

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

GREENE COUNTY, PENNSYLVANIA

ARTICLE I

PURPOSE AND AUTHORITY

101 ADOPTION AND AUTHORITY

This Ordinance is adopted in accordance with the authority granted to municipalities to regulate subdivision and land development by the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended (53 P.S. Sub-Section 10101, et seq.).

102 SHORT TITLE

This Ordinance shall be known as "The Greene County Subdivision and Land Development Ordinance".

103 EFFECTIVE DATE

This Ordinance shall become effective immediately upon adoption, and shall remain in effect until modified or rescinded by the Board of County Commissioners.

104 PURPOSE

This Ordinance is established for the following purposes:

- A.** To provide for the harmonious development of lands within the County;
- B.** To coordinate proposed developments with existing developments to include such things as sewage, water, drainage facilities, roads, open space, recreation and lot sizes;
- C.** To provide the public with the assurance that conditions will be created favorable to the health, safety, morals and general welfare of the public;
- D.** To secure equitable handling of all subdivisions and land development plans by providing uniform standards and procedures.

105 JURISDICTION

The County Planning Commission shall have jurisdiction and control of the subdivision of land and land development located within the County limits as set forth in Act 247, Pennsylvania Municipalities Planning Code, as amended. All land development and subdivision plans shall be submitted to the County Planning Commission for either approval or review as follows:

A. Plans to be reviewed.

Plans of subdivision and land developments located within municipalities having a Subdivision and Land Development Ordinance in effect shall be submitted to the County Planning Commission for review according to Act 247, Pennsylvania Municipalities Planning Code, Section 502, as amended, which gives the County Planning Commission thirty (30) days to make recommendations or comments.

B. Plans to be approved.

Plans of subdivisions and land developments located within the municipalities not having their own ordinance for subdivision and land development are subject to the County Ordinance and shall be approved prior to the recording of such plans. Such Commission approval is in addition to and does not supersede local approval as required by ordinance, resolution, or regulation of the applicable municipality.

106 APPLICATION OF THIS ORDINANCE

A. Hereafter, no activity covered by this Ordinance shall be permitted; no land shall be subdivided or re-subdivided; no land shall be developed; no improvements to land, to include mobile home parks, shall be laid out, constructed, opened or dedicated for public use or travel, or for the common use of occupants of buildings or properties abutting thereon, except in accordance with the requirements and procedures of this Ordinance.

B. The provisions of the Greene County Subdivision and Land Development Ordinance shall apply to and control all subdivisions and land developments which are required to be approved by the County Planning Commission and which have not been recorded in the Office of the Recorder of Deeds in and for Greene County, Pennsylvania, prior to the effective date of this Ordinance.

107 EXCLUSION OF CERTAIN LAND DEVELOPMENTS

The following types of land developments are hereby excluded from the provisions of this Ordinance governing land developments, as defined herein:

- A.** The construction of a single-family dwelling or a two-family dwelling on a lot of record.
- B.** The conversion of an existing single family dwelling or two family dwelling into not more than three (3) residential dwelling units, unless such units are intended to be a condominium;
- C.** A building which is not for the same use as, or part of the use of the principal building, but which is for a use subordinate to, or supplementary to that of the principal building. Examples; Residential; garage, lawn and garden tool shed, children's play house. Commercial/Industrial; garage for company car, guardhouse, scale house. Any such structure should be of less than 625 square feet. If a building is added to a business or industry site, and if it is part of the prime function of the principal building, it is not considered an accessory building.
- D.** The addition or conversion of buildings or rides within the confines of an enterprise that would be considered an amusement park. For purposes of this sub-clause, 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 the proper authorities have approved initial plans for the expanded area.

108 EFFECT OF NON-COMPLIANCE

Hereafter, except as provided in this Ordinance, any Plat of any subdivision, re-subdivision, street or land development not approved by the County Planning Commission in accordance with the provisions and procedures, as set forth herein, shall be null and void.

Any non-compliance with this Ordinance shall be a violation of this Ordinance and shall be subject to the preventive and enforcement remedies specified in Sections 1106 and 1107 of this Ordinance.

ARTICLE II

DEFINITIONS

- 201 GENERAL:** The following general rules of interpretation shall be used in this Ordinance.
- 201.1** Words in the singular include the plural and those in the plural include the singular;
- 201.2** Words used in the present tense include the future tense;
- 201.3** The words "person", "developer", "owner" and "subdivider" include a corporation, unincorporated association, partnership, or other legal entity, as well as an individual;
- 201.4** The word "building" includes structures and shall be construed as if followed by the phrase "or part thereof";
- 201.5** The word "watercourse" includes channel, drainageway, creek, ditch, dry run, spring and stream;
- 201.6** The words "should" and "may" are permissive; the words "shall" and "will" are mandatory and directive; and
- 201.7** Words in the masculine gender include the feminine gender.
- 202 SPECIFIC MEANINGS:** As used in this Ordinance, except where the context clearly indicates otherwise, the following phrases have the meaning indicated below:
- 202.1** **ACCESSORY BUILDING:** A building which is not for the same use as, or part of the use of the principal building, but which is for a use subordinate to, or supplementary too that of the principal building. Examples: Residential; garage, lawn and garden tool shed, children's playhouse. Commercial/Industrial; garage for company car, guardhouse, scale house. However, the accessory building may go on an adjoining lot in the same ownership if for a good reason such as lack of space, problems with the contour of the principal lot or with its soils, etc. Any such structure should be of less than six hundred twenty-five (625 square feet). If a building is added to a business or industry site,, and if it is part of the prime function of the principal building it is not considered an accessory building.

- 202.2** **ACCESSORY MOBILE HOME STRUCTURE:** Any structural addition to the mobile home which includes, but is not limited to awnings, cabanas, carports, rooms, porches, storage cabinets and similar appurtenant structures.
- 202.3** **ACCESSORY USE:** A use customarily incidental and subordinate to the principal use and located on the same lot with the principal use.
- 202.4** **AGRICULTURAL USE:** The use of land for agricultural purposes, including farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture, and animal and poultry husbandry, and the necessary accessory uses for packing, treating, or storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of the normal agricultural activities.
- 202.5** **APPLICANT:** A landowner or developer, as hereinafter defined, who has filed an application for development including his heirs, successors and assigns.
- 202.6** **APPLICATION FOR DEVELOPMENT:** Every application, whether preliminary or final, required to be filed and approved prior to start of construction or development including, but not limited to, an application for a subdivision permit, for the approval of a subdivision plat or plan or for the approval of a development plan.
- 202.7** **AVAILABLE SEWER:** A municipal sewer determined by the sewage authority to be available for additional connections within a reasonable distance of a subdivision or land development.
- 202.8** **BLOCK:** An area bounded by three (3) or more streets.
- 202.9** **BUILDING:** A structure formed of a combination of materials, adapted to permanent, temporary, or continuous occupation and having a roof supported by columns, walls or similar structural parts, used or intended to be used for housing, enclosure or shelter of persons, animals or property of any kind. The term "building" shall be construed as if followed by the words "or portion thereof".
- 202.10** **BUILDING SETBACK LINE:** The line designating the minimum distance that a building must be erected from the street right-of-way line(s), to which the lot abuts.
- 202.11** **CARTWAY:** That portion of the street right-of-way surfaced for vehicular use. Width is determined from face of curb to face of curb or from edge of driving surface to the other edge of driving surface.

- 202.12 CLEAR SIGHT TRIANGLE:** An area of unobstructed vision at a street intersection, defined by the lines of sight between two (2) points at a given distance from the intersection of the street centerlines, said area being bounded by the street centerlines and a line joining the two (2) points on the centerline which are the given distance from the point of intersection of the street centerlines.
- 202.13 COMPREHENSIVE PLAN:** The Comprehensive Plan of Greene County.
- 202.14 CONDOMINIUM:** A building where each unit in the structure is individually owned and the owner of each unit has an undivided interest in the common areas and facilities of the structures and surrounding grounds.
- 202.15 CONSOLIDATION:** Replatting or resubdivision, as defined herein, to combine two (2) or more lots, tracts or parcels into a single lot, tract or parcel.
- 202.16 COUNTY:** The County of Greene, Commonwealth of Pennsylvania.
- 202.17 COUNTY PLANNING COMMISSION:** The Planning Commission of the County of Greene.
- 202.18 COUNTY SOLICITOR:** Legal counsel appointed by the County Board of Commissioners.
- 202.19 COVENANT:** An obligation defined by law or agreement, the violation of which can be restrained by court action, usually stated in the deed.
- 202.20 CROSSWALK:** A publicly or privately owned right-of-way for pedestrian use only, extending from a street into a block or through a block to another street or from one open space area to another.
- 202.21 CUL-DE-SAC:** A street having only one end open to vehicular traffic and the other end terminating in a turn-around.
- 202.22 DAYS:** The number of calendar days, for the purpose of this Ordinance, excluding the first day and including the last day.
- 202.23 DEDICATION:** The deliberate appropriation of land by its owner for any general or public use, reserving unto himself no other rights than such as are compatible with the full exercise and enjoyment of the public use for which the property has been appropriated.

- 202.24** **DEP:** Department of Environmental Protection, Commonwealth of Pennsylvania, or its successor agency.
- 202.25** **DETENTION FACILITY:** A basin or other facility designed to retard stormwater runoff by temporarily storing the runoff and releasing it at a predetermined rate.
- 202.26** **DEVELOPER:** Any landowner, agent of such landowner or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or land development. The term "developer" is intended to include such terms as "subdivider", "owner" and "builder" even though the individuals involved in successive stages of the project may vary.
- 202.27** **DEVELOPER'S AGREEMENT:** A legal document, in a form acceptable to the County Solicitor, executed between the County and the developer to guarantee compliance with the terms of approval of a subdivision or land development.
- 202.28** **DEVELOPMENT:** Any subdivision or land development including mobile home development and non-residential developments.
- 202.29** **DOUBLE HOUSE:** (See Dwelling, two-family):
- 202.30** **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 and means necessary for water supply preservation or prevention or alleviation of flooding.
- 202.31** **DRAINAGE EASEMENT:** The lands required for the installation of stormwater sewers or drainage ditches, or lands or interest therein, required along a natural stream or water course for preserving the channel and providing for the flow of water therein to safeguard the public against flood damage.
- 202.32** **DRIVEWAY:** A private vehicular passageway which provides access between a private parking area or private garage and a public street and which serves only one (1) lot.
- 202.33** **DUPLEX:** (See Dwelling, two-family):
- 202.34** **DWELLING, SINGLE FAMILY:** A residential building containing one (1) dwelling unit which is the only principal building on the lot.

- 202.35 DWELLING, TWO FAMILY:** A residential building containing two (2) independent dwelling units, each having a separate entrance, and which is the only principal building on the lot, including a duplex or double house.
- 202.36 DWELLING, MULTI-FAMILY:** A residential building or portion thereof containing three (3) or more dwelling units, including townhouses, garden apartments, mid-rise apartments and high-rise apartments.
- 202.37 DWELLING UNIT:** Any structure, or part thereof, designed to be occupied as living quarters as a single housekeeping unit.
- 202.38 EASEMENT:** A restriction established in a real estate deed to permit the use of land by the public, a corporation or particular persons for specific purposes, other than for a street.
- 202.39 ENGINEER:** A person licensed to practice in the Commonwealth of Pennsylvania as a registered professional engineer.
- 202.40 EROSION:** The detachment and movement of soil or rock fragments by water, wind, ice and gravity.
- 202.41 ESSENTIAL SERVICE:** The erection, construction, alteration or maintenance by public utilities or municipal departments or commissions, including buildings necessary for the furnishing of adequate services for the public health, safety or general welfare.
- 202.42 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.
- 202.43 FEE:** The required charge established from time to time by Resolution of the Board of County Commissioners collected to defray the costs of processing an application, reviewing an application or inspecting the installation of public improvements.
- 202.44 FILL:** Any act by which earth, sand, gravel, rock or other similar 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 final grade.

- 202.45 FINAL APPROVAL:** The official action of the Planning Commission taken on a subdivision or land development after all conditions, engineering plans and other requirements have been completed or fulfilled and the required public improvements have been installed or performance guarantees properly posted for their completion, or approval conditioned upon the posting of such performance guarantees.
- 202.46 FINAL PLAT:** A plan prepared for recording by a licensed professional land surveyor and containing all of the information required by this Ordinance.
- 202.47 FLAG LOT:** A lot for residential use by one (1) family, which has at least fifty feet (50') of frontage on a public street in fee simple, but which has said street and which contains at least the required total area specified in 813.4.
- 202.48 FLOOD HAZARD AREA:** The total area inundated during the flood of record, or the area delineated by the Department of Environmental **Protection**, by the Department of Housing and Urban Development (FEMA), from information provided by the U. S. Army Corps of Engineers or by analysis of soil condition characteristics as flood plains.
- 202.49 FLOODPLAIN:** The area along a natural watercourse that is periodically inundated by water therefrom. For the purposes of this Ordinance, the "floodplain" shall be the same as the "flood hazard area".
- 202.50 GARDEN APARTMENT:** A multi-family residential building no more than three (3) stories in height containing three (3) or more dwelling units which share a common entrance to the outside usually through a common corridor, and which dwelling units may have other dwelling units either above or below them.
- 202.51 HIGH-RISE APARTMENT:** A residential building containing three (3) or more dwelling units which is seven (7) or more stories in height.
- 202.52 IMPROVEMENTS:** Those physical changes to the land necessary to produce usable and desirable lots from raw acreage including, but not limited to: grading, paving, curb, gutter, storm sewers and drains, improvements to existing water courses, sidewalks, crosswalks, street signs, monuments, water supply facilities, and sewerage disposal facilities.
- 202.53 INSPECTOR:** The Municipal Engineer, his authorized representative, or an engineer appointed by the County at the request of the Municipality to inspect improvements to be dedicated to the public or, in the case where improvements are not proposed to be dedicated to the public, the Land Development Officer.

- 202.54** **KEY MAP:** A small map showing where the subdivision is geographically located in relation to surrounding land uses, streets, and units or government.
- 202.55** **LAND DEVELOPMENT OFFICER:** The person appointed by the Board of County Commissioners, whose duty it is to inspect land developments, and the private improvements installed under the requirements of this Ordinance.
- 202.56** **LAND DEVELOPMENT:** Any of the following activities:
1. The improvement of one (1) lot or two (2) or more contiguous lots, tracts or parcels of land for any purpose involving:
 - A. A group of two (2) or more residential or non-residential buildings, whether proposed initially or cumulatively; or
 - B. A single non-residential building on a lot or lots regardless of the number of occupants or tenure, including any addition to or structural enlargement of a non-residential structure which results in certain increases in lot coverage by buildings and/or paving, as specified by Article VI of this Ordinance; or
 - C. The division or allocation of land or space, whether initially or cumulatively, between or among two (2) or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features;
 2. A subdivision of land; and
 3. Developments authorized to be excluded from the regulation of land development by Section 107 of this Ordinance.
- 202.57** **LANDOWNER:** 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 conditions), a lessee if he or she is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in the land.
- 202.58** **LOT:** A tract or parcel of land intended for the transfer of ownership, use or improvement, whether immediate or future.

- 202.59** **LOT AREA:** The area contained within the property lines of the individual parcels of land as shown on a subdivision plan, excluding space within any street, but including the area of any easement.
- 202.60** **LOT, CORNER:** A lot at the junction of and fronting on two (2) or more intersecting streets or having two (2) or more sides bounded by the same street.
- 202.61** **LOT, DEPTH OF:** A distance between the lot's mean front street line and the lot's mean rear line. The greater frontage of a corner lot is its depth and the lesser frontage is its width and such lesser frontage shall be the front street line of a corner lot.
- 202.62** **LOT FRONTAGE:** The lot line which is coterminous with a public or private street right-of-way.
- 202.63** **LOT, INTERIOR:** Any lot other than a corner lot.
- 202.64** **LOT SPLIT:** The subdivision of one (1) lot or parcel into no more than two (2) lots or parcels where no new streets are proposed to be constructed and where both lots have frontage on an existing public street.
- 202.65** **LOT, WIDTH OF:** The mean width of a lot measured at right angles to its depth.
- 202.66** **MAJOR SUBDIVISION:** Any subdivision other than a Minor Subdivision or Lot Split, as defined herein.
- 202.67** **MAINTENANCE GUARANTEE:** Any security that may be acceptable to the municipality accepting the public improvements for the purpose of guaranteeing any necessary repair of the installed public improvements.
- 202.68** **MEDIATION:** A voluntary negotiating process in which parties in a dispute mutually select a neutral mediator to assist them in jointly exploring and settling their differences, culminating in a written agreement which the parties themselves create and consider acceptable.
- 202.69** **MID-RISE APARTMENT:** A residential building containing three (3) or more dwelling units which is at least four (4) stories, but no more than six (6) stories, in height.

- 202.70** **MINOR SUBDIVISION:** A subdivision, which proposes at least two (2) but not more than ten (10) lots, including the residual parcel, if any, all of which have frontage on an improved public street, and not involving the dedication or construction of any new public street or private road and which may or may not involve the extension or creation of any public improvements.
- 202.71** **MOBILE HOME:** Any transportable, single family dwelling intended for permanent occupancy, office or place of assembly contained in one (1) unit, or in two (2) units designed to be joined into one (1) integral unit capable of later 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 permanent foundation.
- 202.72** **MOBILE HOME LOT:** A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single mobile home.
- 202.73** **MOBILE HOME PARK:** A parcel or contiguous parcels of land which have been so designated and improved that it contains two (2) or more mobile home lots for the placement thereon of mobile homes. Individual lots of record may have one Mobile Home placed on each lot, cannot be referred to as a Mobile Home Park and do not need to meet requirements of Mobile Home Park Section.
- 202.74** **MOBILE HOME PARK PLAT:** The plan layout for a mobile home park, whether preliminary or final.
- 202.75** **MOBILE HOME STAND:** That part of an individual mobile home space which has been reserved for the placement of a mobile home, including, but not limited to, any structure on or appurtenant to a mobile home space which provides utility service connections for a mobile home.
- 202.76** **MODIFICATION:** Relief from any of the provisions of this Ordinance in cases of physical hardship or where an equal or better specification is available, provided there is no detriment to the public interest.
- 202.77** **MODULAR HOME:** Any dwelling unit which is manufactured off-site and assembled at the site in sections for installation on a permanent foundation, including prefabricated, sectional and mobile home units.

- 202.78 MUNICIPALITY:** Any city of the second class A or third class, borough, incorporated town, township of the first or second class, or any similar general purpose unit of government which shall hereafter be created by the General Assembly, to include County of the second class through eighth class.
- 202.79 NET SITE ACREAGE:** The total mobile home park area less the land set aside for street rights-of-way, off-street parking areas and service buildings.
- 202.80 NOT BUILDABLE:** Any lot or parcel created by a lot split which does not meet the minimum lot area requirements of this Ordinance for erecting a structure or which does not have frontage on a public street and is intended for conveyance from one landowner to another to be incorporated with an existing lot or parcel.
- 202.81 OFF-STREET PARKING AREA:** An open area, other than a street or other public way, used for the parking of motor vehicles and available for use whether for a fee or as a service or privilege for clients, customers, suppliers or residents.
- 202.82 OFFICIAL DATE OF FILING:** The date of the regular meeting of the Planning Commission at which the application is accepted by the Commission as complete in content and properly filed in accordance with the requirements of this Ordinance.
- 202.83 OPEN SPACE:** Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated or reserved for public or private use or enjoyment or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space; provided that such areas may be improved with only those buildings, structures, streets and off-street parking and other improvements that are designed to be incidental to the natural openness of the land.
- 202.84 OWNER:** (See Developer)
- 202.85 PARCEL:** A tract of land which is recorded in a plan of subdivision or any other tract of land described in a deed or legal instrument pursuant to the laws of the Commonwealth which is intended to be used as a unit for development or transfer of ownership.
- 202.86 PENNDOT:** Pennsylvania Department of Transportation

- 202.87** **PERFORMANCE GUARANTEE:** Any security which may be accepted by the local municipality for the purpose of guaranteeing that the public improvements required are installed in accordance with the requirements of this Ordinance and the construction standards of the local municipality in which the improvements are located.
- 202.88** **PERMITTED USE:** Any use which shall be allowed subject to the provisions of this Ordinance and any local municipal zoning regulations which may be in effect.
- 202.89** **PERSON:** Shall mean natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business trust, organization, or the manager, lessee, agent, servant, officer of employee or any of them.
- 202.90** **PLAN, FINAL:** (See Final Plat)
- 202.91** **PLAN, PRELIMINARY:** (See Preliminary Plan)
- 202.92** **PLANNING COMMISSION:** The Greene County Planning Commission
- 202.93** **PLAT:** The map or plan of a subdivision or land development, whether preliminary or final, pursuant to the provisions of this Ordinance.
- 202.94** **PRELIMINARY APPROVAL:** The conferral of certain rights pursuant to this Ordinance, prior to final approval, after specific elements of a development plan have been agree upon by the Planning Commission and the applicant and the requirements of this Ordinance for submission of a Preliminary Application have been met.
- 202.95** **PRELIMINARY PLAT:** A plan prepared by a registered surveyor, conforming to the requirements and containing data required by this Ordinance.
- 202.96** **PRINCIPAL BUILDING:** The building or buildings on a lot in which the principal use or uses are conducted.
- 202.97** **PRINCIPAL USE:** The primary or predominant use of any lot or structure.

- 202.98 PRIVATE IMPROVEMENTS:** All roads, streets, walkways, gutters, stormwater management facilities, curbs, sewers and other facilities to be owned, maintained or operated by a private entity such as an individual, corporation or Homeowners' Association and constructed in accordance with the Construction Standards of the Municipality and this Ordinance and any other applicable municipal or private authority.
- 202.99 PROHIBITED USE:** Any use that shall not be allowed under any circumstances.
- 202.100 PUBLIC HEARING:** A formal meeting held pursuant to public notice by the Board of Supervisors or the Planning Commission, intended to inform and obtain public comment, prior to taking action in accordance with this Ordinance.
- 202.101 PUBLIC IMPROVEMENTS:** All roads, streets, walkways, gutters, stormwater management facilities, curbs, sewers and other facilities to be dedicated to or maintained by the Municipality for which plans and specifications shall comply with the Construction Standards of the Municipality in which the improvements are located.
- 202.102 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."
- 202.103 PUBLIC NOTICE:** Notice published once each week for two (2) successive weeks in a newspaper of general circulation in the County. Such notice shall state the time and place of the public hearing and the particular nature of the matter to be considered at the public hearing. The first publication shall be not more than thirty (30) days and the second notice shall not be less than seven (7) days from the date of the public hearing.
- 202.104 RESUBDIVISION OR REPLATTING:** The further division or relocation of lot lines of any lot or lots within a subdivision previously made and approved or recorded according to law, including consolidation, as defined herein; or the alteration of any streets or the establishment of any new streets within any subdivision previously made and approved or recorded according to law.
- 202.105 REVERSE FRONTAGE LOT:** A lot extending between and having frontage on two (2) generally parallel streets, excluding service streets.

- 202.106 RIGHT-OF-WAY:** An area of land reserved or dedicated for public street purposes and accepted by Municipal, County or State government as recorded in the Recorder of Deeds Office, Greene County, Waynesburg, Pennsylvania.
- A defined area of land between a lot with no public street frontage and the public street to provide street frontage for said lot. The street frontage and the right-of-way must be at least 50 feet wide; the agreement must provide that the connected lot can be for single family use only; that the right-of-way can be paved; that water, sewer, electric and similar services to the connected lot may be installed in the right-of-way, and that the right-of-way is permanent.
- 202.107 ROADWAY:** (See Cartway)
- 202.108 SETBACK:** (See Building Setback Line)
- 202.109 SEWAGE DISPOSAL, ON-LOT:** A single system of piping, tanks or other facilities serving one (1) lot, collecting and disposing of sewage into the soil of the lot; or, a single system of piping, tanks or other facilities serving two (2) or more lots, collecting and disposing of sewage into the soil.
- 202.110 SEWAGE DISPOSAL, PUBLIC:** A sewer system and any treatment facility owned, operated or maintained by a municipality, county, sewer authority, person or entity approved by DEP under a permit issued pursuant to the Clean Streams Law, Act 394, as amended.
- 202.111 SIGHT DISTANCE:** The distance that an object which is eighteen inches (18") off the pavement (for example: a taillight) is visible from an eye level four and one-half (4 1/2) feet above the pavement (average height of a driver's eyes).
- 202.112 SIGN:** Any device for visual communication that is used for the purpose of bringing the subject thereof to the attention of the public.
- 202.113 SITE:** A lot, tract or parcel proposed for a subdivision or land development.
- 202.114 STORMWATER DRAINAGE FACILITY:** Any ditch, pipe, culvert, storm sewer or other structure, or combination thereof, designed, intended or constructed for the purpose of diverting surface water from or carrying surface water off streets, public rights-of-way, parks, recreation areas or any part of any subdivision or land development or contiguous land area.

202.115 STREETS:

- A. ARTERIAL STREET:** A major traffic street or road serving large volumes of comparatively high speed and long distance traffic. Within Greene County, the following are arterial streets: U.S. 19, PA Route 18, PA Route 21, PA Route 218 and PA Route 221..
- B. COLLECTOR STREET:** A street which in addition to giving access to abutting properties, intercepts minor streets and provides a route carrying a considerable volume of traffic to community facilities and to major traffic streets. Within Greene County, all State Routes that have 4-digit route numbers are classified as collector streets.
- C. MINOR STREET:** A public street used primarily to provide access to abutting property.
- D. MARGINAL ACCESS STREET:** A public street designed to serve as primary access to those properties that front on another higher volume street.

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

202.117 SUBDIVIDER: (See Developer)

202.118 SUBDIVISION: The division or redivision of a lot, tract or parcel of land by any means into two (2) or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the Court for distribution to heirs or devisees, transfer of ownership or building or lot development; provided however, that the subdivision by lease of land for agricultural purposes into parcels of ten (10) acres or more, not involving any new street or easement of access or any residential dwelling shall be exempted.

202.119 SUBDIVISION, MAJOR: (See Major Subdivision)

202.120 SUBDIVISION, MINOR: (See Minor Subdivision)

202.121 SURVEYOR: A licensed land surveyor registered by the Commonwealth of Pennsylvania.

- 202.122 TOWNHOUSE:** A multi-family residential building no more than two and one-half (2 1/2) stories in height and which contains at least three (3) dwelling units, each of which are separated from the adjoining unit or units by a continuous unpierced vertical wall extending from the basement to the roof, each unit having independent access directly to the outside and having no other dwelling unit above or below.
- 202.123 UNDEVELOPED LAND:** Land in parcels sufficiently large for future subdivision that is presently in agriculture, woodland or lying fallow.
- 202.124 WATERCOURSE:** A permanent stream; intermittent stream; river; brook; creek; or a channel or ditch for water whether natural or man-made.
- 202.125 WATER SUPPLY, PRIVATE:** A system for supplying and distributing adequate potable water to a single dwelling or building from a source.
- 202.126 WATER SUPPLY, SEMI-PUBLIC:** A system for supplying and distributing adequate potable water to more than one (1) dwelling or building from a source.
- 202.127 WATER SUPPLY, PUBLIC:** A system required to obtain a permit from DEP.

ARTICLE III

PROCEDURE FOR APPROVAL OF LOT SPLITS

301 APPLICABILITY

This Article shall apply only to the subdivision of one (1) lot or parcel into no more than two (2) lots or parcels where no new streets are proposed to be constructed and where both lots or parcels have frontage on an existing public street.

302 PRE-APPLICATION CONFERENCE

Prior to filing an application for Preliminary and Final Approval of a Lot Split, the applicant or his representative may meet with the County Planning Director to obtain application forms and to discuss application procedures and applicable ordinance requirements.

The applicant shall contact the local Municipality in which the proposed development is located to determine which local ordinances affect the proposed development and to obtain the necessary application forms for submitting the required applications to the local municipality, if any. At the time that Preliminary and Final Application for approval of a Lot Split is filed with the Greene County Planning Commission, the applicant shall provide written evidence in the form of a letter from the Municipal Zoning Officer that he or she has contacted the local municipality and has determined the applicability of all local ordinances affecting the proposed development.

ANo plat which will require access to a highway under the jurisdiction of the Department of Transportation shall be finally approved unless the plat contains a notice that a highway occupancy permit is required pursuant to section 402 of the act of June 1, 1945 (P.L., No. 428), known as the AState Highway Law, before driveway access to a State highway is permitted.

Evidence of zoning approval, the developer will be notified and contact the zoning officer in the municipality. This will take place in a minor, major sub-division and land development.

The developer will be notified that the Municipality has zoning, and the Developer will be required to provide evidence that Zoning Approval has been obtained.

While no formal application is required for a pre-application conference, the applicant should provide one (1) copy of readily available information with the request for a pre-application conference which will show the location of the property and any special features such as streams, floodplains or other conditions that may affect the development of the property. Readily available resources which may be used include the deed for the property, a property survey, the Tax Maps prepared by the Greene County Assessor's Office, U.S.G.S. Quadrangle Map showing natural features and topography, the National Flood Insurance Administration (NFIA) Flood Hazard Boundary Maps, Natural Resources Conservation Service Maps of soil types and the U.S. Bureau of Mines coal mine maps.

The pre-application conference with the County Planning Director is voluntary and no formal application or fee is required. This opportunity is afforded to the applicant or his representative to obtain information and guidance before entering into binding commitments or incurring substantial expenses for plan preparation.

A pre-application conference with the County Planning Director shall not constitute formal filing of any application for approval of a Lot Split, shall not bind the County Planning Director or the Planning Commission to approve any concept presented in the pre-application conference and shall not protect the application from any subsequent changes in ordinance provisions which may affect the proposed development between the date of the pre-application conference and the official date of filing of an application for Preliminary and Final Approval of a Lot Split under the terms of this Ordinance.

303 PRELIMINARY AND FINAL APPLICATION SUBMISSION

The applicant shall file four (4) copies of an application for Preliminary and Final Approval required by Section 304 to the County Planning Director at least seven (7) calendar days prior to the regular meeting of the Planning Commission. If the seventh (7th) day falls on a Saturday, Sunday or holiday, the application shall be filed by the close of business on the preceding working day immediately preceding.

The Preliminary and Final Application shall not be considered to be complete and properly filed unless and until all items required by Section 304 of this Ordinance, including the Application Fee, have been received.

Upon receipt, the County Planning Director shall stamp the application with the date to which it was delivered. Upon receipt, one (1) copy of the application shall be distributed to the Municipal Secretary of the local Municipality in which the proposed development is located for review. Additional copies may be requested for referral to any other appropriate review agency at the discretion of the County Planning Director.

The applicant in accordance with Section 1102.2 of this Ordinance shall pay the fee for these reviews.

In the event that the applicant fails to meet the deadline for submission of additional information or revised drawings, the Preliminary and Final Application shall be tabled until the next regular meeting of the Planning Commission.

In all cases, the official date of filing of the Preliminary and Final Application shall be the date of the Planning Commission meeting at which the Commission accepts the application as complete in content and properly filed, subject to the County Planning Director's written review. The official date of filing represents the beginning of the ninety (90) day period for review and action by the Planning Commission. When possible, the Planning Commission may take action on the plan at the next regular meeting.

304 PRELIMINARY AND FINAL APPLICATION CONTENT FOR LOT SPLITS

All submissions for Preliminary and Final Approval of a Lot Split, shall be submitted in accordance with Section 303 of this Ordinance, and shall include the following information:

- A.** One (1) copy of the completed application form supplied by the County Planning Director and the Application Filing Fee, as required by Section 1102.1 of this Ordinance.
- B.** A dedication restriction prepared on a form provided by the County Planning Commission signed by the landowner and notarized.
- C.** A plat on an 8 1/2" x 14" sheet prepared by a registered professional land surveyor showing a bar scale; tract boundary lines; right-of-way lines of streets, street names, easements and other rights-of-way; land reserved or dedicated to public use; all lot lines and other boundary lines with accurate dimensions, bearing or deflection angles and radii, arcs and central angles of all curves; and the area of each lot.
- D.** A copy of the deed; a copy of the survey prepared by a Pennsylvania registered professional land surveyor to be filed with the deed.
- E.** If a lot which is not buildable, as defined by this Ordinance, is created, a restriction in the deed for the lot indicating that it cannot be conveyed separately for building purposes.
- F.** A location map showing the location; existing streets within two hundred (200') feet of the site; including Scale and North point or North arrow. (See

Appendix G for examples).

- G.** The section of the U.S.G.S. Topographic Survey Map with the boundaries of the property and the Lot Split clearly shown, at reviewers discretion.
- H.** Plan name; name and address of the record owner; name and address of the applicant; name, address, license number and seal of the surveyor who prepared the plan, bar scale and North point.
- I.** Minimum building setback lines on all lots or parcels.
- J.** Location and description of all monuments, including any to be reset.
- K.** Names of owners of adjoining unsubdivided land.
- L.** Letter from the electric company indicating that this utility is available or will be made available, if the lot is to be built upon.
- M.** Letters from water and sewer authorities indicating that these utilities are available or will be made available, if the lot is to be built upon. If public sewers are available, the appropriate DEP application must be submitted and approved.
- N.** If public water is not available, a statement by the seller indicating that public water is not available and that it will be the responsibility of the purchaser to provide potable water supply. Add the location and size of all existing and proposed water lines/valves, and hydrants.
- O.** If public sewers are not available, a completed Department of Environmental Protection application. (Form B or C for a non-building lot or Component #1 when an on-lot system is to be installed.) Add the location of proposed or existing sanitary sewer lines including size, grade, direction of flow, location of inlets, manholes, etc.
- P.** Statement from the Municipality in which the property is located indicating that they have reviewed and approved the Lot Split.
- Q.** If access is to be onto a state highway the following statement is to be placed on the plot as follows: A No plat which will require access to a highway under the jurisdiction of the Department of Transportation shall be finally approved unless the plat contains a notice that a highway occupancy permit is required pursuant to Section 402 of the Act of June 1, 1945 (PL 1242, No. 428) known as the State Highway Law, before driveway access to a State Highway is permitted. (See

Appendix G.)

If access is to be onto a municipal street or road, a statement that a driveway permit must be obtained from the municipality. (See Appendix G).

305 CRITERIA FOR APPROVING A LOT SPLIT

The following criteria shall be met by all applications for Preliminary and Final Approval of a Lot Split:

- A.** In the event that the lot or parcel created from the original parcel is intended for building purposes, a minimum of fifty (50) feet of frontage on a public street shall be provided.
- B.** In the event that the lot or parcel created from the original parcel is proposed for conveyance only from one (1) landowner to a landowner adjoining the parcel to be conveyed and is not buildable, frontage on a public street shall not be required. Deed of incorporation is provided/or other language/or as directed by the Planning Director.
- C.** In the event that the lot or parcel created from the original parcel is proposed for conveyance only from one (1) landowner to another and is not proposed for construction either now or in the future, a notation shall be placed on the plat and/or in the deed that the lot or parcel is not buildable under the current requirements of this Ordinance and that the lot or parcel can be conveyed only by a deed of incorporation, as defined herein, or with a statement in the deed that the lot or parcel can only be conveyed with an adjoining parcel which has frontage on a public street.

The deed for the lot or parcel shall make reference to these restrictions on the use and conveyance of the lot or parcel.

- D.** In the event that a previous Lot Split from the original parcel has been approved by the County Planning Commission, another Lot Split shall not be considered for approval unless and until the recorded deed and survey for the previously approved Lot Split or a certificate from the Recorder of Deeds Office are submitted with the application.
- E.** In reviewing an application for Preliminary and Final Approval of a Lot Split, the County Planning Commission, or its authorized representative, shall consider whether the Lot Split proposed, when considered with any previous Lot Splits and the characteristics and development potential of surrounding

properties, will contribute to harmonious development of the area. In the event that the Planning Commission's authorized representative determines that the proposed Lot Split will not contribute to harmonious development of the area, the application will automatically be forwarded by the Planning Commission's authorized representative to the County Planning Commission for a decision on the application. If the County Planning Commission determines that the proposed Lot Split will not contribute to harmonious development of the area, the application for Preliminary and Final Approval will be denied.

306 PRELIMINARY AND FINAL APPROVAL OF A LOT SPLIT

306.1 Planning Commission Delegation of Authority

From time to time, by Resolution, the Planning Commission may delegate authority to grant Preliminary and Final Approval of Lot Splits to the County Planning Director, the Land Development Officer or another staff member of the County Planning Commission.

306.2 Procedure for Review and Approval

Within ninety (90) days of the date of submission of a complete and properly filed application for Preliminary and Final Approval of a Lot Split, the Planning Commission, or its authorized representative, shall either approve, approve with conditions or disapprove the application. If the application is acted upon by the County Planning Commission, the vote to approve, approve with conditions or disapprove the application shall be taken at a public meeting. In the event that authority to approve, approve with conditions or disapprove the application is delegated to an authorized representative of the County Planning Commission, the authorized representative shall report the action to the County Planning Commission at the next regular public meeting of the Planning Commission. When possible, the Planning Commission may take action on the plan at the next regular meeting.

Any action by the authorized representative of the County Planning Commission may be appealed to the County Planning Commission within thirty (30) days of the date of written notification of the decision. The appeal shall be heard at the next regular public meeting of the County Planning Commission.

Any Lot Split, which requires a waiver or modification under Article X of this Ordinance, shall be referred to the County Planning Commission for final action on the application.

Any application for Preliminary and Final Approval of a Lot Split which is presented to the Planning Commission for action shall be accompanied by a written report from the County Planning Director containing his/her review comments and copies of comments received from other review agencies, if any.

Upon approval by the County Planning Commission, or its authorized representative, the application for Preliminary and Final Approval, including the plat, shall be stamped "Approved by the County Planning Commission," including the date of the approval and will be stamped and mailed to the applicant (seller).

306.3 Recording the Lot Split

- A.** Upon Preliminary and Final Approval by the County Planning Commission, or its authorized representative, a copy of the deed, with a copy of the approved survey attached, shall be recorded in the Office of the Greene County Recorder of Deeds. One (1) certified copy of the recorded documents shall be returned to the County Planning Director by the applicant or his representative.

- B.** In the event that the plan has not been recorded within the required ninety (90) days, the County Planning Director is authorized to reinstate the signatures of the proper officers of the County indicating approval, provided there are no changes in the lot split previously granted approval and further, provided the plan is submitted for reinstatement of approval within one hundred eighty (180) days following the date of Preliminary and Final Approval.

Any request for reinstatement of Preliminary and Final Approval which is submitted after one hundred eighty (180) days from the date of the original granting of Preliminary and Final Approval shall be required to resubmit an application for Preliminary and Final Approval in conformance with the requirements of Sections 303 through 306 of this Ordinance.

ARTICLE IV

PROCEDURE FOR APPROVAL OF MINOR SUBDIVISIONS

401 APPLICABILITY

This Article shall apply only to consolidations, resubdivision or replatting, as defined herein, and to those subdivisions which propose at least two (2) lots, but no more than ten (10) lots, including the residual parcel, if any, all of which have frontage on an improved public street and not involving the dedication or construction of any new public street and which may or may not involve the extension or creation of any public improvements.

402 PRE-APPLICATION CONFERENCE

Prior to filing an application for Preliminary Approval of a Minor Subdivision, the applicant or his representative may meet with the County Planning Director to obtain application forms and to discuss application procedures and applicable ordinance requirements.

The applicant shall contact the local municipality in which the proposed development is located to determine which local ordinances affect the proposed development and to obtain the necessary application forms for submitting the required applications to the local municipality, if any. At the time that Preliminary Application for approval of a Minor Subdivision is filed with the Greene County Planning Commission, the applicant shall provide written evidence that he or she has contacted the local municipality and has determined the applicability of all local ordinances affecting the proposed development.

ANo plat which will require access to a highway under the jurisdiction of the Department of Transportation shall be finally approved unless the plat contains a notice that a highway occupancy permit is required pursuant to Section 402 of the act of June 1, 1945 (P.L. 1242, No. 428), known as the State Highway Law, before driveway access to a State highway is permitted.

If the Municipality in which the proposed development is located has adopted a Zoning Ordinance, evidence of zoning approval in the form of a letter or Zoning Permit from the Municipal Zoning Officer shall be submitted with an application for Preliminary Approval of a Minor Subdivision.

While no formal application is required for a pre-application conference, the applicant should provide one (1) copy of readily available information with the request for a pre-application conference which will show the location of the property

and any special features such as streams, floodplains or other conditions that may affect the development of the property. Readily available resources which may be used include the deed for the property, a property survey, the Tax Maps prepared by the Greene County Assessor's Office, U.S.G.S. Quadrangle Map showing natural features and topography, the National Flood Insurance Administration (NFIA) Flood Hazard Boundary Maps, Natural Resources Conservation Service Maps of soil types and the U.S. Bureau of Mines coal mine maps.

The pre-application conference with the County Planning Director is voluntary and no formal application or fee is required. This opportunity is afforded to the applicant or his representative to obtain information and guidance before entering into binding commitments or incurring substantial expenses for plan preparation.

A pre-application conference with the County Planning Director shall not constitute formal filing of any application for approval of a subdivision or land development, shall not bind the Planning Commission to approve any concept presented in the pre-application conference and shall not protect the application from any subsequent changes in ordinance provisions which may affect the proposed development between the date of the pre-application conference and the official date of filing of an application for Preliminary or Final Approval of a Minor Subdivision under the terms of this Ordinance.

403 PRELIMINARY AND FINAL APPLICATION SUBMISSION

The applicant shall file the application for Preliminary and Final Approval of a Minor Subdivision as required by Section 404 of this Ordinance to the County Planning Director at least twenty-five (25) calendar days prior to the regular meeting of the Planning Commission. If the twenty-fifth day falls on a Saturday, Sunday or holiday, the application shall be filed by the close of business on the preceding working day immediately preceding.

The Preliminary and Final Application shall not be considered to be complete and properly filed unless and until all items required by Section 404 of this Ordinance, including the Application Fee, have been received.

Upon receipt, the application shall be stamped with the date of receipt by the County Planning Director. Upon receipt, one (1) copy of the application shall be distributed to the Municipal Secretary of the local municipality in which the proposed development is located, two (2) copies to the Greene County Conservation District for review by the District and the Natural Resources Conservation Services. If any public improvements are required in the Minor Subdivision, one (1) copy of the application shall be submitted to the Municipal Engineer for the Municipality in which the proposed public improvements are located. Additional copies may be requested for referral to any other appropriate review agency at the discretion of the County Planning Director.

The fee for these reviews shall be paid by the applicant in accordance with Section 1102.2 of this Ordinance.

During the review period between the date of receipt of the Preliminary and Final Application by the County Planning Director and the next regular Planning Commission meeting, the County Planning Director shall provide a written review of the Preliminary and Final Application to the applicant with a copy to the Chairman of the Planning Commission. The County Planning Director's review letter shall require a written and/or graphic response and submission of the corrected Preliminary and Final Application from the applicant by the close of business three (3) working days prior to the Planning Commission meeting, not including the day of the meeting in order for the Preliminary and Final Application to be considered complete and officially filed by the Planning Commission at their next regular meeting.

At least three (3) working days prior to the regular meeting of the Planning Commission, the County Planning Director shall forward the complete and properly filed Preliminary and Final Application to the Chairman of the Planning Commission along with a copy of his or her review and any comments from other review agencies or consultants.

In the event that the applicant fails to meet the deadline for submission of additional information or revised drawings, the Preliminary and Final Application shall be tabled until the next regular meeting of the Planning Commission.

In all cases, the official date of filing of the Preliminary and Final Application shall be the date of the Planning Commission meeting at which the Commission accepts the application as complete in content and properly filed, subject to the County Planning Director's written review. The official date of filing represents the beginning of the ninety (90) day period for review and action by the Planning Commission. When possible, the Planning Commission may take action on the plan at the next regular meeting.

404 PRELIMINARY AND FINAL APPLICATION CONTENT FOR MINOR SUBDIVISIONS

All applications for Preliminary and Final Approval of a Minor Subdivision shall be submitted in accordance with Section 403 of this Ordinance and shall include the following information:

- A.** One (1) copy of the completed application form supplied by the County Planning Director.
- B.** Application filing fee, as required by Section 1102.1 of this Ordinance.

- C.** A deed or other proof of proprietary interest acceptable to the County Planning Director.
- D.** At least ten (10) days prior to the Planning Commission meeting at which the subdivision is being considered, the developer shall notify all property owners and adjacent municipalities within two hundred (200) feet of the subject property, as their names appear on the County Assessment Office tax records, by certified mail, return receipt requested. Said notice shall state the time and place of the meeting, a brief description of the plan, and shall indicate that said plan has been filed with the Planning Commission and is available for public inspection.

The developer shall also cause notice of the Planning Commission meeting to be published in a newspaper of general circulation in the County at least ten (10) days prior to the meeting.

Evidence of publication of the notice and copies of the return receipts shall be submitted to the County Planning Commission at least three (3) days prior to the meeting.

- E.** A location map showing the plan name and location; major existing thoroughfares related to the site, including the distance therefrom; title, scale and North point.
- F.** The section of the U.S.G.S. Topographic Map, identified by Quadrangle name and indicating a North arrow, showing contours at twenty (20) foot intervals with the boundaries of the property and the proposed subdivision clearly shown.
- G.** A copy of any existing or proposed covenants, deed restrictions, modifications to this Ordinance or zoning variances covering all or any part of the parcel, shall be submitted with the application and, where appropriate, plat notations made.
- H.** The zoning district (if the municipality in which the property is located has enacted a Zoning Ordinance) in which the parcel is located, together with the zone boundaries within two hundred (200) feet of the extreme limits of the property in question.
- I.** If applicable, Flood Hazard Zone boundaries.

J. Sewage

When an individual sewage disposal system is proposed, the plan for such must be approved by the State Department of Environmental Protection and the Local Sewage Enforcement Officer.

In cases where either public sewage is available or extension of existing public sewage lines are needed, a letter from the Local Sewer Authority that they have been contacted in regard to the construction requirements for said facilities and that the necessary hook-up will be provided and the applicable permits have been approved by the Department of Environmental Protection (DEP).

K. Documentation from the Municipality in which the proposed development is scheduled to take place, indicating that they have reviewed the proposed design.

L. Eight (8) copies of a Final Plat, all drawings on sheets not exceeding thirty-four inches by forty-four inches (34" x 44") accurately drawn to a scale of not less than one inch equals one hundred feet (1"=100') for Minor Subdivisions certified by a Pennsylvania Registered Land Surveyor as to existing features, design features and boundaries. (See Appendix A for additional plat specifications). The Final Plat shall contain the following information:

1. Date of preparation. All revisions shall be noted and dated.
2. Title of development; North arrow; scale; County Assessment Office Map and Parcel Number; the name and address of the record owner; the name and address of the applicant; the name and address, license number and seal of the person preparing the subdivision. If the owner of the premises is a corporation, the name and address of the president and secretary shall be submitted on the application.
3. All distances shall be in feet and decimals of a foot and all bearings shall be given to the nearest ten (10) seconds.
4. The names, as shown on current tax records, of all owners of property within two hundred (200) feet of the subdivision, together with the Map and Parcel numbers of the Greene County Assessment Office for said property.

5. Survey data showing boundaries of the property, building or setback lines and lines of existing and proposed streets and rights-of-way, lots, reservations, easements and areas dedicated to public use, including grants, restrictions and rights-of-way, to be prepared by a licensed land surveyor. The name, address, signature, and seal of the surveyor shall be indicated.
6. Location of existing buildings and all other structures, including walls, fences, culverts and bridges, with spot elevations of such buildings and structures. Structures to be removed shall be indicated by dashed lines; structures to remain shall be indicated by solid lines.
7. Acreage, to the nearest thousandth of an acre of the tract to be subdivided and the acreage, in square feet, of all lots.
8. Plans of proposed sanitary and stormwater systems showing feasible connections to existing or any proposed utility systems. Pipe sizes, grades and direction of flow, locations and inlets, manholes or other appurtenances and appropriate invert and other elevations shall be indicated.
9. If public water is available, a statement on the plat identifying the company or authority that will provide service. The location and size of existing and proposed water lines/valves and hydrants.
10. If public water is not available, a statement on the plat that water will not be supplied by a public utility and, therefore, is the responsibility of the purchaser to provide a potable source of water.
11. If public sewer service is to be provided, a statement on the plat identifying the authority that will provide service. The location of proposed or existing sanitary sewer lines including size, grade, direction of flow, location of inlets, manholes, etc.
12. If public sewer service is not available, the appropriate DEP application, submitted to and approved by DEP.
13. If applicable, a notation on the plat that access to a State highway shall only be authorized by a highway occupancy permit issued by the Pennsylvania Department of Transportation under Section 420 of the State Highway Law (P.L. 1242, No. 428 of June 1, 1945). If applicable, a notation on the plat that access to a municipal street requires a driveway permit from the local Municipality.

14. Spaces for the signature of the Chairman and Secretary of the Planning Commission.
15. Certification clauses illustrated in Appendix B, including evidence of approval by the Municipality.

M. Resubdivision Procedure

1. These regulations shall not be construed to require the subdivider to comply with the resubdivision procedure in each and every case for minor shifts in lot lines because of excess topography or similar types of development problems. For purposes of review, however, the Planning Commission shall be solely responsible for review and approval of resubdivisions involving lot line changes. If major street changes or other modifications to easements or right-of-way are involved, the municipality shall be notified and recommendations required.
2. Lot lines may be changed from those shown on a recorded plan, provided that in making such changes:
 - a. No lot or tract of land shall be created or sold that is smaller than the minimum dimensions required by the Ordinance;
 - b. Easement reserved for drainage shall not be changed;
 - c. No lot shall be created which does not abut on a street; and
 - d. The character of the area shall be maintained.
3. In every case wherein lot lines are changed as permitted above, the subdivider shall prepare a revised plan and submit said plan for the approval of the Planning Commission and then record plan.
4. If street changes are also necessary, the above procedure shall be followed after comments are received from the municipality.

405 PRELIMINARY AND FINAL APPLICATION APPROVAL

405.1 Planning Commission Recommendation

At the first regular meeting of the County Planning Commission after submission of a Preliminary Application, the County Planning Commission shall either accept the application as complete in content and properly filed or table the application until the County Planning Director's review is addressed, if the application is incomplete or improperly filed. The acceptance of the application or tabling of the application by the Planning Commission shall be by motion adopted by the majority of the members present. If the application is tabled, as incomplete, a copy of the County Planning Director's written review citing the specific requirements of this Ordinance which have not been met shall be provided to the applicant or his representative by the Planning Commission.

The date of the County Planning Commission meeting at which the Preliminary and Final Application is accepted as complete and properly filed shall be the official date of filing of the application and shall represent the beginning of the ninety (90) day period for County Planning Commission review and action on the application, unless the applicant agrees, in writing, to an extension of time.

The County Planning Director shall present a written report at the County Planning Commission meeting which states whether an application complies with the requirements of this ordinance and that report shall be included in the minutes at the County Planning Commission meeting. The County Planning Commission shall not act on the application until the report of the County Planning Director has been received and until the report from the local municipality in which the development is located has been received or until forty-five (45) days has passed from the date of transmittal to the Municipal Secretary of the local municipality.

Within ninety (90) days of the official date of filing of the Preliminary and Final Application, the County Planning Commission shall either approve, approve with conditions or disapprove the Preliminary and Final Application at a public meeting.

A letter indicating approval, approval with conditions or disapproval shall be mailed to the applicant within fifteen (15) days of the date of the decision. If the Preliminary and Final Application is not approved, the County Planning Commission shall specify the defects found in the Preliminary and Final Application and cite the requirements of this Ordinance which have not been met.

405.2 Conditional Approval

If at the time of Preliminary or Final Approval it is found that some items which had been applied for in a timely manner, had not been received, the Planning Commission may (as a Modification) give approval specifically conditional upon completion of these items.

405.3 Deemed Approval

Failure of the County Planning Commission to render a decision and communicate it to the applicant within the time and in the manner prescribed by this Ordinance shall be deemed an approval of the application in the terms as presented, unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.

406 MEDIATION OPTION

The County Planning Commission may offer the mediation option as an aid in completing the proceedings authorized by this Article in accordance with the requirements of Section 509 of this Ordinance.

407 RECORDING OF FINAL PLAT

Upon approval of a Final Plat by the County, the developer shall, within ninety (90) days of such Final Approval, record such plat in the Office of the Greene County Recorder of Deeds.

408 REINSTATEMENT OF APPROVAL

In the event that the plan has not been recorded within the required ninety (90) days, the County Planning Director is authorized to reinstate the signatures of the proper officers of the County indicating approval, provided there are no changes in the Minor Subdivision previously granted approval and all the requirements of this Ordinance regarding posting of a Performance Guarantee and execution of a Development Agreement, if applicable, have been met and, further, provided the plan is submitted for reinstatement of approval within one hundred eighty (180) days following the date of Preliminary and Final Approval.

Any request for reinstatement of Preliminary and Final Approval which is submitted after one hundred eighty (180) days from the date of the original granting of

Preliminary and Final Approval shall be required to resubmit an application for Preliminary and Final Approval in conformance with the requirements of Sections 403 through 405 and Sections 407 through 410 of this Ordinance.

409 FILING OF COPIES

Upon recording of the Final Plat in the Office of the County Recorder of Deeds, the applicant shall deliver to the County Planning Director, one (1) paper print of the final plat as recorded, containing all required signatures and dates of approval. One (1) paper print of the final plat, as recorded, shall be delivered by the applicant to the Municipal Secretary of the local Municipality in which the plan is located.

410 MINOR SUBDIVISIONS WHICH PROPOSE THE EXTENSION OR INSTALLATION OF ANY PUBLIC IMPROVEMENTS

Minor Subdivisions which propose the extension or installation of any public improvements, as defined by this Ordinance, shall be further subject to Section 508.4 and Sections 510 through 512 of this Ordinance governing installation of public improvements and posting of a Performance Guarantee to guarantee their proper installation.

ARTICLE V

PROCEDURE FOR APPROVAL OF MAJOR SUBDIVISIONS

501 APPLICABILITY

This Article shall apply to all subdivisions that propose eleven (11) or more lots and to all subdivisions that propose the construction of a public street, regardless of the number of lots proposed.

502 PRE-APPLICATION CONFERENCE

Prior to filing an application for Preliminary Approval of a Major Subdivision, the applicant or his representative may meet with the County Planning Director to obtain application forms and to discuss application procedures and applicable ordinance requirements.

The applicant shall contact the local municipality in which the proposed development is located to determine which local ordinances affect the proposed development and to obtain the necessary application forms for submitting the required applications to the local municipality, if any. At the time that Preliminary Application for approval of a Major Subdivision is filed with the Greene County Planning Commission, the applicant shall provide written evidence that he or she has contacted the local municipality and has determined the applicability of all local ordinances affecting the proposed development.

If the Municipality in which the proposed development is located has adopted a Zoning Ordinance, evidence of zoning approval from the Municipal Zoning Officer shall be submitted with an application for Preliminary Approval of a Major Subdivision.

ANo plat which will require access to a highway under the jurisdiction of the Department of Transportation shall be finally approved unless the plat contains a notice that a highway occupancy permit is required pursuant to Section 402 of the act of June 1, 1945 (P.L. 1242, No. 428), known as the AState Highway Law, before driveway access to a State highway is permitted.

While no formal application is required for a pre-application conference, the applicant should provide one (1) copy of readily available information with the request for a pre-application conference which will show the location of the property and any special features such as streams, floodplains or other conditions that may affect the development of the property. Readily available resources which may be

used include the deed for the property, a property survey, the Tax Maps prepared by the Greene County Assessor's Office, U.S.G.S. Quadrangle Map showing natural features and topography, the National Flood Insurance Administration (NFIA) Flood Hazard Boundary Maps, Natural Resources Conservation Service Maps of soil types and the U.S. Bureau of Mines coal mine maps.

The pre-application conference with the County Planning Director is voluntary and no formal application or fee is required. This opportunity is afforded to the applicant or his representative to obtain information and guidance before entering into binding commitments or incurring substantial expenses for plan preparation.

A pre-application conference with the County Planning Director shall not constitute formal filing of any application for approval of a Major Subdivision, shall not bind the Planning Commission to approve any concept presented in the pre-application conference and shall not protect the application from any subsequent changes in ordinance provisions which may affect the proposed development between the date of the pre-application conference and the official date of filing of an application for Preliminary and Final Approval of a Major Subdivision under the terms of this Ordinance.

503 PRELIMINARY APPLICATION SUBMISSION

The applicant shall file the application for Preliminary Approval of a Major Subdivision required by Section 504 to the County Planning Director at least thirty (30) calendar days prior to the regular meeting of the Planning Commission. If the thirtieth day falls on a Saturday, Sunday or holiday, the application shall be filed by the close of business on the preceding working day immediately preceding.

The Preliminary Application shall not be considered to be complete and properly filed unless and until all items required by Section 504 of this Ordinance, including the Application Fee, have been received.

Upon receipt, the application shall be stamped with the date of receipt by the County Planning Director. Upon receipt, two (2) copies of the application shall be distributed to the Municipal Secretary of the local municipality in which the proposed development is located, if they have an engineer, they can send copy to them, two (2) copies to the Greene County Conservation District for review by the District and the Natural Resources Conservation Service. Additional copies may be requested for referral to any other appropriate review agency at the discretion of the County Planning Director.

The fee for these reviews shall be paid by the applicant in accordance with Section 1102.2 of this Ordinance.

During the review period between the date of receipt of the Preliminary Application

by the County Planning Director and the next regular Planning Commission meeting, the County Planning Director shall provide a written review of the Preliminary Application to the applicant with a copy to the Chairman of the Planning Commission. The County Planning Director's review letter shall require a written and/or graphic response and submission of the corrected Preliminary Application from the applicant by the close of business three (3) working days prior to the Planning Commission meeting, not including the day of the meeting in order for the Preliminary Application to be considered complete and officially filed by the Planning Commission at their next regular meeting.

At least three (3) working days prior to the regular meeting of the Planning Commission, the County Planning Director shall forward the complete and properly filed Preliminary Application to the Chairman of the Planning Commission along with a copy of his or her review and any comments from other review agencies or consultants.

In the event that the applicant fails to meet the deadline for submission of additional information or revised drawings, the Preliminary Application shall be tabled until the next regular meeting of the Planning Commission.

In all cases, the official date of filing of the Preliminary Application shall be the date of the Planning Commission meeting at which the Commission accepts the application as complete in content and properly filed, subject to the County Planning Director's written review. The official date of filing represents the beginning of the ninety (90) day period for review and action by the Planning Commission.

504 PRELIMINARY APPLICATION CONTENT FOR MAJOR SUBDIVISIONS

All applications for Preliminary Approval of a Major Subdivision shall be submitted in accordance with Section 503 of this Ordinance and shall include the following information:

- A.** One (1) copy of the completed application form supplied by the County Planning Director;
- B.** Application filing fee, as required by Section 1102.1 of this Ordinance;
- C.** At least ten (10) days prior to the Planning Commission meeting at which the subdivision is being considered, the developer shall notify all property owners and adjacent municipalities within two hundred (200) feet of the subject property, as their names appear on the County Assessment Office tax records, by certified mail, return receipt requested. Said notice shall state the time and place of the meeting, a brief description of the plan, and shall indicate that said plan has been filed with the Planning Commission and

is available for public inspection.

The developer shall also cause notice of the Planning Commission meeting to be published in a newspaper of general circulation in the County at least ten (10) days prior to the meeting.

Evidence of publication of the notice and copies of the return receipts shall be submitted to the County Planning Commission at least three (3) days prior to the meeting.

- D.** Eight (8) copies of a Preliminary Plat, all drawings on sheets not exceeding thirty-four inches by forty-four inches (34" x 44") accurately drawn to a scale of not less than one inch equals one hundred feet (1" = 100') for subdivisions and at a scale of not less than one inch equals fifty feet (1" = 50') for a land development certified by a Pennsylvania Registered Land Surveyor as to existing features, design features and boundaries. (See Appendix A for additional plat specifications).

The Preliminary Plat shall contain or shall be supplemented with the following information:

1. Date. All revisions shall be noted and dated.
2. A key map showing the location of the tract with reference to the surrounding properties, existing streets and streams within one thousand (1,000) feet of the subdivision.
3. Title of development; North arrow; scale; County Assessment Office Map and Parcel Number; the name and address of the record owner; the name and address of the applicant; the name and address, license number and seal of the person preparing the subdivision. If the owner of the premises is a corporation, the name and address of the president and secretary shall be submitted on the application.
4. All distances shall be in feet and decimals of a foot and all bearings shall be given to the nearest ten (10) seconds.
5. The names, as shown on current tax records, of all owners of property within two hundred (200) feet of the subdivision, together with the Map and Parcel numbers of the Greene County Assessment Office for said property.
6. If the Municipality in which the property is located has enacted a Zoning Ordinance, the Zoning District in which the parcel is located, together with the zone boundaries within two hundred (200) feet of the

extreme limits of the property in question.

7. Survey data showing boundaries of the property, building or setback lines and lines of existing and proposed streets, lots, reservations, easements and areas dedicated to public use, including grants, restrictions and rights-of-way, to be prepared by a licensed land surveyor. The name, address, signature, and seal of the surveyor shall be indicated.
8. A copy of any existing or proposed covenants, deed restrictions, modifications to this Ordinance or zoning variances covering all or any part of the parcel, shall be submitted with the application and, where appropriate, plat notations made.
9. The distance, measured along the right-of-way lines of existing streets abutting the property, to the nearest intersections with other public streets, if it is within two hundred (200) feet.
10. Location of existing buildings and all other structures, including walls, fences, culverts and bridges, with spot elevations of such buildings and structures. Structures to be removed shall be indicated by dashed lines; structures to remain shall be indicated by solid lines.
11. If applicable, Flood Hazard Zone boundaries.
12. Parcels of land, if any, proposed to be dedicated or reserved for schools, parks, playgrounds, or other public, semi-public or community purposes as may be required by the Planning Commission.
13. Existing and proposed contours, referred to United States Coast and Geodetic Survey datum, with a contour interval of two (2) feet for slopes of less than ten percent (10%) and an interval of five (5) feet for slopes of ten percent (10%) or more. Existing contours are to be indicated by dashed lines and proposed contours are to be indicated by solid lines.
14. Location of existing rock outcrops, high points, watercourses, depressions, ponds, marshes, wooded areas and other significant existing features, including previous flood elevations of watercourses, ponds and marsh areas as determined by survey.
15. All proposed streets, with profiles, indicating grading; cross sections showing the width of roadways and sidewalks.

16. Acreage, to the nearest thousandth of an acre of the tract to be subdivided and the acreage, in square feet, of all lots.

17. Plans of proposed sanitary and stormwater systems showing feasible connections to existing or any proposed utility systems. Pipe sizes, grades and direction of flow, locations and inlets, manholes or other appurtenances and appropriate invert and other elevations shall be indicated.

a. Stormwater

All stormwater facility plans shall be prepared in accordance with Section 810 of this Ordinance and shall be accompanied by a separate sketch showing all existing drainage within five hundred (500) feet of any boundary, and all areas and any other surface area contributing to the calculations, and showing methods used in the drainage calculations.

b. Sewage

When an individual sewage disposal system is proposed, the plan for such must be approved by the State Department of Environmental Protection and the Local Sewage Enforcement Officer.

In cases where either public sewage is available or extension of existing public sewage lines are needed, a letter from the Local Sewer Authority that they have been contacted in regard to the construction requirements for said facilities and that the necessary hook-up will be provided and approved by the Department of Environmental Protection (DEP). A notation should be on the plat identifying the Authority that will provide service.

18. The location and size of all existing and proposed waterlines, valves and hydrants.

For a public system, documentation is required from the local water authority indicating that they have been contacted in regard to the construction requirements for said facilities and that the source of supply will provide the necessary quantity and quality of potable water to each lot.

A statement indicating the type of water supply proposed. Where a public system is not proposed, the preliminary plat shall indicate the following declarations:

"The developer of the subdivision shown on this plat does not intend to provide potable water to lots or parcels shown on this plat from a public source; therefore the provision of an on-lot water source is the sole responsibility of the purchaser".

- 19.** The location and size of all existing and proposed utilities, including rights-of-way and lines, proposed to serve the subdivision, including gas, electric and water.

Written documentation is required indicating that the appropriate utility company has been contacted and arrangements will be made for the installation of the utility system.

- 20.** Plans for sediment and erosion control prepared in accordance with the requirements of Section 802.2 of this Ordinance.
- 21.** If disturbance is over five (5) acres, evidence of application for the required N.P.D.E.S. Permit from the Greene County Conservation District.
- 22.** If applicable, a notation on the plat that access to a State highway shall only be authorized by a highway occupancy permit issued by the Pennsylvania Department of Transportation under Section 420 of the State Highway Law (P.L. 1242, No. 428 of June 1, 1945).
- 23.** If applicable, a notation on the plat that access to a municipal street requires a driveway permit from the local Municipality.
- 24.** Such other information or data as may be required by the County Planning Commission or other governmental agencies for determination that the details of the subdivision are in accordance with the standards of this Ordinance and all other applicable laws, ordinances or resolutions.
- 25.** Documentation in the form of a letter from the Municipality in which the proposed development is scheduled to take place, indicating that they have reviewed the proposed design.
- 26.** Spaces for the signature of the Chairman and Secretary of the

Planning Commission.

505 PRELIMINARY APPLICATION APPROVAL

505.1 Planning Commission Recommendation

At the first regular meeting of the County Planning Commission after submission of a Preliminary Application, the County Planning Commission shall either accept the application as complete in content and properly filed or table the application until the County Planning Director's review is addressed, if the application is incomplete or improperly filed. The acceptance of the application or tabling of the application by the Planning Commission shall be by motion adopted by the majority of the members present. If the application is tabled, as incomplete, a copy of the County Planning Director's written review citing the specific requirements of this Ordinance which have not been met shall be provided to the applicant or his representative by the Planning Commission.

The date of the County Planning Commission meeting at which the Preliminary Application is accepted as complete and properly filed shall be the official date of filing of the application and shall represent the beginning of the ninety (90) day period for County Planning Commission review and action on the application, unless the applicant agrees, in writing, to an extension of time. When possible, the Planning Commission may take action on the plan at the next regular meeting.

The County Planning Director shall present a written report at the County Planning Commission meeting which states whether an application complies with the requirements of this Ordinance and that report shall be included in the minutes at the County Planning Commission meeting. The County Planning Commission shall not act on the application until the report of the County Planning Director has been received and until the report from the local Municipality in which the development is located has been received or until forty-five (45) days has passed from the date of transmittal to the Municipal Secretary of the local Municipality.

Within ninety (90) days of the official date of filing of the Preliminary Application, the County Planning Commission shall either approve, approve with conditions or disapprove the Preliminary Application at a public meeting.

A letter indicating approval, approval with conditions or disapproval shall be mailed to the applicant within fifteen (15) days of the date of the decision. If the Preliminary Application is not approved, the County Planning Commission shall specify the defects found in the Preliminary Application and cite the requirements of this Ordinance which have not been met.

505.2 Conditional Approval

If at the time of Preliminary or Final Approval it is found that some items which had been applied for in a timely manner, had not been received, the Planning Commission may (as a Modification) give approval specifically conditional upon completion of these items.

505.3 Deemed Approval

Failure of the County Planning Commission to render a decision and communicate it to the applicant within the time and in the manner prescribed by this Ordinance shall be deemed an approval of the application in the terms as presented, unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.

506 FINAL APPLICATION SUBMISSION

The applicant shall file the application for Final Approval of a Major Subdivision as required by Section 507 to the County Planning Director at least thirty (30) calendar days prior to the regular meeting of the Planning Commission. If the thirtieth (30th) day falls on a Saturday, Sunday or holiday, the application shall be filed by the close of business on the preceding working day immediately preceding.

The Final Application shall not be considered to be complete and properly filed unless and until all items required by Section 507 of this Ordinance, including the Application Fee, have been received.

Upon receipt, the application shall be stamped with the date of receipt by the County Planning Director. Upon receipt, two (2) copies of the application shall be distributed to the Municipal Secretary of the local municipality in which the proposed development is located, if they have an engineer they can send them a copy, two (2) copies to the Greene County Conservation District for review by the District and the Natural Resources Conservation Service. Additional copies may be requested for referral to any other appropriate review agency at the discretion of the County Planning Director.

The fee for these reviews shall be paid by the applicant in accordance with Section 1102.2 of this Ordinance.

During the review period between the date of receipt of the Final Application by the County Planning Director and the next regular Planning Commission meeting, the County Planning Director shall provide a written review of the Final Application to

the applicant with a copy to the Chairman of the Planning Commission. The County Planning Director's review letter shall require a written and/or graphic response and submission of the corrected Final Application from the applicant by the close of business three (3) working days prior to the Planning Commission meeting, not including the day of the meeting in order for the Final Application to be considered complete and officially filed by the Planning Commission at their next regular meeting.

At least three (3) working days prior to the regular meeting of the Planning Commission, the County Planning Director shall forward the complete and properly filed Final Application to the Chairman of the Planning Commission along with a copy of his or her review and any comments from other review agencies or consultants.

In the event that the applicant fails to meet the deadline for submission of additional information or revised drawings, the Final Application shall be tabled until the next regular meeting of the Planning Commission.

In all cases, the official date of filing of the Final Application shall be the date of the Planning Commission meeting at which the Commission accepts the application as complete in content and properly filed, subject to the County Planning Director's written review. The official date of filing represents the beginning of the ninety (90) day period for review and action by the Planning Commission. When possible, the Planning Commission may take action on the plan at the next regular meeting.

507 FINAL APPLICATION CONTENT FOR A MAJOR SUBDIVISION

All applications for Final Approval of a Major Subdivision shall include the following:

- A.** One (1) copy of the completed application form supplied by the County Planning Director.
- B.** Application filing fee, as required by Section 1102.1 of this Ordinance.
- C.** One (1) copy of the approved Preliminary Plat.
- D.** Eight (8) copies of a Final Plat drawn at a scale of not less than one (1) inch equals one hundred (100) feet on sheets no larger than twenty-four inches by thirty-six inches (24" x 36") with a border of one-half (1/2) inch on all sides except the twenty-four (24) inch binding edge which shall be one inch. (See Appendix A for additional Plat specification). The Final Plat shall show or be accompanied by the following information:
 - 1.** Date, name and location of the subdivision, the name of the owner, graphic scale.

2. Tract boundary lines, right-of-way lines of streets, street names, easements and other rights-of-way, land reserved or dedicated to public use, all lot lines and other boundary lines; with accurate dimensions, bearing or deflection angles, and radii, arcs and central angles of all curves; and the area of each lot.
3. The names, exact location and widths of all existing and recorded streets intersecting or paralleling the plot boundaries within a distance of two hundred (200) feet.
4. The purpose of any easement or land reserved for or dedicated to public use shall be designated and the proposed use of the sites, other than residential, shall be noted.
5. Map and Parcel numbers as assigned by the County Assessor's Office, including Map and Parcel numbers of abutting property.
6. Minimum building setback line on all lots and parcels.
7. Location and description of all monuments, including any to be reset.
8. Names of the owners of adjoining land within two hundred (200) feet.
9. Certification by the applicant's surveyor as to accuracy of details of plat. The error of closure shall not be more than one (1) in five thousand (5,000).
10. Certification that the applicant is the agent or owner of the land or the owner has given consent under an option agreement.
11. When approval of a plat is required by any other officer or body of a municipality, county or state, such approval shall be certified on the plat, or evidence shall be submitted that an application has been made for such approval.
12. Proposed final grades of all streets shall be shown to a scale of one inch equals five feet (1" = 5') vertical and one inch equals fifty feet (1" = 50') horizontal, and drawings shall include both plans and profiles and shall show elevations of all monuments referred to United States Coast and Geodetic Survey level bench marks, and such elevations shall be shown in feet and hundredths of a foot.
13. Plans and profiles of storm and sanitary sewers and water mains.

14. Copies of permits where required for construction of the sewage system, water system and any other necessary permits.
15. Certification from the electric utility that service will be provided to each and every habitable lot within the subdivision.
16. Certification from the local jurisdiction stating that the design and construction requirements have been met, or in lieu of the completion of the improvements, a performance guarantee or other acceptable security has been agreed upon by the developer and the Municipality.
17. The certifications shown in Appendix B shall appear on the final plat.
18. An affidavit signed and sworn to by the applicant that the final plat is drawn and presented exactly the same as the preliminary plat approved by the Planning Commission, and if there be any changes, all changes shall be set forth in the affidavit as exceptions to the general statement. Said affidavit shall be submitted in an original and two (2) copies and shall be prepared in the form provided in Appendix C.
19. If applicable, a notation on the plat that access to a State highway shall only be authorized by a highway occupancy permit issued by the Pennsylvania Department of Transportation under Section 420 of the State Highway Law (P.L. 1242, No. 428 of June 1, 1945).
20. If applicable, a notation on the plat that access to a municipal street requires a driveway permit from the local Municipality.

508 FINAL APPROVAL

508.1 Planning Commission Approval

At the first regular meeting of the County Planning Commission after submission of a Final Application, the County Planning Commission shall either accept the application as complete in content and properly filed or table the application until the County Planning Director's review is addressed, if the application is incomplete or improperly filed. The acceptance of the application or tabling of the application by the Planning Commission shall be by motion adopted by the majority of the members present. If the application is tabled, as incomplete, a copy of the County Planning Director's written review citing the specific requirements of this Ordinance which have not been met shall be provided to the applicant or his representative by the Planning Commission.

The date of the County Planning Commission meeting at which the Final Application is accepted as complete and properly filed shall be the official date of filing of the application and shall represent the beginning of the ninety (90) day period for County Planning Commission review and action on the application, unless the applicant agrees, in writing, to an extension of time.

The County Planning Director shall present a written report at the County Planning Commission meeting which states whether an application complies with the requirements of this ordinance and that report shall be included in the minutes at the County Planning Commission meeting. The County Planning Commission shall not act on the application until the report of the County Planning Director has been received and until the report from the local municipality in which the development is located has been received or until forty-five (45) days has passed from the date of transmittal to the Municipal Secretary of the local municipality.

Within ninety (90) days of the official date of filing of the Final Application, the County Planning Commission shall either approve, approve with conditions or disapprove the Final Application at a public meeting. When possible, the Planning Commission may take action on the plan at the next regular meeting.

A letter indicating approval, approval with conditions or disapproval shall be mailed to the applicant within fifteen (15) days of the date of the decision. If the Final Application is not approved, the County Planning Commission shall specify the defects found in the Final Application and cite the requirements of this Ordinance which have not been met.

508.2 Approval with Conditions

Approval when certain required items have not been received although, applicant requested them in adequate time (circumstances beyond their control).

508.3 Deemed Approval

Failure of the County Planning Commission to render a decision and communicate it to the applicant within the time and in the manner prescribed by this Ordinance shall be deemed an approval of the application in the terms as presented, unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.

508.4 Alternate Procedure for Final Approval Without Posting a Performance Guarantee

In subdivisions which propose the construction of public improvements, the Performance Guarantee required by Section 511 of this Ordinance shall not be required, if the applicant elects to install the required public improvements prior to obtaining Final Plat Approval for recording purposes. The application for Final Approval shall contain all the items required by Section 506 of this Ordinance for Final Plat Approval; however, Final Approval shall be granted for the construction of public improvements only, and the proper officers of the County Planning Commission shall not affix their signatures to the Final Plat for recording purposes unless and until the required public improvements have been installed and the applicant provides written evidence that the public improvements have been inspected and accepted by the governing body of the Municipality in which the public improvements are located.

509 THE MEDIATION OPTION

The County Planning Commission may offer the mediation option as an aid in completing the proceedings authorized by this Article. Mediation shall supplement, not replace, those procedures in this Article once they have been formally initiated. Nothing in this Section shall be interpreted as expanding or limiting County's police powers or as modifying any principles of substantive law.

Participation in mediation shall be wholly voluntary. The appropriateness of mediation shall be determined by the particulars of each case and the willingness of the parties to negotiate. In offering the mediation option, the County Planning Commission shall assure that in each case, the mediating parties, assisted by the mediator as appropriate, develop terms and conditions for:

- A.** Funding mediation.
- B.** Selecting a mediator who, at a minimum, shall have a working knowledge of municipal zoning and subdivision procedures and demonstrated skills in mediation.
- C.** Completing mediation, including time limits for such completion.
- D.** Suspending time limits otherwise authorized in this Ordinance or in the Pennsylvania Municipalities Planning Code (Act 247, as amended), provided there is written consent by the mediating parties, and by an applicant or the County Planning Commission, if either is not a party to the mediation.
- E.** Identifying all parties and affording them the opportunity to participate.
- F.** Subject to legal restraints, determining whether some or all of the mediation sessions shall be open or closed to the public.

- G.** Assuring that mediated solutions are in writing and signed by the parties, and become subject to review and approval by the County Planning Commission pursuant to the procedures for approval set forth in this Article.

No offers or statements made in the mediation sessions, excluding the final written mediated agreement, shall be admissible as evidence in any subsequent judicial or administrative proceedings.

510 RESOLUTION INDICATING APPROVAL

When requested by the developer, in order to facilitate financing, the County Planning Commission shall furnish the developer with a signed copy of a Resolution indicating approval of the final plat contingent upon the developer obtaining a satisfactory financial security. The Final Plat shall not be signed nor recorded until the Performance Guarantee and Development Agreement are executed. The Resolution shall expire and be deemed to be revoked if the Performance Guarantee and Development Agreement are not executed within ninety (90) days, unless a written extension is granted by the County Planning Commission. Such extension shall not be unreasonably withheld and shall be placed in writing at the request of the developer.

511 POSTING OF PERFORMANCE GUARANTEE

When required by the Municipality, in lieu of the completion of any improvement required prior to and as a condition for final approval of a plat, the applicant shall deposit a Performance Guarantee, as defined by this Ordinance, in favor of the Municipality, in an amount equal to one hundred and ten percent (110%) of the cost of completion of the improvements estimated as of ninety (90) days following the date scheduled for completion by the developer. Annually, the Municipality may adjust the amount of the Performance Guarantee by comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the 90th day after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment, the Municipality may require the developer to post additional security in order to assure that the Performance Guarantee equals said 110%. Any additional security shall be posted by the developer in accordance with this Sub-Section.

The amount of the Performance Guarantee required shall be based upon a written estimate of the cost of completion of the required improvements, submitted by an applicant or developer and prepared by an engineer and certified by such engineer to be a fair and reasonable estimate of such cost. The local Municipality, upon the recommendation of the Municipal Engineer or the Consulting Engineer retained by

the County Planning Commission to review the plans and specifications for construction of the public improvements required by this Ordinance may refuse to accept such estimate for good cause shown. If the applicant or developer and the local Municipality are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by another engineer chosen mutually by the local Municipality and the applicant or developer. The estimate certified by the third engineer shall be presumed fair and reasonable, and shall be the final estimate. In the event that a third engineer is so chosen, fees for the services of said engineer shall be paid equally by the local Municipality and the applicant or developer.

If the party posting the Performance Guarantee requires more than one (1) year from the date of posting of the Performance Guarantee to complete the required improvements, the Municipality may increase the amount of the Performance Guarantee by an additional ten percent (10%) for each one-year period beyond the first anniversary date from posting of the Performance Guarantee or to an amount not exceeding one hundred ten percent (110%) of the cost of completing the required improvements as re-established on or about the expiration of the preceding one-year period by using the above procedure.

All matters relating to the posting, release and enforcement of the Performance Guarantee shall be within the sole discretion of the local Municipality in which the improvements are being constructed.

512 DEVELOPMENT AGREEMENT

As a condition of granting Final Approval of a subdivision or land development that requires the posting of a Performance Guarantee or to which conditions are attached to the grant of Final Approval, the County Planning Commission shall require that the developer execute a Development Agreement with the County, in a form acceptable to the County Solicitor, if the plan contains conditions attached to the approval of the plan or proposes private improvements. A Development Agreement shall be executed with the local Municipality if public improvements are proposed to be constructed including provisions that are reasonably required to guarantee the proper installation of public and private improvements related to the subdivision and/or land development and provisions necessary to indemnify the local Municipality in connection therewith. A sample Development Agreement appears in Appendix D.

If there are no outstanding conditions attached to Final Approval and/or a Performance Guarantee is not required, a Development Agreement shall not be required as a condition of Final Plat Approval.

Said agreement shall be executed, the required Performance Guarantee shall be posted and all required fees shall be paid before the Chairman and Secretary of the County Planning Commission shall affix their signatures and the County Seal to the

Final Plat for recording purposes.

513 RECORDING OF FINAL PLAT

Upon approval of a Final Plat by the County, the developer shall, within ninety (90) days of such Final Approval, record such plat in the Office of the Greene County Recorder of Deeds.

514 REINSTATEMENT OF APPROVAL

In the event that the plan has not been recorded within the required ninety (90) days, the County Planning Director is authorized to reinstate the signatures of the proper officers of the County indicating approval, provided there are no changes in the subdivision or land development plan previously granted approval and all the requirements of this Ordinance regarding posting of a Performance Guarantee and execution of a Development Agreement have been met and, further, provided the plan is submitted for reinstatement of approval within ninety (90) days following the expiration of the original ninety (90) days following the expiration of the original ninety (90) days from the date of Final Approval.

Any request for Final Approval which is submitted after one hundred eighty (180) days from the date of the original granting of Final Approval shall be required to resubmit an application for Final Approval in conformance with the requirements of Sections 503 through 508 and Sections 510 through 514 of this Ordinance.

515 FILING OF COPIES

Upon recording of the Final Plat in the Office of the County Recorder of Deeds, the developer shall deliver to the County Planning Director, one (1) paper print of the final plat as recorded, containing all required signatures and dates of approval. One (1) paper print of the final plat, as recorded, shall be delivered by the applicant to the Municipal Secretary of the local Municipality in which the plan is located.

ARTICLE VI

PROCEDURE FOR APPROVAL OF A LAND DEVELOPMENT

601 APPLICABILITY

- A.** This Article shall apply to the following:
1. The construction of two (2) or more residential or non-residential buildings on a single lot, excluding single family and two-family dwellings.
 2. The improvement of one (1) lot for one (1) non-residential building, or one (1) multi-family residential building regardless of the number of tenants.
 3. Any addition to or structural enlargement of a non-residential structure which results in either:
 - a. An increase in the gross floor area of the building of 5,000 square feet or more; or
 - b. An increase in the impervious area of the lot of paved parking and/or building roof.
 4. The division or allocation of land or space among two (2) or more occupants by leasehold or condominium.
- B.** This Article shall not apply to the following:
1. Improvement of one (1) lot for a single family or a two-family dwelling.
 2. The conversion of an existing single family or two-family dwelling into not more than three (3) dwelling units, unless such units are intended to be a condominium.
 3. The addition of an accessory building which is not for the same use as, or part of the use of the principal building, but which is for a use subordinate to, or supplementary to that of the principal building. Examples; Residential; garage, lawn and garden tool shed, children's play house. Commercial/Industrial; garage for company car, guardhouse, scale house. Any such structure should be of less than 625 square feet. If a building is added to a business or industry site, and if it is part of the prime function of the principal building, it is not

considered an accessory building. An accessory building is usually placed on the same lot as the principal building. However, the accessory building may go on another lot if for a good reason such as lack of space, problems with the contour of the principal lot or with its soils, etc.

4. The addition of a farm building.
5. The addition or conversion of buildings or rides within an amusement park.
6. Any addition to or structural enlargement of a non-residential structure which results in either:
 - a. An increase in the gross floor area of the building of less than 5,000 square feet ; or
 - b. An increase in the pervious area of the lot of less than 7,500 square feet.

602 PRE-APPLICATION CONFERENCE

Prior to filing an application for preliminary approval of a Land Development, the applicant or his representative may meet with the County Planning Director to obtain application forms and to discuss application procedures and applicable ordinance requirements.

The applicant shall contact the local Municipality in which the proposed Land Development is located to determine which local ordinances affect the proposed development and to obtain the necessary application forms for submitting the required applications to the local Municipality, if any. At the time that Preliminary Application for approval of a Land Development is filed with the Greene County Planning Commission, the applicant shall provide written evidence that he or she has contacted the local Municipality and has determined the applicability of all local ordinances affecting the proposed Land Development.

ANo plat which will require access to a highway under the jurisdiction of the Department of Transportation shall be finally approved unless the plat contains a notice that a highway occupancy permit is required pursuant to Section 402 of the act of June 1, 1945 (P.L. 1242, No. 428), known as the AState Highway Law, before driveway access to a State highway is permitted. If the Municipality in which the proposed development is located has adopted a Zoning Ordinance, evidence of zoning approval from the Municipal Zoning Officer shall be submitted with an application for Preliminary Approval of a Land

Development.

While no formal application is required for a pre-application conference, the applicant should provide one (1) copy of readily available information with the request for a pre-application conference which will show the location of the property and any special features such as streams, floodplains or other conditions that may affect the development of the property. Readily available resources which may be used include the deed for the property, a property survey, the Tax Maps prepared by the Greene County Assessor's Office, U.S.G.S. Quadrangle Map showing natural features and topography, the National Flood Insurance Administration (NFIA) Flood Hazard Boundary Maps, Natural Resources Conservation Service Maps of soil types and the U.S. Bureau of Mines coal mine maps.

The pre-application conference with the County Planning Director is voluntary and no formal application or fee is required. This opportunity is afforded to the applicant or his representative to obtain information and guidance before entering into binding commitments or incurring substantial expenses for plan preparation.

A pre-application conference with the County Planning Director shall not constitute formal filing of any application for approval of a Land Development, shall not bind the Planning Commission to approve any concept presented in the pre-application conference and shall not protect the applicant from any subsequent changes in ordinance provisions which may affect the proposed development between the date of the pre-application conference and the official date of filing of an application for Preliminary or Final Approval of a Land Development under the terms of this Ordinance.

603 PRELIMINARY APPLICATION SUBMISSION

The applicant shall file the application for Preliminary Approval of a Land Development required by Section 604 to the County Planning Director at least thirty (30) calendar days prior to the regular meeting of the Planning Commission. If the thirtieth day falls on a Saturday, Sunday or holiday, the application shall be filed by the close of business on the preceding working day immediately preceding.

The Preliminary Application shall not be considered to be complete and properly filed unless and until all items required by Section 604 of this Ordinance, including the Application Fee, have been received.

Upon receipt, the application shall be stamped with the date of receipt by the County Planning Director. Upon receipt, two (2) copies of the application shall be distributed to the Municipal Secretary of the local Municipality in which the proposed development is located and, if they have an engineer they can send them a copy , two (2) copies to the Greene County Conservation District for review by the District and the Natural Resources Conservation Service. Additional copies may be

requested for referral to any other appropriate review agency at the discretion of the County Planning Director.

The fee for these reviews shall be paid by the applicant in accordance with Section 1102.2 of this Ordinance.

During the review period between the date of receipt of the Preliminary Application by the County Planning Director and the next regular Planning Commission meeting, the County Planning Director shall provide a written review of the Preliminary Application to the applicant with a copy to the Chairman of the Planning Commission. The County Planning Director's review letter shall require a written and/or graphic response and submission of the corrected Preliminary Application from the applicant by the close of business three (3) working days prior to the Planning Commission meeting, not including the day of the meeting in order for the Preliminary Application to be considered complete and officially filed by the Planning Commission at their next regular meeting.

At least three (3) working days prior to the regular meeting of the Planning Commission, the County Planning Director shall forward the complete and properly filed Preliminary Application to the Chairman of the Planning Commission along with a copy of his or her review and any comments from other review agencies or consultants.

In the event that the applicant fails to meet the deadline for submission of additional information or revised drawings, the Preliminary Application shall be tabled until the next regular meeting of the Planning Commission.

In all cases, the official date of filing of the Preliminary Application shall be the date of the Planning Commission meeting at which the Commission accepts the application as complete in content and properly filed, subject to the County Planning Director's written review. The official date of filing represents the beginning of the ninety (90) day period for review and action by the Planning Commission. When possible, the Planning Commission may take action on the plan at the next regular meeting.

604 PRELIMINARY APPLICATION CONTENT FOR LAND DEVELOPMENTS

The application for Preliminary Approval of a Land Development shall be submitted in accordance with Section 603 of this Ordinance and shall include the following information:

- A.** One (1) copy of the completed application form supplied by the County Planning Director.

- B.** Application filing fee, as required by Section 1102.1 of this Ordinance.
- C.** Eight (8) copies of a Preliminary Plat, all drawings on sheets not exceeding thirty-four inches by forty-four inches (34" x 44") accurately drawn to a scale of not less than one inch equals fifty feet (1"=50') certified by a Pennsylvania Registered Land Surveyor as to existing features, design features and boundaries. (See Appendix A for additional plat specifications.) The Preliminary Plat shall include or be accompanied by the following information:
1. Date. All revisions shall be noted and dated.
 2. A key map showing the location of the tract with reference to the surrounding properties, existing streets and streams within one thousand (1,000) feet of the land development.
 3. Title of development, including the words "Preliminary Land Development Plan;" North arrow; scale; Map and Parcel number; the name and address of the record owner; the name and address of the applicant; the name and address, license number and seal of the person preparing the survey. If the owner of the premises is a corporation, the name and address of the president and secretary shall be submitted on the application.
 4. All distances shall be in feet and decimals of a foot and all bearings shall be given to the nearest ten (10) seconds.
 5. The names, as shown on current tax records, of all owners of property within two hundred (200) feet of the land development, together with the Map and Parcel numbers of the said property.
 6. If the Municipality in which the property is located has enacted a Zoning Ordinance, the zoning district in which the parcel is located, together with the zone boundaries within two hundred (200) feet of the extreme limits of the property in question.
 7. Survey data showing boundaries of the property, building or setback lines and lines of existing and proposed streets, lots, reservations, easements and areas dedicated to public use, including grants, restrictions and rights-of-way, to be prepared by a licensed land surveyor. The name, address, signature, and seal of the surveyor shall be indicated.

8. A copy of any existing or proposed covenants, deed restrictions, modifications to this Ordinance or zoning variances covering all or any part of the parcel, shall be submitted with the application and, where appropriate, plat notations made.
9. The distance, measured along the right-of-way lines of existing streets abutting the property, to the nearest intersections with other public streets within two hundred (200) feet of the site boundaries.
10. The location and dimensions of proposed buildings and structures, all accessory structures and fences, if any, including front, side and rear yard setbacks, height of buildings and first floor elevations of said structures and floor plans thereof.
11. If applicable, Flood Hazard Zone boundaries.
12. Existing and proposed contours, referred to United States Coast and Geodetic Survey datum, with a contour interval or two (2) feet for slopes of less than ten percent (10%) and an interval of five (5) feet for slopes of ten percent (10%) or more. Existing contours are to be indicated by dashed lines and proposed contours are to be indicated by solid lines.
13. Location of existing rock outcrops, high points, watercourses, depressions, ponds, marshes, wooded areas and other significant existing features, including previous flood elevations of watercourses, ponds and marsh areas as determined by survey.
14. If any new streets and/or parking lots are proposed, profiles, indicated grading; cross sections showing the width and design of roadways, sidewalks, and parking lots.
15. Acreage, to the nearest thousandth of an acre of the site to be developed for non-residential purposes and the acreage, in square feet, of all lots to be developed for residential purposes.
16. Plans of proposed stormwater systems showing feasible connections to existing or any proposed utility systems. Pipe sizes, grades and direction of flow, locations and inlets, manholes or other appurtenances and appropriate invert and other elevations shall be indicated.

All stormwater facility plans shall be accompanied by a separate sketch showing all existing drainage within five hundred (500) feet of

any boundary, and all areas and any other surface area contributing to the calculations, and showing methods used in the drainage calculations.

17. Stormwater management plans, if required by Section 810 of this Ordinance.
18. Plans of the proposed system for sewage disposal.

In cases where either public sewage is available or extension of existing public sewage lines are needed, a letter from the Local Sewer Authority that they have been contacted in regard to the construction requirements for said facilities and that the necessary hook-up will be provided and evidence of DEP approval of the appropriate application shall be provided.

When an individual sewage disposal system is proposed, the plan for such must be approved by the State Department of Environmental Protection and the Local Sewage Enforcement Officer.

19. The location and size of all existing and proposed waterlines, valves and hydrants.

For a public system, documentation is required from the local water authority indicating that they have been contacted in regard to the construction requirements for said facilities and that the source of supply will provide the necessary quantity and quality of potable water to the Land Development.

If public water is not available, a statement indicating the type of water supply proposed to serve the land development shall be provided.

20. Documentation that the appropriate utility companies have been contacted and arrangements will be made for the installation of the utility systems and provision of service.
21. The location, type and size of proposed culverts, storm sewers, sanitary sewers, fire protection, electric and telephone lines and poles, gas and underground heating systems, pipe lines and all other utilities both above and below ground including the connection of such proposed facilities with the existing facilities according to the standards and specifications of this Ordinance.
22. Plans for sediment and erosion control and resources review, as

required by Section 802.2 of this Ordinance.

- 23.** The number and density of dwelling units (if residential).
- 24.** The location and dimensions of proposed freestanding signs.
- 25.** All means of vehicular access for ingress and egress to and from the site onto public streets, showing the size and location of internal roads or driveways and curb cuts including the organization of traffic channels, acceleration and deceleration lanes, additional width and any other improvements necessary to prevent a difficult traffic situation. All pedestrian walkways and provisions for handicapped facilities in compliance with the requirements of the Americans with Disabilities Act (ADA) shall also be shown. In addition, the land development plan shall show the existing road system, located outside the development within two hundred (200) feet of the development.
- 26.** The number, location and design of any off-street parking areas or loading areas showing size and location of bays, aisles and barriers, and proposed direction of movement.
- 27.** If applicable, all proposed screening and landscaping including a planting plan. If provided, all recreation areas shall be indicated.
- 28.** The methods, placement and screening of solid waste disposal and storage facilities. (Garbage Dumpster)
- 29.** If applicable, a detailed proposal, including covenants, agreements, or other specific documents showing the ownership and method of assuring perpetual maintenance to be applied to those areas which are to be used for recreational or other common purposes.
- 30.** If the plan is to be completed in phases, the proposed sequence of development with projected time schedule for completion of each of the several phases. Such projection shall include, where applicable, the removal of structures, trees, and brush, temporary drainage considerations, utilities, road and sidewalk improvements and provisions for the protection of top soil.
- 31.** For all applications which propose one hundred (100) or more townhouse or garden apartment dwelling units or if total, including existing is fifty thousand (50,000) or more square feet of gross floor area of a non-residential building or buildings, a traffic report prepared

by a qualified traffic engineer shall be submitted detailing the nature and extent of trip generation expected to result from the proposed development based on the ratios and methodology contained in the current edition of the Manuals of the Institute of Transportation Engineers. The report shall include current and projected capacities and levels of service of all streets and intersections within one thousand (1,000) feet of the site proposed for development and recommendations for improvements to streets and/or traffic control devices within the site or immediately adjacent to the site.

- 32.** A report identifying potential environmental limitations on the development site, if any, including:
- a.** Subsurface conditions, including mining activities;
 - b.** Landslide-prone soils;
 - c.** Past strip mining and reclamation, if any;
 - d.** Oil and gas wells and their status;
 - e.** Wetlands, watercourses;
 - f.** Steep slopes; and
 - g.** Any other environmental features identified on the site.

The report shall address the way in which the design of the plan has considered these features.

- 33.** If applicable, a notation on the plat that access to a State highway shall only be authorized by a highway occupancy permit issued by the Pennsylvania Department of Transportation under Section 420 of the State Highway Law (P.L. 1242, No. 428 of June 1, 1945).
- 34.** If applicable, a notation on the plat that access to a Municipal street requires a driveway permit from the local Municipality.
- 35.** Spaces for the signature of the Chairman and Secretary of the Planning Commission.
- 36.** Documentation in the form of a letter from the Municipality in which the proposed development is scheduled to take place, indicating that they have reviewed the proposed design.

605 PRELIMINARY APPLICATION APPROVAL

605.1 Planning Commission Approval

At the first regular meeting of the County Planning Commission after submission of a Preliminary Application, the County Planning Commission shall either accept the

application as complete in content and properly filed or table the application until the County Planning Director's review is addressed, if the application is incomplete or improperly filed. The acceptance of the application or tabling of the application by the Planning Commission shall be by motion adopted by the majority of the members present. If the application is tabled, as incomplete, a copy of the County Planning Director's written review citing the specific requirements of this Ordinance which have not been met shall be provided to the applicant or his representative by the Planning Commission.

The date of the County Planning Commission meeting at which the Preliminary application is accepted as complete and properly filed shall be the official date of filing of the application and shall represent the beginning of the ninety (90) day period for County Planning Commission review and action on the application, unless the applicant agrees, in writing, to an extension of time.

The County Planning Director shall present a written report at the County Planning Commission meeting which states whether an application complies with the requirements of this Ordinance and that report shall be included in the minutes at the County Planning Commission meeting. The County Planning Commission shall not act on the application until the report of the County Planning Director and the Municipality in which the land development is located has been received or until forty-five (45) days has passed from the date of transmittal to the Municipal Secretary of the local Municipality.

Within ninety (90) days of the official date of filing of the Preliminary Application, the County Planning Commission shall either approve, approve with conditions or disapprove the Preliminary Application at a public meeting. When possible, the Planning Commission may take action on the plan at the next regular meeting.

A letter indicating approval, approval with conditions or disapproval shall be mailed to the applicant within fifteen (15) days of the date of the decision. If the Preliminary Application is not approved, the County Planning Commission shall specify the defects found in the Preliminary Application and cite the requirements of this Ordinance which have not been met.

605.2 Conditional Approval

If at the time of Preliminary or Final Approval it is found that some items which had not been applied for in a timely manner, had not been received, the Planning Commission may (as a Modification) give approval specifically conditional upon completion of these items.

605.3 Deemed Approval

Failure of the County Planning Commission to render a decision and communicate it to the applicant within the time and in the manner prescribed by this Ordinance shall be deemed an approval of the application in the terms as presented, unless the applicant has agreed, in writing, to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.

606 FINAL APPLICATION SUBMISSION

The applicant shall file the application for Final Approval required by Section 607 to the County Planning Director at least thirty (30) calendar days prior to the regular meeting of the Planning Commission. If the thirtieth (30th) day falls on a Saturday, Sunday or holiday, the application shall be filed by the close of business on the preceding working day immediately preceding.

The Final Application shall not be considered to be complete and properly filed unless and until all items required by Section 607 of this Ordinance, including the Application Fee, have been received.

Upon receipt, the application shall be stamped with the date of receipt by the County Planning Director. Upon receipt, two (2) copies of the application shall be distributed to the Municipal Secretary of the local Municipality in which the proposed development is located, and they shall forward one copy to their municipal engineer, one (1) copy to the Greene County Conservation District and one (1) copy to the Natural Resources Conservation Service for review. Additional copies may be requested for referral to any other appropriate review agency at the discretion of the County Planning Director.

The fee for these reviews shall be paid by the applicant in accordance with Section 1102.2 of this Ordinance.

During the review period between the date of receipt of the Final Application by the County Planning Director and the next regular Planning Commission meeting, the County Planning Director shall provide a written review of the Final Application to the applicant with a copy to the Chairman of the Planning Commission. The County Planning Director's review letter shall require a written and/or graphic response and submission of the corrected Final Application from the applicant by the close of business three (3) working days prior to the Planning Commission meeting, not including the day of the meeting in order for the Final Application to be considered complete and officially filed by the Planning Commission at their next regular meeting.

At least three (3) working days prior to the regular meeting of the Planning

Commission, the County Planning Director shall forward the complete and properly filed Final Application to the Chairman of the Planning Commission along with a copy of his or her review and any comments from other review agencies or consultants.

In the event that the applicant fails to meet the deadline for submission of additional Information or revised drawings, the Final Application shall be tabled until the next regular meeting of the Planning Commission.

In all cases, the official date of filing of the Final Application shall be the date of the Planning Commission meeting at which the Commission accepts the application as complete in content and properly filed, subject to the County Planning Director's written review. The official date of filing represents the beginning of the ninety (90) day period for review and action by the Planning Commission. When possible, the Planning Commission may take action on the plan at the next regular meeting.

607 FINAL APPLICATION CONTENT

All applications for Final Approval of a land development shall include the following:

- A.** One (1) copy of the completed application form supplied by the County Planning Director.
- B.** Application filing fee, as required by Section 1102.1 of this Ordinance.
- C.** One (1) copy of the approved Preliminary Plat.
- D.** At least ten (10) days prior to the Planning Commission meeting at which the land development is being considered, the developer shall notify all property owners and adjacent Municipalities within two hundred (200) feet of the subject property, as their names appear on the County Assessment Office tax records, by certified mail, return receipt requested. Said notice shall state the time and place of the meeting, a brief description of the plan, and shall indicate that said plan has been filed with the Planning Commission and is available for public inspection.

The developer shall also cause notice of the Planning Commission meeting to be published in a newspaper of general circulation in the County at least ten (10) days prior to the meeting.

Evidence of publication of the notice and copies of the return receipts shall be submitted to the County Planning Commission at least three (3) days prior to the meeting.

- E.** Eight (8) copies of a Final Plat drawn at a scale of not less than one (1) inch equals one hundred (100) feet on sheets no larger than twenty-four inches by thirty-six inches (24" x 36") with a border of one-half (1/2) inch on all sides except the twenty-four (24) inch binding edge which shall be one inch. The Final Plat shall show or be accompanied by the following information:
- 1.** Date, name and location of the land development, the name of the owner, graphic scale and the words "Final Land Development Plan."
 - 2.** Tract boundary lines, right-of-way lines of streets, street names, easements and other rights-of-way, land reserved or dedicated to public use, all lot lines and other boundary lines; with accurate dimensions, bearing or deflection angles, and radii, arcs and central angles of all curves; and the area of each lot.
 - 3.** The names, exact location and widths of all existing and recorded streets intersecting or paralleling the plot boundaries within a distance of two hundred (200) feet.
 - 4.** The purpose of any easement or land reserved for or dedicated to public use shall be designated.
 - 5.** Map and Parcel numbers assigned to the property by the County Assessment Office, including Map and Parcel numbers of abutting property.
 - 6.** Names of the owners of adjoining land within two hundred (200) feet.
 - 7.** Certification by the applicant's surveyor as to accuracy of details of plat. The error of closure shall not be more than one (1) in five thousand (5,000).
 - 8.** Certification that the applicant is the agent or owner of the land or the owner has given consent under an option agreement.
 - 9.** When approval of a plat is required by any other officer or body of a Municipality, county or state, such approval shall be certified on the plat, or evidence shall be submitted that an application has been made for such approval.
 - 10.** Certification from the electric utility that service will be provided to the land development, if not already submitted under Preliminary Approval.

11. For restaurants, evidence of an approved Community Environmental Control (CEC) Permit from Commonwealth of Pennsylvania, Department of Agriculture, Sanitation - Bureau of Food Safety & Laboratory Service or its successor agency.
12. A design view of the front, side and rear elevations of the proposed structures. Design view elevations are also to be shown where proposed additions or alterations affect such elevations.
13. If applicable, location, height and use of all existing and proposed structures on the property, indicating structures to be removed, if any, and the distances between proposed structures or additions to existing structures and adjacent property lines.
14. A plan showing type, size and location of all proposed signage on the site and/or the building or buildings.
15. A site lighting plan showing the location of exterior lighting fixtures proposed to light the buildings, parking areas, sidewalks and any other areas proposed for public use and documentation that proposed lighting will be shielded and reflect away from adjacent streets and residential properties.
16. Layout and design of proposed parking and loading areas and the proposed pattern of traffic circulation on the site, including pavement markings, islands, curbs, bumper guards and similar facilities.
17. Sidewalks or walkways, if any, proposed for pedestrian circulation on the site.
18. If applicable, a final landscaping plan showing the type, size and location of any plant material proposed and all areas proposed to be seeded.
19. A final grading plan, including erosion and sedimentation control measures, as required by Section 802.2 of this Ordinance.
20. If any public improvements are proposed to be installed, evidence of completion of the required improvements or evidence that a performance guarantee or other acceptable security has been accepted by the Municipality in which the improvements are located, or the individual water or sewer authority with jurisdiction.
21. If applicable, a notation on the plat that access to a State highway

shall only be authorized by a highway occupancy permit issued by the Pennsylvania Department of Transportation under Section 420 of the State Highway Law (P.L. 1242, No. 428 of June 1, 1945).

22. If applicable, a notation on the plat that access to a Municipal street requires a driveway permit from the local Municipality.
23. If applicable, evidence of PA Department of Labor and Industry approval.
24. If applicable, an N.P.D.E.S. Permit obtained from the Greene County Conservation District as provided for in Section 802.2 of this Ordinance.
25. If applicable, final stormwater management calculations and construction drawings for stormwater management facilities as required by Section 810 of this Ordinance.
26. Storm drainage plan, including location, size, slope, direction of flow, capacity and material of all storm sewers and connections to existing systems; location of all catch basins, manholes, culverts and other appurtenances; location and width of all storm drainage easements; and location of surface swales, if any.
27. A Development Agreement to be executed between the County and the developer guaranteeing compliance with the approved plan and any conditions attached to the approval.
28. Documentation from the Municipality in which the proposed land development is located that all local ordinances have been complied with.
29. Spaces for signature of the Chairman and Secretary of the Planning Commission and date of approval.

608 FINAL APPROVAL

608.1 Planning Commission Approval

At the first regular meeting of the County Planning Commission after submission of a Final Application, the County Planning Commission shall either accept the application as complete in content and properly filed or table the application until the

County Planning Director's review is addressed, if the application is incomplete or improperly filed. The acceptance of the application or tabling of the application by the Planning Commission shall be by motion adopted by the majority of the members present. If the application is tabled, as incomplete, a copy of the County Planning Director's written review citing the specific requirements of this Ordinance which have not been met shall be provided to the applicant or his representative.

The date of the County Planning Commission meeting at which the Final Application is accepted as complete and properly filed shall be the official date of filing of the application and shall represent the beginning of the ninety (90) day period for County Planning Commission review and action on the application, unless the applicant agrees, in writing, to an extension of time.

The County Planning Director shall present a written report at the County Planning Commission meeting which states whether an application complies with the requirements of this Ordinance and that report shall be included in the minutes at the County Planning Commission meeting. The County Planning Commission shall not act on the application until the report of the County Planning Director has been received or until the report from the local Municipality in which the development is located has been received or until forty-five (45) days has passed from the date of transmittal to the Municipal Secretary of the local Municipality.

Within ninety (90) days of the official date of filing of the Final Application, the County Planning Commission shall either approve, approve with conditions or disapprove the Final Application at a public meeting. When possible, the Planning Commission may take action on the plan at the next regular meeting.

A letter indicating approval, approval with conditions or disapproval shall be mailed to the applicant within fifteen (15) days of the date of the decision. If the Final Application is not approved, the County Planning Commission shall specify the defects found in the Final Application and cite the requirements of this Ordinance which have not been met.

608.2 Approval with Conditions

Approval when certain required items have not been received although, applicant requested them in adequate time (circumstances, beyond their control).

608.3 Deemed Approval

Failure of the County Planning Commission to render a decision and communicate it to the applicant within the time and in the manner prescribed by this Ordinance shall be deemed an approval of the application in the terms as presented, unless the applicant has agreed in writing to an extension of time or change in the prescribed

manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.

609 THE MEDIATION OPTION

The County Planning Commission may offer the mediation option as an aid in completing the proceedings authorized by this Article in accordance with the requirements of Section 509 of this Ordinance.

610 DEVELOPMENT AGREEMENT

All land developments shall be further subject to the requirement for a Development Agreement as specified in Section 512 of this Ordinance.

611 LAND DEVELOPMENTS WHICH PROPOSE THE EXTENSION OR INSTALLATION OF ANY PUBLIC IMPROVEMENTS

Land Developments which propose the extension or installation of any public improvements, as defined by this Ordinance, shall be further subject to Section 508.4 and Sections 510 through 512 of this Ordinance governing installation of public improvements and posting of financial security to guarantee their proper installation.

612 RECORDING

A land development plan shall not be required to be recorded in the County Recorder of Deeds Office, if the land development is proposed on a lot or lots of record, unless a Declaration Plan is required to be recorded by the PA Unit Property Act for a condominium.

Any land development plan which involves the subdivision, resubdivision or consolidation of property or the dedication of easements or rights-of-way for public improvements shall present a Final Plat for recording purposes with the application for Final Approval of the land development. The Final Plat for recording shall be prepared in accordance with the requirements of Section 404 for a Minor Subdivision.

613 FILING OF COPIES

If the land development is required to be recorded, the applicant shall deliver to the County Planning Director, one (1) paper print of the final plat containing the required signatures and date of approval. One (1) paper print of the final plat, as approved, shall be delivered by the applicant to the Municipal Secretary of the local Municipality in which the plan is located.

614 EXPIRATION OF FINAL APPROVAL OF A LAND DEVELOPMENT PLAN

If construction of a land development, which has been granted Final Approval, with or without conditions, is not initiated and diligently pursued within six (6) months of the date of Final Approval, Final Approval shall expire automatically. The Land Development Officer shall give written notice to the applicant within thirty (30) days of the date of expiration of Final Approval, including notification of the requirements to reinstate Final Approval provided in Section 615 of this Ordinance. Any construction which occurs after notice from the Land Development Officer shall constitute a violation of this Ordinance and shall be subject to the Enforcement Remedies of Section 1107 unless Final Approval is reinstated in accordance with Section 615.

615 REINSTATEMENT OF FINAL APPROVAL OF A LAND DEVELOPMENT PLAN

In the event that final approval of the land development plan has expired as provided for in Section 614 of this Ordinance, the County Planning Director is authorized to reinstate the signatures of the proper officers of the County indicating approval, provided there are no changes in the land development plan previously granted Final Approval and all the requirements of this Ordinance regarding posting of a Performance Guarantee and execution of a Development Agreement, if required, have been met and, further, provided the plan is submitted for reinstatement of approval within ninety (90) days following the expiration of Final Approval.

Any request for reinstatement of Final Approval which is submitted after nine (9) months from the date of the original grant of Final Approval shall be required to resubmit an application for Final Approval in conformance with the requirements of Sections 606 through 613 of this Ordinance.

ARTICLE VII

INSPECTION AND ACCEPTANCE OF IMPROVEMENTS BY THE MUNICIPALITY

701 APPLICABILITY

This Article shall apply only to those subdivisions and land developments which propose the installation of public improvements, as defined by this Ordinance. The sole authority to enforce this Article shall rest with the local Municipality in which the public improvements are located. Enforcement remedies and preventive remedies available to the local Municipality are described in Sections 1106 and 1107 of this Ordinance.

702 RESPONSIBILITY FOR INSPECTIONS

The authority to inspect public improvements to be dedicated to a local Municipality shall rest with the Municipal Engineer; however, the local municipal governing body may authorize the County to retain a Consulting Engineer on their behalf to review plans and specifications for public improvements proposed in a subdivision or land development regulated by this Ordinance located within the local Municipality and to perform the necessary inspections during and following installation of those improvements.

The cost of providing review and inspection services shall be charged to the developer in accordance with Section 1102.3 of this Ordinance.

703 PROGRESS INSPECTIONS

The developer shall notify the Inspector at least seventy-two (72) hours prior to beginning any installation of public improvements in an approved plan. While work is in progress, the developer shall notify the Inspector at least seventy-two (72) hours prior to the time that the following required progress inspections are desired:

- A.** Inspection of sub-grade of streets prior to laying of base;
- B.** Inspection of base prior to final paving of streets; and
- C.** Inspection on installation of water lines, sanitary sewer lines, storm sewers and drainage facilities before they are covered.

At the Municipal Engineer's discretion, an inspector may be required to be present at the site on a continual basis while work is in progress. The cost of providing a full-time or part-time inspector shall be charged to the developer in accordance with Section 1102.3 of this Ordinance.

The Inspector shall maintain a daily log of all inspections. The log shall be kept in a survey field book and shall be turned over to the Municipal Engineer upon completion of the project and copies of the reports shall be forwarded to the developer upon receipt.

704 NOTICE OF COMPLETION

When the developer has completed the required public improvements in a plan, the developer shall notify the Municipality, in writing, by certified or registered mail. Within ten (10) days of the receipt of such notification, the governing body of the Municipality shall authorize the Municipal Engineer to conduct a final inspection of the public improvements in the plan to determine compliance with the Design Standards specified in Article VI of this Ordinance and the Municipal Construction Standards.

705 FINAL INSPECTION AND APPROVAL

705.1 MUNICIPAL ENGINEER'S REPORT

Upon authorization by the Municipal governing body, the Municipal Engineer shall perform a final inspection of the public improvements in the plan. Within thirty (30) days of receiving the authorization by the Municipal governing body, the Municipal

Engineer shall file a report, in writing, with the Municipal governing body indicating approval or rejection of the improvements, either in whole or in part, and in the case of rejection, shall provide a statement of the reasons for such rejection. The Municipal Engineer shall promptly mail a copy of said report to the developer by certified or registered mail.

705.2 NOTIFICATION OF DEVELOPER BY THE MUNICIPAL GOVERNING BODY

The Municipal governing body shall notify the developer, in writing, by certified mail, within fifteen (15) days of receipt of the Municipal Engineer's report, of the action of the Municipal governing body with relation to approval or rejection of the public improvements.

705.3 FAILURE OF MUNICIPALITY TO COMPLY

If the Municipal governing body or the Municipal Engineer fails to comply with the time limitation provisions contained in this Article, all public improvements will be deemed to have been approved and the developer shall be released from all liability pursuant to the Performance Guarantee posted with the Municipality.

705.4 COMPLETION OF REJECTED PUBLIC IMPROVEMENTS

If any portion of the public improvements shall not be approved or shall be rejected by the Municipal governing body, the developer shall proceed to make the required corrections or additions and, upon completion, the same procedure of notification, inspection and approval, as outlined in this Article shall be followed.

705.5 DEVELOPER'S RIGHTS

Nothing in this Article, however, shall be construed to limit the developer's right to contest or question, by legal proceedings or otherwise, any determination of the Municipal governing body or the Municipal Engineer.

705.6 RELEASE OF PERFORMANCE GUARANTEE

Upon approval of all of the public improvements in the plan, the developer shall be released from any liability pursuant to the Performance Guarantee posted to guarantee the proper installation of those improvements.

From time to time, during the installation of the public improvements, the developer may request partial release of the Performance Guarantee in an amount necessary for payment of contractors performing the work. Any such request shall be in writing and shall be addressed to the Municipal governing body. The Municipal governing body shall have forty-five (45) days from the receipt of such request to allow the

Municipal Engineer to certify, in writing, that such portion of the installation of public improvements has been completed in accordance with the requirements of this Ordinance and the approved Final Plat.

Upon such certification by the Municipal Engineer, the Municipal governing body shall authorize release of an amount as estimated by the Municipal Engineer, which fairly represents the value of the improvements completed. The Municipal governing body shall require retention of ten percent (10%) of the estimated cost of such improvements until such time as all improvements have been installed and the Performance Guarantee is released in its entirety.

706 ACCEPTANCE OF PUBLIC IMPROVEMENTS

Upon completion of the final inspection and approval of the public improvements, the developer shall submit a request to the Municipal governing body, in writing, to accept the dedication of the public improvements. The request for acceptance shall include deeds of dedication and all other legal descriptive documents necessary to prepare an Ordinance accepting the public improvements and shall be submitted at least ten (10) calendar days prior to the regular meeting of the Municipal governing body. At the regular meeting, the Municipal governing body shall enact an Ordinance accepting the public improvements as part of the Municipalities public facilities, subject to the posting of the Maintenance Bond required by Section 707 of this Ordinance.

No property or public improvements shown on a Final Plat shall be considered to have been finally accepted by the Municipality until the dedication thereof has been officially accepted by adoption of an Ordinance of the Municipality, duly enacted and advertised in accordance with law.

707 POSTING OF MAINTENANCE BOND

When the Municipal governing body accepts the dedication of all or some of the required public improvements in a plan, following their completion, the Municipal governing body shall require the posting of a Maintenance Bond, as defined by this Ordinance, to insure the structural integrity of the improvements and to guarantee the proper functioning of those improvements in accordance with the Design Standards of Article VI, the Municipal Construction Standards and the specifications of the Final Plat.

The term of the Maintenance Bond shall be for a period of eighteen (18) months from the date of the acceptance of the public improvements by the Municipal governing body. The amount of the Maintenance Bond shall be fifteen percent (15%) of the actual cost of installation of the public improvements.

708 REMEDIES TO EFFECT COMPLETION OF PUBLIC IMPROVEMENTS

In the event that the public improvements required to be installed by the provisions of this Ordinance are not installed in accordance with the requirements of this Ordinance or the approved final plat prior to the expiration of the Performance Guarantee, the Municipal governing body shall have the power to enforce the Performance Guarantee by appropriate legal and equitable remedies provided by the laws of the Commonwealth of Pennsylvania. If proceeds from the Performance Guarantee are insufficient to pay the cost of installing or making repairs or corrections to all the improvements guaranteed by such Performance Guarantee, the Municipal governing body may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the monies necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the Performance Guarantee or from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements guaranteed by such Performance Guarantee and not for any other municipal purpose.

ARTICLE VIII

REQUIRED IMPROVEMENTS AND DESIGN STANDARDS

801 APPLICATION AND GENERAL STANDARDS

801.1 These regulations shall apply to all subdivisions and land developments governed by this Ordinance, unless specifically exempted by this Ordinance. Wherever the improvement and design standards stated herein are lacking in detail, it is the express intent of this Ordinance that the current governing standard specifications for construction of the Commonwealth of Pennsylvania Department of Transportation shall prevail.

Wherever State and Federal laws or statutes impose more restrictive standards and requirements than those contained here, the more restrictive regulations shall be observed.

801.2 Where a local Municipality has provided design standards or improvement and construction requirements in a zoning, building, road or any other ordinance, the following standards in this Ordinance shall not apply unless the Municipality adopts this Ordinance by reference.

801.3 The general standards and requirements of this Article shall be applied by the Planning Commission in evaluating the plans for a proposed subdivision or land development.

801.4 The Planning Commission shall consider the suitability of the proposed subdivision

or land development in regard to the following:

- A. The relationship of the site to previously developed land;
- B. The relationship of the lot layout to soil characteristics and geological considerations;
- C. The provisions for sewerage, water, storm drainage systems, community facilities, park, playground, recreation area, pedestrian and vehicular movement;
- D. The inclusion of required rights-of-way or easements;
- E. The conformance to the County Plan or to parts thereof as shall be prepared by the Planning Commission and adopted by the Board of County Commissioners, pursuant to statute; and
- F. The conformance to Municipal maps or plans, or to such parts thereof as shall be officially prepared and adopted by Municipal agencies for the locality in which the subdivision or land development is situated, if such maps or plans exist.

801.5 In determining compliance with the standards set forth in this Article, the Planning Commission shall consider the comments received from the County Planning Director, the local Municipality in which the plan is proposed and their Municipal Engineer, if public improvements are proposed, the Greene County Conservation District, the Natural Resources Conservation Service, the Department of Environmental Protection and any other County, State or Federal agency involved in the review of the application. In addition, the Planning Commission may employ such professional consultants as may be necessary to determine compliance with the provisions of this Article. The fee for such consultants shall be subject to the provisions of Section 1102.2 of this Ordinance.

802 LAND REQUIREMENTS

The following standards shall apply to all Subdivisions and Land Developments:

802.1 Excavation, Grading and Filling

No change shall be made in the contour of the land; no grading, excavating, removal or destruction of the top soil, trees or other vegetative cover of the land shall be commenced unless approved by the Planning Commission in the Preliminary and/or Final Plat. Such approval shall be based upon consideration for minimizing erosion and sedimentation. Such consideration shall include, but not be limited to the following provisions:

- A. Cut slopes shall not be steeper than 2:1 (vertical rise one (1) foot for each two (2) feet of horizontal distance) unless stabilized by a retaining wall or cribbing as approved by an engineer when handled under special conditions;
- B. Adequate provisions shall be made to prevent surface water from damaging the cut face of excavations and/or the sloping surfaces of fills;
- C. Fill slopes shall not be steeper than 2:1 unless stabilized by a retaining wall or cribbing except as approved by an engineer when handled under special conditions;
- D. Proper compaction of fill slope areas in 6-12 inch vertical lifts shall be provided.

802.2 Standards for Minimizing Erosion and Sedimentation

- A. Measures used to control erosion and sedimentation shall meet the following requirements:
 - 1. The applicant shall prepare an Erosion and Sedimentation Control Plan that meets the requirements of the Department of Environmental Protection (DEP) Chapter 102 regulations.
 - 2. The applicant shall maintain a copy of the approved Erosion and Sedimentation Control Plan on the site of the subdivision or land development during all earthmoving activities.
 - 3. For development sites involving more than five (5) acres of earthmoving, a copy of the NPDES permit shall be obtained from the Greene County Conservation District and evidence that an application for a permit has been filed shall be submitted with the application for Final Approval of a subdivision or land development. The applicant shall be responsible for all fees required for the review.
 - 4. For development sites involving less than five (5) acres of earthmoving, a copy of the review of the Erosion and Sedimentation Control Plan by the Greene County Conservation District shall be submitted with the application for Final Approval of a subdivision or land development. The applicant shall be responsible for all fees required for the review.
 - 5. Within thirty (30) days of submission, a Resource Review Report from the Greene County Conservation District shall be submitted to the County Planning Commission, including comments on the applicants

erosion and sedimentation control plan, as well as comments on drainage, flood hazards, slide-prone soils and other environmental conditions that may be applicable to the property.

6. Responsibility for monitoring compliance with the approved Erosion and Sedimentation Control Plan shall rest with the Greene County Conservation District and the Land Development Officer.
 7. In addition to being a violation of DEP Chapter 102 regulations, any violation of the approved Erosion and Sedimentation Control Plan shall constitute a violation of this Ordinance and shall be subject to the Enforcement and Penalty provisions contained in Article XI.
- B.** Salient natural features shall be preserved, cut and fill operations shall be kept to a minimum, and conformity with topography shall be ensured so as to create the least erosion potential and adequately handle the volume and velocity of surface water run-off.

802.3 Flood-Prone Areas and Drainage

- A.** Portions of land which are poorly drained or subject to periodic flooding shall be made safe for the purpose for which the land is proposed to be used, or that such land shall be set aside for uses which shall not endanger life or property or further aggravate or increase the existing hazard. Studies conducted by the U.S. Army Corps of Engineers, the Department of Housing and Urban Development and the Department of Environmental Protection shall be utilized to aid in the determination of such areas.
- B.** All drainage provisions shall be of such design to adequately handle the surface run-off and carry it to the nearest suitable outlet, such as a curbed street, storm drain or natural watercourse. The design of drainage systems shall conform to the requirements set forth in Section 809 of this Ordinance.

Where drainage swales are used to divert surface waters away from structures, they shall be sodded or planted and shall be of such slope, shape and size according to plans submitted to the Greene County Conservation District. Concentration of surface water run-off shall only be permitted in swales, watercourses or detention ponds in some areas. In areas where surface water leads to a street intersection, adequate drainage structures shall be constructed to collect the surface run-off and divert it past the intersection.

- C.** Where a watercourse separates a proposed street from abutting property, provision shall be made for access to all lots by means of culverts or other

structures approved by the Department of Environmental Protection.

- D. All lots, tracts or parcels shall be graded to provide proper drainage away from structures and dispose of it without ponding, except where it might be necessary for stormwater management, and all land within a development shall be graded to provide positive drainage.
- E. Any subdivider, developer or landowner who proposes any change in the course, current or cross section of any portion of any stream or body of water, shall first have obtained written approval from the Department of Environmental Protection, Soil and Waterways Section, Bureau of Dams, Waterways and Wetland Management (Southwest Regional Office).

802.4 Steep Slopes and Slide-Prone Soils

- A. Areas designated as landslide prone shall not be developed unless such areas are designed and certified by a geotechnical engineer to be stabilized in a manner acceptable to the Greene County Conservation District and/or the Pennsylvania DEP, Bureau of Topographic and Geologic Survey. Where soil and geological studies have been conducted by the United States Natural Resources Conservation Service or the Pennsylvania DEP, Bureau of Topographic and Geologic Survey, such reports shall be utilized in determining landslide prone areas.
- B. Any portion of any lot or tract which has a natural slope or finished slope after grading in excess of twenty-five percent (25%) shall be considered a steep slope area and shall be subject to the following regulations:
 - 1. Steep slopes in excess of forty percent (40%) shall not be disturbed by grading, construction or removal of vegetation, other than the removal of dead or diseased trees or other vegetation. All applications for properties, which have steep slopes in excess of forty percent (40%), shall be accompanied by a certification from a registered civil engineer that slopes in excess of forty percent (40%) shall not be disturbed in accordance with this requirement.
 - 2. Steep slopes in excess of twenty-five percent (25%), but less than forty percent (40%), may be altered, provided that the alteration is performed in compliance with the specifications of Section 802.1 of this Ordinance.

Any application which proposes cutting or filling of an area in excess of one thousand (1,000) square feet comprised of natural steep slopes which are in excess of twenty-five percent (25%) slope shall be accompanied by a geotechnical report and a certification by a

registered soils engineer regarding the feasibility of the proposed grading, the stability of the finished slopes, measures to mitigate landslides, soil erosion, sedimentation and stormwater runoff and potential impacts on adjacent properties. The consultant selected to prepare the geotechnical report shall have credentials acceptable to the County Planning Commission and the cost of preparation of the report shall be borne by the applicant.

3. All slopes from which cover has been removed shall be reseeded or revegetated within twenty (20) days of the completion of clearing or grading. In the case where construction is proposed following grading, erosion and sedimentation measures shall be maintained on the site and construction is completed and until uniform seventy percent (70%) cover has been established.

802.5 Subsidence

Land subject to subsidence or underground fires either shall be made safe for the purpose for which it is to be used, or such land shall be set aside for uses which shall not endanger life or property or further aggravate or increase the existing menace. Approval of a subdivision or land development by the County Planning Commission, in no way, creates liability for the County in the event of future subsidence or underground fires. Appropriate remedies are available as prescribed by the Bureau of Mine Subsidence and Land Conservation Act as administered by the PA DEP or its successor agency.

803. STREETS

See Article X for waivers and modifications, if applicable.

803.1 General Standards

- A. The proposed street system shall extend existing or recorded streets at the same width, but in no case shall the width of the proposed street be less than the required minimum width. Proposed streets shall be located to allow proper development of surrounding properties.
- B. Minor streets shall be laid out so as to discourage through traffic. Collector streets shall be provided to adequately provide for the expected flow of traffic from minor streets.
- C. Streets in and bordering a subdivision or land development shall be coordinated, and be of such widths and grades and in such location as deemed necessary to accommodate prospective traffic and facilitate fire

protection.

- D. Proposed streets shall be planned to conform to the contour of the land, to provide buildable lots, to have a suitable alignment and grade (to include the road crown) and to be able to drain property in accordance with the standards of this Ordinance.
- E. Half or partial streets shall not be permitted. When a subdivision abuts or contains an existing or proposed arterial street, the Planning Commission may require a marginal access street, reverse frontage lots with screen planting contained in a non-access reservation along the rear property line, deep lots, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.
- F. The right-of-way width for private internal roadways in multi-family, commercial, industrial and planned residential developments (PRDs) shall be determined on an individual basis and shall in all cases be of sufficient width and design to safely accommodate maximum access for fire-fighting and other service and emergency equipment.
- G. In developing land, it shall be done in such a manner that will not have the effect of depriving adjacent property owners from access to streets or roads.

803.2 Street Design Requirements

- A. Minimum street rights-of-way and cartway (pavement) widths for streets to be dedicated to the public shall be as follows:

Streets	right-of-ways (In Feet)	Cartway (In Feet)
1. Arterial	As per Penn DOT requirements	
2. Collector	As per Penn DOT requirements	
3. Minor Street	50	20
4. Marginal Access	50	20
5. Cul de sac (Turnaround)	100' diameter	40' radius
	160' diameter	80'radius
	80'diameter	40'radius

Cul-de-sac (Turnaround) - Street before the Cul-de-sac must be two hundred and fifty feet long (250') to the nearest intersection to qualify for Liquid Fuels money.

- B. Increased right-of-way and cartway widths may be required by the Planning

Commission for the purpose of promoting the public safety and convenience when the following conditions exist:

1. High density areas (six (6) or more dwelling units per acre) comprised of multi-family dwellings or any residential area where curb parking is permitted on one (1) or both sides of the street.
2. Where traffic volumes are higher with a greater likelihood of two (2) opposing vehicles; and
3. In areas of difficult terrain where the frequency of curves increases. Even in low and medium density areas, consideration should be given to wider streets in rolling or hilly terrain.

C. Design Principles for Minor Streets and Marginal Access Streets. The following principles of subdivision street design shall be adhered to for minor streets and marginal access streets:

1. Minor streets should discourage through traffic and should handle only locally oriented traffic. Continuous, through minor streets extending from one arterial street to another should be avoided.
2. Whenever possible, driveways should open onto minor streets rather than onto collectors, to minimize the interruption of traffic.
3. Minor streets shall not intersect collector streets at intervals more frequent than five hundred (500) feet.
4. Minor streets shall not intersect arterial streets.
5. Marginal access streets shall not intersect with other minor streets within a subdivision and shall serve no more than ten (10) lots.

D. Street grades. Unless otherwise approved by the Planning Commission, street grades shall be as follows:

1. No street shall have a grade in excess of ten percent (10%) between intersections unless approved by the local Municipality, provided the grade shall not exceed fifteen percent (15%) in a horizontal distance of two hundred (200) feet.
2. Maximum grade within any intersection shall not exceed three percent (3%), and approaches to any intersection shall follow a straight course within one hundred (100) feet of the intersection.

- 3. All streets shall have a crown of not less than six (6) inches.

- E. Changes in grade. All changes in grade shall be connected by vertical curves of sufficient radius to provide a smooth transition and proper sight distance, but not so great as to create drainage problems.

- F. Sight distance at street intersections. Sight distance shall be at least:
 - 1. Along arterial streets: current Penn DOT specifications
 - 2. Along collector streets: current Penn DOT specifications
 - 3. Along minor streets: local Municipality's specifications

- G. Street Intersections. Street intersections shall be as nearly at right angles as is possible and in no case shall be less than seventy-five (75) degrees. No more than two (2) streets shall meet or intersect at any one (1) point, and the center lines of both intersecting streets shall pass through a common point. The block corners at intersections shall be rounded at the curblines with a curve having a radius of not less than twenty-five (25) feet. Intersections shall be thirty (30) feet separated by a distance of not less than two hundred (200) feet as measured from the centerline along the street common to both intersections.

- H. Fences, hedges, shrubbery, walls, planting (except for trees and grass) or other obstructions including signs, shall not be located within the right-of-way and shall not obscure any intersection. A clear sight triangle shall be maintained at intersections, so that measured along the centerline, there shall be a clear sight triangle of seventy-five (75) feet minimum (150 feet for arterial streets), from the point of intersection. No obstruction of view will be permitted in this area above the height of two and one-half (2 1/2) feet.

- I. Street jogs. Street jogs which have centerline offsets of less than one hundred twenty-five (125) feet shall be prohibited.

- J. Street line deflection. On roadway alignments, all intersecting tangents shall be connected by an arc showing the delta/central angle, length of curve and radius.

- K. Dead-end or Cul-de-sac Streets.

All streets shall be located so as to provide for the appropriate extension of existing streets. All dead-end streets shall provide cul-de-sacs with a cartway radius of not less than forty (40') feet to the outside edge of the

pavement. Temporary cul-de-sacs shall be required if future plans provide for the extension of said streets.

Street before the Cul-de-sac must be two hundred fifty feet (250') long to the nearest intersection to qualify for liquid fuels money.

L. Pavement Requirements.

All streets shall be constructed to conform with the minimum street construction standards of the Municipality where the development is proposed. If the Municipality does not have street construction standards, streets shall be constructed to conform with the present minimum standards and specifications required by the Department of Transportation of the Commonwealth of Pennsylvania.

The following minimum standards shall be met:

1. All minor streets, except for marginal access streets, shall consist of a base of not less than eight (8") inches of No. 4 aggregate or ten (10") inches of No. 3 aggregate, choked in and rolled. This base shall be surfaced with one course of ID Blacktop two and one-half (2 1/2") inches thick, consisting of one and one-half (1 1/2") inches of binder and one (1") of wearing surface. The shoulders and berms of said road shall be eight (8') feet wide on each side and shall be constructed with a granular base of a suitable grade and compaction.
2. All marginal access streets shall consist of a base of not less than eight (8") inches of No. 5 aggregate or ten (10") inches of No. 3 aggregate, choked in and rolled. The base shall be surfaced with a penetrated bituminous binder course as set forth by the Commonwealth of Pennsylvania Department of Transportation and designated as Bituminous Binder Course CP-2. The shoulders and berms of said street shall be eight (8') feet wide on each side and constructed with a granular base of a suitable grade and compaction. The Bituminous Surface Course shall meet the requirements set forth by the Pennsylvania Department of Transportation.

In lieu of the foregoing specifications, the alternate structural composition methods shown in Appendix E may be substituted.

803.3 Street Names and Lot Numbers

- A. Proposed streets that are obviously in alignment with others already existing and named, shall bear the names of the existing streets.
- B. In no case shall the name of a proposed street duplicate or be phonetically similar to an existing street name in either the Municipality or the postal district in which it is located. The applicant shall submit the proposed street names to the Planning Commission at the time of filing the Preliminary Plan.
- C. All street names shall be subject to the approval of the postal district and the Municipality in which the subdivision is located.
- D. All lot numbers shall be assigned and approved prior to filing the Final Plat.

803.4 Highway Occupancy Permit

A Highway Occupancy Permit from Penn DOT for all new street or driveway entrances onto State highways. A permit or agreement for streets opening onto Municipal streets may be required by the Municipality in which the plan is located. For subdivisions, it shall be the developer's responsibility to obtain permits for new street entrances in the plan. For individual lots in a subdivision or for land developments, it shall be the lot owner's responsibility to obtain the necessary permits.

804 TRAFFIC CONTROL SIGNS AND TRAFFIC SIGNALS

- A. Where traffic control signs are deemed necessary by the Planning Commission, the proper official shall be informed of the proposed installation in order that the proper agency may consider the necessity of the installation.
- B. Sign plates and color of signs shall meet the approval of the Planning Commission. Sign plates shall be mounted properly and secured on posts at least two and one-half (2 1/2") inches in diameter and at least ten (10') feet above ground, or fastened with the appropriate mounting on existing structures which might be presented at the location of a sign.
- C. All traffic control signs shall be installed free of visual obstruction. The standards imposed by Penn DOT shall also be complied with.
- D. Traffic signals shall be provided as deemed necessary by projected traffic counts to prevent hazardous intersections and as approved by Penn DOT or the local Municipality.

805 CURBS AND GUTTERS

- A.** Curbs and gutters shall be installed where required by the Planning Commission and provided along all streets within the subdivision and shall be installed as the lots of the subdivision are improved and developed with utilities and buildings.
- B.** The minimum standards relating to width of gutters, height of curbs, base material, surface material, slope, depth of gutters crossing intersections, and the installation of catch basins shall be according to the requirements of Penn DOT.
- C.** In all cases, curbs and gutters shall be adequate to handle the maximum water runoff from tributary lands as determined by the Natural Resources Conservation Service.
- D.** In the case where concrete curbs are proposed, the maximum length of curb sections shall be ten (10') feet with a preformed bituminous expansion joint filler one-half (1/2") inch thick installed every forty (40) feet. The finish shall be float finish. Intermediate construction joints shall not exceed one-quarter (1/4") inch in width.
- E.** In all other cases, rolled asphalt curbs shall be provided.

806 SIDEWALKS

- A.** Sidewalks shall be provided within a land development when the site abuts an area containing sidewalks or the Municipality and/or the County Planning Commission determine that sidewalks are needed for public safety or to provide pedestrian access from parking areas or public streets to multi-family dwellings or public or commercial facilities.
- B.** Sidewalks shall commence one (1) foot inside the street right-of-way line and extend toward the curb line, except that where an existing sidewalk abuts the proposed sidewalk, the centerlines of each shall coincide. Whenever possible, a grass planting strip shall be provided between the curb and sidewalk.
- C.** The minimum width of the sidewalk shall be four (4) feet except in the vicinity of shopping centers, schools, recreation areas and other community facilities where a minimum width of five (5) feet shall be provided.
- D.** The sidewalks shall be constructed of suitable material in accordance with

Penn DOT specifications.

- E. All sidewalks shall have a slope of one-fourth (1/4") inch per foot toward the gutter.
- F. Sidewalks shall be of one-course construction and float finished.

807 LANDSCAPING AND PLANTING STRIPS

- A. The planting of street trees shall be provided in all major subdivisions and in all land developments where deemed appropriate by the Planning Commission. The intervals, types, sizes and locations of the trees and shrubs shall be conducive to healthy growth, in good proportion, and shall be located so as not to interfere with street paving, sidewalks or utilities.
- B. All trees should be of nursery stock of an approved species grown under the same climatic conditions as at the location of the development. They shall be of symmetrical growth, free of insect pests and disease, suitable for street use and durable under the maintenance contemplated.

All planting shall be done in conformance with good nursery landscape practice.

All planting strips within street rights-of-way shall be finished, graded, properly prepared, and seeded or sodded with lawn grass in conformance with good nursery practice.

808 SANITARY SEWERAGE

- A. Sanitary sewerage facilities shall be designed and constructed in accordance with the details and specifications set forth by the local sewerage authority and/or the Department of Environmental Protection.
- B. Each property in the subdivision or land development shall connect with an approved public sewer system if accessible. Where the sewer line is not yet accessible, but is planned for extension to the subdivision within two (2) years, the developer shall obtain a permit from the Department of Environmental Protection and install the sewer lines, including lateral connections, as may be necessary, to provide adequate service to each lot when connection to the sewerage system is made. The sewer lines shall be suitably capped at the limits of the subdivision or land development, and the lateral lines shall be capped at the street right-of-way line. When capped sewers are provided, on-site sewage disposal facilities shall also be

provided. The Sewer Authority shall provide the developer with a letter stating when the utilities will be installed and what conditions, if any, would be imposed upon the developer as a condition of hooking into the Sewer Authority's lines.

- C.** Within an area of the County not having a public sewerage system or one readily accessible to the subdivision or land development, the subdivision or land development shall be provided with one (1) of the following:

 - 1.** An interim sewerage system servicing each lot in the subdivision or land development which meets the standards of the Department of Environmental Protection and the standards of the local Sewer Authority, as determined by the Engineer for said facility, so that future connection to the public sewerage facility can be made with a minimum effort and expense. Provisions shall be made by the developer to insure the proper maintenance of the interim sewerage facility.
 - 2.** Documentation showing that a permit for on lot sewage disposal has been issued by the local Sewage Enforcement Officer for each and every lot contained within the subdivision or land development.
- D.** Sanitary sewers shall carry only sanitary sewage. Stormwater drains shall not be connected to sanitary sewerage facilities.
- E.** The subdivider shall extend existing sanitary sewer mains in the streets and/or rights-of-way, as the case may be, as may reasonably be required to provide adequate sanitary sewer service for the subdivision or land development. Such sanitary sewers shall be not less than eight (8) inches inside diameter, unless otherwise specified by the Authority.
- F.** All sanitary sewers including those serving individual homes shall be of a type meeting the construction standards and installation requirements of the Sewer Authority or Municipality within which it is located. Each dwelling shall have its own separate sewer connection.
- G.** Sanitary sewers shall be provided with manholes, not more than four hundred (400) feet apart. Sanitary sewer manholes shall be constructed of approved material. Sanitary sewer manholes shall have walls of six (6) inches in thickness, coated or plastered on the exterior wall surfaces with cement mortar to a thickness of not less than one-half (1/2) inch, and constructed upon a concrete base not less than six (6) inches in thickness. For depths greater than twelve (12) feet from top of frame to invert of outlet pipe, the walls below the twelve (12) foot depth and the floor shall be twelve (12) inches thick. Manholes shall be not less than four (4) feet inside diameter and shall be not less than four (4) feet inside diameter and shall be fitted with approved cast iron frame and cover, and approved metal steps.

809 STORM DRAINAGE

- A.** Each subdivision and land development shall be provided with a stormwater drainage system with adequate capacity to accommodate all stormwater run-off from the subdivision or land development.

Adequate drainage systems shall include not only the proper drainage of the area of the specific subdivision or land development but shall also include the disposal of the stormwater run-off from the specific subdivision or land development to an adequate outlet or other means of final disposal of the stormwater, such as river, running stream, or existing storm sewer.

- B.** The public improvement and utility plans and profiles shall show the final drainage plan and street profiles. They shall be prepared and submitted with the final plat after the approval of the preliminary plat and drainage plan.
- C.** The stormwater drainage system shall be planned and designed so that facilities shall be provided throughout the subdivision or land development to accommodate all stormwater run-off of one (1) cubic foot per second and over and that in no case shall more than three hundred (300) lineal feet of street be without stormwater sewer facilities. The minimum size storm sewer shall be fifteen (15) inches in diameter. All storm sewers within street areas shall be constructed with an American Society of Testing Materials (ASTM) approved pipe and joints.
- D.** The stormwater drainage system shall be provided with inlets or catch basins constructed normally in pairs, one on each side of the street, not more than four hundred (400) feet apart. Inlets or catch basins shall be constructed of an approved size and material.
- E.** Storm sewers shall be provided with manholes, not more than four hundred (400) feet apart. Storm sewer manholes shall be constructed of ASTM approved pre-cast concrete or equivalent.
- F.** No stormwater run-off or natural drainage water shall be so diverted as to overload existing drainage systems or create flooding or the need for additional drainage structures on other private properties or public lands without proper and approved provisions being made for taking care of these conditions.
- G.** A ditch or brook right-of-way shall be offered for dedication for drainage

purposes. Such right-of-way shall be shown on the drainage plan and on the final plat and shall be of sufficient width to include a ten (10) foot access strip in addition to the width of the ditch or brook as measured from bank top to bank top.

Where a subdivision or land development is traversed by a watercourse, drainageway, or street, there shall be provided a stormwater easement or drainage right-of-way conforming substantially with the lines of such watercourse, and such further width or construction, or both, as will be adequate for the purpose.

- H. Any construction within fifty (50) feet of any drainageway, stream or watercourse or any alteration of a drainageway, stream or watercourse shall be subject to approval of an encroachment permit by the PA Department of Environmental Protection, unless the watershed above the affected area is less than one hundred (100) acres.

810 STORMWATER MANAGEMENT

The following requirements shall apply to all land developments, which propose a total lot coverage by all impervious surfaces in excess of 7,500 square feet, and to all Major Subdivisions and Mobile Home Parks. Still need to show how they are going to convey stormwater, no matter what the square footage is of the land development.

- A. The applicant shall prepare a Stormwater Management Plan in accordance with the standards of the publication "Urban Hydrology for Small Watersheds," Technical Release No. 55, U.S. Department of Agriculture, Soil Conservation Service, June 1986, and as amended or another equivalent engineering or technical design program.
- B. The developer shall consult with the Greene County Office of the Natural Resources Conservation Service before developing storm drainage plans.
- C. The Stormwater Management Plan shall include: how the developer is going to control and convey stormwater, no matter what the square footage, including: (Items 1-7)
 - 1. Pre and post development run-off calculations using a twenty five (25) year storm, twenty-four (24) hour duration storm event.
 - 2. Drawings showing the layout of stormwater retention and conveyance system.

3. Elevations of intake and outfall of pipes.
 4. Details of retention system, including elevations, emergency spillway design, and stage storage requirements.
 5. Any applicable permits that may be necessary for outfall structures into drainageways.
 6. A narrative with a construction sequence to ensure proper installation of the system.
 7. A maintenance plan for the retention and conveyance system.
- D.** The stormwater drainage plan for a subdivision, land development plan or mobile home park shall be designed to assure that post-development stormwater does not leave the property at a greater velocity or volume per second than pre-development stormwater.
- E.** During construction, the stormwater management facilities shall be subject to inspection by the Land Development Officer or a consulting engineer retained by the Board of County Commissioners.

811 WATER SUPPLY

- A.** The developer shall provide the subdivision or land development with a complete water main supply system which shall be connected to a Municipal water supply, or a community water supply approved by the Pennsylvania Department of Environmental Protection with satisfactory provisions for the maintenance thereof; except when such Municipal or community water supply is not available. If a public or community water supply is not available or proposed and shown not to be feasible to the satisfaction of the Planning Commission, the developer shall be required to include such declarations on the Preliminary Plat and Final Plat.
- B.** The plans for the installation of the mains for the water supply system shall be prepared in cooperation with the applicable water utility company or Authority.
- C.** If the water distribution system cannot be tied into an approved public or semi-public system, a private system shall be utilized, but it shall be installed and operated in full compliance with the latest construction standards as set forth by the Department of Environmental Protection for such a facility.

812 UTILITY SERVICE AREAS

- A.** Installation of gas mains, electric conduits, and telephone conduits, including house services therefore, shall be arranged by the subdivider with the respective utility company. Where such utilities, including water mains, sanitary sewers, and storm sewers, are designed for location within the street area, the subdivider shall provide for their installation prior to the construction of the roadway pavement foundation.
- B.** In large scale developments, easements along rear property lines or elsewhere for utility installation may be required. Easements shall be located in consultation with the companies or municipal departments concerned. Such easements shall be a minimum of twenty (20) feet wide for construction purposes. After construction is complete, and if a twenty (20) foot easement is not necessary for maintenance, the easement may be reduced to ten (10) feet upon approval of the Planning Commission and concurrence of the utility company utilizing the easement. No planting of shrubs or trees or building of fences or other obstructions shall be permitted on such easement.

813 LOTS AND PARCELS

813.1 General Standards

- A.** The design and layout of the lots and parcels in a subdivision or land development should demonstrate flexibility, economy and ingenuity in accordance with modern and evolving principles of site planning and development.
- B.** The size, shape and orientation of lots shall be appropriate for the type of development and use contemplated.
- C.** Insofar as is practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines.
- D.** Excessive depth and excessive irregularity in lots shall be avoided. Generally, the depth of residential lots shall be not less than one (1) nor more than two and one-half (2 1/2) times their width.
- E.** Depth and width of parcels intended for non-residential use shall be adequate for the use proposed and sufficient to provide satisfactory space for on-site parking, loading and unloading, setbacks, landscaping and any other requirements established by the Planning Commission.
- F.** In a subdivision there shall be no landlocked remnants of land or unbuildable parcels, which are not incorporated in existing or proposed lots or legally,

dedicated to public use with an easement for access.

813.2 Lot Frontage

All residential lots in subdivisions shall front on a public street. Flag lots shall be permitted only in Lot Splits and Minor Subdivisions, provided the minimum frontage on the public street is fifty (50) feet.

813.3 Distance Between Buildings

In all residential and non-residential land developments which propose two (2) or more buildings on the same lot, the minimum distance between buildings shall be thirty (30) feet.

813.4 Lot Sizes

- A.** Nonresidential Uses. There shall be no minimum lot area or lot width required, unless regulated by a local zoning ordinance in the Municipality in which the development is proposed.
- B.** For all residential uses, except lots in a Mobile Home Park which are regulated by Article IX of this Ordinance, the following minimum lot area and lot width requirements shall apply:
 - 1.** Where neither public water supply nor public sewerage facilities are provided, each lot shall have a minimum area of twenty thousand (20,000) square feet with one hundred (100) foot minimum lot frontage, except where a flag lot is authorized.
 - 2.** Where only public water is provided but not public sanitary sewage disposal, each lot shall have a minimum area of fifteen thousand (15,000) square feet with a seventy-five (75) foot minimum lot frontage, except where a flag lot is authorized.
 - 3.** Where both public water supply and public sewerage facilities are provided, either existing or authorized to be installed, each lot shall have a minimum of seven thousand five hundred (7,500) square feet with a sixty (60) foot minimum lot frontage, except where a flag lot is authorized. However, in such areas, two-family dwellings, townhouse and multi-family structures shall be permitted, if local zoning ordinances do not prohibit such use, provided the lots have a minimum area per dwelling unit of five thousand (5,000) square feet for two-family dwellings and two thousand (2,000) square feet per dwelling unit for multi-family structures. Where townhouse structures

are proposed, there shall be no more than ten (10) dwelling units per structure and there shall be a minimum distance of thirty (30) feet between each such structure. A minimum of three thousand (3,000) square feet per dwelling unit shall be provided for each such townhouse structure.

For townhouse structures, a minimum lot area may be recorded for each unit which is less than the minimum required three thousand (3,000) square feet per dwelling unit provided the additional area necessary to meet the minimum of three thousand (3,000) square feet per dwelling unit is part of common open space in the plan in which each of the lot owners has a shared interest.

4. The minimum areas may be increased when compliance with the Department of Environmental Protection, Title 25, Part I, Article I, Chapter 73, "Standards for Sewage Disposal Facilities" or any other regulation warrant such an increase.

813.5 Building Line (Setback)

In the event that a Municipality does not have an Ordinance establishing a definite front yard setback or building line, then the following standards shall prevail for all residential uses, except Mobile Home Parks which are regulated by Article IX of this Ordinance. If there is a conflict between this Ordinance and any Municipal ordinance governing setbacks, the municipal ordinance shall apply.

- A. On streets determined to be arterial streets by the Planning Commission, the minimum building line shall be twenty-five (25) feet, measured from the right-of-way of any existing or proposed street.
- B. On streets determined to be collector streets by the Planning Commission, the minimum building line shall be twenty-five (25) feet, measured from the right-of-way of any existing or proposed street.
- C. On streets determined to be minor streets, marginal access streets or cul-de-sac streets by the Planning Commission, the minimum building line shall be twenty-five (25) feet, measured from the right-of-way of any existing or proposed street.
- D. Corner Lots - In addition to providing the preceding building line requirements along both street frontages, corner lots shall provide a rear building line of twenty-five (25) feet along the property line which is opposite the front yard on which the structure faces and the remaining side yard shall have a minimum side building line of twenty (20) feet. Corner lots shall be at least twenty (20%) percent larger in area to accommodate these building lines and provide sufficient yard areas.

- E. Double Frontage and Reverse Frontage Lots - Double frontage and reverse frontage lots shall be avoided except where required by Section 803.1-F of this Ordinance to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least ten (10) feet, and across which there shall be no right of access, shall be provided along the line of lots abutting such traffic artery or other disadvantageous use.
- F. Lots on a Curve or Cul-de-sac - The arc distance on the street right-of-way shall be not less than thirty-five (35) feet and the minimum lot width may be measured along the building line.

814 OFF-STREET PARKING

The following requirements shall apply only to Land Developments governed by Article VI.

- A. The minimum number of off-street parking spaces per dwelling unit shall be as follows:

<u>Dwelling Unit</u>	<u>Parking Spaces Per Dwelling Unit</u>
<u>Multi-family Dwellings:</u>	
Efficiency Apartments	1.0
One-Bedroom Apartment	1.5
Two-Bedroom Apartment	1.75
Three-Bedroom Apartment	2.0
Townhouse	2.0

- B. Apartment units shall be provided with an additional 0.5 parking space per dwelling unit for visitors. All parking for visitors shall be properly identified and shall be located within reasonable walking distance of the dwelling units it is serving.
- C. All parking spaces which serve townhouses and multi-family dwellings shall be paved in accordance with Section 814-N.
- D. All off-street parking spaces shall be approximately level with provisions for drainage, and shall be parallel with the contour lines of the finished grade
- E. Head-in parking ninety degrees (90E) shall be encouraged rather than angle parking. If angle parking is proposed, the angles permitted shall be 45E or 60E. Aisle widths required shall be based on the angle of the parking as follows:

Bay Widths Bay Widths

	<u>Aisles</u>	<u>Parking- Both Sides</u>	<u>Parking- One Side</u>
90 degree parking	24-25 feet	65 feet	45 feet
60 degree parking	18 feet	58 feet	38 feet
45 degree parking	13 feet	53 feet	33 feet

- F.** Head-in off-street parking is acceptable if the following requirements are met as a minimum. Each parking area of such design shall not exceed a total number of fourteen (14) parking spaces and such parking areas shall be permitted only on minor streets. The developer will be encouraged to locate these parking areas on the opposite side of the street from buried utility lines.
- G.** Commercial and industrial land developments shall provide off-street parking in accordance with the following schedule:

USE	PARKING SPACES REQUIRED
Church, Fire Station Social Hall	One (1) per four (4) seats or 80 lineal inches of pew, or if there are no pews or seats, one (1) per 15 sq. ft. of floor area used for assembly
Day Care Center / Nursery School	One (1) for each teacher and/or employee on largest shift plus one (1) space per each six (6) students
Public Utility Buildings	One (1) per employee on peak shift plus one (1) for each service vehicle stored on lot.
Schools, Elementary and Junior High	One (1) for each employee or faculty member
Schools, Secondary and Post Secondary	One (1) for each employee or faculty member plus one (1) for each ten (10) students.
Theater, Auditorium or Gymnasium	One (1) per four (4) seats.
Hospitals and Nursing Homes	One (1) per three (3) beds and one (1) for each employee on the peak working shift.
Hotel/Motel	One (1) per employee on peak shift plus one (1) per sleeping unit.
Professional & Business Offices	One (1) for every three hundred (300) square feet of gross floor area of building.
Banks and Financial Institutions	One (1) per three hundred (300) square feet of gross floor area of building plus five (5) off-street waiting spaces per drive-in window.

Clinics	One (1) for each staff plus three (3) for each examining or treatment room or other patient service position.
Group Care Facility, Personal Care Boarding Home or Transitional Dwelling	One (1) for each employee on peak shift plus one (1) for each resident authorized to drive plus one (1) for each six (6) beds.
Retail businesses, personal service establishments	One (1) for each two hundred fifty (250) square feet of gross floor area of building.
Garden Centers	One (1) parking space for each 300 square feet of gross floor area of the building plus one (1) space for each 600 square feet of outdoor sales area.
Eating and drinking establishments	One (1) for each seventy-five (75) square feet of floor area devoted to patron use plus one (1) for each employee on peak working shift.
take-out Restaurants (No Indoor Seating)	One (1) for each 50 square feet of floor area located between the service counter and the entrance plus one (1) for each employee on peak shift.
Bowling Alleys	Five (5) for each alley.
Tennis, Racquetball and Handball Courts	One (1) per employee plus four (4) for each court.
Golf Courses	Eight (8) for each hole plus one (1) for each employee.
Miniature Golf Courses	Two (2) for each hole plus one (1) for each employee.
Swimming Pools, Public or Commercial	One (1) for each fifty (50) square feet of surface water area.
Funeral Homes	Twenty-five (25) for the first parlor plus ten (10) for each additional parlor.
Indoor places of assembly	One (1) for each seventy-five (75) square feet of floor area devoted to seating.
Libraries/Museums	One (1) for each two hundred fifty (250) square feet of gross floor area of building.
Vehicle Sales	One (1) per each 1,000 square feet of indoor and outdoor display area plus the

	requirement for a service station for the area devoted to vehicle servicing and repairs.
Service Stations/Vehicle Repair Garages	Four (4) for each bay plus one (1) for each employee on peak shift plus one (1) for each business vehicle.
Manufacturing	One (1) for each one thousand five hundred (1,500) square feet of gross floor area of building or one (1) for each employee on the peak working shift, whichever is greater.
Warehousing, Freight Terminals, Wholesaling	One (1) for each two (2) employees on peak working shift.
Mini-Warehouses, Self-Storage Buildings	Two (2) spaces for the Manager's living quarters, if any, plus one (1) space for each twenty-five (25) rental units located near the rental office and reserved for prospective customers. In addition, a thirty (30) foot wide aisle between rental units shall be paved to provide traffic circulation and parking areas for loading and unloading adjacent to each rental unit.
Flex Space	Each portion of the floor area used for Office, Manufacturing and/or Warehousing shall meet the minimum requirements of this subsection for that specific use.
All Other Uses	One (1) for each three (3) occupants at maximum permitted occupancy or one (1) for each three hundred (300) square feet of gross floor area or lot area devoted to the use, whichever is greater.

- H.** In calculating the required off-street parking required by Section 814 - G, above, the following shall apply:
1. When the calculation of required parking spaces results in a requirement of a fractional parking space, any fraction shall be counted as one (1) parking space.
 2. Where more than one (1) use exists on a lot, parking requirements for each use shall be provided.

- I. Each off-street parking space shall have an area of not less than one hundred eighty (180) square feet, exclusive of access drives or aisles, shall have minimum dimensions of either ten (10) feet in width and eighteen (18) feet in length or nine (9) feet in width and twenty (20) feet in length, unless the Municipality in which the land development is located requires otherwise. Parking areas shall be maintained free from obstruction. Parking areas shall be designed to provide sufficient turnaround area so that vehicles are not required to back onto the cartway of any arterial or collector street.
- J. Required parking spaces shall be located on the same lot with the principal use.
- K. In parking areas which contain five (5) or more spaces, all parking spaces shall be clearly delineated by painted lines or markers. Parking spaces shall be provided with bumper guards or wheel stops, where necessary, for safety or protection to adjacent structures or landscaped areas. All vehicular entrances and exits to parking areas shall be clearly marked for all conditions. Short-term visitor parking spaces shall be differentiated from long-term employee spaces by suitable markings. Handicapped parking shall be appropriately marked.
- L. Any lighting used to illuminate off-street parking areas shall be designed to reflect the light away from any adjoining residential dwelling and away from any streets or highways. If lighting is proposed, lighting units shall be located not more than eighty (80) feet apart and the lighting system shall furnish an average minimum of 2.0 foot candles during hours of operation.
- M. Parking areas containing more than five (5) parking spaces shall be effectively screened by a six (6) foot compact evergreen hedge along any property line which adjoins a residential dwelling.
- N. All parking areas and access drives, in residential and non-residential land developments shall be paved in accordance with the following standard:

The Access Drive must be a minimum, of twenty feet (20') in width.

A base of not less than six inches (6") of No. 4 aggregate or ten inches (10") of No. 3 aggregate, compacted and surfaced with one (1) course of ID Blacktop two and one-half inches (2 1/2") thick, consisting of one and one-half inches (1 1/2") of binder and one inch (1") of wearing surface.

Any request for a waiver of this requirement shall be submitted in accordance with the procedures specified in Article X of this Ordinance and shall, at a minimum, document the following: low rate of traffic generation, minimal number of employees and walk-in trade, distance from a densely

populated area or intensively developed commercial area. In no case shall financial hardship be the sole justification for requesting a waiver of these paving requirements.

815 OFF-STREET LOADING

A. Any subdivision or land development which proposes a use which requires the receipt or distribution, by vehicle, of material or merchandise, shall provide off-street loading berths in accordance with the following requirements:

USES: Department stores, freight terminals, industrial or manufacturing establishments, retail or wholesale stores, personal or business service establishments, storage warehouses or any similar uses which receive deliveries by tractor-trailer:

Gross Floor Area	Number of Berths Required
Under 10,000 sq. ft.	None
10,000 to 19,999 sq. ft.	1 berth
20,000 to 39,999 sq. ft.	2 berths
40,000 to 65,000 sq. ft.	3 berths
For each additional 20,000 sq. ft.	1 additional berth

USES: Auditoriums, convention or exhibit halls, sports arenas, hotels, office buildings, restaurants, nursing homes, hospitals, schools, apartment buildings, public buildings and similar uses which receive deliveries by tractor-trailer:

Gross Floor Area	Number of Berths Required
Under 40,000 sq. ft.	None
40,000 to 59,000 sq. ft.	1 berth
60,000 to 99,999 sq. ft.	2 berths
100,000 to 160,000 sq. ft.	3 berths
Over 160,000 sq. ft.	4 berths

2. **Size:** Each loading berth shall be at least twenty-five (25) feet in length and twelve (12) feet in width with an overhead clearance of fourteen (14) feet. The area used for loading berths shall not be used to satisfy parking area requirements and shall not block any driveway used for circulation through.

3. **Access:** Loading berths shall be designed to provide sufficient turnaround area so that vehicles are not required to back onto public streets. Loading berths shall have direct access to a driveway and shall be maintained free from obstruction.
4. **Location:** All loading berths shall be located on the same lot with the principal use they are intended to serve. Loading berths shall not be located in a required front yard unless there is no other feasible location on the site. Loading berths shall be located at least thirty (30) feet from the nearest point of intersection of any two (2) streets.
5. **Screening:** Loading berths shall be screened by a six (6) foot hedge, wall or opaque fence on all sides which face any residential use.
6. **Surfacing:** All loading berths shall be paved in accordance with the applicable requirements of Section 814-N for the parking area and shall be graded with positive drainage to dispose of surface water.
7. **Lighting:** Any lighting used to illuminate loading berths shall be designed to reflect from any adjoining residential use.

816 EASEMENTS FOR PUBLIC SERVICE UTILITIES

- A. Adequate easements or dedications for public service utilities shall be provided for sewer, water, stormwater, electric power, gas lines 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 an easement.
- B. No development plan shall be approved or construction commenced unless the public service utility involved has had time to review the plan. It is the developer's responsibility to contact and provide the plan of development to the utility. Exact details of service and easement requirements shall be supplied by the utility.
- C. To the fullest extent possible, easements shall be centered on, or adjacent to, rear or side lot lines.

817 SURVEY MONUMENTS, BENCH MARKS AND LOT PINS

In all subdivisions, other than lot splits, steel or iron pins one-half inch (1/2") in diameter and thirty (30) inches deep shall be set at all boundary corners and angle points of boundary. In all major subdivisions and in all land developments, all lot

corners shall be staked and plainly marked with metal pins, where feasible. In minor subdivisions, the County Planning Commission may waive the requirement for the number of iron pins. The location and tie-in dimensions of all markers shall be shown on the plan for recording.

ARTICLE IX

MOBILE HOME PARK DEVELOPMENT

901 GENERAL

901.1 Prior to final approval, the developer shall furnish to the Planning Commission proof that all necessary sewage tests have been completed and approved by the Department of Environmental Protection (DEP); and that a stormwater management plan has been recommended by the Natural Resources Conservation Service; and an erosion and sedimentation control plan has been approved by the Greene County Conservation District.

901.2 The developer shall complete improvements required by this Ordinance before final plat approval, or shall post a bond with the governing body of the Municipality or the Municipal Authority in which the improvements are located

to insure the construction of the required improvements.

- 901.3** The Greene County Land Development Officer may inspect any Mobile Home Park at reasonable intervals, and at reasonable times, to determine compliance with the terms of this Ordinance.
- 901.4** To the fullest extent possible, underground utility lines located in street rights-of-way shall not be installed beneath existing or proposed paved areas. In any event, before placing the street surface, adequate sub-surface drainage for the streets and all sub-surface utilities as acceptable to the Planning Commission and required by the Commonwealth of Pennsylvania shall be provided and/or installed by the developer.
- 901.5** In all respects in which standards are not set forth herein, the applicable standard requirements of the Commonwealth of Pennsylvania or Federal guidelines, whichever are more severe, shall govern. For all mobile home parks which contain fifteen (15) or more mobile homes, contact shall be made with the Pennsylvania Department of Environmental Protection (DEP).
- 901.6** Upon completion of any improvements, plans, and profiles of the improvement, as constructed, shall be filed with the Municipality in which said improvement is located.
- 901.7** The Planning Commission may authorize or approve departures from any of the provisions set forth in this Section when, in the opinion of the Planning Commission, such departures are desirable or expedient subject to the requirements of Article VIII of this Ordinance.
- 901.8** The standards and procedures prescribed herein shall be applicable only to those Mobile Home Parks which are constructed, remodeled, altered or expanded after the effective date of this Ordinance. Existing Mobile Home Parks shall be required only to meet the applicable Federal and State requirements.
- 901.9** The provisions of this Article shall not apply or be effective in any Borough or Municipality of the County of Greene which has presently adopted or may hereafter adopt any mobile home park ordinance providing standards governing mobile home parks; provided that applications for a mobile home park located within a Borough or Municipality have adopted a mobile home park ordinance shall be forwarded, upon receipt by the Municipality, to the Planning Commission for review and comment. Municipalities shall not approve such applications until the Planning Commission report is received or until the expiration of thirty (30) days from the date the application was forwarded to the Planning Commission.

902 SUBMISSION OF PLANS

Before work has begun on construction, remodeling or alteration of a Mobile Home Park, or in conversion of an existing establishment or facility to a Mobile Home Park, plans and specifications, whether preliminary or final, shall be submitted to the Planning Commission in accordance with the regulations set forth in Article V of this Ordinance for approval of a Major Subdivision, if lots are to be sold in fee simple, or shall be submitted for approval of a land development, if lots are to be leased.

903 DESIGN REQUIREMENTS

The streets and utilities within the Mobile Home Park shall remain in the ownership of the owner and shall not be dedicated to the Municipality unless the lots are to be sold as individual parcels. All plans for streets and utilities, whether dedicated to the public or owned and maintained by the park owner, shall be prepared in accordance with the design requirements set forth in Article VIII of this Ordinance unless specifically referenced in this Article as otherwise.

904 PARK CONSTRUCTION REQUIREMENTS

904.1 Land Constraints

Land subject to flooding, slips and slides, subsidence, poor drainage, slopes in excess of twenty-five (25) percent, excessive noise, vibrations, smoke, toxic matter or radiation shall not be developed for residential occupancy or for any use which may involve danger to health, safety and the general welfare of the community.

Any land which has been strip mined and on which the Department of Environmental Protection (DEP) currently holds a permit or bond, shall be subject to review and comment by the Pennsylvania Department of Environmental Resources. The Department of Environmental Resources shall have forty-five (45) days to respond and failure to do so shall in no way effect the Planning Commission's approval or disapproval of the subdivision in question.

904.2 Excavation, Grading and Filling

All earthmoving activities shall comply with Section 802.1 of this Ordinance.

904.3 Resource Review - Erosion and Sediment Control Plan

Measures used to control erosion and sedimentation shall meet the requirements as set forth in Section 802.2 of this Ordinance.

904.4 Site Drainage Requirements

- A. The ground surface in all parts of every park shall be graded and equipped to drain all surface water in a safe, efficient manner.
- B. A stormwater drainage system may be required by the Planning Commission in compliance with Section 809 of this Ordinance if the topography and/or adjacent land so warrant.

904.5 Public Use and Service Areas

- A. No part of any Mobile Home Park shall be used for non-residential purposes, except when so designated on the plan as uses required for the direct servicing and well-being of the park residents or for the management and maintenance of the park.
- B. Nothing in this Section shall be deemed as prohibiting the sale of a mobile home located on a mobile home lot and connected to utilities.

904.6 Required Buffer Strip, Setbacks and Screening

- A. All Mobile Home Park developments shall be surrounded by a buffer area at least thirty-five (35) feet wide along the inside of the external property lines. No permanent or temporary structure shall be permitted on any portion of the thirty-five (35) foot buffer, however the inside twenty (20) feet of the buffer area may be used to satisfy either setback or minimum yard requirements for the mobile home lots adjoining the buffer strip.
- B. There shall be a minimum distance of ten (10) feet between an individual mobile home, including accessory structures attached to the mobile home, and the adjoining right-of-way of a park street or common parking area or other common areas and structures.
- C. All Mobile Home Parks located adjacent to industrial or commercial land uses may be required to provide screening such as fences or natural growth along the property boundary line separating the park and such adjacent non-residential use.

904.7 Park Street System

- A. All streets shall be constructed in accordance with the specifications as set forth in Section 803 of this Ordinance, or the local Municipality, whichever is greater.
- B. The street cartway for minor streets shall be a minimum of twenty (20) feet except:
 - 1. where parking is permitted on both side, a minimum width of thirty-six (36) feet shall be required, or,
 - 2. where parking is limited to one side, a minimum width of twenty-eight (28) feet shall be required.

904.8 Erection and Placement of Mobile Homes

- A. Mobile homes shall be separated from each other and from other buildings and structures by the following distances:
 - 1. thirty (30) feet between parallel ends of adjacent mobile homes;
 - 2. twenty (20) feet between parallel sides of adjacent mobile homes; and,
 - 3. thirty (30) feet between the end of one mobile home and the parallel side of an adjacent mobile home.
 - 4. Any accessory structure, such as a carport, a porch, or similar structure shall not be closer than five feet (5') to any side lot line.
- B. An enclosure of compatible design and material shall be erected around the entire base of each mobile home. Such enclosure shall provide sufficient ventilation to inhibit decay and deterioration of the structure, with access provided.

904.9 Off-Street Parking

- A. Off-street parking for at least two (2) motor vehicles shall be provided at each mobile home lot for mobile home lots which front on a park street which is only twenty feet (20') wide. A carport, concrete slab, etc., should serve as a primary parking space and the driveway may serve as the second. Such parking spaces need not be covered or enclosed.

- B. In mobile home parks containing fifteen (15) or more mobile, off-street parking areas for additional vehicles of park occupants and guests shall be provided at the rate of one-half (1/2) space per mobile home lot and shall be so located that the distance between the parking area and the mobile home lot serviced does not exceed two hundred (200) feet. This requirement may be declared null and void if conditions are such that off-street parking is the only means of providing the required parking.
- C. The off-street parking areas for guests should be of similar or comparable design as in Section 814 of this Ordinance.

904.10 Construction of Mobile Home Lots

- A. Mobile Home lots within the park shall have a minimum area of four thousand (4,000) square feet and a minimum width of forty (40) feet except when a double mobile home is located in the park, in which case a minimum area of seven thousand (7,000) square feet and a minimum width of sixty-four (64) feet will be required.
- B. The total number of lots in a park shall not exceed an average density of seven (7) per acre.
- C. Each mobile home lot shall be improved to provide an adequate mobile home stand or pad for the placement and tie-down of the mobile home, and in such a position as to allow a minimum of ten (10) feet between the mobile home and the right-of-way of the park street. Each mobile home or stand shall be constructed such that it shall not heave, shift or settle unevenly under the weight of the mobile home due to frost action, inadequate drainage, vibrations or other forces acting on the structure. Anchors or tie-downs, such as cast-in-place concrete "deadmen" (eyelets imbedded in concrete), screw augers or arrowhead anchors shall be placed at least at each corner of the mobile home stand, and each device shall be able to sustain a minimum load of four thousand eight hundred (4,800) pounds.

904.11 Water Supply

A. General Requirements

An adequate supply of water shall be provided for mobile homes, service buildings and other accessory facilities as required by the Ordinance. Where a public water system of satisfactory quantity, quality and pressure is available, connection shall be made hereto

and its supply shall be used exclusively. Where a satisfactory public water supply system is not available, the development of a private water supply system shall be approved by the Department of Environmental Protection.

B. Source of Supply

1. The water supply shall be capable of supplying a minimum of one hundred fifty (150) gallons, per day, per mobile home.
2. The well or suction line of the water supply system shall be located and constructed in such a manner that neither underground nor surface contamination will reach the water supply from any source.
3. No well-casings, pumps, pumping machinery or suction pipes shall be placed in any pit, room or space extending below ground level, nor in any room or space above ground which is walled in or otherwise enclosed, unless such rooms, whether above or below ground, have free drainage by gravity to the surface of the ground.
4. Water supply treatment, if necessary, shall be in accordance with the requirements of the Department of Environmental Protection.

C. Water Storage Facilities

All water storage reservoirs shall be covered, watertight and constructed of impervious material. Overflows and vents of such reservoirs shall be effectively screened. Manholes shall be constructed with overlapping covers, so as to prevent the entrance of contaminated material. Reservoir overflow pipes shall discharge through an acceptable air gap.

D. Water Distribution System

All water piping fixtures and other equipment shall be constructed and maintained in accordance with state and/or local regulations.

904.12 Sewage Disposal

A. General Requirements

An adequate and safe sewerage system shall be provided in all parks for conveying and disposing of sewage from mobile homes, service buildings and other accessory facilities. Where a public sewerage system exists on lands adjacent to the mobile home park, connection shall be made to such system if the local Municipal Authority indicates there is sufficient plant and interceptor line capacity. All construction and materials shall comply with the local Municipal Authority's standards. If a public system is not available, sewage shall be disposed of by a method approved by the Sewage Enforcement Officer and the Department of Environmental Protection.

B. Individual Sewer Connections

1. All materials used for sewer connections shall be semi-rigid, corrosive resistant, non-absorbent and durable. The inner surface shall be smooth.
2. Sanitary sewers shall carry only sanitary sewage. Stormwater run-off systems, including roof drains, shall not be connected to sanitary sewers.

C. Sewer Lines

All sewer lines shall be located in trenches of sufficient depth to be free of breakage from traffic or other movements and shall be separated from the park water supply system. All sewer lines shall be constructed of materials approved by the Department of Environmental Protection, and shall have watertight joints.

904.13 Electrical Distribution System

- A. Every park shall contain an electrical wiring system consisting of wiring fixtures, equipment and appurtenances which shall be installed and maintained in accordance with local electric power company specifications, National Electrical Code, and local and state codes and ordinances. Inspection by a qualified electrical inspection agency shall be made of all private electrical systems.
- B. Power lines shall be located underground in accordance with the Pennsylvania Public Utility Commission. All direct burial conductors or cable shall be buried below the ground surface and shall be insulated and specifically designed for the purpose.
- C. Each mobile home lot shall be provided with an approve disconnect

device and overcurrent protective equipment.

- D. All exposed non-current-carrying metal parts of mobile homes and all other equipment shall be grounded by means of an approved grounding conductor run with branch circuit conductors or other approved method of grounded metallic wiring. The neutral conductor shall not be used as an equipment ground for mobile homes or other equipment.

904.14 Solid Waste Disposal

- A. The storage, collection and disposal of solid waste and refuse in the mobile home park shall be so conducted as to create no health hazards, no rodent harborage, insect breeding areas, accident or fire hazards or air pollution and shall comply with the DEP regulations and local municipal requirements.
- B. All refuse containing garbage shall be collected at least once weekly. Where suitable collection service is not available from municipal or private agencies, the management shall provide this service.

904.15 Fuel Supply and Storage

A. Natural Gas System

- 1. Natural gas piping systems when installed in mobile home parks shall be maintained in conformity with accepted engineering practices and shall meet local gas company requirements.
- 2. Each mobile home lot provided with piped gas shall have an approved shut-off valve installed up-stream of the gas outlet. The outlet shall be equipped with an approved cap to prevent accidental discharge of gas when the outlet is not in use.

B. Liquefied Petroleum Gas Systems

Liquefied petroleum gas systems provided for mobile homes, service buildings or other structures when installed, shall be maintained in conformity with the rules and regulations of the authority having jurisdiction.

C. Fuel Oil Supply

All fuel oil supply systems provided for mobile homes, service buildings and other structures shall be installed and maintained in conformity with the rules and regulations of the authority having jurisdiction when provided.

904.16 Fire Protection

- A.** In Mobile Home Parks containing fifteen (15) or more mobile homes, if fire hydrants are not required, portable fire extinguishers, of a type approved by the local fire company or EMA, shall be kept in public service buildings under park control and a sufficient number shall be maintained throughout the park in readily accessible and well marked positions.
- B.** Mobile home park areas shall be kept free of litter, rubbish and other flammable materials.

904.17 Shade Trees

Every effort shall be made by the developer to preserve existing shade trees in the area being developed.

905 RESPONSIBILITIES OF THE PARK MANAGEMENT

- 905.1** The person responsible for management of a mobile home park shall maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition.
- 905.2** The park management shall supervise the placement of each mobile home on its mobile home lot, which includes securing its stability and installing all utility connections.
- 905.3** The park management shall give the Land Development Officer, Fire Inspector, Building Inspector or any other person designated by the County of Greene, free access to all mobile home lots, service buildings and other community service facilities for the purpose of inspection.
- 905.4** The management shall maintain a register containing the names of every park occupant. Such register shall be available to any authorized person inspecting the park, and to any official of the Municipality in which the mobile home park is located.

906

VIOLATIONS

Any violation of this Article shall be subject to the Preventive Remedies specified in Section 1106 and the Enforcement Remedies specified in Section 1107 of this Ordinance.

ARTICLE X

WAIVERS AND MODIFICATIONS

1001

WAIVERS TO APPLICATION REQUIREMENTS

In a subdivision or land development where certain information required in the application by Articles III through VI is found by the Planning Commission to be unavailable, inapplicable, or not necessary for its review, the commission may waive those requirements with respect to that application.

- A.** The time specified for filing are based on the Municipal Planning Code. The County Planner may accept late filings provided there is sufficient time for review before the meeting. (May be modification, could charge twenty-five (\$25.00) dollars.

1002

MODIFICATIONS IN CASES OF PHYSICAL HARDSHIP

In any particular case where the developer can show by plan and written statement that, by reason of exceptional topographic or other physical conditions, strict compliance with any requirement of this Ordinance would cause practical difficulty or exceptional and undue hardship, the Planning Commission may relax such requirements to the extent deemed just and proper, so as to relieve such difficulty or hardship, provided that such relief may be granted without detriment to the public good and without impairing

the intent and purpose of this Ordinance or the desirable general development of the neighborhood.

1003 MODIFICATIONS TO ALLOW EQUAL OR BETTER SPECIFICATIONS

When an equal or better specification is available to comply with the Design Standards of this Ordinance, the Planning Commission may make such reasonable modifications to such requirements of this Ordinance to allow the use of the equal or better specification, provided such modification shall not be contrary to the public interest. In approving such modification, the Planning Commission may attach any reasonable conditions that may be necessary to assure adequate public improvements and protect the public safety.

1004 MODIFICATION OF TIME REQUIREMENTS

If at the time the agenda for a meeting is being prepared there is an application for preliminary or final approval that has not been completed as required by Articles III to VI inclusive; and the applicant considers that failure to complete is for reasons beyond his control, he may file a Request for Modification in which the failure to complete each missing item is explained. The Application and Request will be included on the agenda. If the Commission is satisfied that failure to have already completed those items was for the reasons beyond the applicants control, the Commission may grant Conditional Approval, i.e. approval conditional upon completion of the missing items prior to the next scheduled meeting of the Board. If the listed items have not been completed at the time of preparing that agenda for the next scheduled meeting, a new application for Modification may be filed.

1005 PROCEDURE FOR AUTHORIZING MODIFICATIONS

Any request for a modification to this Ordinance authorized by Sections 1002, 1003, and 1004 shall be submitted in writing by the applicant as part of the application for Preliminary Approval or Final Approval, stating the specific requirements of this Ordinance which are to be modified and the reasons and justification for the request.

The request for a modification to this Ordinance shall be considered by the Planning Commission at a public meeting. If warranted, the Planning Commission may hold a public hearing pursuant to public notice prior to making a decision on the request for a modification.

If the County Planning Director has not made a recommendation on the request for modification, the Planning Commission may refer the request to the County Planning Director for a recommendation. In all cases where the County Planning Director or any other review agency has made a recommendation on the request, the recommendation shall be entered into the official record of the meeting.

The reasons relied upon by the Planning Commission in approving or disapproving the request also shall be entered into the minutes of the meeting and any Resolution adopted governing an application which contains a request for a modification shall include specific reference to the modification and the reasons for approval or disapproval.

If a modification is granted by the Planning Commission, a notation shall be placed on the final plat for recording, which indicates the nature of the modification granted, and the date of approval of the modification by the Planning Commission.

ARTICLE XI

ADMINISTRATION AND ENFORCEMENT

1101 ADOPTION OF THIS ORDINANCE BY MUNICIPALITIES BY REFERENCE

These regulations may be adopted by any Municipality by reference, in accordance with Section 502 of the Pennsylvania Municipalities Planning Code, as amended. In addition, the Planning Commission may be designated as the official administrative agency for the review and the approval of Subdivision and Land Development plans for the Municipality, by a separate ordinance of the Municipality contingent upon formal notice of such action by the Municipality to the Planning Commission and its acceptance of said designation in writing.

1102 APPLICATION REVIEW AND INSPECTION FEES

1102.1 APPLICATION FILING FEES

Application filing fees shall be established, from time to time, by Resolution of the Board of County Commissioners. The application filing fees shall cover the administrative costs associated with processing an application for approval of a subdivision or land development and shall be payable to the Greene County Planning Commission at the time of submission of the application.

1102.2 APPLICATION REVIEW FEES

Application review fees shall include reasonable and necessary charges by the County's professional consultants or the Municipal Engineer for review and report on an application that proposes construction of public improvements to be dedicated to the Municipality. Such review fees shall be

based upon a schedule established from time to time by Resolution of the County Commissioners and the governing body of the Municipality. Such review fees shall be reasonable and in accordance with the ordinary and customary charges by the Municipal Engineer or other consultants for similar service to the Municipality or County, but in no event shall the fees exceed the rate or cost charged by the Municipal Engineer or other consultants to the Municipality or County when fees are not reimbursed or otherwise imposed on applicants.

In the event the applicant disputes the amount of any such review fees, the applicant shall, within ten (10) days of the billing date, notify the Municipal Secretary and the County Planning Director that such fees are disputed, in which case the County shall not delay or disapprove a subdivision or land development application due to the applicant's request over disputed fees.

In the event that the Municipality, the County and the applicant cannot agree on the amount of review fees which are reasonable and necessary, then the applicant, the Municipality and the County shall follow the procedure for resolution of disputes as set forth in § 1102.3 of this Ordinance.

1102.3 INSPECTION FEES

The Municipality may prescribe that the applicant shall reimburse the Municipality for the reasonable and necessary expense incurred for the inspection of improvements. Such reimbursement shall be based upon a schedule established from time to time by Resolution of the governing body of the Municipality. Such expense shall be reasonable and in accordance with the ordinary and customary fees charged by the Municipal Engineer or consultant for work performed for similar services in the community, but in no event shall the fees exceed the rate or cost charged by the Municipal Engineer or consultant to the Municipality when fees are not reimbursed or otherwise imposed on applicants.

In the event the applicant disputes the amount of any such expense in connection with the inspection of improvements, the applicant shall, within ten (10) working days of the date of billing, notify the Municipal Secretary that such expenses are disputed as unreasonable or unnecessary, in which case the Municipality shall not delay or disapprove a subdivision or land development application or any approval or permit related to development due to the applicant's request over disputed engineer expenses.

If within twenty (20) days from the date of billing, the Municipality and the applicant cannot agree on the amount of expenses which are reasonable and necessary, then the applicant and Municipality shall jointly, by mutual

agreement, appoint another professional engineer licensed as such in the Commonwealth of Pennsylvania to review the said expenses and make a determination as to the amount thereof which is reasonable and necessary.

The professional engineer so appointed shall hear such evidence and review such documentation as the professional engineer in his or her sole opinion deems necessary and render a decision within fifty (50) days of the billing date. The applicant shall be required to pay the entire amount determined in the decision immediately.

In the event that the Municipality and the applicant cannot agree upon the professional engineer to be appointed within twenty (20) days of the billing date, then upon application of either party, the President Judge of the Court of Common Pleas of the Judicial District in which the Municipality is located or if at the time there be no President Judge, then the senior active judge then sitting shall appoint such engineer, who, in that case, shall be neither the Municipal Engineer nor any professional engineer who has been retained by, or performed services for, the Municipality or the applicant within the preceding five (5) years.

The fees of the appointed professional engineer for determining the reasonable and necessary expenses shall be paid by the applicant if the amount of payment required in the decision is equal to or greater than the original bill. If the amount of payment required in the decision is less than the original bill by \$1,000.00 or more, the Municipality shall pay the fee of the professional engineer, but otherwise the Municipality and the applicant shall each pay one-half (1/2) of the fee of the appointed professional engineer.

1103 RECORDS

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

1104 PROCEDURE FOR AMENDMENTS

The County Commissioners may, from time to time, amend this Ordinance in accordance with the following provisions:

1104.1 PLANNING COMMISSION REVIEW

In the case of amendments other than those prepared by the County Planning Commission, the County Commissioners shall submit the proposed

amendment to the County Planning Commission for recommendations at least thirty (30) days prior to the date fixed for the public hearing on the proposed amendment.

1104.2 PUBLIC HEARING

Amendments to this Ordinance shall become effective only after a public hearing held pursuant to public notice, as defined herein.

1104.3 PUBLICATION, ADVERTISEMENT AND AVAILABILITY OF ORDINANCE

Proposed amendments shall not be enacted unless public notice, as defined herein, of the proposed enactment is given, including the time and place of the meeting at which passage will be considered, a reference to a place within the County where copies of the proposed amendment may be examined without charge or obtained for a charge not greater than the cost thereof.

The County Commissioners shall publish the proposed amendment once in one (1) newspaper of general circulation in the County not more than sixty (60) days nor less than seven (7) days prior to passage. Publication of the proposed amendment shall include either the full text thereof or the title and a brief summary prepared by the County Solicitor and setting forth all the provisions in reasonable detail. If the full text is not included:

- A.** A copy thereof shall be supplied to a newspaper of general circulation in the County at the time the public notice is published.
- B.** An attested copy of the proposed amendment shall be filed in the County Law Library or other County office designated by the County Commissioners who may impose a fee no greater than that necessary to cover the actual costs of storing said ordinances.
- C.** In the event substantial amendments are made in the proposed amendment, before voting upon enactment, the County Commissioners shall, at least ten (10) days prior to enactment, re-advertise in one (1) newspaper of general circulation in the County, a brief summary setting forth all the provisions in reasonable detail together with a summary of the amendments.
- D.** Subdivision and land development amendments may be incorporated into official ordinance books by reference with the same force and effect as if duly recorded therein.

1104.4 FILING AFTER ENACTMENT

Within thirty (30) days after adoption, the County Commissioners shall forward a certified copy of the amendment to the Greene County Planning Commission.

1105 APPEALS

Any party aggrieved by the decision of the County Planning Commission regarding a subdivision or land development plan may appeal such decision within thirty (30) days of the date of entry of the decision of the County Planning Commission to the Greene County Court of Common Pleas.

1106 PREVENTIVE REMEDIES

In addition to other remedies, the County 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 transferor from such penalties or from the remedies herein provided.

The County or the Municipality in which the violation occurs 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. The authority to deny such a permit or approval shall apply to any of the following applicants:

- A.** The owner of record at the time of such violation.
- B.** The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
- C.** The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.
- D.** The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to

whether such vendee or lessee had actual or constructive knowledge of the violation.

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 County 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.

1107 ENFORCEMENT REMEDIES

Any person, partnership or corporation who or which has violated the provisions of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the County, pay a judgment of not more than five hundred dollars (\$500.00) plus all court costs, including reasonable attorney fees incurred by the County as a result thereof. No judgment shall commence or be imposed, levied or be 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 County 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 this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one (1) 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.

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.

Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the County the right to commence any action for enforcement pursuant to this Section.

1108 CONFLICTS OF LAWS

In the event that a constituent municipality has adopted a subdivision and land development ordinance, this Ordinance shall not apply.

Whenever state laws or statutes impose more restrictive standards and requirements than those contained herein, such other regulations shall be

observed.

Where a local municipality has provided design standards or improvement and construction requirements in a zoning, building, road or any other ordinance, the standards in this Ordinance shall not apply unless the municipality adopts this Ordinance by reference.

1109 SEPARABILITY

If any provision of these Subdivision Regulations, or the application of any provision thereof to particular circumstances, is held invalid, the remainder of these Subdivision Regulations, or the application of such provision to other circumstances, shall not be affected.

1110 EFFECTIVE DATE

These Subdivision Regulations shall become effective immediately upon enactment by the Board of Commissioners of the County of Greene.

ORDAINED AND ENACTED into law this _____ day of _____, 1995.

COUNTY OF GREENE

BY: _____
Chairman, Board of Commissioners

ATTEST:

County Clerk

APPENDIX "A"

ADDITIONAL PLAT SPECIFICATIONS

All plats submitted shall be drawn according to the following criteria:

A. Within Development

1. Street, heavy solid lines.
2. Perimeter property lines of the development by heavy dashed and two-dotted lines.
3. Lot lines by light solid lines.
4. Restrictions or building lines by light dashed lines.
5. Easements or other reserved areas by light dashed lines.

B. Outside of Development

1. Street, medium solid lines
2. Property lines of adjacent subdivisions by medium dashed and two-dotted lines.
3. Lot lines by light dotted lines.
4. Restriction lines, easements, etc. by light dashed lines.

APPENDIX "B"

**SAMPLE CERTIFICATION CLAUSES
FOR
FINAL PLATS**

PLAT CERTIFICATES

The following forms and space for the proper signatures shall be used or placed on the Final Plats:

Each Final Plat submitted to the Commission for approval shall carry a Deed of Dedication in substantially the following form:

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, plat and subdivide, said real estate in accordance with the within plat.

This subdivision shall be known and designated as _____ an addition to _____.

All streets and alleys shown and not heretofore dedicated, are hereby dedicated to the public.

Building setback lines are hereby established as shown on this plat, between which lines and the property lines of the street, there shall be erected or maintained no building or structure. There are _____ strips of ground _____ feet in width as shown on this plat and marked "Easement", reserved for the use of public utilities for the installation of water and sewer mains, poles, ducts, lines and wires, subject to all times to the property authorities and to the easement herein reserved. No buildings or other structures are to be erected or maintained upon said strips of land, but owners of lots in this subdivision shall take their titles subject to the rights of the public utilities.

WITNESS OUR HANDS AND SEALS this _____ day of _____, 19____.

Acknowledgement for Corporations:

COMMONWEALTH OF PENNSYLVANIA (SS:
COUNTY OF _____)

On this, the _____ day of _____, 19_____, before me, _____, the undersigned officer, personally appeared (_____)who acknowledged himself to be the President or Vice-President of _____, a corporation, and that he as such President or Vice-President, being authorized to do so, executed the foregoing instrument for the purpose therein contained by signing the name of the corporation by himself as President or Vice-President.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public

My Commission expires:

Acknowledgement for Other Than Corporations:

COMMONWEALTH OF PENNSYLVANIA (SS:
COUNTY OF _____)

On this, the _____ day of _____, 19_____, before me, _____, before me, _____ the undersigned officer, personally came _____, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that _____ executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public

My Commission expires:

COMMONWEALTH OF PENNSYLVANIA ss.

COUNTY OF GREENE

Recorded on this _____ day of _____, 19____ in the Recorder's Office of said County in _____ book, volume _____, and page _____.

Given under my hand and seal of said office the day and year aforesaid.

Recorder

ENGINEER'S CERTIFICATION

I _____, a registered professional engineer (or registered surveyor) of the Commonwealth of Pennsylvania, do hereby certify that this plan as shown hereon is based upon actual field survey of the land described and that all angles, distances and courses are correctly shown, that the monuments and markers have been set as shown on the plan, and that this plan correctly represents the lots, lands, streets and highways as surveyed and plotted by me for the owners or agents.

_____ SEAL _____
Date Signature of Engineer
Registration Number

TOWNSHIP APPROVAL

And now, this _____ day of _____, _____, We the members of the Board of Supervisors of _____ Township, Greene County, Pennsylvania, hereby certify that we have examined the annexed plat, designated as the _____ as laid out by _____ and that we have received a copy for our files and hereby approve the same.

However, this approval shall not be considered to be a waiver of any Township Ordinance relating to the construction, minimum width, surface materials and drainage facilities in this Plan.

Supervisor

Supervisor

Supervisor

ATTEST: _____ SEAL

APPENDIX "C"

AFFIDAVIT CERTIFYING CONFORMANCE

OF FINAL PLAT TO APPROVED PRELIMINARY PLAT

I, _____, hereby certify that the Final Plat submitted herewith for
(Applicants Name)
the _____ conforms exactly to the Preliminary Plat granted
(Name of Proposed Subdivision)
approval by the Green County Planning Commission on _____, 19 ____.
(Date)

Signature _____
(Applicant)

Date _____

APPENDIX "D"

SAMPLE DEVELOPMENT AGREEMENT

MADE AND ENTERED INTO this _____ day of _____, 19____ by and between:

THE GREENE COUNTY PLANNING COMMISSION, (hereinafter referred to as "Planning Commission")

A
N
D

FRED D. BLAKER, RD #2, Box 81, Waynesburg, PA 15370 (hereinafter referred to as "Developer").

WHEREAS, the Developer is interested in developing Phase 3 on a parcel of ground containing 0.344 acres located adjacent to Phase 1 and 2 along T-543 in Franklin Township and designated as part of parcel number 0707-132; and

WHEREAS, the parking area will service the Phase 3 mini-storage building according to the site plan prepared by T. Jacob Mankey, Registered Engineer and the paving specifications as submitted, and further described as: the pavement areas are to be paved using four (4) to six (6) inches of concrete with 6 x 6 wire mesh reinforcement on a gravel base and shall be inspected by the Planning Commission.

WHEREAS, the Developer wishes to proceed with construction of the development; and

WHEREAS, Section 509, Article V of the Pennsylvania Municipalities Planning Code (otherwise known as Act 170) and Section 602, Article VI of the Subdivision and Land Development Ordinance of Greene County, provides that no plan shall be finally approved unless improvements (Parking Area) shown on the site plan have been installed and improved as required by the Ordinance; or

WHEREAS, Section 509 and Section 602 of the afore stated Act and Ordinance further provide that in lieu of the completion of the improvements required as a condition for the approval of the plan, the Developer shall deposit with the Planning Commission in the amount sufficient to cover the costs of any improvements which may be required for such a period of time as the Planning Commission determines reasonable, the amount of the bond or other security to be determined by the Engineer appointed by the Planning Commission.

NOW, THEREFORE, it is hereby agreed between the Developer and the Planning Commission as follows:

1. The Developer, at his sole expense, will construct the entrance/exit and parking lot as shown on the plan prepared by T. Jacob Mankey, Registered Engineer and the Paving Specifications as submitted and further described as: four (4) to six (6) inches of concrete with 6 x 6 wire mesh reinforcement on a gravel base.
2. Said improvements stated in Item 1 shall be constructed and improved prior to the occupation of the facility. Time of completion of said improvements shall be of the essence unless extended by mutual agreement of the parties in writing.
3. In the event the Developer fails to install said improvements or meet the standards specified in Item 1 and 2, the Developer agrees to remain solely liable to the Planning Commission, acting on behalf of the Greene County

Commissioners, for the proper installation and construction of the entrance/exit and parking area.

4. The Developer also agrees to meet the requirements outlined in the Greene County Conservation District Review dated _____.

IN WITNESS WHEREOF, the parties hereto have caused these present to be signed and sealed the day and year above written.

ATTEST:

GREENE COUNTY PLANNING COMMISSION

Witness

Director

WITNESS:

DEVELOPER

Developer's Name

APPENDIX "E"

ALTERNATE PAVING STANDARDS

ALTERNATE PAVING STANDARDS

COURSES

MINIMUM DEPTHS

	RCC	6"
	Subbase	7"
—	RCC	6"
	Aggregate/Cement*	4"
	Subbase	-
-	PCC	6"
	Subbase	7"
—	PCC	6"
	Aggregate/Cement *	4"
	Subbase	-
—	CRC	6"
	Aggregate/Cement *	4"
	Subbase	-

* Or lean concrete

Maximum Depths Rigid Pavement: Slab 20"
Aggregate/Cement* 6"
Subbase 12"

Maximum Depths CRC Pavement: Slab 20"
Aggregate/Cement* 6"
Subbase 12"

—	COURSE	MAXIMUM DEPTHS	MINIMUM DEPTHS
—	Surface	4"	3.5"
	CABC, CABC-DG	16"	6"
	Subbase	12"	6"
—	Surface	4"	3.5"
	Agg./Cement or A-L-P Base Courses	12"	5"
	Subbase	12"	6"

— Surface**	4"	1.5"
Bituminous Concrete Base Course	15"	4.5"
Subbase	12"	6"
— Surface	4"	1.5"
Agg./Bituminous Base Course	12"	5"
Subbase	12"	6"
— Surface	4"	3.5"
Plain Cement Concrete Base Course	12"	5"
Subbase	12"	6"

** When heavy-duty mixes are required or used, they will be placed to the same depths as normal ID mixes. When surface course of 3.5 inch or more is indicated, it will consist of wearing and binder courses.

KEY TO ABBREVIATIONS IN TABLE

CABC	CRUSHED AGGREGATE BASE COURSE
CABC-DG	CRUSHED AGGREGATE BASE COURSE - DENSE GRADED
BCBC	BITUMINOUS CONCRETE BASE COURSE
A-L-P BC	AGGREGATE - LIME - POZZALAN
RCC	REINFORCED CEMENT CONCRETE
PCC	PLAIN CEMENT CONCRETE
OGS	OPEN GRADE SUBBASE
SURFACE	WHERE RECOMMENDED 3.5"- 2" BINDER/1.5" WEARING COURSE
AGGREGATE	STONE-GRAVEL-SLAG (PA DOT APPROVED)
SUBBASE	2A OR OGS
	a) non drainable base - 8" - 2A
	b) 4" OGS on 4" 2A

APPENDIX "F"

SAMPLE APPLICATION FOR WAIVER OR MODIFICATION

Applicant's Name: _____

Applicant's Address: _____

Section or Sections of Ordinance from which waiver or modification is being requested.

Type of waiver or modification being requested:

- Application Requirements
- Physical Features
- Design Specifications
- Other

Describe:

Reason for requested waiver or modification, (Please be specific)

Signature of Applicant(s)

Date

Modification fee Payable to Greene County Planning Commission \$25

Paid Date Check Cash

Date of Planning Commission meeting in which this modification will be considered.

Action of the Greene County Planning Commission Approved Denied