedication of streets and other public property. This is the offer of dedication.

H. Final profiles, cross sections, and specifications for street improvements, and sanitary and storm sewerage, and water distribution systems shall be shown on one (1) or more separate sheets. (Number of copies the same as Section 703.2.) Street design cross sections shall be provided at intervals of not less than fifty (50) feet for most roads. If a road's grade is in excess of six percent (6%), the Township may require cross sections at closer intervals.

I. Requirements of Article XII of this Ordinance, if applicable. (One [1] copy)

ARTICLE VIII

DESIGN STANDARDS

Section 801 General

The design standards set forth by these regulations are intended to insure proper development in the Township of McKean.

- 801.1 The following land subdivision principles, standards, and requirements shall be applied by the Township of McKean in evaluating the plans for proposed subdivisions and shall be considered minimum requirements, except as provided for above.
- 801.2 In reviewing subdivision plans, the Township will consider the adequacy of existing or proposed community facilities to serve the additional dwelling units proposed by the subdivision. A reservation of land for community facilities may be requested when appropriate.
- 801.3 The subdividing of land shall be done in a manner that will not have the effect of debarring adjacent property owners from access to the streets and ways of the allotment. The Township may require dedicated, improved, or undedicated parcels to be provided for future access to adjacent land.
- 801.4 Land which is unsuitable for development because of hazards to life, safety, health, or property, shall not be subdivided or developed until such hazards have been eliminated or unless adequate safeguards against such hazards are provided for in the Subdivision or Land Development Plan. Land included as having unsuitable characteristics would be the following:
- A. Land subject to flooding or which has a high ground water table.
 - B. Land which, if developed, will create or aggravate a flooding condition upon other land.
 - C. Land subject to subsidence.
 - D. Land subject to underground fires.
 - E. Land containing significant areas of slopes greater than sixteen percent (16%).
 - F. Land which, because of topography or means of access, is considered hazardous by the Township of McKean.
 - G. Land which is subject to ground pollution or contamination.

801.5 Proposed subdivisions and land developments shall be coordinated with existing nearby neighborhoods so that the community, as a whole, may develop harmoniously.

801.6 Proposed land uses shall conform to the Township Zoning Ordinance as applicable.

801.7 The developer must present evidence of approval of an approved Erosion and Sedimentation Control Plan.

Section 802 Streets

802.1.A. Minimum street right-of-way widths and cartway widths shall be as follows:

<u>Type of Street</u>	<u>Cartway With Curbs</u>	<u>Cartway No Curbs</u>	<u>Right-of-Way</u>	<u>Shoulders</u>
Cul-de-sac ¹	28 ft.	24 ft.	50 ft.	3 ft.
Minor/Local	28 ft.	24 ft.	50 ft.	3 ft.
Collector/Comm.	32 ft.	30 ft.	60 ft.	6 ft.
Industrial	36 ft.	30 ft.	60 ft.	None
Arterial	As prescribed by the Pennsylvania Department of Transportation.			

¹Residential, other cul-de-sacs follow commercial/industrial standards.

In order to determine the classification of a street, the following two tables shall be used as a guide:

TABLE – STREET CLASSIFICATION

	<u>Projected Daily Volume Traffic (ADT)</u>
Cul-de-Sac	0-250
Minor/Local	0-1,000
Collector	1,000-3,000

Source: Table 2-1 RESIDENTIAL STREETS, 2nd Ed., American Society of Civil Engineers, National Association of Home Builders, Urban Land Institute

TABLE – RESIDENTIAL TRIP GENERATION RATES

Daily Vehicle Trips Per Dwelling Unit

	<u>Weekday</u>	<u>Peak Hour</u>
Single-Family Detached	10.1	1.0
Apartments		
All	6.1	0.7
Low-Rise	6.6	0.7
High-Rise	4.2	0.4
Townhouses and Single Family Condominiums	5.9	0.6

Source: Table 2-2 RESIDENTIAL STREETS, 2nd Ed., American Society of Civil Engineers, National Association of Home Builders, Urban Land Institute.

- 802.1.B. In McKean Township, three types of Minor/Local roads will be used (see sketches in Appendix). These are paved roads with grass swale drainage, paved roads with rolled paved drainage swales and paved roads with curbs. For the latter two types of roads, storm drainage facilities (i.e., catch basins, etc.) are required. Street types for residential use will be assigned based upon development density using the following criteria:
- 802.1.B.1. Paved Roads With Grassed Swale Drainage: These roads are designed for rural/suburban use in low-density situation. Generally, this will be in the Township's Zoning A-1, Conservation and the R-1, Rural Residential Districts with lot sizes of one (1) acre or more.
 - 802.1.B.2. Paved Roads With Rolled Paved Drainage Swales: These roads are designed for suburban application with denser development than provided for in 802.1.B.1. Generally, this will be in the Township's Zoning Districts R-1, Rural Residential and R-2, Suburban Residential; and development consists of single-family dwellings on lots less than one (1) acre and greater than fourteen thousand (14,000) square feet. It will be used for all Mobile Home Parks.
 - 802.1.B.3. Paved Roads With Curbs: These roads are designed for medium to high density situations found in the Township's Zoning District R-2, Suburban Residential and where lot size, per family, is fourteen thousand (14,000) square feet or less. It also will be used for all multiple-family dwellings.

Industrial and commercial roads will be reviewed on a case-by case basis.

802.2 In cases where a new subdivision is planned to join the street system on an existing subdivision, the above minimum requirements shall apply except where the existing streets and right-of ways are larger than required. In this event, the Township may require that the new streets and right-of ways be as large as those in the existing subdivision. Any street or way that is planned, though not already established shall be continued at not less than its width as planned.

802.3 Provisions for additional street width (right-of way) may be required by the Township in specific cases for:

- A. Public safety and convenience.
- B. Parking in commercial and industrial areas and in areas of high density residential development.
- C. Widening existing streets (rights-of-way) where the width does not meet with the requirements of these regulations.

802.4 General design criteria for streets not otherwise covered in this Ordinance shall be in accordance with specifications as set forth by the Township and the typical cross-section as shown in the Appendix of this Ordinance. All details of the cross-section including crown, curb (if any) pavement, shoulders (if any) sub-grade, storm sewers and roadside swales shall be followed.

802.5 Cul-de-Sacs

A. In no event shall a street be allowed to dead end without a permanent or temporary cul-de-sac.

B. Residential dead-end streets (cul-de-sacs) may be permitted when it is clear that through traffic is not essential to the street system in that district, and under existing conditions. A dead-end street must have adequate turning space for vehicles, which shall include a minimum right-of-way radius of sixty (60) feet, and a minimum road edge (excluding shoulders) or curb radius of forty-five (45) feet. Full pavement shall extend to the outer edge of forty-five (45) foot radius. In no event shall the shoulder area be considered as part of the required minimum road width. Cul-de-sacs shall be signed with a "No Outlet" sign for ingress traffic and a "Stop" sign for egress traffic. (Note, see 802.16.)

C. Where a temporary residential cul-de-sac is proposed in a residential development, the developer will be allowed to install a paved temporary facility with a minimum radius of forty-five (45) feet provided that such a temporary cul-de-sac will not be permitted for more than a two (2) year period and further provided that the developer shall post a bond, in accordance with the provisions of Section 502 of this Ordinance, in an amount sufficient to construct a permanent cul-de-sac according to the requirements of this Ordinance in the event the

street is not continued in said two (2) year period. In lieu of a cul-de-sac, a paved turn around of shape and dimensions per the AASHTO "Green Book" and as approved by the Township Engineer will be allowed. The temporary facility must be constructed of subbase material with a wearing surface of BCBC or a bituminous surface treatment per PA DOT Publication 408, Section 480.

If the street is not constructed in said two (2) year period, the developer shall construct a permanent cul-de-sac in full accordance with the standards of this Ordinance. In such event, the bond shall be returned. In the event the developer neither continues the street nor constructs the cul-de-sac in a two (2) year period, the Township shall use the bond funds to construct same.

Where a temporary cul-de-sac is proposed, the needed street right-of-way to the tract boundary shall be clearly shown on the preliminary and final plat. The right-of-way of any future street shall meet the requirements of this Ordinance. Area needed to provide the temporary turn-around may be provided by an easement. Said easement shall be so designed as to meet the requirements of this Ordinance pertaining to cul-de-sacs. If the cul-de-sac shall become permanent, the easement and improvements will be considered as a permanent dedication to the Township of McKean. If the road is extended and the temporary cul-de-sac is no longer needed, then the easement will be terminated.

802.6 Street intersections shall comply with the following requirements:

A. All curbs or pavement outer edge at intersections shall be rounded by a minimum radius of:

Collector, Commercial and Arterial Streets.....	40 feet
Minor, Local Streets.....	25 feet
Industrial Streets.....	50 feet

Thirty (30) foot radii shall be used where minor streets intersect collector and/or arterial streets.

B. When fences, hedges or other plantings, structures, or walls on any lot corner would create a traffic hazard by limiting clear vision across a corner lot from a height of three (3) feet above the finished paved area, at the centerline of the right-of-way, such structure and/or vegetation shall be removed in conjunction with grading the right-of-way to provide a minimum sight line of one hundred twenty (120) feet along the centerline of a collector, commercial, arterial or industrial street from the centerline intersections and one hundred (100) feet at minor street intersections.* New street intersections shall be designed with proper sight distances as required by the AASHTO "Green Book", Chapter IX. Alternatively, Table 2.3 in PA DOT Publication 70 may be used. When an arterial, commercial, industrial or collector and a minor street intersect, each shall retain its respective footage requirements along the centerline to form the sight triangle. No building or structure shall be permitted in this sight triangle. Clear sight triangles shall be shown on the plan.

*See also Township Zoning Ordinance.

C. Where the grade of any street at the approach to an intersection exceeds four percent (4%), a leveling area shall be provided, if possible, with a transitional grade not to exceed three percent (3%) for a minimum distance of fifty (50) feet from the nearest right-of-way line of the intersection.

D. Intersections of more than two (2) streets shall be avoided.

E. Minimum street intersection angles shall be seventy-five (75) degrees. Right angles intersections shall be used whenever possible.

F. Intersecting minor/local streets shall be separated by three hundred fifty (350) feet or more, measured between centerlines along the centerline of the intersected street.

802.7 Horizontal curves shall be laid on all deflecting angles along the centerline of streets, and the degree of curvature shall be set to assure the proper sight distance as required by Table A.

802.8 Vertical curves shall be used in changes of grade exceeding one percent (1%), and shall be designed for maximum visibility as set forth by Table A.

802.9 In general, minor and collector streets shall not join into the same side of arterial streets at intervals of less than eight hundred (800) feet.

802.10 Half streets shall be prohibited. If circumstances render this impractical, adequate provisions for the concurrent dedication of the remaining half of the street must be furnished by the developer. Where there exists a half street in an adjoining subdivision, the remaining half shall be provided in the proposed development. The use of reserve strips is prohibited.

802.11 The provisions for the extension and continuation of major streets into and from adjoining areas is required. Where a subdivision abuts or contains an existing or proposed major street, the Township may require reverse frontage lots or such treatments as will provide protection for abutting properties, reduction in the number of intersections with the major traffic streets, and separation of local and through traffic.

802.12 When the subdivision adjoins unsubdivided acreage, new streets or reserved right-of-ways shall be provided through to the boundary lines of the development.

802.13 Where a subdivision adjoins unsubdivided acreage, new streets or reserved right-of-ways shall be provided through to the boundary lines of the development.

802.14 If the lots in a development are large enough for resubdivision, or if a portion of the tract is not subdivided, suitable access and street openings for such resubdivision shall be

provided. Such access and/or street openings shall not be less than fifty (50) feet in width.

802.15 Alleys are prohibited.

802.16 All required traffic control devices shall comply with and be installed in accordance with Commonwealth of Pennsylvania Department of Transportation, Title 67, Chapter 211, Publication 68. Additionally, it shall be the developer's responsibility to perform all required Traffic and Engineering studies in accordance with PA DOT, Title 67, Chapter 201 for all traffic control devices.

TABLE A
Design Criteria for Streets¹
 (Not to Include Intersections)

<u>Item</u>	<u>Type of Street</u>			
	<u>Com./Ind.</u>	<u>Collector</u>	<u>Local/ Minor</u>	<u>Res. Cul-de-sac⁴</u>
Maximum Grade ²	6.0%	6.0%	9.0%	9.0%
Minimum Grade	0.5%	0.5%	0.5%	0.5%
Minimum Center- Line Radius	500 ft.	500 ft.	250 ft.	250 ft.
Minimum Sight Distance ³	300 ft.	300 ft.	250 ft.	250 ft.
Tangent between Curves	150 ft.	150 ft.	100 ft.	100 ft.

¹ For Arterial Roads, PA DOT standards will apply.

² Grades in excess of the allowable percentage may be approved by the Township where it is clear that it is necessary and that no traffic hazard is or will be created thereby.

³ Sight distance shall be measured along the centerline of the street between points where a driver's eyes at 3'6" in height can see an object 6" high. Values shown are minimums. Greater values may be required depending on site specific criteria.

⁴ Please see cul-de-sac definition – a cul-de-sac is the entire street not merely the vehicular turn-around.

Section 803 Curbs and Sidewalks

803.1 Curbs

A. Curbs shall be provided on all streets and parking compounds located within multi-family and apartment building developments. Curbs shall also be required on new streets in subdivisions or land developments in which the average lot size per family is fourteen thousand (14,000) square feet or less.

B. Where sidewalks are installed, curbs shall be depressed at intersections to sufficient width to accommodate wheelchairs. Depression shall be in line with sidewalks where provided. (Note, appropriate Federal ADA standards will be used.)

C. Curbs shall be vertical.

D. All curbs shall be constructed in accordance with McKean Township Street Construction Specifications.

803.2 Sidewalks

A. Sidewalks shall be provided on all streets and parking compounds located within multi-family and apartment building developments. Sidewalks shall also be required on new streets in subdivisions or land developments in which average lot size is fourteen thousand (14,000) square feet or less. The requirement of sidewalks may be waived at the discretion of the Supervisors. In addition, wherever the Board of Supervisors shall so determine, due to potential volume of pedestrian traffic, sidewalks may be required regardless of any other regulations in this Ordinance.

B. Sidewalks shall be constructed in accordance with McKean Township Street Construction Specifications.

Section 804 Blocks

804.1 Blocks shall be designed to insure proper fire safety.

804.2 In general, all blocks in a subdivision shall have a maximum length of fifteen hundred (1,500) feet. Blocks subdivided into lots shall be approximately two (2) lot depths in width, except lots along a major thoroughfare which front on an interior street. Block lengths shall not be less than six hundred thirty (630) feet.

804.3 In commercial areas, the block layout shall conform, with due consideration to site conditions, to the best possible layout to serve the buying public, to permit good traffic circulation and the parking of cars, to make delivery and pickup efficient, and to reinforce the best design of the units in the commercial areas.

804.4 The block layout in industrial areas shall be governed by the most efficient arrangement of space for present use and future expansion, with due regard for worker and customer access parking. Of special interest will be an accommodation of truck traffic.

Section 805 Lots and Building Lines

805.1 The depth-to-width ratio of usable lot length shall be a maximum of four (4) to one (1).

805.2 Double frontage and reverse frontage lots should be avoided except where essential to provide separation of residential development from traffic arteries or to overcome

specific disadvantages of topography and orientation. A planting screen easement across which there shall be no right of access may be required by the Supervisors along the line of lots abutting such a traffic artery or other disadvantageous use.

- 805.3 Side line of lots, so far as practical, shall be at right angles or radial to street lines.
- 805.4 Corner lots shall be increased in size whenever necessary so as to conform to the Township's Zoning Ordinance or Land Development Standards so that any structure to be placed thereon shall conform to minimum building setback line requirements.
- 805.5 Lots abutting local streets shall front upon the streets which parallel the long dimension of the block, if possible.
- 805.6 All lots shall abut by their frontage on a publicly dedicated street with exception of the following municipally owned facilities: (1) sanitary sewer collection and conveyance facilities; (2) wastewater treatment facilities; and (3) water supply, distribution and treatment facilities. (amended July 3, 2002, Ordinance No. 5-02)
- 805.7 Flat Lots: The Township of McKean, as a matter of policy, does not encourage the use of flag lots. However, it recognizes that in certain situations it may be the only practical method to develop road frontages which are associated with large lots. For residential development, flag lots shall be at least one (1) acre in size and have a fifty (50) foot access to a public street. For all other types of developments, the flag lot shall have a connection of at least sixty (60) feet and shall be at least ten (10) acres in size.

Section 806 Lot Grading for Subdivisions and Land Developments

- 806.1 Blocks and lots shall be graded to provide proper drainage away from buildings and to prevent the collection of storm water in pools.
- 806.2 Lot grading shall be of such design as to carry surface waters to the nearest practical street, storm drain, or natural water course. Where drainage swales are used to deliver surface waters away from buildings, their grade shall not be less than one percent (1%) nor more than four percent (4%). The swales shall be sodded, planted or lined as required. A Grading and Drainage Plan shall be required for all subdivisions and land developments, except minor subdivisions.
- 806.3 No final grading, fill, or cut shall be permitted with a cut face steeper in slope than two (2) horizontal to one (1) vertical except under one or more of the following conditions:
 - A. The material in which the excavation is made is sufficiently stable to sustain a slope of steeper than two (2) horizontal to one (1) vertical, and a written statement of a civil engineer, licensed by the Commonwealth of Pennsylvania and experienced in erosion control, to that effect is submitted to the Township Engineer and approved by same. The statement shall state that the site has been inspected and that the deviation from the slope specified hereinbefore will not result in injury to persons or damage to property.

B. A concrete or stone masonry wall constructed according to sound engineering standards for which plans are submitted to the Township Engineer for review and written approval is provided.

806.4 The top of bottom edge of slopes shall be a minimum of three (3) feet from property or right-of-way lines of streets or alleys in order to permit the normal rounding of the edge without encroaching on the abutting property. All property lines, or right-of-way lines, where walls or slopes are steeper than one (1) horizontal to one (1) vertical and five (5) feet or ore in height shall be protected by a protective fence no less than three (3) feet in height approved by the Township Engineer.

Section 807 Easements

807.1 Where a subdivision is traversed by a watercourse, drainage way, channel, or stream, a drainage easement may be required that conforms substantially with the water line of such watercourse, drainage way, channel, or stream and of such width as will be adequate to preserve the unimpeded flow of natural drainage, or for the purpose of widening, deepening, relocating, improving or protecting such drainage facilities.

807.2 Where desirable or necessary, adequate easements or dedications for public service utilities shall be provided for sewer, water, electric power, gas lines, storm drainage and similar services; and no structure or obstruction of any kind shall be placed or allowed to be placed where it will interfere in any way with such easements.

807.3 Utility and drainage easements, where required, shall have a minimum width of twenty (20) feet and be placed at the side or rear of lots whenever possible.

Section 808 Street Names – The developer may choose his street names subject to the review and approval as set forth by 703.8.E.

Section 809 Storm Water Drainage – Governed by the McKean Township Storm Water Management Ordinance. Where grass drainage swales (or open ditches) are used sluice pipes will be required at all driveways. These will be of a size and specification as set forth by the McKean Township Driveway Ordinance (Ordinance No. 2-91). Also, all new roads that use rolled paved drainage swales or concrete curbs will provide storm drainage facilities in accordance with specifications as set forth by the Township Engineer and the McKean Township Storm Water Management Ordinance.

Section 810 Utility Regulations for Subdivision and Land Development – Gas, electric, water, telephone, and cable utilities shall be located in subdivisions in accordance with utility company practice and in accordance with agreements with, or as approved by, the Township Engineer and shall be placed underground. (See also Section 807.)

Section 811 Flood Plain Area Regulations – All developers are required to follow the Township of McKean's Flood Plain Regulations. In addition, when any floodplains are located within a proposed development, they should be clearly identified on the preliminary and final

plat. The developer will use the most recent floodplain information for the Township of McKean as available from the Federal Emergency Management Agency.

Any public facilities or utilities which are constructed in a floodplain area shall be designed in accordance with approved regulations. These regulations are set forth in the Township's Flood Plain Regulations, Flood Plain Ordinance No. 2 of 1983, as the same may be amended from time to time.

Section 812 Sanitary Sewer Systems – Generally, sanitary sewer systems shall follow the design and construction criteria as set forth by the Pennsylvania Department of Environmental Protection and McKean Township. Where a community sanitary sewer system will not be dedicated to the Authority, the development engineer will present the design to the Township Engineer. To the extent possible, especially for collection systems, the design and construction criteria of the Township will be used. All designs must demonstrate compliance with DEP permit requirements and secure DEP approval.

When a major subdivision of eleven (11) or more lots is located within one thousand (1,000) feet of an existing sewer line, that subdivision shall be required to connect to and utilize the existing sewage facilities. The Township shall take into consideration the capacity of the existing system, its permit status and ownership (public or private) in making its determination of reasonableness. Where a minor subdivision or individual lot is located within one hundred fifty (150) feet of an existing sewer line, that individual lot or minor subdivision shall be required to use the community sanitary sewer collection system.

Section 813 Water – When a public or community water supply system is reasonably available (within one thousand [1,000] feet), the development shall be required to connect to same (see 813.A and 813.B). The Township shall take into consideration the capacity of the existing system, its permit status and ownership (public or private) in making its determination of reasonableness. If a public or community water system is not available, then each lot in the subdivision or land development application should be capable of being provided with an individual water supply system in accordance with the minimum standards approved by the Pennsylvania Department of Environmental Protection Standards. (See Section 1003.)

A. Water Systems: The developer shall install a complete water supply system for the subdivision which shall be connected to a municipal water supply, or with a community water system approved by the Erie County Department of Health, the Pennsylvania Department of Environmental Protection, and the Township Engineer with satisfactory provision for the maintenance thereof; except when such municipal or community water supply system is not available. (See Section 1003.)

B. Plans: The plans for the installation of a water supply system shall be prepared for the subdivision in accordance with PA DEP requirements and the applicable water utility and approved by its Engineer. Upon the completion of the water supply system, one (1) copy of each of the plans for such system as built shall be filed with the Supervisors and the Erie County Department of Health and the utility.

Section 814 Driveways – Residential driveways shall be at least ten (10) feet from adjacent driveways on the same side of the street and at least fifty (50) feet from the centerline of an intersecting street. For an industrial subdivision, there shall be at least seventy (70) feet between driveways on the same side of the street, and at least ninety (90) feet between the closest intersection and any industrial driveway. For commercial developments, there shall be at least fifty (50) feet between driveways on the same side of the street and at least seventy (70) feet between the closest radius of the driveway and the intersecting street. Shared driveways shall not be permitted except in instances of land development on single lots. (see also Ordinance No. 2-91)

ARTICLE IX

REQUIRED IMPROVEMENTS

Section 901 General

- 901.1 The construction of required subdivision improvements is the responsibility of the developer insomuch as it is his property which is being developed. Adequate street, utilities and other improvements are essential elements in the creation and preservation of stable residential, commercial and industrial areas, and must be completed by the developer.
- 901.2 All of the following improvements, as required by the Township pursuant to the authority granted in the Pennsylvania Municipalities Planning Code, Act 247, as amended, shall be completed in accordance with the requirements established by this Ordinance prior to final approval of the Plan, except as otherwise provided herein.
- 901.3 Final Plan approval, except for minor subdivisions and replats, shall not be given prior to the completion and acceptance of all subdivision improvements, except where assurance of completion is furnished as herein provided (Article V).

Section 902 Improvements

- 902.1 The following improvements are required. Improvements shall be provided, where required, in each new subdivision as follows, except that improvements are not required in existing public streets which may be incorporated into, or be adjacent to, the subdivision.
- A. Survey monumentation.
 - B. Water supply.
 - C. Public or community sanitary sewage facilities.
 - D. Storm drainage facilities.
 - E. Streets, including required grading, subgrade preparation, sub-drainage, subbase and pavement.
 - F. Curbing on streets (if required).
 - G. Sidewalks (if required).
 - H. Seeding between the sidewalk and curb (if required).

- I. Required utilities, street lighting, street name signs and required grading, as required.
- J. Erosion and sedimentation control, as needed.

ARTICLE X

CONSTRUCTION REQUIREMENTS

Section 1001 General

1001.1 The construction of improvements shall be in accordance with the requirements of this section. It is the intent of these regulations that these construction requirements shall be for the purpose of establishing a standard of quality and durability.

Section 1002 Monuments and Markers

1002.1 Survey monuments and markers shall be placed at all points as determined by the following criteria. In no event will any subdivision plat be signed as approved by the McKean Township Supervisors until the required pins and/or monuments are property set and in place and clear evidence of same is presented to the Township. In the event significant grading is required by a developer prior to pins and/or monuments being set, the Board of Supervisors will delay signing the plat. If the setting of pins and monuments is the only condition for subdivision approval, and the delay causes a problem for the developer, the Township will provide a statement to that effect.

A. Double monuments shall be used at all monument points. Monuments shall be concrete with a 3/8" metal dowel in the center at the top. The upper monument size shall be no less than 4" x 4" x 38". The bottom monument shall be concrete with a 3/8" metal dowel in the center at the top. The bottom monument shall be no less than 6" x 6" x 6" in size.

B. Markers shall be ferrous metal rods, one-half (1/2) inch minimum diameter by eighteen (18) inches minimum length or may be standard manufactured steel survey markers of a similar length.

C. Monuments shall be placed so that the center point shall coincide exactly with the intersection of lines to be marked.

D. Monuments shall be placed so that they are flush with the surrounding ground.

E. Markers shall be driven into the ground so as to be approximately flush with the final grade.

F. Monuments shall be set at the intersection of all lines forming angles in the boundaries of major subdivisions. They shall also be set at the intersection of all street right-of-way lines.

G. Markers shall be set at all lot angles and corners, and at the beginning and end of all curves in lot and street lines and at the angle points of all streets right-of-way(s).

Section 1003 Water Supply

- 1003.1 The developer shall contact the Township and the Township Water Authority or other designated agency for the specifications of a water supply system. Prior to the approval of the Preliminary Plan, the developer shall provide documentation to the Township Supervisors that arrangements for the provision of the water system are proceeding satisfactorily.
- 1003.2 Fire hydrants shall be provided concurrently with the water supply.
- 1003.3 All public water systems shall be laid wherever possible in the planting strip on the north and east sides of the street and constructed in accordance with the standards of the Township water utility, State Department of Environmental Protection or the Township Water Authority operating such water mains.
- 1003.4 All phases of construction, including minimum size six (6) inch lines, excavation, trench, pipe type, backfill, hydrants, tees and valves shall be in accordance with approved construction drawings, State Department of Environmental Protection Standards and inspected by Township Engineer, Township representative and/or the Township Authority during the entire construction period.
- 1003.5 Upon completion of the water supply system, and before any person uses said water supply, the subdivider shall submit two (2) copies of as-built plans to the Township. Said as-built plans shall show, by stationing, all valves, housetaps, length and size of house connections and location of fire hydrants, position of mains in the right-of-way.
- 1003.6 All inspection costs, including but not limited to the compensation to be paid to the Township Engineer, his authorized representative and/or the Township Authority or representative of the utility company shall be borne and paid by the subdivider. (See Sections 503 and 510 of the Pennsylvania Municipalities Planning Code.)

Section 1004 Sanitary Sewage

- 1004.1 Where required, the developer shall construct a sanitary sewer system and provide lateral connections for each lot in accordance with the specifications of the Township and the Township Sewer Authority or designated agency.
- 1004.2 The developer shall secure from the Township or Township Sewer Authority or designated agency (as appropriate), prior to approval of the Preliminary Plan, a letter indicating the general design, location and preliminary approval of the proposed sanitary sewer collection system. Prior to the approval of the Final Plan, the developer shall supply documentation attesting to the installation of the sanitary sewer collection system and its approval/acceptance by the Township Sewer Authority. The developer may also offer an acceptable financial surety in lieu of this arrangement.

- 1004.3 It is the purpose of these regulations that developments which occur under this Ordinance shall pay their fair share toward needed improvements as set forth by Act 203 of 1990.
- 1004.4 The minimum diameter of any sewer main shall be eight (8) inches and any lateral six (6) inches. Storm water and subsurface drainage shall not be permitted to enter sanitary sewers. Footing drains and downspouts shall not be connected to the sanitary sewer system.
- 1004.5 All phases of construction, including excavation, trenching, installation of the appropriate size of pipe, grading, backfilling and installation of manholes shall be in accordance with construction drawings approved by the State Department of Environmental Protection, if such approval is required, and inspected by the Township Engineer, his authorized representatives, the Township Sewer Authority representative, and/or health officer during the entire construction period. All inspection costs, including but not limited to compensation to be paid to the Township Engineer, his authorized representative and/or the Township Sewer Authority representative, and all other Township inspections costs shall be borne by the subdivider.
- 1004.6 Upon completion of sanitary sewer installation, two (2) copies of each of the plans for such systems as built shall be filed with the Township or Township Sewer Authority (as appropriate). Said as-built plans shall show, by stationing, all manholes, laterals, length of laterals and size and location of mains within the right-of-way.
- 1004.7 Private Community Sewer Systems – When a complete private sanitary sewer system using a treatment plant is to be provided, a statement shall be submitted to the Township from the Pennsylvania Department of Environmental Protection certifying that a permit has been issued by the appropriate agency approving the proposed facilities. Adequate security for the maintenance of such plant shall be furnished to the Township.
- 1004.8 On-Lot Sewage Disposal – In subdivisions where public sewers are not available and a complete private community sanitary sewer system is not required, on-lot sewage disposal systems shall be provided. In such instances, the developer shall provide evidence that the planning module required for on-lot disposal by DEP has been approved. The developer must show compliance with Act 537, and other State, Erie County Health Department, or Township laws and/or regulations governing on-lot sewage disposal.

Section 1005 Storm Sewers

- 1005.1 A drainage system adequate to serve the needs of the proposed development in accordance with the Township Storm Water Management Ordinance will be required in new subdivisions. The developer shall construct a storm sewer system and connect the drainage system with the existing Township storm sewer system if one exists. All storm sewer construction shall comply with the Township's Storm Sewer Specifications.

1005.2 A twenty-five (25) year storm frequency shall be utilized to design facilities serving local, commercial/industrial and marginal access streets and marginal access ways and access roads to multiple business properties. All longitudinal and side drains and slope pipes for street, road and highway systems will also be designed considering a twenty-five (25) year storm frequency.

Culvert cross drains and any other type of drainage facility in an underpass or depressed roadway section shall be designed utilizing the following storm frequencies.

1. Arterial Highways.....25 years
2. Collector, Local Streets and others..... 10 years
3. Greater design frequencies may be required by the Township where justified on Individual projects.

1005.3 Bridges or culverts shall be designed to support and carry all legal loads, but not less than AASHTO Loading HS-20 and shall be constructed the full width of the cartway plus additional length as necessary to provide a proper installation.

1005.4 Where open watercourses are planned, adequate safety, erosion control, drainage, protection of capacity and appearance measures shall be taken by the developer to insure proper, safe, healthful disposal of storm water. All open watercourses must be approved by the Township Engineer.

1005.5 The direct discharge of surface or subsurface water such as downspouts or basement sump pumps onto the street cartway will not be permitted.

Section 1006 Streets, Cul-De-Sacs, Curbs, and Sidewalks

1006.1 Streets, cul-de-sacs, curbs, and sidewalks shall be designed and constructed in accordance with McKean Township's Street Construction Specifications.

1006.2 The developer shall submit plans, profiles, cross-sections, and details for streets, cul-de-sacs, curbs, and sidewalks to the Township. The developer shall not initiate construction until such plans have been approved by the Township and the Township Engineer, including any revisions required by the Township and the Township Engineer. Construction of streets, cul-de-sacs, curbs, and sidewalks shall be in accordance with plans that have been approved by the Township.

1006.3 All streets and cul-de-sacs shall have subdrainage systems consisting of subgrade (blind) drains and pavement base drains, designed and constructed in accordance with the McKean Township Street Construction Specifications.

There may be areas of the Township consisting of naturally well-drained soils where the subdrainage requirements could be relaxed. Such cases will be reviewed by the Township Engineer upon written request. All deviations from the requirements of this

Ordinance and the McKean Township Street Construction Specifications must be approved by McKean Township and the McKean Township Engineer.

1006.4 Specifications for Industrial, Commercial and other special use streets will be determined by the Township Engineer on a case-by-case basis.

Section 1007 Utilities

Gas, electric, telephone and cable utilities shall be located in subdivisions in accordance with utility company practice and in accordance with agreements with, or as approved by the Township. All buried utilities must be installed prior to the road subbase construction. All buried utilities located within the roadway must be backfilled with the same material and compaction requirements as specified for storm or sanitary sewer backfill within roadways.

Section 1008 Erosion Control

It shall be a requirement of all major subdivisions that the developer shall have a Soil Erosion and Sedimentation Control Plan and/or permit, prepared in accordance with current state law (Erosion and Sedimentation Control, Chapter 102, Pennsylvania Rules and Regulations, as amended), which shall be reviewed and approved by the Erie County Soil Conservation District. The Township may also require a like plan for any minor subdivision. The Plan shall be fully implemented during the construction of the development. A copy of the approved Soil Erosion and Sedimentation Control Plan shall be submitted with the subdivision plans.

ARTICLE XI

MOBILEHOME PARK REGULATIONS

Section 1101 Applicability

No person, firm or corporation proposing to open, re-arrange or expand a mobilehome park in McKean Township, shall proceed with any construction work on the proposed park until they have obtained from the Township written approval of the Preliminary Plan of the proposed park, according to procedures herein outlined.

Section 1102 Plan Requirements

A. Preliminary and Final Plans as required, shall comply in form and content to Articles III and VII of these regulations insofar as applicable and shall be in accordance with the standards set forth herein.

B. Storm Water Management Plan – Please see the Township Storm Water Management Ordinance (Ordinance No. 1-92).

C. Other regulations of the Township, including, but not limited to, those found in Article VI may also be required.

Section 1103 Preliminary Plan

a. Pre-Application Procedure – The mobilehome park developer should meet with the Township, prior to formal application, to discuss his plans and shall prepare a suitable sketch and discuss his plans and shall prepare a suitable sketch and plans sufficient to give a general understanding of his purposes. The Township shall inform the developer as to the general suitability of the plans and of any modifications required by these regulations, if deemed advisable.

B. Application – The developer shall then prepare and submit a complete Preliminary Plan, together with improvement plans and other supplementary material, as required. (See Section 302.)

C. Action – The Planning Commission and Supervisors shall review the park plan as submitted and take actions as required in Section 303.

Section 1104 Final Plan Approval

A. Upon completion of any conditions required by the Township and/or upon completion of required improvements or the alternate posting of acceptable surety, the developer may apply for approval of the Final Plan. Until the Final Plan for the mobilehome park is approved and recorded and until all necessary improvements are completed for the mobilehome

park, the placement and habitation of individual mobilehomes shall not be permitted. (See Section 509(m) of the Pennsylvania Municipalities Planning Code.)

B. The Township Supervisors shall review the Final Plan for Conformance with the approved Preliminary Plans and all requirements of these rules and regulations. Where required, an appropriate bond must be posted or required improvements have been installed, according to specifications. (See Sections 304, 305, and Article V of this Ordinance.)

C. Filing – Following approval, the developer shall file three (3) copies of the approved plans with the Erie County Recorder of Deeds within ninety (90) days. Should the developer fail to file such plans within said period, the approval shall be null and void. (See Section 513 of the Pennsylvania Municipalities Planning Code.)

Section 1105 Design Requirements

A. Minimum Area of Tract or Park – The minimum area of the tract or park shall be five (5) acres. The site shall be so located that soil conditions, groundwater level, drainage and topography shall not create hazards to the property, health or safety of the occupants or adjacent property owners.

B. Individual Lots – The planning and location of individual lots shall be guided by the following requirements:

1. Access – Each lot shall be directly accessible from an approved internal street without the necessity of crossing any other space.

2. Size - Each mobilehome lot shall have a minimum lot width of fifty (50) feet, depth of one hundred (100) feet and a minimum of six thousand (6,000) square feet in area.

3. Yard Requirements –

a. Mobilehomes shall be parked on each lot so that there will be a minimum of ten (10) feet between the mobilehome, appurtenant structures, and any adjacent side or rear lot line.

b. There shall be a minimum of twenty (20) feet between an individual mobilehome, attached structure, and accessory structure, and the pavement of a park street or common parking area.

c. The setback from the right-of-way of any public street or highway shall be consistent with the Zoning Ordinance.

d. Mobilehomes shall be located a minimum of twenty (20) feet from any common building or structure.

e. Each mobilehome lot shall be so platted to permit a minimum of twenty (20) feet between individual mobilehomes.

f. There shall be at least forty (40) feet between any mobilehome, appurtenance building, office or similar structure and any boundary line.

g. Rear yards shall be at least fifteen (15) feet from the mobilehome lot line.

4. Screening – Screening shall be installed as required in the McKean Township Zoning Ordinance.

5. Skirting – The plans shall specify that skirting shall be provided on all mobilehomes.

C. Mobilehome Stands

1. The location of each mobilehome stand shall be at such elevation, distance and angle in relation to the access street so that the placement and removal of the mobilehome is practical.

2. The stand where the house is placed shall be at least fourteen (14) feet by sixty-five (65) feet to accommodate modern units.

3. A one percent (1%) to five percent (5%) gradient longitudinal crown or cross gradient for surface drainage shall be provided. Water shall be directed away from the mobilehome stand. In no event shall the stand be designed to allow the pooling of water under mobilehomes.

4. All mobilehomes shall be set on a foundation of brick, concrete, or concrete blocks extending below the frost line with skirting.

5. Each mobilehome stand shall provide adequate tie downs. Developers should consult with insurance companies, such as Foremost, or use national standards, such as published by ANSI, for guidance.

6. There shall be a concrete patio area provided for each stand, not less than ten (10) feet wide and twenty (20) feet long located convenient to the main entry door to the mobilehome.

D. Internal Street System – The internal street system in privately owned mobilehome parks shall be privately owned, constructed and maintained in accordance with the applicable sections set forth in Article VIII, Design Standards, and Article X, Construction Requirements.

E. Street Widths at Access Points – At points where general traffic enters or leaves the park, streets shall be twenty-four (24) feet in width. That width is required within twenty (20) feet of the existing public street to permit free movement from or to the stream of traffic on the public street, and no parking shall be permitted which in any way interferes with such free movement.

F. Parking Spaces – Such facilities shall be provided as required by the Township's Zoning Ordinance.

G. Recreation – For a proposed park of fifteen (15) acres or more, at least ten percent (10%) shall be reserved or dedicated for recreation purposes with appropriate location, dimensions and topographic characteristics which, in the judgment of the Township, lend themselves to recreational uses.

H. Waste Disposal – Dumpsters or other park waste disposal facilities shall be isolated from individual mobilehomes by at least fifty (50) feet and shall be screened on at least three (3) sides.

Section 1106 Utility Requirements

A. General – In accordance with the Rules and Regulations, Commonwealth of Pennsylvania, Department of Environmental Protection, provisions for all sewerage collection and disposal and the distribution and treatment of the water supply and such other information required by the Department of Environmental Protection shall be shown on plans and submitted to and approved by the Department of Environmental Protection. If a proposed park is within five hundred (500) feet of an existing community sewer system or public water system, it may be required to connect to same, subject to the criteria set forth by Sections 813 and 814. All design standards and specifications of this Ordinance will be followed for mobilehome parks.

B. Electric – All electrical facilities shall be installed and inspected according to the standards set forth by the utility company.

C. Exterior Lighting – Adequate lights shall be provided to illuminate streets, driveways and walkways for the safe movement of vehicles and pedestrians at night.

ARTICLE XII

ACCEPTANCE OF PUBLIC IMPROVEMENTS

Section 1201 General

Upon completion of street and drainage systems and/or the water and/or sanitary sewer system as set forth on the Final Plan, the developer shall request the Township, appropriate Township Authority or other agency to accept ownership and perpetual maintenance. The Township's acceptance shall require the following:

- 1201.1 Certificate by the Township Engineer that the improvements have been completed as shown on the Final Plan and in accordance with the Ordinance.
- 1201.2 Execution of Bill of Sale by the developer transferring the improvements to the Township.
- 1201.3 The Township shall require the posting of financial security for any improvements to be accepted. Said financial security is for the structural integrity and/or functioning of said improvements for a period of eighteen (18) months from the date of their acceptance by the Township and shall not be in excess of the amount allowed by Section 509 (fifteen percent [15%] of the actual cost of installation) of the Pennsylvania Municipalities Planning Code, as amended.
- 1201.4 Submission by the developer of as-built drawings of the said improvements. As-built drawings are to be permanent drawings on stable plastic drafting film and be prepared by a professional engineer or land surveyor.
- 1201.5 Improvements offered to any municipal Authority shall be subject to their rules and acceptance process. However, proof of acceptance will be required.

ARTICLE XIII

OTHER STANDARDS FOR LAND DEVELOPMENT

Section 1301 Jurisdiction

Certain physical developments are classified as land developments in the Pennsylvania Municipalities Planning Code, Act 147 and as such are subject to regulation. The design and construction standards as found elsewhere in the Ordinance are applicable to land development as such standards may be appropriate. Land development is characterized by the fact that the development site is typically in single ownership and the buildings and/or use areas are often rented or leased to prospective users. It shall be unlawful for an applicant to construct land developments as defined herein until:

- 1301.1 The Final Site Plan has been approved by the Township and recorded as required by this Ordinance.
- 1301.2 A valid permit from the Pennsylvania Department of Environmental Protection or the Erie County Department of Health, where applicable, has been approved for issue to the applicant.
- 1301.3 A valid Occupancy Permit has been secured from the Township or from the Pennsylvania Department of Transportation for highway right-of-way occupancy for the purpose of constructing access facilities.

Section 1302 Procedures

In processing a land development, the three-stage procedure established in this Ordinance for land subdivisions shall be used: Sketch Plan (not mandatory), Preliminary Site Plan, and Final Site Plan stages. The land development shall be processed, and submission requirements shall be the same as that required for subdivisions. Where a development involves a building, or buildings, of less than thirty thousand (30,000) square feet in aggregate size, the successful filing of a permit under the Township Zoning Ordinance will be regarded as compliance with this Article and no other application will be required.

The processing, requirements, drawing size, certifications, acknowledgements, number of copies, etc. for submission of Site Plans shall be the same as for subdivisions (unless other wise noted) as set forth in Articles III and VII of this Ordinance.

The Final Site Plan shall be recorded in the County Recorder of Deed's Office.

Section 1303 Site Plan

The developer shall submit a Site Plan. Such Plan shall be at a scale of one (1) inch to twenty (20) feet. Where building development and parking lot development is in excess of fifty

thousand (50,000) square feet combined, topographic data at two (2) foot contour intervals shall be required. Each Site Plan shall, through one or more pages, show:

A. Existing site conditions [topography (as needed) drainage, tree clusters, buildings, utilities, roads, and nearby properties].

B. Proposed development, including buildings (with footprints and frontal elevations), parking, vehicular, and pedestrian access areas, storm drainage, landscaping, utility location and size.

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

1304 Design Standards – Designs shall comply with all appropriate Township ordinances and other regulations. In particular, refer to Section 601.2.

1304.1 Vehicular access connection to the surrounding existing road network shall be safe, shall have adequate site distances, and shall have the capacity to handle the projected traffic.

1304.2 Service areas for the land development shall be planned and constructed such that they are not visible from adjacent uses.

1304.3 The Site Plan shall demonstrate that building locations and areas for vehicular circulation are properly related.

1304.4 A parking and access plan shall be submitted along with estimated traffic flows. The developer shall demonstrate that the proposed parking/access layout is adequate for the proposed development. For retail developments of seventy thousand (70,000) square feet of building area or more, such plan must be prepared by a registered engineer.

1304.5 Storm Water Management – To be consistent with the Township Storm Water Management Ordinance.

1304.6 A complete landscaping plan shall be submitted by all developers that includes a complete interior landscape plan in addition to a landscaped transition to adjoining properties. Landscape treatment shall be provided to enhance architectural features, strengthen vistas and important axis, or provide shade.

1304.7 A complete interior pedestrian circulation plan shall be submitted by all developers indicating the safe and efficient movement of people within and through the site.*

- 1304.8 Exterior lighting, when used, shall be of a design and size compatible with adjacent areas and in accordance with the standards of the Illuminating Engineers Society.
- 1304.9 The Township shall be provided with information on the availability of water and sanitary sewer service that is in conformance with Sections 1003 and 1004.
- 1304.10 Utilities: Gas, electric, telephone and cable utilities shall be located in land development in accordance with utility company practice and in accordance with agreements with, or as approved by, the Township. All such utilities shall be underground.

*All traffic, parking and pedestrian plans shall be completed using the criteria of standard resources such as provided by the American Planning Association or the Institute for Traffic Engineers.

Section 1305 Assurance for Completion and Maintenance of Improvements

Insofar as the land development involves the use, lease or rental of buildings and/or space on the site and site improvements (such as roads, parking areas and storm water drainage devices), which are to be privately maintained or maintained by a private (non-public) organization created by the developer – there is no need for municipal acceptance of the site improvements (roads, storm water drainage devices). However, in these instances, roads and storm water drainage systems shall be designed and built to the standards established in this Ordinance, and the Township shall ascertain that these improvements are, in fact, built to such standards. Where the developer does not intend to maintain the improvement and where an association or similar organization will not be organized for these responsibilities, the developer will submit a plan for maintenance of such facilities. This document will be legally enforceable, one clearly establishing maintenance responsibility. It must be approved by the Township. Any proposed improvement to be offered for public dedication will follow the requirements for same as specified by the Ordinance. Among other remedies to enforce this section of the Ordinance, the Township may refuse to issue zoning certificates or building permits.

ARTICLE XIV

AMINISTRATION, AMENDMENT AND MODIFICATION

Section 1401 Amendments

The Board of Supervisors of the Township of McKean may from time to time revise, modify and amend this Ordinance by appropriate action in accordance with the Pennsylvania Municipalities Planning Code, Act 247, as amended.

Section 1402 Filing Fee and Review

The filing fee for subdivision plans shall be established by the Township Supervisors. Such filing fees shall include those for mobilehome parks and land development. Review fees shall include the review of subdivision plats, mobilehome park plans and land development site plans. Review fees shall also include the field inspection of such plats, plans or site plans or their final inspection. The fees charged shall be in accordance with 503(1), 509 and 510 of the Pennsylvania Municipalities Planning Code.

Section 1403 Records

The Township shall maintain an accurate public record of all plans upon which it takes action and of its findings, decisions, and recommendations in relation thereto.

Section 1404 Appeals

In any case where the Board of Supervisors approves or disapproves a subdivision plan, any person aggrieved thereby may appeal to the Court of Common Pleas of Erie County, Pennsylvania in accordance with Article X-A of the Pennsylvania Municipalities Planning Code.

Section 1405 Validity

Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance as a whole, or any individual part thereof.

Section 1406.1 Preventive Remedies

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

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

- (1) The owner of record at the time of such violation.
- (2) The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
- (3) The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.
- (4) The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.

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

Section 1406.2 Enforcement Remedies

A. Any person, partnership or corporation who or which has violated the provisions of this Subdivision and Land Development Ordinance enacted under the Pennsylvania Municipalities Code or prior enabling laws shall, upon being found liable therefore in a civil enforcement proceeding commenced by McKean Township, pay a judgment of not more than five hundred dollars (\$500), plus all court costs, including reasonable attorney fees incurred by McKean Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.

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

Section 1407 Modification of Regulations

- 1407.1 The Board of Supervisors may grant a modification of the requirements of one (1) or more provisions of this Ordinance if the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question, provided that such modification will not be contrary to the public interest and that the purpose and intent of this Ordinance is observed.
- 1407.2 All requests for a modification shall be in writing and shall accompany and be a part of the application for development. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of the ordinance involved and the minimum modification necessary.
- 1407.3 The Board of Supervisors shall keep a written record of all action on all requests for modification.
- 1407.4 The Board of Supervisors may approve, or deny the request for modification. If the Board of Supervisors approves the request for modification, it shall authorize the minimum modification from this Ordinance that will afford relief.

Section 1408 Conflict

Whenever there is a difference between the minimum standards or dimensions specified herein and those contained in other regulations, resolutions or ordinances of the Township, the highest standards shall govern.

All McKean Township ordinances, local laws and/or resolutions, or parts thereof, inconsistent with the provisions of this Ordinance are hereby repealed; provided, however, that such repeal shall only be to the extent of such inconsistency and that in all respects this Ordinance shall be in addition to other legislation regulating and governing the subject matter covered by this Ordinance.

The provisions of this Ordinance are severable and, if any sentence, clause, section, part or provision of this Ordinance is for any reason held to be illegal, invalid or unconstitutional by a court of competent jurisdiction, then such illegality, invalidity or unconstitutionality shall not effect or impair any of the remaining sentences, clauses, sections, parts or provisions of this Ordinance. It is hereby declared to be the intent of the McKean Township Supervisors that this

Ordinance would have been adopted even if such illegal, invalid or unconstitutional sentence, clause, section, part, or provision had not been included herein.

ORDAINED AND ENACTED AS ORDINANCE NUMBER 3-96 of 1996, ON THIS 5TH DAY OF DECEMBER 1996, BY THE BOARD OF SUPERVISORS OF MCKEAN TOWNSHIP, ERIE COUNTY, PENNSYLVANIA.

APPENDIX

McKEAN TOWNSHIP
ERIE COUNTY, PA

APPENDIX

RECOMMENDED STATEMENTS AND ACKNOWLEDGEMENTS TO APPEAR ON
THE PRELIMINARY PLAN OR THE FINAL PLAN AS APPLICABLE

1. Certificate by engineer or surveyor that the survey and plans are correct:

I _____ hereby certify that I am a registered (Land Surveyor)(Engineer) in the Commonwealth of Pennsylvania. I further certify that this plat correctly represents a survey completed by me and that all monuments and markers shown hereon actually exist and that their location, type and material are accurately shown.

Date _____ Signature _____
Seal

A seal which includes the name of the engineer or surveyor.

2. Certificate for Erie County Department of Planning.

Reviewed by the Erie County Department of Planning on the ____ day of _____, 20____.

Director Reviewed By

3. Certification of Ownership and Acknowledgement of Subdivision Plans:

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/she is the owner and/or equitable owner of the property shown on this plan, and that he/she acknowledges the same to be his act and plan and desires the same to be recorded as such according to law.

Witness my name and seal the day and date above written.

Notary Public or Other Officer

Seal My Commission Expires

4. McKean Township Planning Commission

Reviewed by the McKean Township Planning Commission this _____ day of _____, 20____.

5. Certificate for McKean Township and its engineer, where applicable.

Township of McKean, Erie County, Pennsylvania

Approved by resolution of the McKean Township Board of Supervisors, this _____ day of _____, 20____.

6. Municipal Engineer (Optional)

Approved by:

Township Engineer

Date_____

RECOMMENDED STATEMENTS AND ACKNOWLEDGEMENTS WHICH WILL BE
SEPARATE INSTRUMENTS REFERENCED TO THE FINAL PLAN

7. Certificate of Dedication:

We the undersigned owners of the real estate shown and described herein, do hereby certify that we have laid off, platted and subdivided, and hereby lay off, plan and subdivide, said real estate in accordance with the within plat, that the subdivision shall be known and designated as _____(Name of Subdivision)_____ and that all streets and alleys shown and not heretofore dedicated, are hereby dedicated to public use.

Date:_____

Exhibit 3

SUBDIVISION AND LAND DEVELOPMENT APPLICATION
McKean Township (Erie County) Pennsylvania

Plan Title _____
Plan Date _____

- ☐ Land Development ☐ Sketch Plan
☐ Subdivision ☐ Preliminary Plan
☐ Minor (3 and under) ☐ Final Plan
☐ Major (4 and more)

For Official Use Only

File No. _____
Date Received _____
Official Submission Date: _____
Decision Date: _____

PROPERTY OWNER

Name _____
Address _____
Phone # () _____

APPLICANT (if other than owner)

Name _____
Address _____
Phone # () _____
Applicant's Interest _____

TRACT DESCRIPTION

Location (Street Address) _____
Tax Assessment Parcel No. _____
County Deed Book No. _____ Page No. _____
Total Tract Area _____ acres/sq. ft. Area in this Proposal _____ acres/sq. ft.

To the best of your knowledge, has any Subdivision or Land Development Plan been previously submitted for this tract?
_____ If yes, when? _____

By whom? _____

PROPOSAL DESCRIPTION

Engineer/Land Surveyor _____
Number of lots _____ Number of phases _____

Type of Development/Subdivision

- ☐ Single-Family ☐ Multiple-Family ☐ Industrial
☐ Two-Family ☐ Commercial ☐ Other

Proposed Starting Date _____ Proposed Completion Date _____

Proposed Contractor _____

Address of Contractor _____

Telephone # of Contractor () _____

PLANS AND OTHER SUPPORTING DOCUMENTATION

_____ Review Fee Amount \$ _____

_____ Appropriate Number of Plan Prints, _____ Copies

_____ Road Profiles and Cross-Sections

_____ Storm Water Management Plan

_____ Soil Erosion and Sedimentation Plan

_____ Water Supply Data

_____ Sewage Disposal Data

_____ DER "Planning Module"

Supplement _____

Revision _____

_____ Improvement Surety

_____ Private Right-of-Way Agreement

_____ PennDOT Review

_____ Other (Specify) _____

IMPROVEMENTS DESCRIPTION

Unit

Estimated Cost

Length of New Roads (LF)

Public

Length of Curbs (LF)

Type of Sewage Treatment

Type of Water Supply

Stormwater Facilities

Water Distribution

Sewage Collection

Storm Sewers

Other (Specify)

The undersigned represents that to the best of his/her knowledge and belief, all of the above statement are true, correct and complete, and the undersigned acknowledges that he/she as the "Developer" is responsible for any fees incurred in the review of this Subdivision Plan.

Signature of Landowner

Date: _____

Signature of Applicant
(if other than owner)

Received by: _____
McKean Township Code Officer

FINAL PLAN REVIEW AND APPROVAL

Plan Reviewed By:

McKean Township Planning Commission (Date) _____

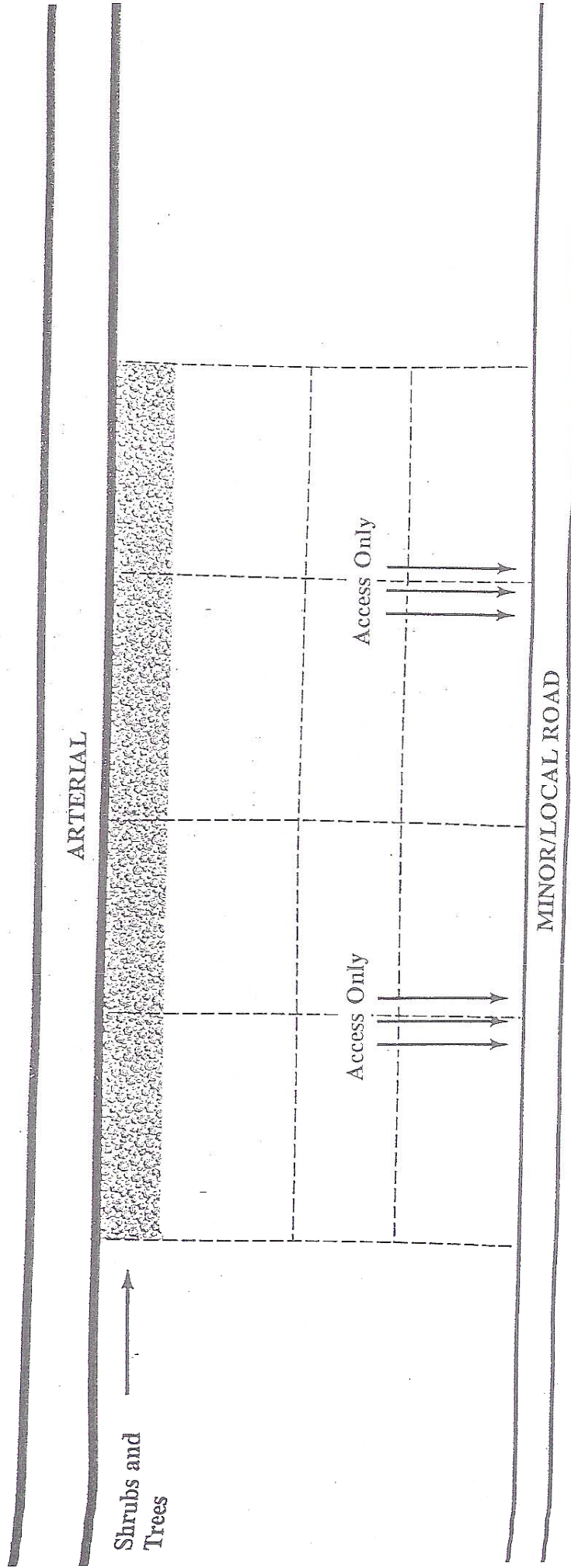
Erie County Department of Planning (Date) _____

Plan Approved By:

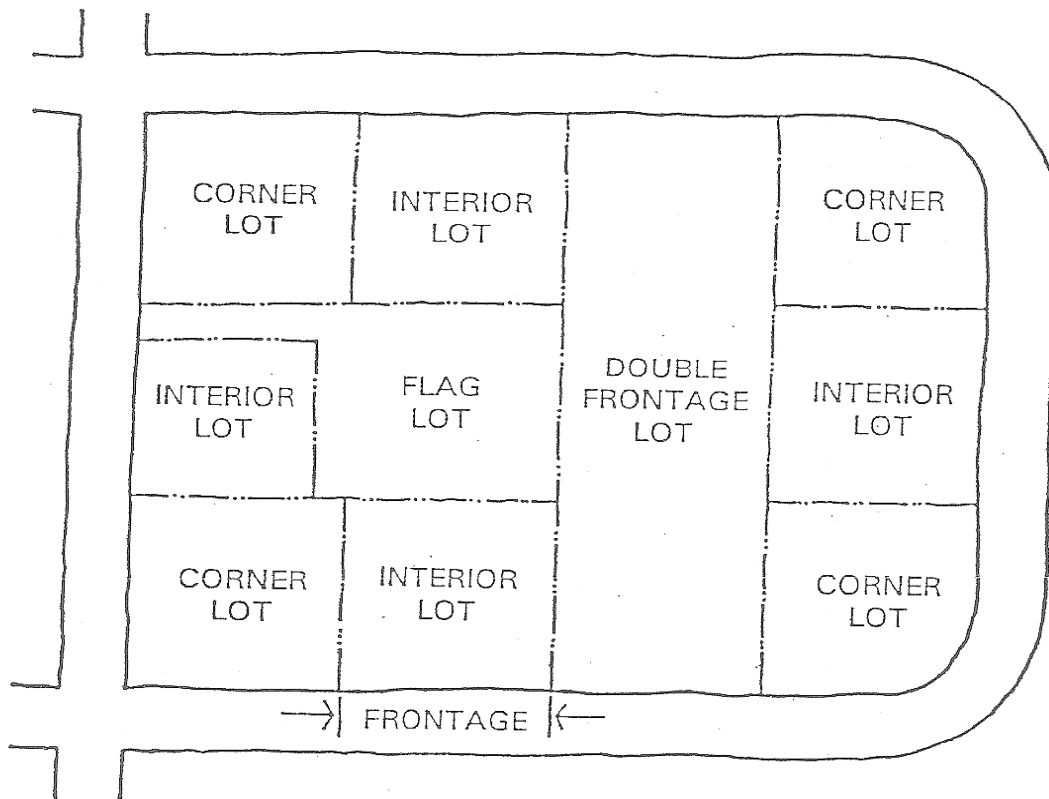
Board of McKean Township Supervisors (Date) _____
Plan Recorded _____ Date _____

County Deed Book # _____ Page # _____

REVERSE FRONTAGE LOT



TYPES OF LOTS



STREET CONSTRUCTION SPECIFICATIONS
MCKEAN TOWNSHIP, ERIE COUNTY
PENNSYLVANIA

I. GENERAL

Roads and street shall be classified, laid out, designed and constructed in accordance with the requirements of the MCKEAN TOWNSHIP SUBDIVISION REGULATIONS.

The requirements of the MCKEAN TOWNSHIP SUBDIVISION REGULATIONS, applicable sections of PA DOT Publication No. 242 entitled “Roadway Management Manual” and PA DOT Publication 408 shall be utilized in designing roads and streets in McKean Township, and are hereby made part of these specifications.

In the event that a conflict should occur, the MCKEAN TOWNSHIP SUBDIVISION REGULATIONS shall take precedence. ALL construction methods and materials shall be in accordance with PA DOT Publication 408 specifications, latest edition.

II. ROADWAY

A. General

The roadway shall be cleared in accordance with the construction requirements of PA DOT Publication 408 Section 201. In addition, if plans call for the construction of sidewalks, sufficient width shall be cleared for their construction.

B. Subgrade

The subgrade shall be prepared in accordance with PA DOT Publication 408, Section 210. A sufficient number of test pits or borings shall be made to become familiar with the type of subgrade material which will be encountered. If requested by the Township, California Bearing Ratio (CBR) tests at the rate of one test per every 200 lineal foot of roadway must be performed. Unstable material, as specified in the Subdivision Ordinance, shall be removed and replaced.

The subgrade shall be shaped and graded to a minimum width of the pavement plus two (2) feet. In areas of fill, material shall be placed in lifts not exceeding 8” loose depth. Material used and construction requirements shall comply with the Requirements for Embankment as per Publication 408 Section 206. The prepared subgrade shall be protected from damage due to trucks or any other course and, if damage does occur, must be satisfactorily reshaped and compacted prior to placement of the subbase. Subdrains and any other buried utility must be installed prior to placement of the subbase.

C. Subbase

The subbase shall be designed in accordance with the Subdivision Ordinance.

The subbase shall be constructed in accordance with PA DOT Publication 408 Section 350. It shall have a minimum thickness of 6" compacted depth. If, for any reason, the cross slope of the subbase differs from that of the subgrade the subbase must be 6" compacted depth at the thinnest point and thicker as necessary. The thickness must be increased if required by anticipated loadings and design requirements.

D. Pavement

The pavement base and surface courses shall be designed in accordance with Table 1. It must be pointed out that these are minimum requirements. In most cases, streets located in residential, low volume areas shall be designed to "Local Access" standards. However, there may be circumstances in which a higher street classification is required. Such circumstances may include projections for high traffic volume, a high percentage of truck traffic, or weak subgrades which may require a higher grade of pavement. The Township may require a higher classification of street if it decides it is so warranted.

A pavement different from those found in Table I may be approved provided it is designed in accordance with PA DOT Publication 242, "Roadway Management Manual" and the pavement is approved by the Township Engineer and Supervisors. The design must be done by a Pennsylvania Registered Professional Engineer and submitted to the Township for review and approval. The following minimum design criteria shall be used unless the use of other values are either ordered or allowed by the Township:

ADT = 500
% Trucks = 10%
CBR = 3

TABLE 1
PAVEMENT DESIGN GUIDELINES
(Minimum Depths)

Functional Classification	Local Access	Commercial, Collectors	Arterials
R.C.C. Subbase	6" 7"	6" 7"	6" 7"
ID-2 BCBC Subbase	1 ½" 4 ½" 6"	3 ½" 4" 6"	3 ½" 4" 6"
ID-2 PCC BC Subbase	3 ½" 5" 6"	3 ½" 5" 6"	3 ½" 5" 6"

PCC – Plain Cement Concrete
RCC – Reinforced Cement Concrete
BCBC – Bituminous Concrete Base Course
PCCBC – Plain Cement Concrete Base Course

NOTES

1. All components of the pavement structure are to be in accordance with PDT Publication 408. The course aggregate used in bituminous wearing course shall meet the Skid Resistance Level (SRLO letter designation based on the Daily Traffic as required by the current Pennsylvania Department of Transportation directive).
2. Refer to PA DOT Publication 242 for additional information on pavement design.

The base and surface courses must be constructed in accordance with the application sections of PA DOT Publication 408. Materials used shall also comply with the applicable sections of Publication 408. The base course shall have been in place for a minimum of one (1) year before placement of the surface course. The Township shall be notified prior to installation of the surface course to arrange for an inspection. A tack coat immediately followed by a scratch or leveling course shall be installed. If the surface is not installed immediately following the scratch or leveling course, an additional tack coat will be required before so doing. The surface course shall be constructed of materials and in a manner in accordance with the applicable section of PA DOT Publication 408. The wearing course shall have a minimum compacted depth of 1 ½". Binder courses, if used, shall be constructed in lifts from 2" minimum to 4" maximum compacted thickness.

III. SUBDRAINAGE

Subdrainage facilities shall be constructed in accordance with the applicable sections of PA DOT Publication 408, PA DOT Publication 72, "ROADWAY CONSTRUCTION STANDARDS", RC-30, and the McKean Township Standards.

In general, the subdrain shall be built after the subgrade has been shaped.

Care must be taken to assure that the stone in the subdrains and blind drains remain clean and in food contact with the stone or gravel in the subbase.

Subdrains shall generally empty into storm sewer catch basins or manholes and shall enter at or above the spring line of the main storm sewer line at the location. The specified depth of subdrain may have to be modified at and near such catch basins and manholes but will be brought to specified depths as quickly as practicable.

Blind drains shall be a minimum of 15" wide and a depth of from 12" minimum to 24" maximum at the point where they intersect the subdrain.

IV. SIDEWALKS

A. Grade

In general, a slope of one-quarter (¼") of an inch per foot will be maintained from the curb to the sidewalk and in the sidewalk for proper drainage. All walks will be a minimum of four (4) feet in width. Walks subject to pedestrian traffic only shall be 4 inches in depth. Walks in driveway areas shall be 6 inches in depth.

B. Materials

All walks shall be constructed of PA DOT Class A cement concrete. Class A concrete has the following minimum properties:

6 to 8 bags/cubic yard
Max. water cement ration = 0.50
Slump = 1" min, 3" max
7 day compressive strength = 2750 psi
28 day compressive strength = 3300 psi
Air content = 6.5% \pm 1.5%

Reinforcing shall be 6x6-10/10 welded wire fabric conforming to A.S.T.M. A185, or approved equal. The reinforcing must be placed in a horizontal plane in the middle one-third of the slab thickness and is only required in driveways.

Subbase material shall be PA DOT Publication 408 Section 350 subbase material (2A) or a Township approved bank gravel.

The expansion joints shall be made of non-extruding type of joint material conforming to A.S.T.M. Specifications D-544 and shall be one-half ($\frac{1}{2}$) inch in thickness, a minimum of four (4) inches in depth and to the length required to form the joint. They shall extend to the full width and depth of the concrete.

C. Site Preparation

1. Excavation

Excavation shall be completed to a depth below finish grade necessary to facilitate construction or to a greater depth as necessary to clear the area of vegetation or other objectionable material. Excavation shall be carried a distance of one (1) foot beyond the edges of the proposed walk and from that point at a slope of 2:1 to the existing ground surface.

Where it is necessary to fill the area in order to construct the sidewalk the fill shall be of clean, native soil tamped as directed by the Engineer. The fill shall be carried a distance of one (1) foot beyond the edges of the proposed walk and from that point at a slope of 3:1 to the existing ground surface.

All castings, such as for manholes and inlets, and all water and gas valves shall be adjusted by the Contractor to conform in a flush manner with the finish grade of the walk. If a casting is broken or out of repair, the appropriate utility shall be given due notice so that it may be repaired before the walk is laid.

2. Subbase

All areas over which the sidewalk is to be constructed shall be covered with a layer of granular subbase material of at least four (4) inch depth. This material shall be compacted so as to provide a firm and uniform foundation.

D. Forms

The forms shall be of metal construction or of straight-grained lumber at least 1 5/8 inches in thickness. The Engineer may upon inspection, at any time, condemn the use of any forms which, in his opinion, are inadequate for use in sidewalk construction. Flexible strips of material may be used on curves as approved by the Engineer. In no case shall forms be less than 3 5/8 inches in depth and in all cases, the ground or subbase shall be undercut to provide a full 4 inch concrete slab thickness. In the case of driveway areas, the slab thickness provided shall be 6 inches.

Forms shall be set true to lines and grade, allowing for a square vertical edge and the proper side slope toward the curb. Forms shall be securely staked and braced so as to be unyielding during concreting operations. The Contractor shall adjust the grade at street corners so as to smoothly blend the intersection of the two (2) sidewalks, the Contractor shall contact the Township Engineer for assistance.

E. Concrete Placement

1. Placing and Finishing

After mixing, the concrete shall be handled rapidly and the successive batches deposited in a continuous operation, until individual sections are completed. Under no circumstances shall concrete that has partly hardened be used. The forms shall be filled and the concrete brought to the established grade.

Concrete shall not be deposited when it appears likely that the air temperature may fall below 40° F during the pouring or within the following 24 hours unless preparations are made and precautions taken to prevent any damages to the concrete resulting from the low temperatures. When placing concrete in cold weather, the Contractor shall plan and prosecute his work in a manner which will assure satisfactory results. Concrete shall not be deposited on a frozen foundation. Any concrete damaged by freezing shall be removed and replaced by the Contractor at his own expense.

Concrete when deposited in the forms shall have a temperature of not less than 55° F nor more than 100° F. The concrete shall be maintained at not less than the minimum temperature of 55° for at least 72 hours after placing, or longer if necessary, until the concrete has thoroughly hardened.

After the concrete has been brought to the established grade by means of a strike-board, it shall be worked to give a medium rough surface. In no case shall dry cement or

a mixture of dry cement and sand be sprinkled on the surface to absorb moisture or to hasten hardening. The surface shall be floated with a wooden float only, producing an even gritty finish.

2. Edging and Joints

The walk shall be cut into square slab not exceeding sixteen (16) square feet in area by cutting the slab or by use of forms. Cuts shall be continuous and shall be cut to a depth of at least one third (1/3) of the slab thickness. The cuts shall be made straight through the center lengthwise in all walks over eight (8) feet wide and straight across in all widths of walks. After the initial cut the concrete shall be finished as previously specified and final cuts shall be made with trowel on line of previous cuts to at least one third (1/3) of the slab thickness, and the cuts creased and outer edge rounded with finishing tool having one-half (1/2) inch radius. Lines for all cuts must be marked on forms before cuts are made. Where division plates are used the surface edges of each slab shall be rounded to one-half (1/2) inch radius before removal of division plates.

The surface edges of all slabs shall be rounded to a radius of one half (1/2) inch.

Expansion joints shall be placed at all points where the proposed walk meets existing walks, driveways, curbs, catch basins, utility castings, etc., as well as at any point where the walk changes in direction forty-five (45) degrees or more. In no case shall the distance between expansion joints be greater than 40 Lineal Feet. Expansion joints shall be placed to the full width of the walk and to separate the proposed walk completely from utility castings, curbs, etc.

F. Protection

Concrete walks shall be protected from rain storms by a tarpaulin or by a covering of wet paper and sand, and protected during the hot weather after setting for a few hours by being covered with sand or burlap and wet everyday for three days. A chemical curing agent, as approved by the Engineer, may be used in place of the wet sand or burlap. A barricade of at least three feet in height shall be placed around the walk to protect it while setting.

Red lights must be maintained all night on barricades and on all materials piled outside the property line as long as they remain in the public thoroughfare.

G. Testing

The Contractor shall, at his expense, have four (4) cylinders made and tested, one (1) at seven (7) days and three (3) at 28 days to verify the compressive strength of the concrete. One (1) set of cylinders shall be required for every daily pour up to 50 cubic yards, and an additional set shall be required for every additional 100 cubic yards of concrete poured.

A discrepancy of ten percent of the requirements shall be cause of complete replacement; however, any discrepancy shall, and will, at the Township Engineer's option, be cause for replacement.

V. CURBS

A. Materials

Concrete to be used in curb construction shall be PA DOT Class A with the following requirements:

3300 psi min. compressive strength after 28 days
4 ½ %-6% Air Entertainment
Min 6 bags cement/cubic yard
Max. 5.6 gals water/bag cement
1"-3" slump

B. Site Preparation

1. Excavation

Excavation shall be made to the required depth, and the material upon which the curb is to be constructed shall be compacted to a firm, even surface.

2. Forms

Forms may be of either metal or wood. Forms shall be straight, free from warp, and of sufficient strength when staked to resist the pressure of the concrete without springing. The forms shall be of a depth and batter such as to produce a curb as indicated on the drawing.

All forms shall be thoroughly cleaned and oiled with a clean paraffin base material oil to prevent the concrete from adhering thereto.

Curb placed on curves having a radius of less than 50 feet may be constructed with a vertical face, warped is necessary to obtain the 1" batter at beginning and end of the curve.

C. Concrete Placement

1. Placing and Finishing

The Concrete shall be placed in horizontal layers not to exceed 6 inches and spaded sufficiently to eliminate all voids. The top surface of the curb shall be finished true to line and grade in a smooth, neat, and even manner and the

edges of the face and back shall be rounded to a radius of not more than $\frac{3}{4}$ of an inch and $\frac{1}{4}$ of an inch, respectively, while the concrete is still plastic.

2. Joints

Contraction joints shall be spaced in uniform sections of no more than 15 feet, but less than 4 feet. Contraction joints may be either hand-formed or sawed joints. They shall be $\frac{3}{16}$ inches wide and 2 inches deep.

Expansion joints shall be placed at the ends of radial curb sections, adjacent to inlets or other structures, at the end of a days work, and at max. intervals of 100 feet. The $\frac{1}{2}$ " premolded expansion joint filler shall be cut to conform to the cross section of the curb.

3. Curing

No concrete shall be placed if the temperature may fall below 35° F. Adequate curing cannot be relied upon if the temperature is below 50° F. Under conditions of proper curing, the forms must remain in place for a min. of 12 hours.

D. Backfilling

As soon as possible after the removal of the forms, the spaces in front and back of the curb shall be backfilled in layers of not more than 4 inches in depth and thoroughly compacted. The layers shall be placed by alternating between the front and back of the curb.

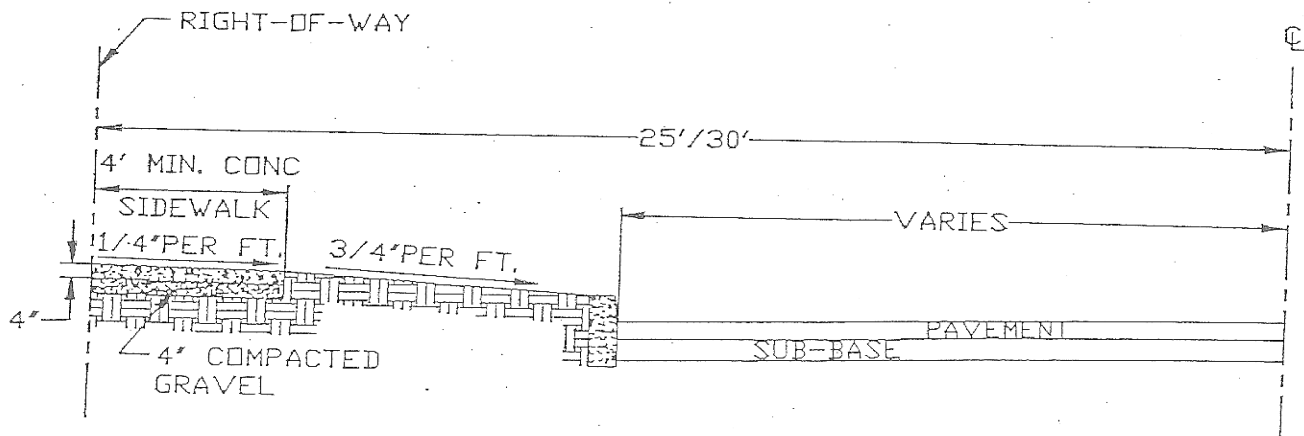
E. Protection

A barricade of at least three (3) feet in height shall be placed around the curb excavation. Red lights must be maintained all night on barricades and on all materials piled outside the property line as long as they remain in the public thoroughfare.

F. Testing

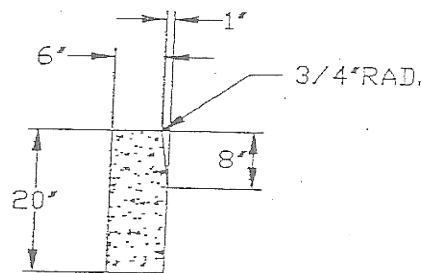
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A discrepancy of ten percent of the requirements shall be cause of complete replacement; however any discrepancy shall, and will, at the Township Engineer's option, be cause for replacement.

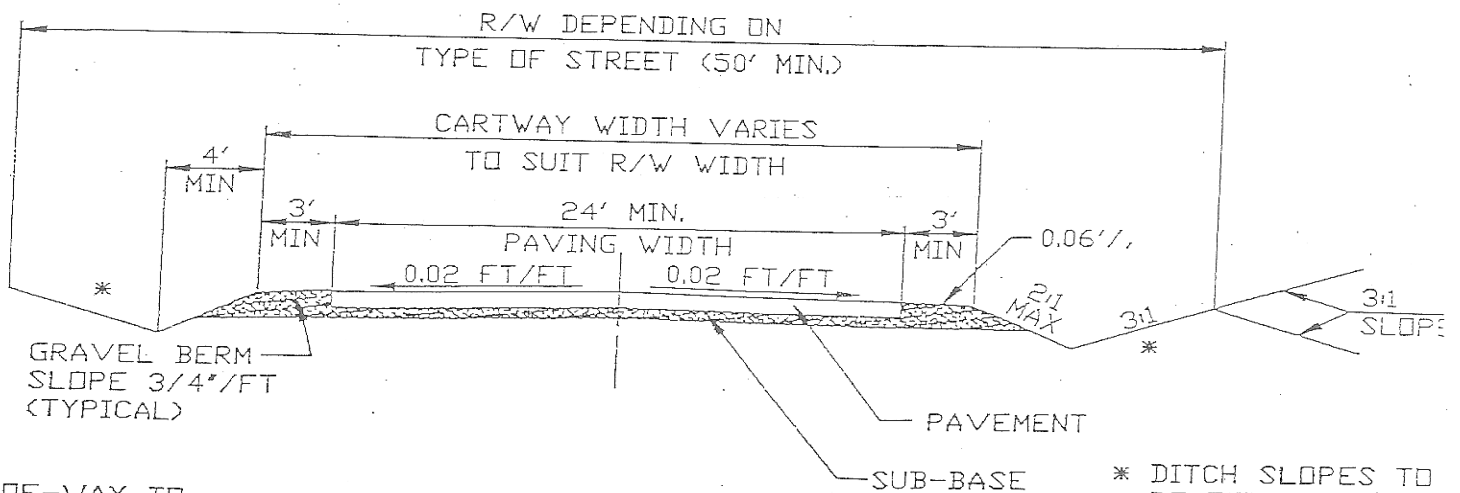


LOCATION OF PAVEMENT & SIDEWALK

FOR 50' & 60' RIGHT-OF-WAYS

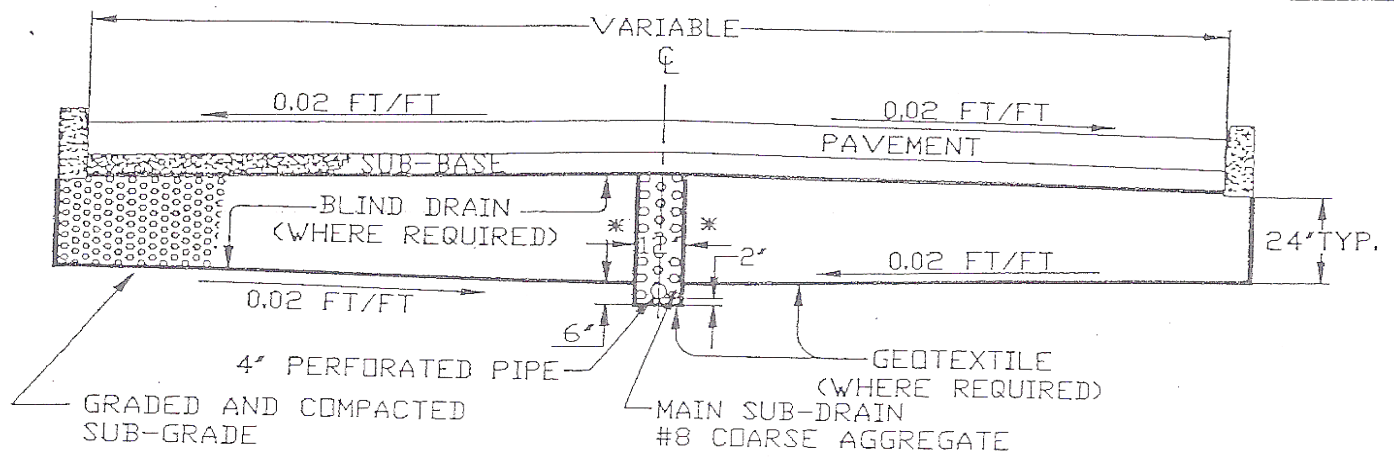


CURB SECTION



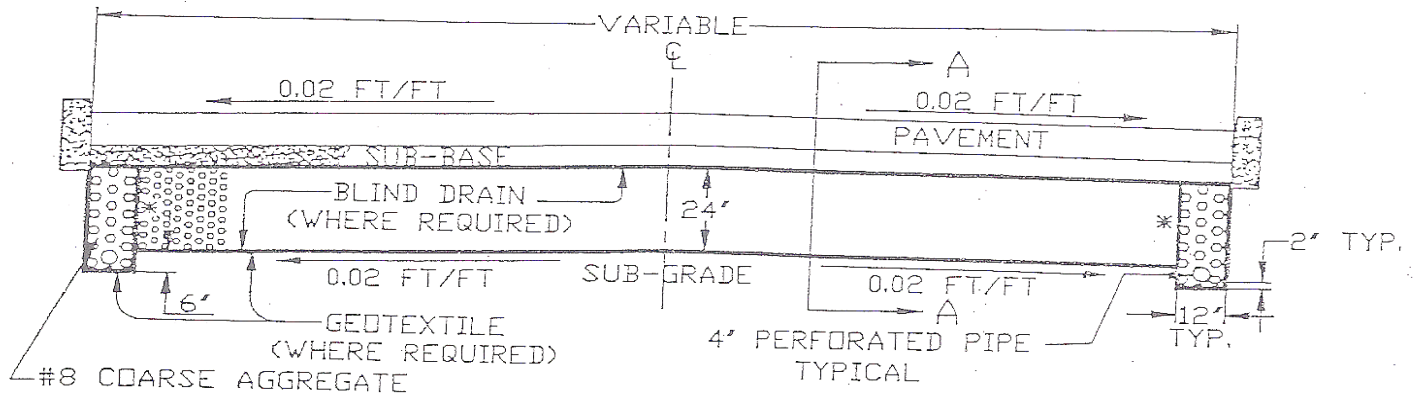
STREET CROSS SECTION WITHOUT CURBS

MAINTAIN TO INSURE STANDARDS

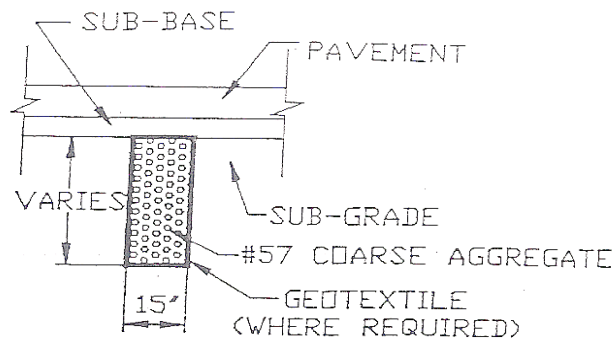


MAIN BASE DRAIN ON CL

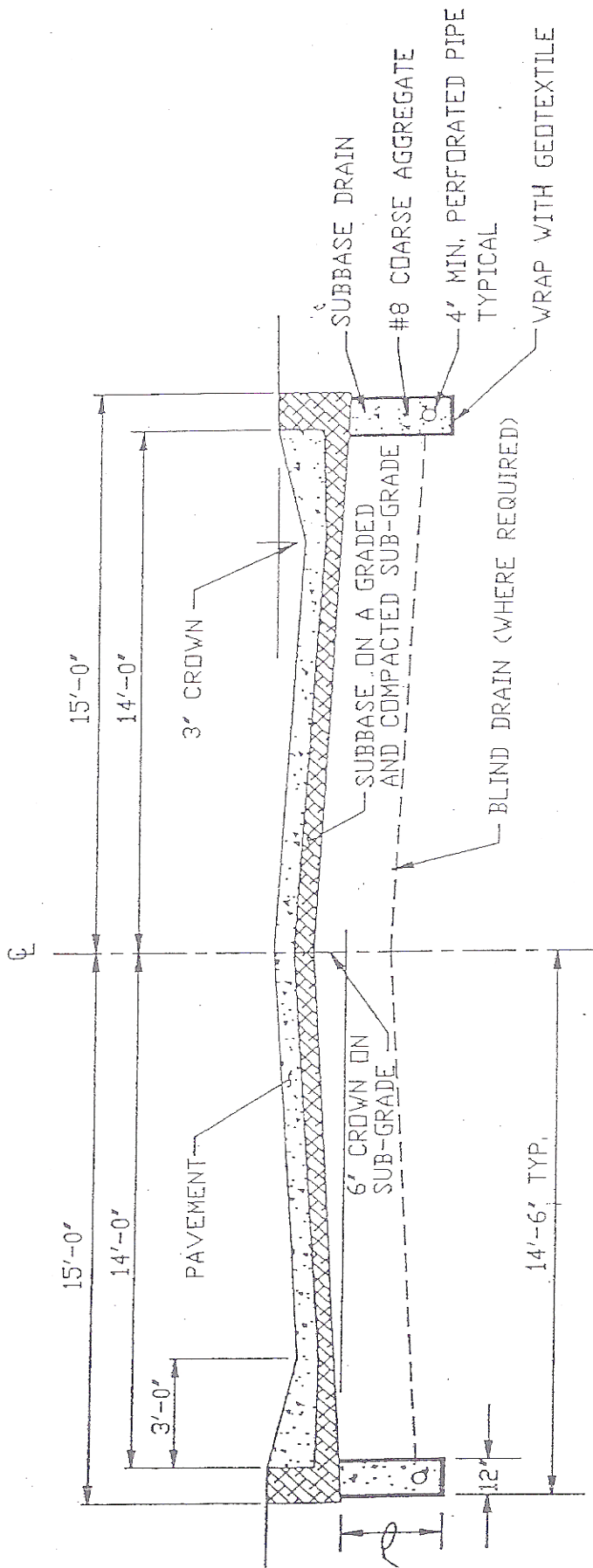
* DELETE GEOTEXTILE FABRIC WHERE BLIND DRAIN CONNECTS TO MAIN SUB-DRAIN



MAIN BASE DRAIN ON BOTH SIDES



SECTION A-A



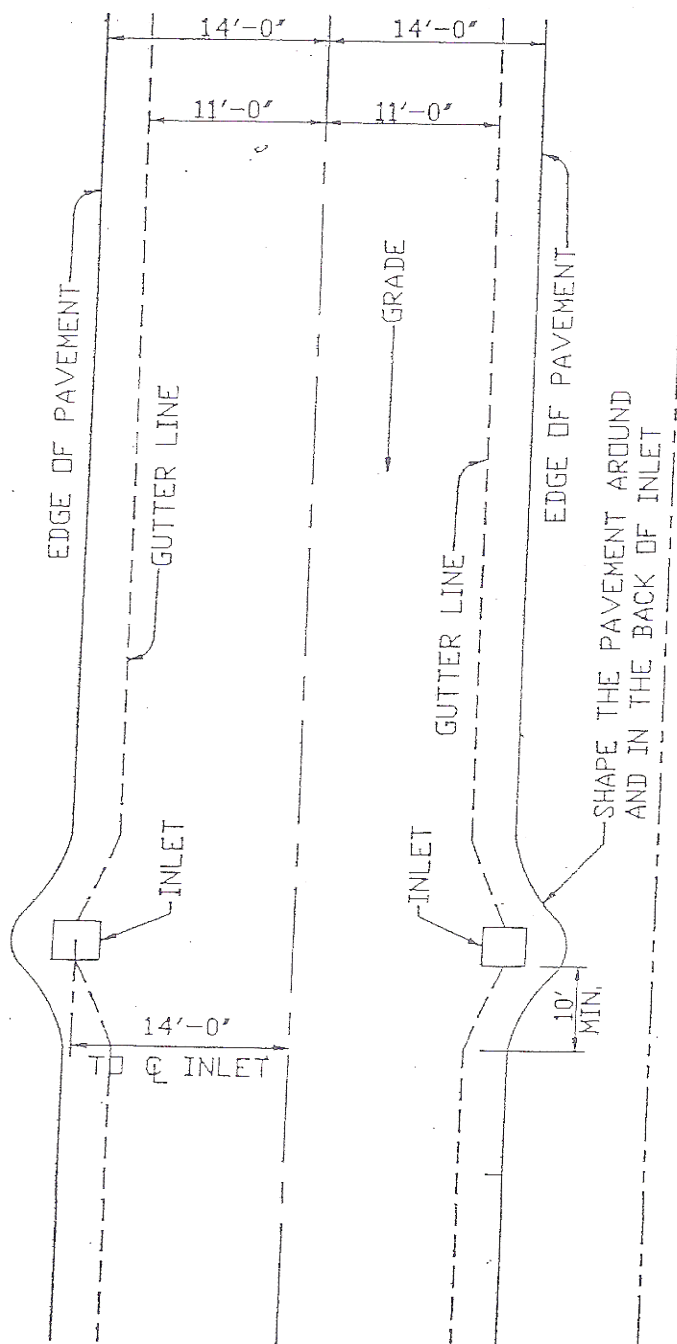
24" (30" WITH BLIND DRAIN)

ROLLED GUTTER STREET SECTION

NOT TO SCALE

McKEAN TOWNSHIP STANDARDS

WARP GUTTER LINE INTO
INLETS AND FLARE EDGE
OF PAVEMENT AROUND INLETS



ROLLED GUTTER STREET SECTION -- DETAIL

NOT TO SCALE

MCKEAN TOWNSHIP STANDARDS

STORM SEWER SPECIFICATIONS
MCKEAN TOWNSHIP, ERIE COUNTY
PENNSYLVANIA

I. GENERAL

All roadway plans must include facilities for handling stormwater and shall be in compliance with the requirements of the Subdivision Ordinance and these specifications. All stormwater facilities are subject to the review and approval of the Township.

II. MATERIALS

A. Pipe

All materials shall be furnished by an established and reputable supplier or manufacturer. All materials shall be guaranteed to perform the service required and shall conform with the following specifications or shall be a product similar and equal thereto as approved by the Engineer.

Pipe shall conform to the proper ASTM Specifications and the Pennsylvania Department of Transportation, Publication 408, and shall be subject to approval by the engineer. The following types of pipe are approved for use in McKean Township:

1. Reinforced Concrete Pipe (RCP), Class IV, ASTM C-76 or C-507.
2. Corrugated Polyethylene Pipe (HDPE), smooth bore, AASHTO M-252 and M-294. Fittings must be "soil tight" gasketed fittings.

Pipe materials other than those specified will be considered upon written request and submission of adequate product data sheets and must be approved by the Township Engineer.

B. Special Trench Backfill

Special trench backfill shall consist of course aggregate materials in compliance with PA DOT No. 2A gradation meeting the requirements of Section 703.2 of a PA DOT Publication 408, for Type C materials or select granular material (2RC) meeting the requirements of Section 703.3 of PA DOT Publication 408.

C. Bedding

Bedding material shall conform with the requirements of Section 703.2 of PA DOT Publication 408 for AASHTO No. 8 gradation, Type C material.

III. EXCAVATION

The Contractor shall do all excavation of whatever substance encountered to the depth required to install the sewer to the lines and grades. The banks of the trench shall be vertical. Maximum width of the trench allowed shall be 12 inches on each side of the pipe bell. Excavated material not suitable or not required for fill or backfill shall be removed from the site and disposed.

Excavation for manholes and catch basins shall allow for only 24 inches of clearance on all sides.

Excavation shall not be carried below the required level. Excess excavation shall be backfilled with sand, gravel, or concrete, as directed by the engineer and thoroughly tamped. Unstable soil shall be removed and replaced with approved backfill or gravel, crushed stone or crushed slag, which shall be thoroughly tamped. The Engineer shall determine the depth of removal of the unstable soil.

Water, which has accumulated in the excavation, shall be removed by pumping or other means approved by the Engineer. In rock, excavation shall be carried to 8 inches below the bottom of the pipe and select material shall be used to establish the proper grade. This material shall be as stated in the materials section.

IV. LAYING OF PIPE

All sewers shall be laid true to line and grade. The sections of the pipe shall be laid and fitted together that when completed, the sewer will have a smooth and uniform invert. The pipe shall be kept thoroughly clean so that jointing compounds will adhere. Each pipe shall be inspected for defects before being lowered into the trench, and if defects are found even after laying of the pipe is completed, it shall be removed and replaced with a new pipe. No water shall be allowed in the trench while pipes are being laid, and the exposed end shall be capped if left in trench for more than one hour without installing the next section. No more than 100 feet of trench shall be opened in advance of pipe laying unless permitted by the Engineer. The interior of the sewer shall be kept cleared of all dirt as the work progresses.

Pipe shall be laid in the trench beginning at the outlet end and proceed upgrade. The bell or groove end shall be laid upgrade.

The pipe alignment and grade shall be controlled with suitable string lines, electronic laser beam or other acceptable method. If a laser is used, the grade shall be checked every 50 feet.

V. BACKFILL

No sewers shall be backfilled above the top of the pipe until the sewer elevations, gradient, alignment, and pipe joints have been checked, inspected and approved. No heavy rock or boulders more than 6 inches in diameter will be allowed within 3 feet of the pipe, and no

stones over 1 ½ inches in diameter will be allowed in the first 18 inches of the backfill. No frozen material shall be used in backfilling.

All pipe located within the roadway, driveways or under sidewalks shall be backfilled with special trench backfill material. The material shall be placed in 8" lifts and compacted with mechanical equipment to minimum compaction of 95% maximum density test (ASTM D698-78).

The space between the pipe and the side of the trench shall be backfilled in 4 inch layers and thoroughly mechanically tamped until a height of one foot above the pipe is reached, and then layers of 8 inches will be allowed before the tamping is performed.

Backfill around manholes and catch basins shall be done after all forms, debris and trash are removed and cleared away. Suitable material as for trench backfilling shall be placed symmetrically on all sides in 8 inch layers.

When excavated material is not satisfactory for backfill, special backfill material shall be secured to use in backfilling operations. All surplus material, unsatisfactory material, earth, rubbish, or other debris shall be hauled away from the site and disposed of. Areas not requiring special trench backfill shall be backfilled with regular trench backfill.

Regular trench backfill shall consist of excavated native materials approved by the Engineer and without roots, organic matter and excessive clay. Backfill of trench excavations shall be placed and completed as soon as possible after pipe laying. The embedment materials shall be thoroughly compacted using approved type vibratory pad compacting equipment. The remainder of the trench backfill shall be excavated native materials unless otherwise directed or indicated for use of special trench backfill. The native backfill materials from a point 6 inches above the top or crown of the pipe to a point 18 inches above the top or crown of the pipe shall be material which does not contain stones larger than 2 inches in diameter. Backfill from a point 24 inches above the top of crown of the pipe may be machine placed, leveled, and mechanically compacted into place in lifts not exceeding 2-foot depths. The backfill material shall be compacted to a minimum 90% density as determined by ASTM D-1557.

Great care shall be exercised when compacting backfill material so as to prevent damage or misalignment of the pipeline. Any damage or misalignment shall be repaired at the Contractor's expense.

IV. MANHOLES, INLETS

A. Manholes

Manholes shall be precast reinforced concrete construction with aluminum or polypropylene manhole steps and O-ring rubber gaskets. Precast manholes shall meet or exceed ASTM Specifications C-478. Eccentric cone top sections shall be used unless a variance or waiver is furnished in writing by the Engineer.

Manhole frames and covers shall be equal to Allegheny Foundry Co., frame pattern 650 and cover casting shall have the metal bearing areas that come in contact machine ground to fit in pairs, shall be marked as pairs, and shall be delivered in pairs.

B. Inlets

Inlets shall be precast concrete construction. Inlets, frames, and grates shall be PA DOT Type C, Type S or Type M or approved equals.

Evacuation for manholes and inlets shall extend 6" below the bottom of the structure. A 6" lift of PA DOT 2A coarse aggregate bedding shall be installed, leveled and compacted to form a stable base.