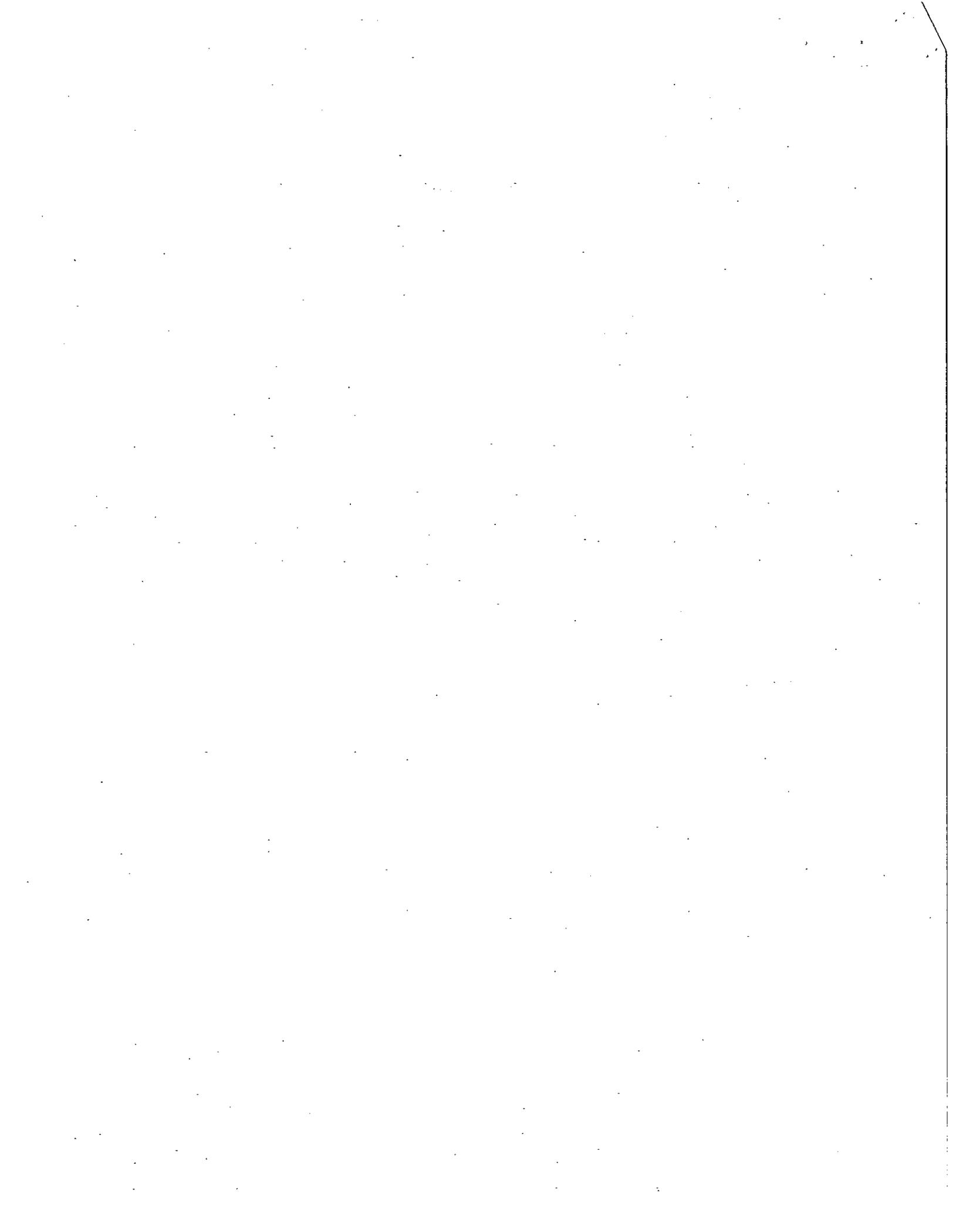


**BETHEL TOWNSHIP**

**SUBDIVISION AND LAND DEVELOPMENT REGULATIONS**

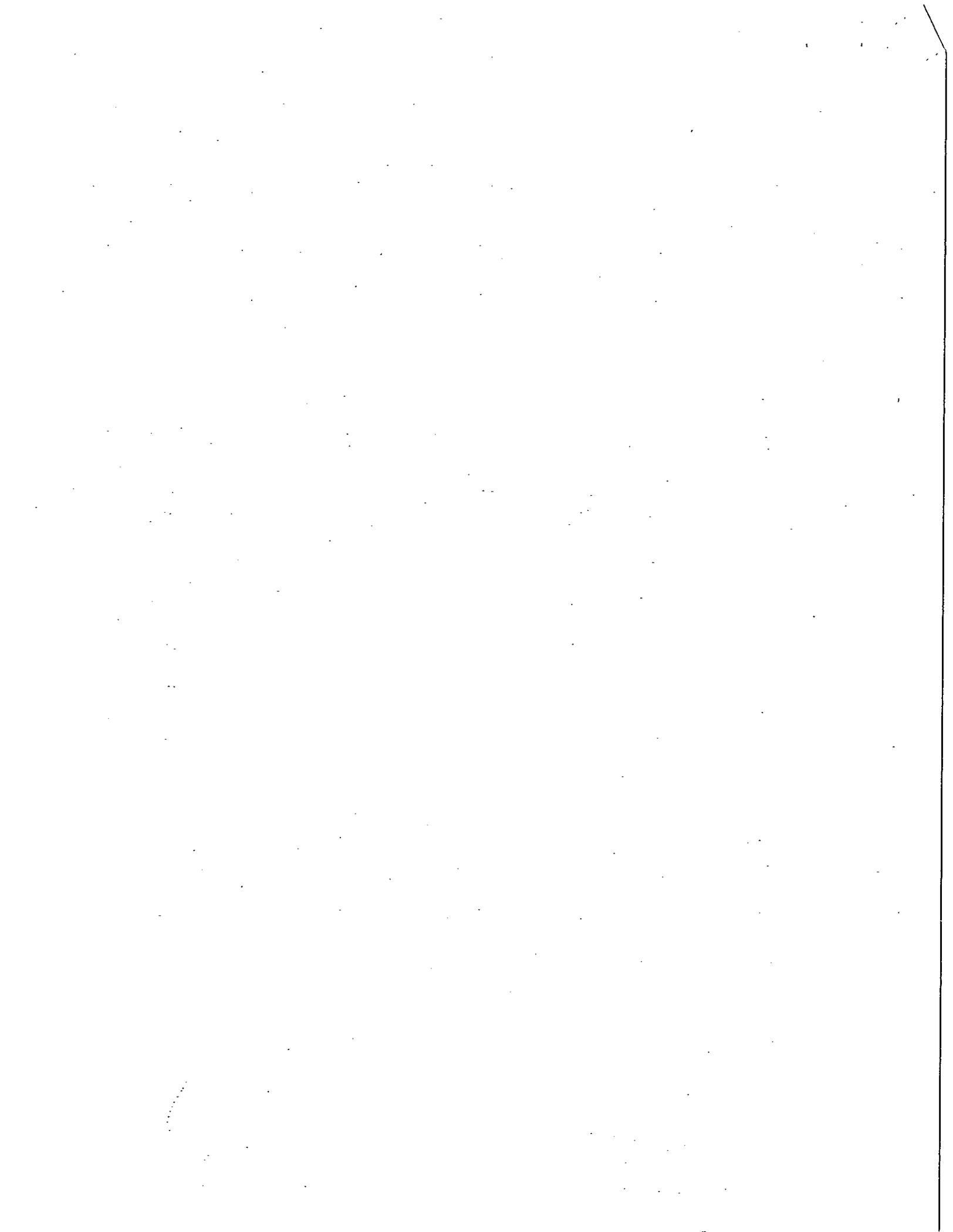
**Bethel Township Board of Supervisors**

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# **TOWNSHIP OF BETHEL**

## **ORDINANCE #73**

ADOPTING REGULATIONS FOR THE CONTROL OF SUBDIVISION OF LAND WITHIN THE TOWNSHIP; ESTABLISHING PROCEDURES FOR THE ADMINISTRATION AND REVIEW OF PLANS, IMPROVEMENTS AND STREETS; ESTABLISHING CONDITIONS AND STANDARDS FOR THE ACCEPTANCE OF PLANS, IMPROVEMENTS AND STREETS; AND PRESCRIBING FINES AND PENALTIES FOR THE VIOLATION THEREOF.

BE IT RESOLVED AND ENACTED by the Board of Supervisors of Bethel Township, and it is hereby resolved and enacted by authority of the same as follows:

### **ARTICLE I. PURPOSES, INTERPRETATION, TITLE AND SEVERABILITY**

#### **SECTION 100. Purposes**

This Ordinance is enacted:

- (a) for the purpose of assuring sites suitable for building purposes and human habitation;
- (b) to provide for the harmonious development of Bethel Township;
- (c) for the coordination of existing streets with proposed streets;
- (d) for adequate open space for traffic, recreation, light and air;
- (e) for proper distribution of population;
- (f) to create conditions favorable to the health, safety, morals, and general welfare of the citizens of Bethel Township; and
- (g) to further promote preservation of trees, groves, waterways, scenic points, historical spots, and other community assets and landmarks.

#### **SECTION 101. Interpretation**

The provisions of this Ordinance shall be held to be minimum requirements to meet the above stated purposes. Where the provisions of this Ordinance impose greater restrictions than those of any statute, other ordinance, or regulation, the provisions of this Ordinance shall prevail. Where the provisions of any statute, other ordinance or regulation impose greater restrictions than those of this Ordinance, the provisions of such statute, ordinance, or regulation shall prevail.

#### **SECTION 102. Title**

This Ordinance may be cited as the "Bethel Township Subdivision Regulations of 1977."

#### **SECTION 103. Severability**

The provisions of this Ordinance shall be severable, and if any section, clause, sentence, part or provision thereof shall be held to be unconstitutional, illegal, or invalid by any court of competent jurisdiction, such decision of the court shall not affect the validity of any of the remaining sections, clauses, sentences, parts or provisions of this resolution. It is hereby declared as a legislative intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid provisions not been included herein.

#### **SECTION 104. Subdivision Control**

No subdivision of any lot, tract or parcel of land shall be affected, no street, sanitary sewer, storm sewer, water main, or other facilities in connection therewith shall be laid out, constructed, opened, or dedicated for public use or travel, or for the common use of occupants of buildings abutting thereon except in strict accordance with the provisions of this Ordinance.

### **ARTICLE II. DEFINITION OF TERMS**

#### **SECTION 200. General**

Unless a contrary intention clearly appears, the following words and phrases shall have for the purpose of this Ordinance the meanings given in the following clauses.

#### **SECTION 201. Inclusions**

201.1 For the purposes of this Ordinance, words and terms used herein shall be interpreted as follows:

- (a) Words used in the present tense include the future.
- (b) The singular includes the plural.
- (c) The plural includes the singular.
- (d) The word "person" includes a corporation, unincorporated association or a partnership as well as the individual.
- (e) The word "lot" includes the word "plot" or "parcel".
- (f) The term "shall" is always mandatory.
- (g) The word "building" includes the word "structure" and shall be construed as if followed by the phrase "or part thereof".
- (h) The word Commission and the words Planning Commission always mean the Bethel Township Planning Commission.
- (i) The word "street" means a way for vehicular traffic, whether designated as a court, boulevard, avenue, expressway, highway, lane, and road, or however otherwise designated.
- (j) The word Board and the words Board of Township Supervisors shall always mean the Board of Township Supervisors of Bethel Township.
- (k) The word "watercourse" includes channel, creek, ditch, drain, dry run, spring and stream.
- (l) The words "County Planning Commission" shall always mean the Planning Commission of the County of Delaware.

#### SECTION 202. Subdivision

202.1 The word "subdivision" means the division of a single lot, tract, or parcel of land or part thereof into two (2) or more lots, tracts, or parcels of land, including changes in street lines or lot lines for the purpose whether immediate or future of transfer or ownership or of building development, or, if a new street is involved, any division of a parcel of land; provided that a division of land for agricultural purposes into lots, tracts, or parcels of ten (10) acres or more and not involving a new street shall not be deemed a subdivision.

202.2 The word "subdivision" also means any development of a parcel of land that involves the installation of streets, driveways, or alleys (for example, a shopping center, industrial park, or apartment project) even though such vehicle accessways may not be dedicated to the Township, or the lot, tract, or parcel may not be divided for the purpose of conveyance, transfer, or sale.

202.3 The word "subdivision" includes resubdivision and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided.

#### SECTION 203. Street

203.1 A public or private open way used or intended to be used for passage or travel by vehicular traffic. If private, such way must be used or intended to be used as the principal means of access to abutting lot or lots or to more than two (2) dwellings on a lot on which a private way is exclusively located. Streets are further classified as herein provided below.

##### 203.2 Throughfares:

- (a) Expressway.—designated for large volumes and high speed traffic with access limited to grade separated intersections.
- (b) Arterial Road.—designed for large volumes and high speed traffic with access to abutting properties restricted.
- (c) Collector Road.—designed to carry a moderate volume of fast moving traffic from rural and secondary streets to arterial streets, with access to abutting properties restricted.

##### 203.3 Local Streets

- (a) Rural-Residential Street.—designed to carry a moderate volume of traffic, to intercept Secondary-Residential streets, to provide routes to collector streets and to community facilities, and to provide access to the abutting properties.
- (b) Secondary-Residential Street.—designed to provide access to the abutting properties, a route to rural and collector streets, protection from through traffic; or designed as a secondary street which is parallel to and adjacent to expressway or arterial herein defined.

#### SECTION 204. Other Terms

204.1 Alley: A minor way which is used primarily for vehicular service access to the back and the side of two or more properties otherwise abutting on a street.

204.2 Block: An area bounded by streets.

204.3 Building Setback Line: The line parallel to the street line at a distance therefrom equal to the depth of the minimum required front yard.

204.4 Lot: A parcel of land used or set aside and available for use as the site of one or more buildings and building accessory thereto or for any other purpose, in one ownership and not divided by a street, nor including any land within the limits of a public or private way upon which said lot abuts, even if the fee to such way is in the owner of the lot.

204.5 Plat, Final: A complete and exact subdivision plan, prepared for official recording as required by statute, to define property rights, proposed streets, rights-of-way, easements and physical improvements on and in the land.

204.6 Plat, Preliminary: A tentative subdivision plan, showing the approximate location and size of proposed streets, lots and improvements as a basis for consideration by the Board of Township Supervisors and others prior to preparation of a final plat.

204.7 Right-of-Way Line: The dividing line between a street or road and a lot. The right-of-way line is the same as the street line and shall be not less than twenty-five (25) feet from the center line of any road or street.

204.8 Subdivider: A person who is the Owner, or authorized agent of the Owner, of land to be subdivided.

204.9 Yard, Front: An open space extending across the full width of the lot and lying between the street line at the nearest point of the building.

### ARTICLE III. PROCEDURE

#### SECTION 300. Introduction

The procedures hereinafter specified provide for a pre-application procedure, for conditional approval of a preliminary plat, and for the approval of a final plan. The pre-application procedure and the Conditional Approval of the Preliminary Plat are optional to the applicant and are not a prerequisite to the approval of the final plan. However, these optional procedures are strongly recommended in that they provide the applicant with an opportunity to resolve problems early in the proceedings and to make necessary modifications and revisions prior to incurring the expenses of preparing a final plan.

#### PRE-APPLICATION PROCEDURE

#### SECTION 310. Purpose

310.1 The purpose of the "Pre-application Procedure" is to afford the Subdivider the opportunity to avail himself of the advice and assistance of the Bethel Township Planning Commission and the County Planning Commission, and to consult early and informally with both planning commissions before preparation of the Preliminary Plat and before formal application for its approval.

310.2 During the Pre-application Procedure, the Subdivider can advantageously make use of the services of both planning commissions to help him analyze the problem of the development and plan more adequately for its sound coordination with the community. This preliminary discussion also affords both planning commissions the opportunity to give informal guidance to the development at a stage when potential points of difference can be more easily resolved. It can also simplify official actions and save unnecessary expense and delay.

#### SECTION 311. Procedure

When pre-application is used, the following procedure shall apply:

311.1 Prior to the filing of an application for Conditional Approval of the Preliminary Plat, the Subdivider shall submit, at least fifteen (15) days prior to the meeting of the Commission, three (3) copies of the plats and data specified in Article VI, Sections 600 through 603, to the Commission and four (4) copies of the plats and data to the County Planning Commission.

**SECTION 312. Objection shall be Expressed**

312.1 Within thirty (30) days of the receipt of pre-application plats and data, the Commission shall inform the Subdivider that the plats and data as submitted or modified do or do not meet the objectives and requirements of this Ordinance.

312.2 The Commission shall also inform the Subdivider of the County Planning Commission's findings that the plats and data as submitted or as modified do or do not meet the objectives and requirements of this Ordinance and the County subdivision regulations.

312.3 When the Commission finds the plats and data do not meet the objectives or requirements of this Ordinance, it shall express its reasons therefore in writing.

**PROCEDURE FOR CONDITIONAL APPROVAL OF PRELIMINARY PLAT**

**SECTION 320. Preliminary Plat Required**

On reaching conclusions informally as recommended or required in Section 312 above regarding his general program and objectives, the Subdivider may submit, at least fifteen (15) days prior to the meeting of the Commission, four (4) copies of the plats and data specified in Article VI, Sections 604 through 607, to the Commission and four (4) copies of the plats and data to the County Planning Commission.

**SECTION 321. Report of the County Planning Commission**

Before the approval of the plat by the Township Planning Commission, said Commission shall ascertain that four (4) copies of the proposed plat have been transmitted by the Subdivider to the County Planning Commission. Pending the receipt and consideration of the County Planning Commission's report, the Township Planning Commission shall defer action thereon, but if such report is not received within forty-five (45) days from the submission of the plat to the County Planning Commission, the Township Planning Commission may proceed to final action thereon.

**SECTION 322. Conditional Approval by the Township Planning Commission**

322.1 Following review of the Preliminary Plat and other material submitted for conformity thereof to this Resolution, review of the County Planning Commission's report and negotiations with the Subdivider on changes deemed advisable and the kind and extent of improvements to be made by him, the Township Planning Commission shall, within thirty-one (31) days, act thereon as submitted, or modified. If approved, the Commission shall express its approval as Conditional Approval and state the conditions of such approval, if any, or if disapproved, shall express its disapproval and its reasons therefor.

322.2 The action of the Commission including any conditions determined shall be noted on or attached to three (3) copies of the Preliminary Plat. One (1) copy of the action and the plan shall be returned to the Subdivider, one (1) copy transmitted to the County Planning Commission, and the other retained by the Township Planning Commission.

**SECTION 323. Preliminary Plat a Guide for Preparation of Final Plat**

Conditional Approval of a Preliminary Plat shall not constitute approval of the Final Plat. Rather it shall be deemed an expression of approval to the layout submitted on the Preliminary Plat as a guide to the preparation of the Final Plat which will be submitted for approval of the Township Planning Commission.

**PROCEDURE FOR APPROVAL OF FINAL PLAT**

**SECTION 330. Subdivisions Wherein Lots Abut Existing Improved Streets of Sufficient Width**

330.1 Subdivisions wherein lots abut existing improved streets of sufficient width (i.e. streets already meeting the minimum right-of-way requirements of Section 403.1 hereof) shall be subject to approval of the Planning Commission sitting as the committee specified in the Second Class Township Code. In the event such a plan is disapproved the reasons therefor shall be set forth in writing and given to the Subdivider.

330.2 Any person aggrieved by the decision of the Commission may appeal to the Board of Township Supervisors, and such appeal shall be considered by the Board at its next regular meeting. The decision of the Board shall be final.

330.31 Filing Procedure and Standards for Determination: The Subdivider shall file with the Secretary of the Board of Township Supervisors fourteen (14) copies of the plan of the subdivision in question in the form prescribed in Article VI hereof, together with the supplemental data required thereby. The secretary shall forthwith forward one copy of said plan and supplemental data to the County Planning Commission. The secretary of the Board shall also refer the matter to the Township Planning Commission at its regular monthly meeting next following the expiration of fifteen (15) days from the date of the filing of the said plan with him.

330.32 The Township Planning Commission shall consider the plan at the meeting aforesaid, giving due consideration to the recommendations, if any, received from the County Planning Commission, and within forty-five (45) days after the date of said meeting shall advise the Secretary of the Board of Township Supervisors of its approval or disapproval, specifying its reasons in writing in the case of disapproval. The Secretary of the Board shall forthwith transmit the said decision to the Subdivider.

330.33 In approving or disapproving a subdivision plan, the Planning Commission shall be guided by the same standards (unless clearly inapplicable) as those prescribed in the following provisions of Article III for the guidance of the Township Supervisors in the case of subdivision wherein lots abut existing streets of insufficient width or proposed streets.

**SECTION 340. Subdivision Wherein Lots Abut Existing Streets of Insufficient Width, or Proposed Streets**

Plans of subdivisions wherein lots abut existing streets of insufficient width, (i.e. streets not meeting the minimum right-of-way requirements of Section 403 hereof) or streets proposed to be laid out through unimproved land, shall be subject to approval or rejection by the Board of Township Supervisors.

340.1 Filing Procedure: The Subdivider shall file with the Secretary of the Board of Township Supervisors fourteen (14) copies of the plan of the subdivision in question in the form prescribed in Article VI hereof, together with the supplemental data required thereby. The secretary shall forthwith forward one copy of said plan and supplemental data to the County Planning Commission. The secretary of the Board of Township Supervisors shall also refer the matter to the Township Planning Commission by presenting a copy of said plan and supplemental data to the Township Planning Commission at its regular monthly meeting next following the expiration of fifteen (15) days from the date of the filing of said plan with him. The Township Planning Commission shall consider said plan at the meeting aforesaid, giving due consideration to the recommendations, if any, received from the County Planning Commission, and within forty-five (45) days after the date of said meeting, shall make recommendations in writing to the Board of Township Supervisors with respect to the approval or disapproval of said subdivision plan.

340.2 General Requirements Prerequisite to Approval of Plan: The Board of Township Supervisors shall not approve any subdivision plan unless all streets shown thereon shall be of sufficient width and proper grade, and shall also be so located as to accommodate the probable volume of traffic thereon, afford adequate light and air, facilitate fire protection, provide access of fire fighting equipment to buildings, and provide a coordinated system of streets conforming to the Township's Official Plan of streets, all in accordance with the standards prescribed by this resolution; and unless the land whereon buildings are to be constructed shall be of such character that it can be used for building purposes, without danger to health or peril from fire, flood or other hazard; and in cases where a cemetery or burial ground is located on the lot, tract or parcel of land affected by the subdivision, unless the Township is assured of the future care and maintenance thereof, by the creation of a trust fund the estimated annual income of which will approximate one hundred dollars (\$100.00) a year to be used for such purpose.

340.3 Improvements or Guarantee Thereof: Before approving any subdivision plan for recording, the Board of Township Supervisors shall either require that the necessary grading, paving and other street improvements as required in Articles IV and V hereof shall have been installed in strict accordance with the standards and specifications of the Township, or that the Township be assured by means of a proper contract and completion guarantee, as set forth in Sections 340.4 and 340.5 hereof, that the improvements will subsequently be installed by the owner. Where the subdivision plan has been approved and recorded, either after the specified improvements have been completed and approved by the Board of Township Supervisors, or if prior to completion upon proper completion guarantee as aforesaid, purchas-

ers and mortgagees of lots in the subdivision with or without buildings thereon or on any of them, shall be relieved of any and all liability for any deficiency in lack of or failure to complete the improvements above mentioned as set out in said plan or required as a condition precedent to the approval of the plan of subdivision, and any failure to complete or properly complete said improvements shall not encumber any or all of the lots in the subdivision.

340.4 Agreement to Complete Improvements: In all cases where the necessary grading, paving and other street improvements required herein shall not have been installed in strict accordance with the standards and specifications of the Township, the Subdivider shall enter into a written Agreement with the Township in the manner and form approved by the Township Solicitor, wherein Subdivider shall agree, to the extent applicable:

340.41 To construct, or cause to be constructed, at his own expense, all streets, bridges, culverts, curbs, gutters, sidewalks, crosswalks, water systems, drainage facilities, street lighting facilities, street signs, monuments, sanitary sewerage, street shade trees and parks and other improvements shown on said subdivision plan, all in strict accordance with standards and specifications of the Township and within the time specified in said Agreement.

340.42 To make adequate provision with the Township Engineer for the inspection of the construction of the aforesaid improvements to assure compliance with Township standards and specifications.

340.43 To maintain at his own cost the said streets, bridges, culverts, curbs, gutters, sidewalks, cross walks, water systems, drainage facilities, street lighting facilities, street signs, monuments, sanitary sewerage, street shade trees, parks and other improvements until the same are accepted or condemned by the Township for public use and for a period of two (2) years thereafter to repair and reconstruct the same or any part or one of them when such repair or reconstruction shall be specified by the Board of Supervisors as necessary by reason of faulty construction, workmanship, or materials.

340.44 To pay all costs, charges or rates, of the utility furnishing electric service for the street lighting facilities installed by the Subdivider until such time as the streets shown on the subdivision plans shall have been accepted or condemned by the Township for public use, and to indemnify and save harmless the Township from and against all suits, actions, claims and demands for electric service as aforesaid, or any part thereof, to the time that said streets shall be accepted or condemned as public streets in the manner hereinabove set forth.

340.45 To post contemporaneous with the execution of such Agreement a bond, with corporate surety approved by the Township Supervisors, in such amount not less than one hundred twenty-five (125) percent of the cost of all improvements, and in a form approved by the Township Solicitor, for the use of the Township (or in lieu of a bond, cash or negotiable securities in escrow deposited in a bank approved by the Township Supervisors pursuant to an escrow agreement in a form approved by the Township Solicitor), conditioned upon the Owner's proper completion of the improvements as set forth in Section 340.3 hereof, and the Owner's maintenance and repair of the same for the period of two (2) years following completion.

This provision shall not be deemed to negate or otherwise affect the Owner's obligation to maintain and repair all improvements from the time of completion until actual acceptance or condemnation by the Township for public use.

340.46 At or before the acceptance or condemnation of the said improvements by the Township for public use, to post a bond with corporate surety approved by the Township Supervisors in an amount not less than fifteen percent (15%) of the guarantee set by Section

340.45 hereof and in a form approved by the Township Solicitor (or in lieu of bond, cash or negotiable securities in escrow deposited in a bank approved by the Township Supervisors pursuant to an escrow agreement in a form approved by the Township Solicitor), conditioned upon the Owner's repair or reconstruction of the said improvements for the period of two (2) years following the acceptance or condemnation of the same by the Township for public use where specified by the Township as necessary by reason of faulty construction, workmanship or materials.

340.47 To reimburse the Township promptly for reasonable attorney's, engineer's and inspection fees; and to obtain and pay for the easements, and deeds of dedication and releases required by Section 340 hereof.

340.48 To file two copies of a final plan with the Board of Supervisors accurately showing as built the location of all buried utility lines, underground drains, spring heads, storm drainage lines, and permanent subdivision monuments, as a condition precedent to acceptance of the streets and other required improvements.

340.49 The provisions of Section 340 shall not relieve the Owner from the penalties provided for in the Second Class Township Code for violation of this Ordinance.

340.50 Security for Completion of Improvements. In all cases where the necessary grading, paving and other street improvements required herein shall not have been installed in strict accordance with the standards and specifications of the Township, no subdivision plan shall be approved unless and until a bond shall have been posted or escrow funds deposited as set forth in Section 340.45 hereof, conditioned upon the Owner's proper completion of the improvements, and his maintenance and repair thereof for the period of two (2) years following completion. No improvements shall be accepted or condemned by the Township for public use unless and until a bond shall have been posted or escrow funds deposited as set forth in Section 340.46 hereof, conditioned upon the Owner's repair or reconstruction of the said improvements for the period of two (2) years following the acceptance or condemnation of the same by the Township for public use where specified by the Township as necessary by reason of faulty construction, workmanship or materials.

#### SECTION 341. Public Hearing

Before acting on any subdivision plan, the Board of Township Supervisors may arrange for a public hearing thereon, after giving such notice as the Board may deem desirable in each case.

#### SECTION 342. Modification

The Board of Township Supervisors may alter any subdivision plan and specify changes or modifications therein which it deems necessary, and may make its approval subject to such alteration, changes or modifications.

#### SECTION 343. Reasons for Disapproval to be Set Forth

The Board of Township Supervisors shall either approve or disapprove the plan and advise the Subdivider of its action thereon, and in the event that the plan is disapproved, the reasons therefor shall be set forth in writing and given to the Subdivider.

#### SECTION 344. Appeals

In any case where the Board of Township Supervisors disapproves a subdivision plan, any person aggrieved thereby may, within thirty (30) days thereafter, appeal therefrom, by petition to the Court of Quarter Sessions of the County, which Court shall hear the matter de novo and after hearing enter a decree affirming, reversing or modifying the action of the Board, as may appear just in the premises. The Court shall designate the manner in which notices of the hearing of any such appeal shall be given to all parties interested. The decision of the Court shall be final.

#### SECTION 350. Recording

The action of the Board of Township Supervisors or of the Court on appeal in approving any subdivision plan and an approved duplicate copy of such plan shall, within thirty (30) days of the date of approval, be recorded by the Subdivider in the Office for the Recording of Deeds of Delaware County. The Subdivider shall promptly notify in writing the Secretary of the Board of Supervisors of the recording action required in this Section.

#### SECTION 351. Recorded Plan to Become Part of Official Map

After a subdivision plan has been duly recorded, the streets, parks and other public improvements shown thereon shall be considered to be a part of the Official Map of the Township.

#### SECTION 352. Offer of Dedication May Be Noted on Record Plan

Streets, parks and other public improvements shown on subdivision plan to be recorded may be offered for dedication to the Township by formal notation thereof on the plan, or the Owner may note on the plan that such improvements have not been offered for dedication to the Township.

**SECTION 353. Improvements Private Until Dedicated or Condemned**

Every street, park or other improvement shown on a subdivision plan that is recorded, as provided herein, shall be deemed to be a private street, park, or improvement until such time as the same has been offered for dedication to the Township and accepted, by resolution, and recorded in the Office of the Clerk of the Court of Quarter Sessions, or until it has been condemned for use as a public street, park or other improvement.

**SECTION 354. Final Approval or Disapproval**

Approval or disapproval by the Supervisors or Court shall not be subject to approval or disapproval by the planning body of any other municipality.

**SECTION 355. Submission in Sections**

The Supervisors may permit submission of the Final Plan in sections provided that such sections conform to all the requirements of this resolution.

**SECTION 356. Sale of Lots; Issuance of Building Permit or Erection of Building**

No lot in a subdivision may be sold, no permit to erect, alter or repair any building upon land in a subdivision may be issued, and no building may be erected in a subdivision, unless and until a subdivision plan has been approved and recorded and until the improvements required by the Board of Township Supervisors in connection therewith have either been constructed or guaranteed, as hereinabove provided.

**ARTICLE IV. DESIGN STANDARDS**

**SECTION 400. Location and Arrangement of Streets**

400.1 The arrangement, character, extent, width, grade and location of all streets shall conform to the Official Map of Bethel Township as adopted or amended, and shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets.

400.2 Where such is not shown in the Official Map, the arrangement of streets in a subdivision shall either provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or conform to a plan for the neighborhood approved or adopted by the Board of Township Supervisors to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impracticable.

400.3 Local streets shall be so laid out that their use by through traffic will be discouraged.

400.4 Dead-end streets (culs-de-sac), designed to be so permanently, shall be provided at the closed end with a turnaround having an outside cartway radius of at least forty (40) feet and a right-of-way line radius of at least fifty (50) feet. Such streets shall be not longer than six hundred (600) feet, measured from its intersecting centerline to the center of the turnaround, except where topographical or other conditions make this limitation impracticable as determined by the Planning Commission and Board of Supervisors.

400.5 If the lots resulting from the original subdivision are large enough to permit resubdivision, or if a portion of the tract is not subdivided, suitable access and street openings for such an eventuality shall be provided.

**SECTION 401. Access to Streets**

401.1 Where a subdivision abuts or contains a present or proposed arterial collector street, the Board of Township Supervisors shall require reverse frontage with a screen planting contained in a non-access easement along the rear property line, marginal access street or such other treatment as may be necessary for adequate protection of residential properties and other abutting properties and to afford separation of through and local traffic.

401.2 Reserve strips controlling access to streets shall be prohibited except where control thereof is vested in the Township under conditions approved by the Board of Township Supervisors, when the subdivision adjoins unsubdivided acreage, new streets shall be provided through to the boundary lines of the development with temporary easements for turnaround.

**SECTION 402. Street Intersections**

402.1 Street jogs with centerline offsets of less than one hundred and fifty (150) feet shall be avoided.

402.2 Streets shall be laid out so as to intersect as nearly as possible at right angles, and no street shall intersect any other street at less than sixty (60) degrees.

402.3 Right-of-way lines at street intersections shall be rounded with a radius of twenty-five (25) feet, or of a greater radius where the Board of Township Supervisors may permit comparable cut-offs or chords in place of rounded corners.

402.4 To the fullest extent possible, intersections with major traffic streets shall not be located less than eight hundred (800) feet apart, measured from centerline to centerline.

402.5 Multiple intersections involving the junction of more than two streets shall be avoided, and where such avoidance is impossible, such intersections shall be designed with extreme care for both vehicular and pedestrian safety.

402.6 Grades at intersections shall be in conformance with Section 405.3 following.

402.7 Proper sight lines shall be maintained at all intersections of street. There shall be a clear sight triangle measuring seventy-five (75) feet along the intersecting street lines from the point of intersection indicated on the plan, that is maintained free and clear of shrubs, structures, signs and other visual obstructions.

402.8 The intersection should be designed and graded to allow for proper drainage.

**SECTION 403. Street Widths and Building Setback Lines**

403.7 Street right-of-way, cartway widths and minimum building line setbacks shall be as shown in the Bethel Township Zoning Ordinance except that they shall be not less than as follows:

<b>Street Types</b>	<b>Rights-of-way</b>	<b>Cartway</b>
Arterial	120 feet	*
Collector	60 "	36 feet
Secondary—		
Residential	50 "	27 "
Rural Residential	50 "	24 " **

403.2 Additional rights-of-way and cartway widths than those specified in this or other Resolutions may be required by the Board of Township Supervisors in order to lessen traffic congestion, to secure safety from fire, panic and other dangers, to facilitate the adequate provision for transportation and other public requirements or to promote the general welfare.

403.3 Half streets shall be prohibited, except where essential to the reasonable development of the subdivision in conformity with the other requirements of this Resolution. If circumstances render this impracticable, adequate provision for the concurrent dedication of the remaining half of the street shall be finished by the Subdivider. Wherever a half street is adjacent to a tract to be subdivided, the other half of the street shall be platted within such tract.

403.4 Short extension of existing streets with lesser right-of-way widths than prescribed by Section 403.1 may be permitted.

403.5 Where a subdivision abuts or contains an existing street of inadequate right-of-way width, additional right-of-way width shall be dedicated to conform to the standards established in Section 403.1.

**SECTION 404. Street Alignment**

404.1 Except for secondary-residential streets, there shall be a tangent of at least one hundred (100) feet measured at the centerline between curves.

404.2 The minimum radius at the centerline for curves on collector streets shall be three hundred (300) feet, and for secondary-residential and rural-residential streets it shall be one hundred and fifty (150) feet. Proper super-elevation shall be provided for curves less than six hundred (600) feet in radius on collector streets.

**SECTION 405. Street Grades**

405.1 Street grades, wherever feasible, shall not exceed the following:

Street Type	Percent Grade*
Arterial	6%
Collector	6%
Secondary-Residential	10%
Rural-Residential	10%

\*Where unusual topographical, grading or other physical condition makes these limitations impracticable, the allowable grades may be increased by two percent.

405.2 Vertical curves shall be used at changes of grade exceeding one (1) percent and shall be designed in relation to the extent of grade change and to provide the following minimum lengths of curves:

405.21 For over crests (summits), for each four (4) percent difference in gradients, one hundred and twenty-five (125) feet in length of curve, shall be provided.

405.22 For under crests (sags), for each four (4) percent difference in gradients, one hundred (100) feet in length of curve.

405.3 Where the grade of any street at the approach to an intersection exceeds seven (7) percent, a leveling area shall be provided having a minimum length of fifty (50) feet measured back from the street line within which no grade shall exceed a maximum of five (5) percent. Furthermore, the maximum grade within an intersection shall not exceed one (1) percent.

405.4 No street grade shall be less than one-half (.5) percent.

405.5 All streets except arterials shall be graded to the full width of the right-of-way. Maximum side slopes within the right-of-way shall not exceed one and one-half feet horizontal to one vertical (1½:1) and shall be adequately stabilized with appropriate plant materials.

#### SECTION 406. Street Names

No street names shall be used which will duplicate or be confused with the names of existing streets. Street names shall be subject to the approval of the Board of Supervisors.

#### SECTION 407. Private Streets

Private streets or lanes serving more than two (2) single-family dwellings shall be prohibited. A private street or lane shall lie in a strip of land as part of the lot it serves. For one lot the lane shall not be less than ten (10) feet wide in cartway and sixteen (16) feet in width of the land. For two lots the lane shall be not less than sixteen (16) feet wide in cartway and twenty-five (25) feet in width of land. In the case of a lane serving two lots, the strip of land shall be part of one lot in entirety, and the right of passage by easement shall be provided as necessary to the other lot. The use and location of private streets or lanes is subject to the approval of the Planning Commission and Board of Supervisors.

#### SECTION 408. Alleys

408.1 Alleys are prohibited in residential developments.

408.2 Alleys shall be provided in commercial and industrial districts, except that the Board of Township Supervisors may waive this requirement where other definite and assured provision is made for service access, such as off-street loading, unloading, and parking consistent with and adequate for the uses proposed.

408.3 The width of an alley shall not be less than twenty-five (25) feet.

408.4 Alley intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall be cut off sufficiently to permit safe vehicular movement.

408.5 Dead-end alleys shall be avoided where possible, but if unavoidable, shall be provided with adequate turn-around facilities at the dead-end, as determined by the Board of Township Supervisors.

#### SECTION 409. Easements

409.1 Easements across lots or centered on rear or side lot lines shall be provided for utilities where necessary and shall be at least ten (10) feet wide.

409.2 Where a subdivision is traversed by a water course, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such water course, and such further width or construction, or both as will be adequate for the purpose.

409.3 The area occupied by required easements shall be provided in addition to the required lot area specified in the Zoning Ordinance.

#### SECTION 410. Blocks

410.1 The lengths widths, and shapes of blocks shall be determined with due regard to:

- (a) Provision of adequate building sites suitable to the special needs of the type of use contemplated.
- (b) Zoning requirements as to lot sizes and dimensions.
- (c) Needs for convenient access, circulation, control, and safety of street traffic.
- (d) Limitations and opportunities of topography.

410.2 To the extent possible, block lengths shall not exceed sixteen hundred (1600) feet, or be less than five hundred (500) feet.

410.3 Residential blocks shall be of sufficient depth to accommodate two (2) tiers of lots, except where reverse frontage lots bordering a street are used.

410.4 Pedestrian cross walks, with a minimum right-of-way of twelve (12) feet and a minimum pavement width of four (4) feet, shall be required where deemed essential to provide circulation, or access to schools, playgrounds, shopping centers, transportation, and other community facilities.

#### SECTION 411. Lots

411.1 The lot size, width, depth, slope, and orientation, and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated.

411.2 Lot dimensions shall conform to the requirements of the Bethel Township Zoning Ordinance, as amended.

411.3 Corner lots for residential use shall have extra width to permit appropriate building setback from and orientation to both streets.

411.4 The subdividing of the land shall be such as to provide, by means of public street, each lot with satisfactory access to an existing public street.

411.5 Double frontage and reverse frontage lots shall be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. A visual buffer screen, in an easement of at least ten (10) feet in width, across which there shall be no right of access, shall be provided along the line of lots abutting such a traffic artery or other disadvantageous use.

411.6 Side lot lines shall be substantially at right angles or radial to street lines.

411.7 Generally, lot depths shall not be less than one (1), nor more than three (3) times the average width.

411.8 The size, depth, and width of parcels laid out or reserved for non-residential use shall be in conformance with all the provisions of the Bethel Township Zoning Ordinance, as amended.

#### SECTION 412. Storm Drainage

412.1 Drainage facilities shall be provided:

- (a) to permit unimpeded flow of natural watercourses;
- (b) to ensure unimpeded flow of natural points along the line of streets; and
- (c) to intercept storm water run-off along streets at intervals reasonably related to the extent and grade of the area drained.

412.2 In the design of drainage facilities, special consideration shall be given to problems which may arise from concentration of storm water run-off over adjacent properties.

412.3 Storm sewers, as required, shall be placed in back of curb when located in a street of right-of-way. When located in undedicated land, they shall be placed within an easement not less than twenty (20) feet wide, as approved by the Township. Open ditches shall be limited in length as required.

412.4 In some cases, storm water must travel in original stream beds or in open channels. Concreted, or rip rapped channels shall be required. Open channels, whether concreted or not, shall generally be straightened, widened, or otherwise adjusted to conform to hydraulic requirements.

412.5 Storm sewers shall have a minimum diameter of eighteen (18) inches and a minimum grade of one-half ( $\frac{1}{2}$ ) percent. Changes in alignment shall be by straight sections connected by inlets or manholes.

412.6 Where a storm sewer passes between houses, sufficient width shall be allowed between houses to accommodate said sewer. The ground will drain in the same direction as the sewer. No pockets or craters shall be left in the road or on the ground.

412.7 Manholes shall be not more than three hundred (300) feet apart on sizes up to twenty-four (24) inches and not more than four hundred fifty (450) feet apart on greater sizes. Inlets may be substituted for manholes on approval by the Township.

412.8 Inlets and manhole covers and frames shall conform to Township standards. At street intersections, inlets shall be placed in the tangent and not in the curved portion of the curbing.

Inlets shall generally be Pennsylvania Standard Combination Special Inlets. They shall be located at intersection and, as needed, between intersections. Inlets shall be required when the design flow in any gutter exceeds seven (7) cubic feet per second. They shall be designed to deliver a rainfall intensity of two (2) inches per hour with one hundred (100) per cent run off. The upstream end of the inlet shall be recessed by ten (10) inches, and shall be depressed to show eight (8) inches or more of curb face instead of six (6) inches as shown elsewhere. Inlets shall be so placed in an intersection that rainwater shall not have to cross any road before entering.

412.9 Bridges and culverts shall have ample water way to carry expected flows. Culverts shall be provided with wing walls and constructed for the full width of the right-of-way. Bridges shall be provided with a paved flow line and with deep aprons and wing walls at each end. Bridges shall be constructed no narrower than the cartway of the road they serve; and, in addition, sidewalks on one side on rural streets and both sides on all other streets shall be required.

#### SECTION 413. Community Facilities

413.1 Where a proposed park, playground, school or other public use shown in the Official Map is located in whole or in part in a subdivision, the Board of Township Supervisors may require the dedication or reservation of such area within the subdivision in those cases in which the Board deems such requirements to be reasonable.

413.2 Where deemed essential by the Board of Township Supervisors, upon consideration of the particular type of development proposed in the subdivision and especially in large scale planned unit developments, the Board may require the dedication or reservation of such other areas or sites of a character, extent, and location suitable to the needs created by such development for schools, parks, and other neighborhood purposes.

413.3 The following standards shall apply to the provision of recreation space:

- (a) Areas set aside for recreational purposes shall be reasonably compact parcels, placed to serve all parts of the subdivision, accessible from a public street, and not excessively irregular in terrain.
- (b) Playgrounds for active sports shall be not less than two and three-quarters ( $2\frac{3}{4}$ ) acres.
- (c) In subdivisions which provide or are intended to provide housing facilities for more than fifty (50) families suitable open areas may be required for recreation. Standards to be used by the Board of Township Supervisors in testing the adequacy of space provided shall be as follows:
  - 50 to 300 families— $2\frac{1}{2}$  acres per hundred families
  - Over 300 families—6 acres plus one acre per hundred families over 300
- (d) Public access shall be provided by at least one service access not less than twenty-five (25) feet wide and one walkway not less than twelve (12) feet wide in land with a cindered or paved walk not less than four (4) feet wide.

#### SECTION 414. Land Subject to Flooding

414.1 Land subject to flooding or other hazards to life, health, or property and land deemed to be topographically unsuitable shall not be platted for residential occupancy or for such other uses as may increase danger to health, life or property or aggravate erosion or flood hazard until all such hazards have been eliminated or unless adequate safeguards against such hazards are provided by the subdivision plans.

414.2 Such land within the subdivision shall be set aside on the plat for uses as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions.

414.3 Where flooding is known to have occurred within an area shown on the plat, such area shall be clearly marked "subject to periodic flooding" and shall not be platted in streets and lots.

#### SECTION 415. Preservation of Resources

415.1 Wherever possible, Subdivider shall preserve trees, groves, waterways, scenic points, historic spots, and other community assets and landmarks.

415.2 Subdivisions shall be laid out as to avoid the necessity for excessive cut or fill.

415.3 Top soil shall not be stripped, covered or removed from the subdivision site.

#### SECTION 416. Underground Utilities

416.1 Electric, telephone and all other utility facilities shall be installed underground by the subdivider unless, in the opinion of the Board of Township Supervisors, special conditions require otherwise. In such event such installations shall be as directed by the Board.

416.2 Where telephone and electric service lines are placed underground, conduits or cables shall be placed within easements or dedicated public ways, in a manner which will not conflict with other underground services. Further, all transformer boxes shall be located so as not to be unsightly or hazardous to the public.

#### SECTION 417. Requirement for Utilities

The Board of Supervisors may require the Subdivider to furnish all necessary public utilities in and to the proposed subdivision. Water supply and sewage disposal must be furnished in accordance with the plan approved by the appropriate State, County, and Township Officials.

#### SECTION 418. Offstreet Parking and Driveways

418.1 Each proposed dwelling unit in a subdivision shall be provided with a paved off-street parking space located behind the building setback line. Such off-street parking space may be provided as an individual garage or carport, a parking compound or driveway adjacent to or near the dwelling it serves. Such parking compound or driveway shall provide a useable space of not less than 180 square feet of paved parking surface exclusive of the space needed for access and maneuvering.

418.2 Each driveway required by this Section shall be not less than ten (10) feet wide and paved in an all-weather surface approved by the Board of Supervisors.

418.3 Each driveway required by this Section shall have a centerline grade of not more than five (5) percent for a distance of twenty-five (25) feet measured from the street curb or gutter, and shall have a center line grade of not more than fifteen (15) percent on the remainder of the driveway to provide for parking and access during severely inclement weather.

418.4 No driveway shall be located less than forty (40) feet from a street intersection.

### ARTICLE V. REQUIRED IMPROVEMENTS

#### SECTION 500. Purpose

500.1 The purpose of this article is:

- (a) to establish and define the public improvements which will be required to be constructed by the subdivider as conditions for final plat approval;
- (b) to establish procedures for assuring compliance to these requirements.

500.2 Every Subdivider shall be required to install the public and other improvements listed in Section 502 through 508 in accordance with the public intent and the conditions and specifications noted.

#### SECTION 501. Responsibility for Plans

It shall be the responsibility of the Owner of every proposed subdivision, to have prepared by a registered engineer, or registered land surveyor, a complete set of construction plans, including profiles, cross-sections, specifications and other supporting data, for the thereafter required public streets, utilities and other facilities. All construction plans shall be prepared in accordance with the following public improvement standards or specifications as approved by the appropriate officials.

#### SECTION 502. Monuments and Pins

502.1 Monuments shall be placed at all block corners, angle points, points of curves in streets, and at intermediate points as shall be required by the Township Engineer. Monuments shall also be placed at any point of directional change in lot boundary lines. The monuments shall be of such permanent material, size, and length as may be approved by the Township Engineer. The pins shall be of such size and length as approved by the Township Engineer, but not less than two and one-half (2½) feet in length.

#### SECTION 503. Street Requirements

The requirements with respect to the grading and construction of streets, roads, lanes alleys, curbs, and sidewalks set forth upon subdivision plans shall be in conformity with "Bethel Township Road and Street Specifications" adopted by the Board of Township Supervisors.

#### SECTION 504. Storm and Surface Drainage

All drainage facilities shall be installed and the land graded for adequate drainage as shown on the Final Plan. A detailed plan of storm drainage, culverts, drains, and inlets shall be required.

#### SECTION 505. Water and Sewage

505.1 Where an approved sanitary sewer is accessible to the development, all necessary mains and laterals for connection from the lots to the system, as shown on the preliminary plan, shall be installed by the Subdivider.

505.2 The Subdivider shall provide the highest type of sewage disposal facility consistent with existing physical, geographical and geological conditions. The following types of sanitary sewage disposal facilities are listed in order of desirability.

- (a) Public sanitary sewer and treatment plant system.
- (b) Community sanitary sewer and temporary sewage treatment plant.
- (c) Capped sewers with temporary on-lot facilities.
- (d) Septic tank with tile field or septic tank with seepage pit, depending on results of soil tests and sub-soil investigation.

505.3 Soil percolation tests to determine the suitability of the soil for on-lot sewage disposal facilities must be performed for all new subdivisions where buildings are not to be connected to live public or community sanitary sewers at the time of construction.

- (a) Such tests shall be supervised and certified by a Registered Professional Engineer. Where the approval of the Pennsylvania Department of Health is required, a copy of their report of investigation, and approval of the proposed sewage disposal system may be submitted in lieu of certification by an engineer.
- (b) The results of such tests shall be accompanied by a description of sub-soil strata to a depth of four (4) feet greater than the proposed effluent disposal field or seepage pit. These data shall be obtained from test borings at or near the site of each percolation test hole.
- (c) Where possible such tests shall be performed at or near the site of the proposed sewage disposal facility for each lot according to the specifications of the Pennsylvania Department of Health or as outlined in the "Manual of Septic Tank Practice," U. S. Department of Health, Education and Welfare.
- (d) The results of such tests shall be evaluated individually for each lot in the light of information from test borings and topographic features at each respective test hole location.

505.4 All lots in any new subdivision that cannot be connected to a live public or community sanitary sewer system at the time of building construction shall be provided with an on-site sewage disposal system consisting of a septic tank or tanks connected with one or both of the following:

- (a) Tile disposal field—wherever test results indicated that this is a desirable system.

505.5 The design of proposed on-site sewage disposal facilities shall as a minimum requirement meet the standards set up by the State Department of Environmental Resources for the conditions found at each individual site, and shall be consistent with the Plumbing Code of Bethel Township and the sanitation code of Pennsylvania Act 537.

505.6 In all cases wherein trunk line sanitary sewer facilities are available, Owner shall be required to install sanitary sewers and connect the same to trunk line sewer, irrespective of the size of the lots included on said plan. If such facilities are not available within a reasonable time, such sewers together with all necessary laterals extending from the main sewer to the street curb shall be installed and capped. In such event, Owner shall also install on-site disposal units, provided they are so located as to permit easy and the least expensive connections to the sewer, when it becomes usable.

505.7 All water mains and lines and required fire hydrants as indicated on the approved preliminary plan shall be installed from each lot in the subdivision to and connected with the municipal supply.

505.8 Where no public water is accessible, water must be furnished by the developer on an individual lot basis. If wells are installed on each lot and the lot also contains its own sewage disposal facilities, the well shall be of the drilled type cased and grout sealed into bed-rock. The well will be required to have a production of not less than five (5) gallons per minute as established by bailer tests, certified by the well driller. Before being placed in consumer use it will be disinfected by the use of sodium hypochlorite, or other acceptable solution and a sample collected for bacteriologic examination by an approved State Laboratory. A copy of the analysis shall be submitted to the Board of Township Supervisors certifying that the water is safe for domestic use.

#### SECTION 506. Street Signs

Street name signs conforming to Township Specifications shall be erected and painted in accordance with said specifications at all street intersections or junctions in all subdivisions at the expense of the Subdivider.

#### SECTION 507. Street Lighting

The Owner shall install, or cause to be installed, at the Owner's expense such street lighting facilities as may be deemed adequate and as may be prescribed at the time the subdivision plan is approved and the Owner shall pay the cost of operating said street lights until such time as the street or streets upon which said lights are installed shall be accepted, by resolution of the Board of Township Supervisors and consented by the Court of Quarter Sessions, as a part of the public road system of the Township, or until the Board condemns such street or streets for use as a public street.

#### SECTION 508. Street Trees

Wherever the site is not naturally wooded the subdivider may be required to plant street trees of not less than two and one-half (2½) inches caliper as measured six (6) inches above the ground within the right-of-way and at not more than fifty (50) feet apart as measured along each side of the street. For the purpose of these regulations, street trees are limited to the following: Moraine Honey Locust, Little Leaf European Linden, Pin Oak, Scarlet Oak, London Plane Tree, Red Oak, Columnartype Maples, Sugar Maple, Norway Maple, and Sweet Gum.

#### SECTION 601. General Subdivision Information

General subdivision information shall describe or outline the existing conditions of the site and the proposed developments as necessary to supplement the drawings required below. This information may include data on existing covenants, land characteristics, and available community facilities and utilities; and information describing the subdivision proposal such as number of residential lots, typical lot width and depth, price range, business areas, playgrounds, park areas, and other public areas, protective covenants and proposed utilities and street improvements.

#### SECTION 602. Location Map

The location map shall show the relationship of the proposed subdivision to existing community facilities which will serve it, influence it, or are located close by. The map shall include development name and location; main traffic arteries; public transportation lines; shopping centers; elementary and high schools; parks and playgrounds; other community features such as railroad stations, airports, hospitals and churches; title; graphic scale; north point; and date.

#### SECTION 603. Sketch Plan

The Sketch Plan shall be prepared on a topographic map, and shall show in simple sketch form the proposed layout of streets, lots, and other features in relation to the existing conditions. The Sketch Plan may be a freehand pencil sketch made directly on a print of the topographic map. In any event the Sketch Plan shall include the existing topographic data listed in Section 604 below or such of these data as the Planning Commission determines is necessary for its consideration of the proposed Sketch Plan.

#### SECTION 604. Topographic Data

604.1 Topographic data required as a basis for the Preliminary Plat, in Section 605 below, shall include existing conditions as follows except when otherwise specified by the Bethel Township Planning Commission.

- (a) Boundary lines: bearings and distances.
- (b) Easements: location, width, and purpose.
- (c) Streets on, adjacent to, and within four hundred (400) feet of any part of the tract: name and right-of-way width and location; type, width and elevation of surfacing; and legally established centerline elevation; walks, curbs, gutters, culverts, etc.
- (d) Utilities on and adjacent to the tract: location, size, and invert elevation of sanitary, storm and combined sewers; location and size of water mains; location of gas lines; fire hydrants, electric and telephone poles, and street lights; if water mains and sewers are not on or adjacent to the tract, indicate the direction and distance to, and size of nearest ones, showing invert elevation of sewers.
- (e) Ground elevations on the tract, based on maps and standards published by U. S. Geological Survey, as follows: for land that slopes less than approximately two (2) percent show spot elevations at all breaks in grade, along all drainage channels or swales, and at selected points not more than one hundred (100) feet apart in all directions; for land that slopes more than approximately two (2) percent either show contours with an interval of not more than five (5) feet if ground slope is regular and such information is sufficient for planning purposes, or show contours with an interval of not more than two feet if necessary because of irregular land or need for more detailed data for preparing plans, street profiles and construction drawings.
- (f) Subsurface conditions on the tract, if required by the Planning Commission: location and results of tests made to ascertain subsurface soil, rock and ground water conditions; depth to ground water unless test pits are dry at a depth of seven (7) feet; location and results of soil percolation tests if individual sewage disposal systems are proposed.
- (g) Other conditions on the tract: water courses, marshes, rock outcrop, wooded areas, isolated preservable trees one (1) foot or more in diameter chest-high, houses, barns, springhouses, and other significant features and structures.

- (h) Other conditions on adjacent land: approximate direction and gradient of ground slope, including any embankments or retaining walls; character and location of buildings, railroads, power lines, towers, and other nearby nonresidential land uses or adverse influences; owners of adjacent unplatted lands; for adjacent platted land refer to subdivision plot by name, recordation date, and number, and show approximate percent built-up, typical lot size, dwelling type, and the locations and dimensions of any streets or easements shown thereon which abut the land to be subdivided.
- (i) Photographs, if required by the Planning Commission: camera locations, directions of views and key numbers.
- (j) Zoning on and adjacent to the tract, and copies of any variances or special exceptions which may have been granted by the Board of Adjustment.
- (k) Proposed public improvements: highways or other major improvements planned by public authorities for future construction on or near tract.
- (l) Key map showing location of the tract.
- (m) Title and certificates: present tract designation according to official records in the County Office for the Recording of Deeds; title under which proposed subdivision is to be recorded, with names and addresses of owners, a list of all encumbrances, notation stating total acreage, graphic scale, north point, datum, benchmarks, name and addresses of engineer, surveyor, architect, or planner who prepared the drawing, and the date of survey.

#### SECTION 605. Preliminary Plat

605.1 Preliminary plat (General Subdivision Plan) shall be at a scale of one hundred (100) feet to one (1) inch or larger. It shall show all existing conditions required above in Section 604, Topographic Data, and shall show all proposals including the following:

- (a) Street names; right-of-way and roadway widths; approximate grades and gradients; length of new streets proposed; similar data for alleys, if any.
- (b) Other right-of-way or easements: location, width, and purpose.
- (c) Location of utilities, if not shown on other exhibits.
- (d) Lot lines, lot numbers, block numbers, and approximate size of each lot in square feet or acres.
- (e) Sites, if any, to be reserved or dedicated for parks, playgrounds, or other public uses.
- (f) Sites, if any, for multiple family dwellings, shopping centers, churches, industry or other nonpublic uses exclusive of one-family dwellings.
- (g) Minimum building setback lines.
- (h) Site data, including number of residential lots, typical lot size, minimum lot size, and acres in parks, etc.
- (i) Where the preliminary plan includes a portion of a tract of land in single and separate ownership, the prospective street layout for the entire tract shall be submitted.
- (j) Proposed subdivision name or identifying title, scale, north point and date.
- (k) Names of record owners of all adjoining parcels.
- (l) Pa. Department of Environmental Resources Planning Module.

#### SECTION 606. Other Preliminary Plans

When required by the Planning Commission, the Preliminary Plat shall be accompanied by profiles showing existing ground surface and proposed street grades, including extensions for reasonable distance beyond the limits of the proposed subdivisions; typical cross sections of the proposed grading, roadway and sidewalk; and preliminary plan of proposed sanitary and storm water sewers with grades and sizes indicated. All elevations shall be based on the U. S. Geological Survey datum, or other approved by the Township Engineer:

#### SECTION 607. Draft of Protective Covenant

When required by the Planning Commission, the Preliminary Plat shall be accompanied by drafts of protective covenants whereby the Subdivider proposes to regulate land use in the subdivision and otherwise protect the proposed development.

#### SECTION 608. Final Plan

608.1 The Final Plan shall be drawn in ink on tracing cloth on sheets, at a size wherever practicable of eighteen by twenty-two (18 x 22) inches or thirty-six by forty-four (36 x 44) inches, and shall be at a scale of either fifty (50) feet to the inch or one hundred (100) feet

to the inch. Where necessary, the plan may be on several sheets accompanied by an index sheet showing the entire subdivision. For large subdivisions the Final Plan may be submitted for approval progressively in contiguous sections satisfactory to the Board of Township Supervisors. The Final Plan shall show the following:

- (a) Primary control points, approved by the Township Engineer, or descriptions and "ties" to such control points, to which all dimensions, angles, bearings, and similar data on the plat shall be referred.
- (b) Tract boundary lines, right-of-way lines of streets, easements, and other rights-of-way and property lines of residential lots and other sites; with dimensions in feet and hundredths of a foot, bearings or deflection angles, and radii, arcs, and central angles of all curves.
- (c) Location, size, and invert elevation of all sanitary, storm, and combined sewers and the location of all manholes, and culverts.
- (d) Name and right-of-way width of each street or other right-of-way.
- (e) Location, dimensions and purpose of any easements.
- (f) Number to identify each lot or site, and the size of each lot or site in square feet or acres.
- (g) Purpose for which sites, other than residential lots, are dedicated or reserved.
- (h) Minimum building setback line on all lots and other sites.
- (i) Location and description of monuments: (i) One to be placed at each corner and at each change in direction of the boundary; and (ii) two to be placed at each street intersection and at the beginning and end of curves, on one side of the street.
- (j) Names of record owners of adjoining unplatted land.
- (k) Reference to recorded subdivision plats of adjoining platted land by record name, date and number.
- (l) Certification and seal of a registered surveyor or engineer certifying to accuracy of survey and plat.
- (m) Name and address of the Owner: certification of title showing that applicant is the land Owner or his authorized agent.
- (n) Statement by Owner dedicating streets, rights-of-way and any sites for public use.
- (o) Notation stating title, total acreage, number of lots, key map to show location of tract, graphic scale, north point and date.
- (p) Signature blocks stating "reviewed and approved/disapproved", and a date, for the following:
  - (1) the Township Engineer;
  - (2) the Chairman and one member of the Township Planning Commission;
  - (3) the Executive Director of the Delaware County Planning Commission;
  - (4) Board of Supervisors and the Secretary of the Board of Township Supervisors.
- (q) Any additional items required by Section 605.

#### SECTION 609. Cross Sections and Profiles

Cross sections and profiles of streets, as approved by the Township Engineer, including existing and proposed grades and culvert locations with invert elevations and sizes shall accompany the Final Plan. The profiles shall be drawn to Township standard scales and elevations, and shall be based on the U. S. Geological Survey datum or other approved by Township Engineer.

#### SECTION 610. A Certificate by the Township Engineer

610.1 A certificate shall accompany the Final Plan, by the Township Engineer, certifying that the Subdivider has complied with one of the following alternatives:

- (a) All improvements have been installed in accord with the requirements of this Resolution, or
- (b) A bond or certified check has been posted, which is available to the Township, and in sufficient amount to assure such completion of all required improvements in accordance with Section 340 hereof.

#### SECTION 611. Protective Covenants

A copy of any protective covenants that will be imposed as a condition of sale by the present owner, shall accompany the Final Plan.

## SECTION 612. Certification of Water and Sewer Facilities

612.1 When connection to public water or sewer facilities is proposed assurance of the availability of such service must be presented to the Board of Township Supervisors before approval of the Final Plan. This assurance may be in the form of a letter or a statement on the final plan, signed by a responsible officer of the company or authority concerned indicating their ability and willingness to make such service available.

612.2 When on-lot sewage disposal facilities are proposed, a satisfactory report indicating compliance with the relevant sections of this Ordinance, and the Plumbing Code of Bethel Township and the Sanitation Code of the State Department of Environmental Resources, by the Township Plumbing Inspector and Sewage Enforcement Officer must be received by the Supervisors before approval of the final plan.

## SECTION 613. Other Data

Such other certificates, affidavits, or endorsements as may be required by the Board of Supervisors in the enforcement of this Resolution.

## ARTICLE VII. FEES, VARIANCES AND PENALTIES

### SECTION 700. Hardship

Where, owing to special conditions, a literal enforcement of this Resolution would result in unnecessary hardship, the Board of Township Supervisors may make such reasonable exception thereto as will not be contrary to the public interest, and may permit the sale of a lot, issuance of a permit, or erection of a building, subject to conditions necessary to assure adequate streets and other public improvements.

### SECTION 701. Conditions

In granting variances and modifications, the Board of Township Supervisors may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so varied or modified.

### SECTION 702. Fees

702.1 The Owner shall reimburse the Township for all reasonable engineering and legal expenses incurred by the Township for services rendered by the Township Engineer and the Township Solicitor pursuant to the provisions of this Resolution.

702.2 The Owner shall deposit with the Township Secretary, prior to filing his preliminary plan (or if no preliminary plan is filed, prior to filing his final plan), the sum of One Hundred Dollars (\$100.00) to secure payment of the fees and expenses required by this Ordinance. As the fund is expended, Owner shall make further deposits upon notice from the Township Secretary, to maintain a net deposit balance of not less than One Hundred Dollars (\$100.00) until approval of the final plan.

702.3 The Owner shall pay to the Township of Bethel, a Subdivision Review Fee in the amount of Ten Dollars (\$10.00) per final plan or section thereof plus One Dollar (\$1.00) per lot in a subdivision or per dwelling unit in a multiple-family structure or per individual establishment in a commercial or industrial structure. This Fee shall accompany the submission of the final plan for review.

702.4 After payment of the Subdivision Review Fee and eligible expenses under this Article and after approval of the final plan, the Township Secretary shall refund to the Owner any deposit remaining with an accounting of disbursements.

### SECTION 703. Penalties

703.1 Any person, corporation, or copartnership who or which shall:

- (a) subdivide any lot, tract, or parcel of land;
- (b) layout, construct, open or dedicate any street, sanitary sewer, storm sewer, or water main for public use or travel or for the common use of occupants of buildings abutting thereon; or
- (c) sell any lot or erect any building in a subdivision without first having complied with all the provisions hereof shall be guilty of a misdemeanor.

703.2 Upon conviction thereof such person or the members of such copartnership or the officer of such corporation responsible for such violation shall be sentenced to suffer imprisonment not exceeding two years or to pay a fine not exceeding one thousand (\$1,000.00) dollars or both in the discretion of the Court.

**ARTICLE VIII. EFFECTIVE DATE**

**SECTION 800. Effective Date**

This Ordinance shall become effective 12:01 A.M., Eastern Standard Time, April 13th, 1977, and shall remain in force until modified, amended, or rescinded by the Bethel Township Board of Supervisors.

ENACTED AND RESOLVED THIS 12th day of April, A.D., 1977.

BETHEL TOWNSHIP  
BOARD OF SUPERVISORS

Vernon E. Booth, Chairman

John T. Adkinson

John R. Daniels

Attest:

Constance T. Ricci  
Secretary