

**Borough of Parkesburg  
Chester County  
Pennsylvania**

**Subdivision  
and  
Land Development Ordinance  
of  
2014**



Prepared by the

Parkesburg Borough Council  
Parkesburg Borough Planning Commission  
Parkesburg Codes Study Task Force

with the assistance of  
The Grafton Association

# Subdivision and Land Development Ordinance, 2014

Borough of Parkesburg, Chester County, Pennsylvania

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## ARTICLE I

### PREAMBLE

#### SECTION 100      SHORT TITLE

This Ordinance shall be known and may be cited as "The Borough of Parkesburg Subdivision and Land Development Ordinance of 2014".

#### SECTION 101      PURPOSE

The Ordinance is enacted to achieve the following purposes:

- A. **Harmonious, Orderly, Efficient and Coordinated Development.** To ensure the harmonious, orderly, efficient and coordinated development of the Borough, thereby creating conditions favorable to the health, safety and general welfare of Borough residents.
- B. **Suitable Sites.** To ensure that the development of sites are suitable for building purposes and human habitation and use.
- C. **Conformance to Zoning and Other Borough Ordinances and Codes.** To ensure that the arrangement and design of subdivisions and land developments conform to the Comprehensive Plan, the Zoning Ordinance, and other planning documents and applicable ordinances, codes, and regulations.
- D. **Consistency with Public Facility and Services Plans.** To ensure the coordination and conformity of subdivisions and land developments consistent with the public facilities and services improvement plans of the Borough.
- E. **Coordination with Existing and Planned Circulation and Transportation Systems.** To ensure that the type, location and layout of vehicular and pedestrian circulation systems are coordinated with existing and planned transportation systems so that prospective vehicular, transit, and pedestrian traffic is properly and safely accommodated.
- F. **Adequate easements and Rights-of-Way.** To ensure that adequate easements or rights-of-way are provided for streets, transportation, stormwater, drainage, and other utility facilities.
- G. **Protection and Enhancement of Natural and Cultural Resources.** To ensure, through the establishment of standards for the protection and enhancement of natural and cultural resources, that subdivisions, land developments and other land disturbance activities are environmentally sound.

- H. **Adequate, Reliable and Safe Public and Common Improvements.** To ensure that all new development incorporates adequate provisions for reliable, safe and adequate public improvements, including water supply, sanitary sewage disposal, stormwater management facilities, vehicular and pedestrian circulation facilities, recreation facilities and outdoor lighting facilities to support the intended uses.
- I. **Enhance the Character of the Borough.** To ensure innovative and high quality subdivision and land development that will enhance the character of the Borough and help foster a sustainable community.
- J. **Uniform and Equitable Plan Review Procedures.** To ensure that the procedures for the review and processing of subdivision and land development plans are uniform and equitable.

## SECTION 102 INTERPRETATION

The provisions of this Ordinance shall be held to be the minimum requirements for the promotion and protection of the above stated purposes. Where the provisions of this Ordinance impose greater restrictions than those of any other applicable ordinance or regulation, the provisions of this Ordinance and its standards and specifications shall prevail. Where the provisions of any statute, other ordinance or regulation impose greater restrictions than this Ordinance, the provisions of such statute, ordinance or regulation shall prevail.

## SECTION 103 AUTHORITY AND CONTROL

All subdivisions and land developments within the Borough of Parkesburg are subject to the provisions of this Ordinance and all plats of land intended for subdivision or land development must be submitted to the Borough Council of Parkesburg for approval.

### A. Subdivision and Land Development Control

No land development or redevelopment, subdivision or re-subdivision of a lot, tract or parcel of land shall be effected, and no street, sanitary sewer, storm drain, water main or other improvements in connection therewith shall be laid out, constructed, opened or dedicated for public use or travel, or for the common use of occupants of buildings abutting thereon, except in strict accordance with the provisions of this Ordinance, the Borough of Parkesburg Zoning Ordinance and other Borough ordinances and regulations, as amended from time to time.

### B. Sale of Lots, Issuance of Building Permits, Erection of Buildings or On-Site Improvements

In a subdivision or land development, no lot may be used or sold, no building permit may be

issued, and no building or other structure may be erected, unless and until:

1. A final plan for such subdivision or land development shall have been approved and duly recorded.
2. A grading plan, including a complete conservation plan for erosion and sediment control, has been duly approved.
3. Either the required on-site and/or public improvements from the lot or building to an existing improved street, or otherwise, shall have been constructed or the Borough has been assured, by means of a proper performance guarantee in the form of a financial security of such type as shall be approved by the Borough Council sufficient to cover the cost of all required public and on-site improvements, as deemed satisfactory by the Borough Engineer, that such public and on-site improvements will subsequently be installed by the developer or owner of the property.

Where, owing to unusual and specific conditions, a literal enforcement of any of the provisions of this Ordinance would result in unnecessary hardship, such reasonable modifications or waivers of such provisions may be made by the Borough Council in accordance with Section 703 of this Ordinance, as will not be contrary to the interests of the public or property owner involved or adjacent thereto, in which case the issuance of a permit, or erection of a building or other structure may be permitted subject to such conditions and safeguards as may be imposed to assure adequate streets and other public improvements, and adequate conservation and other on-site improvements.

## **SECTION 104 JURISDICTION AND ROLE OF PLANNING COMMISSION**

In order that the actions of the Borough Council, having jurisdiction of subdivision and land development within the Borough, are coordinated with all relevant information and procedures, the Council hereby designates the Borough Planning Commission to perform the following functions:

- A. Review Preliminary and Final Plan Applications.** To review, upon filing with the Borough, all applications for preliminary and final approval of subdivision and/or land development plans.
- B. Engage in Preliminary Consultation with Applicant.** To engage in all preliminary consultations with the applicant for preliminary and final approval of subdivision and/or land development plans.
- C. Make Recommendations to Borough Council Regarding Action on Plans.** To make recommendations to the Borough Council concerning approval, disapproval, modification and conditions of approval of subdivision and/or land development plans.

**D. Recommendations Regarding Modifications or Waivers.** To make recommendations to the Borough Council concerning the rationale for granting modifications to the provisions of this Ordinance.

**E. Make Determinations Regarding Application Completeness and Acceptability.** To make the determination as to completeness and acceptability of applications to the Borough for approval of subdivision and/or land development plans for the purpose of establishing the date of filing.

#### **SECTION 105      VALIDITY**

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

#### **SECTION 106      REPEALER**

The Parkesburg Borough Subdivision and Land Development Ordinance of 2007 as amended, is hereby repealed. All other ordinances, resolutions and parts thereof inconsistent herewith, to the extent of such inconsistency, are hereby repealed.

#### **SECTION 107      EFFECTIVE DATE**

This Ordinance shall take effect five (5) days after the enactment of this Ordinance by the Parkesburg Borough Council.

## ARTICLE II

### DEFINITIONS

#### SECTION 200 GENERAL INTERPRETATION

- A. The captions used in this Ordinance are for convenience only and shall not control or affect the meaning or construction of any of the provisions of this Ordinance.
- B. Unless otherwise expressly stated, or where the context clearly indicates otherwise, the words and phrases defined in this Article, whether with initial capitalization, full capitalization or otherwise shall be construed throughout this Ordinance to have meanings indicated in this Article.
- C. The present tense of any word or phrase used in this Ordinance includes the future; the singular number includes the plural and the plural the singular; and the masculine gender includes the feminine and neuter,
- D. Whenever appearing in this Ordinance, the word "used" includes the words "designed, arranged or intended to be used"; the word "occupied" includes the words "designed or intended to be occupied"; the words "shall" and "will" are always mandatory; the words "may" and "should" are always permissible; the words "person", "applicant", "subdivider", "developer" and "owner" include a corporation, unincorporated association, partnership or other legal entity, as well as an individual; the word "building" includes a structure and shall be construed as if followed by the phrase "or part thereof"; and the words and phrases "such as", "including" and the like are intended to introduce matters which are illustrative of the meaning of the sentence, clause or phrase in which such words or phrases appear without limiting or derogating from the general application of the sentence, clause or phrase in which such words or phrases appear.
- E. Unless specifically provided otherwise herein, any reference in this Ordinance to any other ordinance of the Borough, to any Federal or State law or statute, to any regulation, study, map, survey or other matter issued or prepared by the Borough Council, or any officer or official thereof, and/or by any Federal or State public body, or a public officer or official thereof, shall include such other ordinance, law, statute, regulation, study, map, survey or other matter, with all amendments and supplements thereto, and any new ordinance, law, statute, regulation, study, map, survey or other matter substituted for the same, as in force at the time of application hereunder.
- F. Unless specifically provided otherwise herein, any reference in this Ordinance to any governmental agency, department, board, commission or other public body, or to any public officer or other public official, shall include an entity or official which or who succeeds to substantially the same functions as those performed by such public body or official at the

time of the application hereunder.

## SECTION 201        DEFINITIONS

AASHTO - The American Association of State Highway and Transportation Officials.

ACCELERATED EROSION - The removal of the surface of the land through the combined actions of man and natural processes at a rate that is greater than would occur from the natural process upon undisturbed land.

ACT 247 - The "Pennsylvania Municipalities Planning Code," Act of July 31, 1968, P.L. 805, No. 247, as reenacted and amended by the Act of December 21, 1988, P.L. 1329, No. 170, 53 P.S. §10101 et seq., and any subsequent amendments thereto.

AGRICULTURAL SECURITY AREA - An area of the Borough comprising more than five hundred (500) acres of land used for the agricultural production of crops, livestock and livestock products under the ownership of one (1) or more persons and designated as such by the procedures set forth in the Agricultural Area Security Law, Act of June 30, 1981, P.L. 128, No. 43, as amended. 3 P.S., Section 901, et seq. Generally, the agricultural security area is protected from certain condemnation procedures. The purpose of the agricultural security area is to preserve agricultural land in the Commonwealth of Pennsylvania.

AGRICULTURE - The cultivating of the soil, the raising and marketing of livestock and poultry, dairying and the marketing of products of the soil that are produced on the premises including, but not by way of limitation, nursery, horticultural and forestry products, but excluding commercial swine and commercial poultry facilities. The keeping of horses for domestic purposes shall not be considered an agricultural use.

ALLEY - A strip of land over which there is a right of way, serving as a secondary means of access to two or more properties.

ALLUVIAL SOILS - Soils generally found in flood plains and formed by the deposit of sediments or alluvium washed from uplands. Alluvial soils in Parkesburg Borough are identified as Chewacla and Rowland Series soils.

APPLICANT - A landowner or developer, as herein defined, who has filed an application for development, including his heirs, personal representatives, successors and assigns.

APPLICATION FOR DEVELOPMENT - Every application, whether preliminary or final, required to be filed and approved prior to the start of construction or development including, but not limited to, an application for a building permit, for the approval of a subdivision plat or plan or for the approval of a development plan.

BERM - A raised earthen structure generally level and formed of compacted soils used for the control of stormwater, either by impoundment or diversion or used for screening and/or buffering.

BLOCK - An area of land bounded by streets, roads or other types of rights-of-way.

BOROUGH — The Borough of Parkesburg, or Parkesburg Borough, Chester County, Pennsylvania.

BOROUGH COUNCIL — The elected Council of the Borough of Parkesburg, Chester County, Pennsylvania.

BUFFER (BUFFER AREA. BUFFER YARD) - A designated area of land, containing a Landscaped Screen, as defined herein, between two (2) uses intended to protect one use from another use that is incompatible, or to provide privacy between two (2) uses, or intended to protect the view(s) of or from a use.

BUILDING - Any structure or part thereof for which a permit is required under or by this Ordinance, the Borough of Parkesburg Zoning Ordinance and/or the Uniform Construction Code. A structure or appendage to a structure which is permanently affixed to the land and is used for human, animal or property enclosure, housing or shelter. A building contains supporting columns and/or walls and a roof. Included in this term are manufactured houses and other structures meant to be used for permanent housing or usage in one location.

BUILDING CODE - The Building Code of Parkesburg Borough as codified in the Code of Ordinances of the Borough.

BUILDING SETBACK LINE (BUILDING LINE) -

- A. Except in the case of an interior lot, the Building Setback Line shall be a line, within and extending the full width of a lot, parallel to the street line and setback a distance measured from the right-of-way line therefrom equal to the depth of the minimum required front yard. In the case of an interior lot (where preexisting or approved by relief), the Building Setback Line shall be a line, within and extending the full width of the lot, which is (a) parallel to the intervening lot line nearest the street line, and (b) setback from such intervening lot line a distance equal to the depth of the minimum required front yard, or in the case of an existing interior lot of record, a distance equal to seventy-five (75) feet in accordance with the Zoning Ordinance.
- B. For the purpose of measuring lot width at and along the building setback line, the following shall apply:
  1. Except as otherwise provided in Subsection 2, below, the building setback line, for

the purpose of measuring lot width, shall be the minimum building setback line as defined in Subsection A, above.

2. In the case of a lot having its entire street frontage within the turnaround, measured from reverse curve to reverse curve, of a cul-de-sac street, the building setback line, for the purpose of measuring lot width, shall be a curved line that is (a) parallel to and concentric with the street line, and (b) set back from the street line a distance equal to at least the depth of the minimum required front yard but in no case more than twice the depth of the minimum required front yard.

CALIPER - The diameter of a tree trunk measured at a point three and one half feet (3 1/2') above the ground surface.

CARTWAY - That portion of a street or alley paved or otherwise intended for vehicular traffic. Where vertical curbs are provided, the area between the sides of the curbs facing the cartway shall be included in the cartway.

COMMON OPEN SPACE OR OPEN SPACE - A parcel or parcels of land or an area of water or a combination of land and water within a development site designed and intended for the use or enjoyment of the residents of a development and other neighborhoods, consisting of landscaped or natural terrain including lakes and streams. Common open space shall be substantially free of buildings (but may include such buildings or other improvements as are in the development plan as finally approved and as are appropriate for the recreational uses). Common open space shall not include street rights of way, yards, required areas for buildings, off-street parking areas or stormwater detention or retention facilities or other non-common open space functions. The common open space may include recreational uses such as tennis courts, squash courts, playgrounds, golf courses, swimming pools or other like uses.

COMPREHENSIVE PLAN - The document adopted in accordance with the provisions of Act 247, as the Comprehensive Plan for the Borough of Parkesburg by the Borough Council.

CONDOMINIUM - Real estate, portions of which are designed for separate ownership, the remainder of which is designed for common ownership solely by the owners of those portions, created under the Pennsylvania Uniform Condominium Act of 1980.

CONSERVATION PLAN - A plan designed to manage stormwater and drainage to prevent or reduce soil erosion and sedimentation; an approved Stormwater Management Plan approved under the Borough of Parkesburg Stormwater Ordinance, as the later might be amended or superseded, including by Commonwealth Act 167.

CONSTRUCTION - Any disturbance of the existing surface of the land or the erection of structures thereon, including earth-moving activity, the cutting of trees or clearing of brush and stormwater management, provided, however, that entering upon the premises, for purposes of

surveying, staking or the clearing of lines necessary to obtain data on existing conditions shall not be deemed "construction".

COUNCIL — The Borough Council of Parkesburg Borough, Chester County, Pennsylvania.

CROSSWALK - A right-of-way exclusively for pedestrian or non-motorized vehicle travel across a street.

CUL-DE-SAC - A single access local street intersecting another street at one end and terminated at the other end by a permanent vehicular turnaround.

DBH - The diameter of a tree at breast-height usually measured 3 1/2 feet from the ground surface.

DESIGN STANDARDS - Minimum standards by which a subdivision or land development is developed.

DESIGNATED FLOODPLAIN DISTRICTS - The Floodplain Districts specifically described in the Zoning Ordinance including the FW, Floodway Floodplain District, the FF, Flood Fringe Floodplain District and the FA, General Floodplain District. See Grading and Excavating of the Stormwater Management Regulations of the Parkesburg Borough Code of Ordinances.

DETENTION BASIN - A structure designed to retard surface water runoff for a period of time sufficient to provide for a reduced rate of discharge through a controlled outlet, and to retard the velocity and cause the deposition of sediment, and as a means of preventing erosion.

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 a land development.

DEVELOPMENT -

- A. For the purposes of this Ordinance applicable to floodplains, "development" shall mean any manmade change to improved or unimproved real estate including, but not limited to, buildings or other structures, the placement of manufactured homes, streets and other paving, utilities, mining, dredging, filling, grading, excavation or drilling operations or storage of equipment or materials and the subdivision of land.
- B. For other purposes of this Ordinance, "development" shall have the meaning set forth in Subsection A, above, and shall also mean a land development as defined herein.

DEVELOPMENT AGREEMENT - See Section 310 of this Ordinance.

DIVERSIONS - A channel or ditch and embankment constructed across a sloping land surface, either on the contour or at predetermined gradient, to intercept and divert stormwater before it

gains sufficient volume or velocity to scour or cause harmful erosion.

DRAINAGE - The flow of water or other liquid and the means or structures for directing such flow, whether surface or subsurface, and whether natural or artificial.

DRAINAGE AREA - The upstream watershed area of a drainage basin measured from a point of discharge in the watercourse.

DRAINAGE FACILITY - Any structure or improvement designed, intended or constructed for the purpose of diverting surface waters from or carrying surface water off streets, public rights of way, or any part of any subdivision or land development.

DRIVEWAY, PRIVATE - That portion of a lot that is intended for vehicular use and which is privately owned, whether paved or unpaved.

DWELLING - A building designed, modified and/or constructed for residential purposes.

EARTH-MOVING ACTIVITY - Human activity, other than agricultural activities, that results in the movement of soil or subsoil, or the stripping of vegetative cover from the earth.

EASEMENT - A permanent right granted for limited use of private land, normally for a public purpose (e.g., utility, drainage, public access). The owner of the property shall have the right to make any other use of the land that is not inconsistent with the rights of the grantee.

EASEMENT, CONSERVATION - A legal agreement between a property owner and an appropriate conservation organization or governmental entity through which the property owner establishes certain use restrictions over all or portions of the property for conservation purposes.

ENGINEER, BOROUGH - A professional engineer, licensed as such by the Commonwealth of Pennsylvania, duly appointed as the engineer for the Borough.

EROSION - The process by which soils, vegetation and man-made materials on the earth's surface are worn away by action of water, wind, frost, or a combination of such action by natural forces.

FILL - Material, exclusive of structures, placed or deposited so as to form an embankment or raise the surface elevation of the land.

FLAG LOT - See "LOT, INTERIOR."

FOOTCANDLE - A unit of light quantity or density when the foot is the unit of measure. One footcandle equals one lumen per square foot of area.

GLARE - Brightness in the field of view that is sufficiently greater than the amount of light to which the eye is adapted, to cause annoyance, discomfort or loss of visual performance and visibility.

GLARE, DISABLING - Brightness in the field of view that impairs visibility and creates a potential hazard to the health, safety and welfare of residents and others in the Borough.

GLARE, NUISANCE - Brightness in the field of view that creates an annoyance or aggravation but does not create a potentially hazardous situation.

GRADE, EXISTING - The elevation, relative to a given datum, of the ground surface prior to any excavation or fill.

GRADE, FINISHED - The elevation, relative to a given datum, of the ground surface after completion of any excavation or fill.

GRADE, PROPOSED - The elevation, relative to a given datum, of the ground surface to be achieved by excavation or fill.

GRADING - The changing of the surface of the ground by excavation or filling, or combination of the two, the act of moving earth.

GRADING PLAN - A plan to scale showing existing and proposed buildings and other structures, as well as existing and proposed contours at sufficient intervals to define scale, location, depth and gradient and general slope of the ground.

GREENWAY LANDS - That portion of a tract set aside for the protection of sensitive natural features, farmland, scenic views, and other unique features. Greenway lands may be accessible to the residents of a development and/or municipality, or it may contain areas of conservancy lots that are not accessible to the public. Greenway lands may include conservation easements.

GUARANTEE, MAINTENANCE - Financial security, that is approved by the Borough Council and which is required by the Council under and pursuant to Section 310 (Subdivision and Land Development Improvements Agreement) and Section 311 (Performance Guarantees) of this Ordinance, and Section 509 of the Pennsylvania Municipalities Planning Code, to guarantee the structural integrity and functioning of improvements, dedication of which to the Borough, is accepted by the Borough Council,

GUARANTEE, PERFORMANCE - Financial security that is approved by the Borough Council and which is required by the Council under and pursuant to Section 310 and Section 311 of this Ordinance, and Section 509 of the Pennsylvania Municipalities Planning Code, as a condition to final approval of a subdivision or land development plan, to guarantee that the improvements shown on the plan are installed and completed in accordance with the plan and applicable

provisions of this Ordinance.

GUTTER - That portion within a street right-of-way, whether paved or unpaved, designed for surface drainage.

HISTORIC PRESERVATION - The process of identifying, protecting, and enhancing buildings, places, sites, structures, and objects of historical and cultural significance. This process embraces many phases including the survey and evaluation of historical, architectural, and cultural resources in an area; the development of planning and legal measures to protect these resources; the identification of public and private funding sources applicable to preservation projects; the design for the conservation, reconstruction, restoration, rehabilitation, stabilization, and/or adaptive use of historic structures; and the ongoing maintenance of these resources.

HISTORIC RESOURCES - All buildings, sites, structures, objects and districts that are shown on the Parkesburg Borough Historic Resources Map.

HYDRIC SOILS - A soil that formed under saturated conditions as defined by the National Technical Committee for Hydric Soils (NTCHS). For list of hydric soils, see "Hydric Soils, Chester County, Pennsylvania (Tabular Data Version 2 Date: 06/14/2007, as might subsequently be amended) as published by the Natural Resources Conservation Service (NRCS) of the U. S. Department of Agriculture (USDA).

IMPERVIOUS SURFACE - Areas that do not absorb water, including but not limited to, buildings, structures, and impervious paved areas.

IMPROVEMENTS - Physical additions, installations and/or changes to buildings, structures or land such as, but not limited to, grading, paving, roads, curbing, fire hydrants, water mains, sanitary sewers, capped sewers, storm sewers, storm drains, catch basins, culverts, sidewalks, monuments, crosswalks, bridges, earthworks, street lights, wells, sewage disposal systems, street trees, landscaped screens and other plantings and other manmade facilities that may be necessary, desirable or proposed in a subdivision or land development in order to render the land suitable for the use or uses intended.

IMPROVEMENTS, PUBLIC - Improvements including but not limited to grading, paving, roads, curbing, fire hydrants, water mains, sanitary sewers, and other surface drainage facilities, retaining walls, street signs, monuments or the like, which may be dedicated to the Borough.

LAND DEVELOPMENT - Any of the following activities:

- (1) The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
  - (I) a group of two or more residential or nonresidential buildings, whether proposed

initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or

(ii) the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, lease holds, condominiums, building groups or other features.

(2) A subdivision of land.

(3) Development in accordance with Section 503 (1.1) of the Pennsylvania Municipalities Planning Code (MPC). The Borough does not choose to exercise the option to exempt from this definition of land development any of the development configurations defined by said subsection of the MPC.

LAND DEVELOPMENT, MAJOR - Any land development not classified as a minor subdivision (See "SUBDIVISION, MINOR").

LAND DEVELOPMENT, MINOR - See "SUBDIVISION, MINOR."

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 condition), a lessee if he is authorized under the lease to exercise the rights of the landowner, or other person, having a proprietary interest in land.

LANDSCAPE SCREEN - The use of plant material, walls, fencing or earthen berms, or combinations thereof, to: (i) aid in the concealment of such features as parking and loading areas; (ii) to provide privacy and/or protection between two (2) incompatible land uses; or, (iii) to provide a visual or sound barrier. Where a wall, fence or berm is employed, such structures shall be not less than five (5) feet in height. Plant material shall consist of evergreen and deciduous trees and/or shrubs not less than eight (8) feet in initial height and not less than eight (8) feet in width (unless a greater width is otherwise required by this Ordinance). No less than fifty percent (50%) of the plants shall be evergreen mixed throughout the length of such screen, so arranged or placed as to divert attention (at initial planting) from or obstruct, when viewed six (6) feet from the ground surface, at least eighty-five percent (85%) of an otherwise clear view of an objectionable or incompatible use or activity during all seasons of the year.

LOT - A designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit in accordance with this Ordinance, the Zoning Ordinance and/or other applicable law.

LOT AREA - The area of land contained within the property lines of a lot as described in the deed or as shown on an approved subdivision plan. For the purpose of calculating the minimum

lot area necessary to comply with the area and bulk requirements, the following areas shall be excluded from such calculation:

- A. Any area (i) within a street ultimate right-of-way; or (ii) within any other ultimate right-of-way, whether public or private, that provides, or is intended to provide, access to more than one (1) lot by way of vehicular and/or pedestrian circulation.
- B. Any area, easement or right-of-way to be used for emergency access.
- C. Any existing easements or rights-of-way for gas, oil, natural gas, electric or communications transmission facilities, whether below or above grade, that do not exclusively serve the lot.
- D. Any area comprising a stormwater management basin or drainage easement.
- E. For any lot for which the minimum required lot area is one (1) acre or less: all areas overlain by the Floodplain Conservation District, all areas of prohibitive slope, all areas of seasonally high water table soils and all areas delineated as wetlands.
- F. For any lot for which the minimum required lot area is in excess of one (1) acre; that portion or those portions of the lot in which the following features individually or cumulatively represent greater than twenty percent (20%) of the gross area of the lot: all areas overlain by the Floodplain Conservation District, all areas of the prohibitive slope, all areas of seasonally high water table soils and all areas delineated as wetlands.

LOT CORNER - A lot at the junction of, and abutting on two or more streets, or at the point of abrupt change in direction of a single street. Both yards adjacent to streets shall be considered front yards. One remaining yard shall be a side yard and one shall be a rear yard.

LOT INTERIOR - Sometimes referred to as a Flag Lot, a lot having limited frontage on a public or private road, where such frontage is intended primarily to provide access to the lot. The strip of land used for access shall be a fee simple part of the lot. An Interior Lot shall include, without limitation, a flag lot.

LOT LINE - A property boundary line of any lot held in single and separate ownership, except that, in the case of any lot abutting a street, the lot line for such portion of the lot as abuts such street shall be deemed to be the same as the street line, and shall not be the centerline of the street or any other line within the street lines even though such may be the property boundary.

LOT REVERSE FRONTAGE - A lot extending between and having frontage on an existing or proposed arterial, collector or local street and a local street, and with vehicular access solely from the latter.

LOT WIDTH - The horizontal distance between the side lot lines of a lot (or in the case of a corner lot, between the side lot line and the opposite front lot line of the lot) measured at and along the building setback line. The measurement of lot width at and along the building setback line shall be as provided in and by the definition herein of "building setback line".

LUMEN - A unit used to express the light output of a lamp or fixture. The number of lumens striking a square foot of area determines the footcandle level (lumens per square foot).

LUMINAIRE - A complete lighting unit consisting of a lamp(s) together with the parts required to distribute the light, position and protect the lamp and to connect the lamp to a power supply. Used synonymously with the term "fixture".

MAJOR LAND DEVELOPMENT - Any land development not classified as a minor subdivision (See "SUBDIVISION, MINOR").

MAJOR SUBDIVISION - A major subdivision shall be any subdivision not classified a minor subdivision.

MARKER - An iron pipe or pin of at least 1/2" diameter and at most 5/8" diameter by 24" length embedded into the ground.

METES AND BOUNDS - A system of describing and identifying boundaries of land, real estate, by measures of distance and directions, or by natural features that act as a boundary - a description usually generated and prepared by a registered or licensed surveyor. The boundaries are described in a running prose style, working around the parcel in sequence, from a point of beginning, returning back to the same point. The term "metes" refers to a boundary defined by the measurement of each straight run or arc, specified by a distance between the terminal points, and an orientation or direction. A direction may be a simple compass bearing, or a precise orientation determined by accurate survey methods. The term "bounds" refers to a more general boundary description, such as along a certain watercourse, a stone wall, an adjoining public road way, or an existing building. Turning points in the boundary are often marked with pins or permanent markers or monuments.

MOBILE/MANUFACTURED HOME - A transportable, single family dwelling, intended for permanent occupancy contained in one unit, or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation, including any addition or accessory structure, such as porches, sheds, decks, or additional rooms. For floodplain management purposes, the term "mobile home" includes "manufactured home," and also includes "park trailer," "travel trailer," and other similar vehicles placed on a site for more than one hundred eighty consecutive days. For flood insurance purposes, the term "manufactured home" does not include "park trailer," "travel trailer," and other similar vehicles.

MOBILE/MANUFACTURED HOME LOT - A parcel of land in a mobile home/manufactured park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile/manufactured home.

MOBILE/MANUFACTURED HOME PARK - A parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobile/manufactured home lots for the placement thereon of mobile/manufactured homes.

MONUMENT - A permanent concrete monument with a flat top at least four inches square, and a minimum of twenty (20) inches in length, embedded into the ground and to the top of which is permanently affixed a reference mark (indented cross or drill hole). The monument shall be tapered so that the dimensions at the bottom are at least two inches greater than the top, to minimize movement caused by frost.

NEW CONSTRUCTION - structures, including any subsequent improvements to such structures for which the start of construction commenced on or after November 2, 1981, the date of adoption of the floodplain management regulations of the Borough.

OFFICIAL SEWAGE FACILITIES PLAN - The Act 537 Plan, including all revisions thereto, for the provision of adequate sewage systems adopted by the Borough and submitted to and approved by the Pennsylvania Department of Environmental Protection as provided in and by the Pennsylvania Sewage Facilities Act and the regulations of the Pennsylvania Department of Environmental Protection promulgated thereunder.

ONE HUNDRED YEAR FLOODPLAIN (100-YEAR FLOODPLAIN) - A flood that, on average, is likely to occur once every one hundred (100) years, i.e. that has a one percent (1%) chance of occurring each year, although the flood may occur in any year.

PEDESTRIAN WAY - A paved or non-paved surface designed to provide for the movement and circulation of pedestrians and/or bicyclists, including sidewalks, walkways, paths and trails.

PENNSYLVANIA MUNICIPALITIES PLANNING CODE - The Act of July 31, 1968, P.L. 805, No. 247, as reenacted and amended by the Act of December 21, 1988, P.L. 1329, No. 170, 53 P.S. §10101 et seq., and any subsequent amendments thereto.

PENNSYLVANIA SEWAGE FACILITIES ACT — The Act of January 24, 1966, P.L. (1965) 1535, No. 537, as amended, 35 P.S. Section 750.1 et seq., and any subsequent amendments thereto.

PERSON - Any individual, firm, trust, condominium, partnership, joint venture, unincorporated association, business association or corporation, whether public or private, or other legal entity cognizable at law.

PLAN. "AS-BUILT" - Engineering plans prepared after the completion of construction by the engineer-of-record, in such a manner as to accurately identify and depict the location of all on-site improvements, which includes but is not limited to all structures, parking facilities, detention/retention areas, curbs, gutters, and sidewalks. This plan or set of plans specifies the locations, dimensions, elevations, capacities and capabilities of structures or facilities as they have been constructed. The as-built plan might also include as-built profile drawings which depict vertical sections and cross-sections of roads, streets, curbs, conduits, or other physical features as actually constructed. See Section 604 of this Ordinance for more specific detailed requirements.

PLAN, FINAL - A plan for subdivision or land development submitted subsequent to or simultaneously with the preliminary plan for review and approval by the Borough, including all required data and information, showing the proposed street and lot or site layout, or a plan of existing private streets to be dedicated to public use, and other improvements, as a basis for consideration by the Borough. A final plan conforms in all important details to the approved preliminary plan, including any conditions specified by the Borough Council. If the applicant submits a combination preliminary-final plan, the content and format of the plan must meet the requirements for content of both the preliminary and final plan. An approved final plan becomes the basis for the record plan. See Sections 300 and 306 of this Ordinance for further details regarding the content and requirements for a final plan.

PLAN, IMPROVEMENTS CONSTRUCTION - The maps, detailed plans, or drawings accompanying an application for subdivision and land development plan approval which show the specific location and design specifications of improvements to be constructed, built, or installed. These maps, plans and drawings are to be prepared by an appropriate design professional. See Section 304 of this Ordinance regarding acceptable design professionals. Also see the definition of the related term "PLAN, PROFILE."

PLAN, LAND DEVELOPMENT - A plan depicting all aspects of a particular land development as required herein, including all exhibits, drawings, cross-sections, profiles and descriptive text to the degree of detail specified herein and sufficient to portray the full intent of a developer.

PLAN, PRELIMINARY - A plan for subdivision or land development submitted prior to or simultaneously with the final plan for review and approval by the Borough, including all required data and information, showing the proposed street and lot or site layout, or a plan of existing private streets to be dedicated to public use, and other improvements, as a basis for consideration by the Borough. If the applicant submits a combination preliminary-final plan, the content and format of the plan must meet the requirements for content of both the preliminary and final plan. An approved preliminary plan becomes the basis for the final plan. A preliminary plan might be submitted subsequent to submission and review of a sketch plan, but not necessarily so. See Sections 300 and 305 of this Ordinance for further details regarding the content and requirements for a preliminary plan.

PLAN, PROFILE (A. K. A. "Profiles") - A plan prepared by an engineer or surveyor registered in the Commonwealth of Pennsylvania showing the vertical section of the existing and proposed grade along the centerline of any proposed street and any street appurtenances to be constructed or installed, which must include a typical cross-section of the street construction and the grades of all street right-of-way lines and curb lines; part of the required submission of the Improvements Construction Plan in accordance with Sections 305.C, 305.D, 306.C, 306.D, and 604, and Appendix D and Appendix E of this Ordinance.

PLAN, RECORD - The copy of the final plan which contains the original endorsements of the Chester County Planning Commission and the Borough and which is intended to be recorded with the Chester County Recorder of Deeds.

PLAN, SKETCH - A generalized conceptual plan indicating the boundaries of a tract or tracts proposed for development or subdivision, and identifying proposed land use, land-use intensity, thoroughfare alignments, and the development configuration including open space, or common spaces, amenities, and facilities, and other major improvements. The requirements for and content of the a sketch plan is specified in Section 300 and Section 303 of this Ordinance.

PLANNER, BOROUGH - A professional certified planner duly designated by the Council to perform the duties of Planner as herein specified.

PLANNING COMMISSION - The Parkesburg Borough Planning Commission, Chester County, Pennsylvania.

PLANTING STRIP - A strip of land lying between; (a) the curb line, or edge of the paving of a street, and (b) the sidewalk, or edge of parking lot paving.

PLAT - The map or plan of a subdivision or land development, whether preliminary, final, or recorded.

PUBLIC HEARING - A formal meeting held pursuant to public notice by the Council or the Planning Commission intended to inform and obtain public comment, prior to taking action, in accordance with this Ordinance and Act 247.

PUBLIC IMPROVEMENTS - Those facilities that are designed for and available to the public, which may be offered for dedication including, but not limited to, streets, storm drainage facilities, sidewalks and utilities.

PUBLIC MEETING - A forum held pursuant to notice under 65 Pa. C.S., Chapter 7, known as the "Sunshine Act".

PUBLIC NOTICE - Notice of a hearing published once each week for two successive weeks in a newspaper of general circulation in the Borough. Such notices shall state the time and place of

any hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than thirty days, and the second publication shall not be less than seven days, prior to the date of the hearing.

RECREATION, ACTIVE - Those recreational pursuits that require physical alteration to the area in which they are performed. Such areas are intensively used and include, but are not limited to, playgrounds, ball courts and swimming pools.

RECREATION, PASSIVE - Recreational pursuits that can be carried out with little alteration or disruption in the area in which they are performed. Such uses include, but are not limited to, hiking, biking and picnicking.

RECREATIONAL VEHICLE - A vehicle that is: (a) built on a single chassis, (b) four hundred (400) square feet or less when measured at the largest horizontal projection, © designed to be self-propelled or towable by a light duty truck or car, and (d) designed primarily as temporary living quarters for recreational, camping, travel or seasonal use and not for continued occupancy or use as a permanent dwelling. For the purposes of this Ordinance, the term "recreational vehicle" shall also include a boat or other watercraft.

REGULATORY FLOOD ELEVATION - The One Hundred Year Flood (100-Year Flood) elevation plus a freeboard safety factor of one and one-half (1 1/2) feet.

RESERVE STRIP - A parcel of ground in separate (sometimes public) ownership separating a street from other adjacent properties or from another street.

RESUBDIVISION - Any replatting or resubdivision (including reverse subdivision) of land, limited to changes in lot lines on an approved Final Plan or Recorded Plan as specified in this Ordinance. Other replattings shall be considered as constituting a new subdivision of land. See also "SUBDIVISION."

RETENTION BASIN - A reservoir, formed from soil or other material, designed to permanently retain stormwater runoff from a specified amount of stormwater runoff as defined by this Ordinance, to detain temporarily additional stormwater runoff and/or to retain perennial or intermittent surface water flow from permanent or intermittent streams. Retention basins always contain water and include man-made ponds and lakes.

REVERSE SUBDIVISION - A subdivision proposal to eliminate lot, parcel or tract lines created by a previous plat or plats, or created by a previous deed(s) or series of deeds. See the term "RESUBDIVISION."

REVIEW - The process whereby authorized officials of the borough examine the site plans, maps, drawings, and other documentation of a subdivision and land development application to determine the compliance of the intent and stated purposes, requirements, and standards of this

Ordinance, the Zoning Ordinance, and other related and specified ordinances. Pursuant to the requirements and conditions specified in Section 302 of this Ordinance or otherwise required by statute or agreement, the term may also mean a similar examination by the Chester County Planning Commission, other agencies, municipalities, utilities, service providers, and governmental entities. See Sections 300.C, 302, 303, 305, and 306 of this Ordinance for additional details of review processes.

RIGHT-OF-WAY - The total width of any land reserved or dedicated as a street, alley, sidewalk, or crosswalk, or for any other purpose.

RIPARIAN BUFFER - Unless defined otherwise by the Borough of Parkesburg Stormwater Ordinance (Ordinance 464, Adopted June 12, 2006, and subsequent amendments), a vegetative strip paralleling the banks of a perennial or intermittent stream or other water body (including wetlands and ponds); the buffer usually contains appropriate native vegetation throughout its width.

ROAD - See "Street".

SCREEN (SCREENING) - See "Landscaped Screen".

SEASONALLY HIGH WATER TABLE SOILS - Those soils in which the groundwater surface is one foot or less from the ground surface at certain or all times of the year. By name, these soils are: Bowmanville (Bo), Chewacla (Ch), Croton (CrA, CrB), Glenville (GnA, GnB, GnB2), Readington (RdA, RdB, RdB2), Rowland (Ro, Rp), Wehadkee (We), and Worsham (WoA, WoB, WoB2).

SEDIMENT - The silt or small soil particles held or carried in suspension by water.

SENSITIVE ENVIRONMENTAL FEATURES - Natural features that perform a beneficial function such as reducing erosion or which, if disturbed, may cause hazards or stress to life and property such as steep slopes. For the purposes of this Ordinance, Sensitive Environmental Features include, but are not limited to, the following: (a) slopes in excess of fifteen percent (15%), (b) soils classified as highly erodible, subject to erosion or as having a high water table, (c) wetlands, (d) hydric soil areas, (e) mature stands of native vegetation, (f) aquifer recharge and discharge areas, (g) floodplains, and (h) lands incapable of meeting percolation requirements for on-site sewage disposal systems.

SEPTIC SYSTEM - A sewage-treatment system that includes a settling tank through which liquid sewage flows and in which solid sewage settles and is decomposed by bacteria in the absence of oxygen, or as otherwise defined by the statutes and regulations of the Commonwealth of Pennsylvania. This type of subsurface wastewater treatment and disposal system usually consists of a settling tank (also known as a septic tank), a subsurface disposal field, and other supporting appurtenances.

SEPTIC TANK - A covered water-tight settling tank in which raw sewage is changed into solid, liquid and gaseous states to facilitate further treatment and final disposal per the requirement of Pennsylvania Department Environmental Protection (DEP), Chapters 71, 72 and 73.

SEWAGE FACILITIES -

- A. Individual, On-Site Sanitary Sewage Disposal System - The disposal of sewage by use of septic tanks, or other safe and healthful means, approved by the Chester County Health Department, within the confines of the lot on which the use is located.
- B. Community Sanitary Sewage Collection, Treatment, And/Or Disposal System - A sanitary sewage system in which sewage is carried from two or more individual dischargers by a system of pipes to one or more privately owned and/or maintained common treatment and disposal facilities, approved by the Chester County Health Department and The Pennsylvania Department of Environmental Protection. Treatment and disposal may occur either on-site or off-site.
- C. Public Sewage System - Off-site system for the treatment and disposal of sewage, owned by Pennsylvania American Water Company or successor, in which sewage is conveyed by interceptor to a publicly operated treatment plant and disposed of through means approved by the Pennsylvania Department of Environmental Protection.

SEWER CONNECTION - The sewer connection consists of all pipes, fittings and appurtenances from the drain outlet of a building to the inlet of the corresponding sewer riser pipe.

SEWER RISER PIPE - The sewer riser pipe is that portion of the sewer lateral that extends vertically to the ground elevation and terminates at each building in a mobile/manufactured home park, such pipe to be vented and trapped.

SHADE TREES - A tree intended to provide shade along streets and pedestrian ways, and in parking lots and other places and installed only as provided in this Ordinance.

SIGHT DISTANCE - For the purposes of this Ordinance, the definition shall be as in the Pennsylvania Code, Title 67, Transportation, Chapter 441.1, as most recently amended.

SITE - A lot, tract or parcel of land on which grading, construction or land development is taking place, or is proposed to take place; the location of the work.

SITE ANALYSIS - An analysis of the natural features on a site intended to promote a site design that is sensitive to the unique natural features of the landscape. The Site Analysis shall accompany the Sketch Plan, Preliminary Plan and Final Plan.

SPECIMEN PLANT - A unique, rare or otherwise specifically selected plant or tree which most

typically represents a class or group in terms of shape, form, historical importance or other characteristics which may be designated as such by the Borough.

STEEP SLOPE - Those areas of the Borough that are characterized by a change in elevation of fifteen percent (15%) to twenty-five percent (25%) are designated precautionary slopes, and greater than twenty five percent (25%) are designated prohibitive slopes, over a distance or contour defined by the Borough Zoning Ordinance.

STORMWATER - Any precipitation, but usually rainfall, which is sufficient to flow on any natural or impervious surface; frequently termed "runoff".

STORMWATER ORDINANCE - "Borough of Parkesburg Stormwater Ordinance" (Ordinance No 464, Adopted June 12, 2006) as might be amended or superseded, including by Commonwealth Act 167.

STREET - A strip of land, including the entire ultimate right-of-way thereof, publicly owned, dedicated and accepted for public use, or privately owned, abutting and furnishing access to more than one (1) lot, primarily serving, or intended to serve, as a means of vehicular and pedestrian travel, and which may also be used to provide space for sewer, other utilities and sidewalks. The word "street" includes thoroughfare, avenue, boulevard, court, drive, expressway, roadway, highway, lane, alley, service street, marginal access street, road or similar terms. The following categories of streets are defined as follows:

- A. Arterial - A major street or highway with high vehicular speeds or high traffic volumes of considerable continuity and used primarily as a traffic artery between rural and urban areas.

Arterial streets may be either Principle Arterials or Minor Arterials. Principle Arterials serve major centers of activity and carry the highest proportions of area travel and most of the trips entering and leaving the Borough, thus serving intra-area travel. Minor Arterials interconnect with and augment the Principle Arterial system distributing travel to smaller centers of activity and allowing for more access to adjoining properties than Principle Arterials.

- B. Collector - A major street which carries traffic from Local streets to Arterial streets.

Collector streets may be either Major Collectors or Minor Collectors. Major Collectors may provide access to centers of activity, connect with Principle Arterials and allow for more access to adjoining properties than Minor Collectors. Minor Collectors serve more to collect traffic from local streets and provide access to the smallest of activity centers.

- C. Local - Every public or private street used for access to abutting properties. Local streets may be Primary Distributor Roadways,

Secondary Distributor Roadways or Local Access Streets. A Primary Distributor Roadway is the highest order Local Street which moves traffic from lower order Local Streets to Collector and Arterial Streets. A Secondary Distributor Roadway is the middle order Local Street which carries traffic from Local Access Streets to Primary Distributor Roadways. A Local Access Street is the lowest order Local Street which serves no through function and provides the greatest degree of access.

STREET, CENTER LINE OF - The line that is equidistant from both sides of the street.

STREET, COMMERCIAL - A street used primarily as the means of access to abutting commercial or industrial properties.

STREET, EYEBROW - A street section that is offset from a principal or primary street by a landscaped island and provides access to abutting properties.

STREET, IMPROVED - A street wherein paving and other required improvements exist in accordance with the Borough standards specified in this Ordinance and any other Borough ordinance or regulation.

STREET LINE - The dividing line between a lot and the outside boundary or right-of-way line of a public street, road, or highway legally open or officially platted, or between a lot and a privately owned street, road, or way over which the owners or tenants of two or more lots, each held in single and separate ownership, have the right of way.

STREET, MARGINAL ACCESS - A street, parallel and adjacent to an arterial or collector street but separated from it by a reserve strip, that provides access to abutting properties and connection with the arterial or collector street at controlled intervals. A marginal access street serving residential uses shall be considered a residential street and when serving commercial or industrial uses shall be considered a commercial or an industrial street.

STREET, PARTIAL - Any street that does meet the street standards of this Ordinance.

STREET, PRIVATE - Any street not offered or not required to be offered for dedication.

STREET, SERVICE - A street adjoining the rear lot line of a lot and providing vehicular access to the lot, commonly referred to as an alley.

STREET, SINGLE ACCESS - Any street that has access to an existing public road and circulation system at only one (1) point. A single access street includes cul-de-sacs and loop roads. Cul-de-sac streets shall only be permitted when emergency access to an arterial, collector or local street is provided.

STREET, STUB - Any street laid out in a subdivision or land development, intended for

connection to a future street on adjoining property.

STREET TREE - Deciduous hardwood trees, having a caliper of not less than two and one half inches (2 1/2"), planted adjacent to and outside of a street right-of-way, such trees to be approved as to type by the Borough Council.

STRUCTURE - Any manmade object having an ascertainable stationary location on or in land or water whether or not affixed to the land. Any form or arrangement of building materials involving the necessity of providing proper support, bracing, tying, anchoring or other protection against the forces of the elements.

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

SUBDIVISION, MAJOR - A major subdivision shall be any subdivision not classified a minor subdivision.

SUBDIVISION, MINOR - To be classified a minor subdivision, the subdivision shall meet either the requirements of "a" or all of "b" below.

- a. Contain only lot line adjustments where no development is proposed, and no more than four (4) adjoining lots or parcels are involved, before and as a result of the lot line adjustments.
- b. Contain no more than three (3) proposed lots.
  - (1) Have no public improvement intended to be dedicated to the Borough.
  - (2) No street, road, sidewalk, or trail, public or private, is proposed to be constructed, improved, or widened.
  - (3) The cumulative area of land disturbance on each lot shall be less than 3,000 square feet.
  - (4) The division of land is solely for the purpose of construction of a single-family residence and buildings and/or structures accessory thereto on each single lot in the subdivision.
  - (5) No further subdivision of any proposed lots is contemplated or proposed, and

additional residual lands be deed restricted if approved as a minor subdivision.

- (6) Involves or includes neither a wetland nor floodplain, nor a historic resource, site, structure, or building.

SUB-GRADE - Any finished surface or elevation of compacted fill or natural earth upon which materials of construction are placed.

SUBSOIL - Clay, sand, gravel or other natural earth material below the surface soil and low in organic matter.

SUBSTANTIAL DAMAGE - Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT -

- A. Any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure before the start of construction of the improvement.
- B. Substantial Improvement includes any repair, restoration or other improvement to structures that have incurred substantial damage regardless of the actual repair, restoration or other improvement work performed.
- C. Substantial Improvement however does not include either:
  1. Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications that have been identified by the local code enforcement official and which project is the minimum necessary to assure safe living conditions.
  2. Any alteration of a historic structure provided that the alteration does not preclude the continued designation of the structure as a historic structure.

SUBSURFACE CONDITIONS - Conditions below the ground surface that may affect the design of improvements and structures, including the cut slope stability and foundation stability of soils and rock types, location and extent of faults and the ground water quality and quantity.

SURVEYOR - A licensed surveyor registered by the Commonwealth of Pennsylvania.

TOPSOIL - Natural and friable loam containing sufficient organic nitrogen, phosphorus and potassium to support plant growth and extending in depth to the extent of penetration of feeder

roots of the prevailing native grasses.

TRACT - One or more lots assembled and presented as a single property for purposes of subdivision or land development.

TRAFFIC CALMING - Changes in street alignment, installation of barriers, and other physical measures and devices to reduce traffic speeds and/or cut-through volumes, in the interest of street safety, and pedestrian/cyclist safety, neighborhood livability, and other public purposes. Traffic calming can involve the installation of speed humps, traffic circles, semi-diverters, chokers, chicanes, neck-downs, and roundabouts, or similar devices intended to discourage speeding or to discourage through traffic. In addition to these engineered physical devices and measures, and outside the jurisdiction of this ordinance, traffic calming programs usually include education and enforcement elements.

TURNAROUND - A paved circle or square terminating a cul-de-sac.

UCC - Act 45 of 1999, P.L. 491, 35 P.S. §§ 7210.101 - 7210.1103, as amended, known as the Uniform Construction Code, together with amendments and supplements thereto and any new statutes substituted therefor, as in force at the time of application under this Ordinance.

USE - Any purpose for which a building or other structure or tract of land may be designed, arranged, intended, maintained or occupied, or any activity or occupation carried on, or intended to be carried on, in a building or other structure or a tract of land.

UTILITIES - Sanitary sewer lines, water lines, fire hydrants, street lights, storm sewer lines, manholes, inlets, catch basins, gas lines, electric lines, telephone lines, cable television lines and other facilities of the same general character.

VEGETATION, PERMANENT - Perennial grasses, legumes or other long-lived plant materials, such as Crown Vetch, Fescues, etc., and Bluegrasses, depending upon the degree of refinement desired.

VEGETATION, TEMPORARY - Fast growing grasses, usually annuals, such as rye, oats, sudan, or other appropriate cover to prevent erosion until permanent vegetation can be installed.

WATER COURSE - A permanent or intermittent stream, river, brook, run, creek, channel, swale, pond, lake or other body of surface water, carrying or holding surface water, whether natural or man-made.

WATER SUPPLY -

- A. Individual System - A safe, healthful, and adequate supply of water to a single user from a private well or spring located on the land of the user.

- B. Central Water Supply System - A system for supplying water from a common source or sources to all dwellings and other buildings within a development. The water supply source may be located on site and/or off-site. A central system can be further described as either of the following:
1. Public Water Supply System - A system that is owned by a municipality, a public company, or a private company and which serves more than a single community or subdivision and may be interconnected with other water supply systems.
  2. Community Water Supply System - A system that is owned by a municipality, a public company, or a private company which serves a single community or subdivision, is not interconnected with any other water supply system and meets the standards found in 35 P.S., Section 721.3 for at least twenty-six (26) homes.

WATER TABLE - The upper surface of a zone of saturation except where that surface is formed by an impermeable body.

WETLANDS - Areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs and similar areas.

WOODLAND - An ecosystem characterized by a more or less dense and extensive tree cover. More particularly, a plant community consisting predominantly of healthy trees and other woody vegetation, well stocked and growing more or less closely together.

YARD - An open, unoccupied space on the same lot with a building or other structure or use, open and unobstructed from the ground to the sky, except for permitted signs and fences.

YARD, FRONT - A yard extending the full width of the lot along the front lot line and extending in depth from the front lot line to the nearest point of any structure on the lot. See "Lot, Corner".

YARD, REAR - A yard extending the full width of the lot along the rear lot line and extending in depth from the rear lot line to the nearest point of any structure on the lot.

YARD, SIDE - A yard extending in depth on the lot along a side lot line from the front yard to the rear yard, and extending in width on the lot from such side lot line to the nearest point of any structure on the lot.

ZONING ORDINANCE - The Parkesburg Borough Zoning Ordinance as codified in the Parkesburg Borough Code of Ordinances.

## ARTICLE III

### PLAN PROCESSING AND CONTENT

#### SECTION 300 PLAN CLASSIFICATION

A. **Classification of Plans by Sequence:** It is the intention of the Borough Council in enacting these procedures to provide the applicant with a timely and comprehensive review of plans submitted for subdivision and/or land development. To this end, the following sequential classifications of plan submissions are established as hereinafter provided:

1. Sketch plans
2. Preliminary plans
3. Final plans

B. **Exceptions, Modifications and Waivers:** Where literal application of plan processing procedures established by this Ordinance would create undue hardship or be plainly unreasonable in their opinion, the Planning Commission may recommend in writing to the Council such reasonable exceptions as will not be contrary to the public interest, subject to Section 703 of this Ordinance.

C. **Application of Provisions Based on the Minor and Major Nature of Proposals:** All subdivision applications shall be classified for the purposes of procedure and requirements, as either minor or major, as defined in Section 201 of this Ordinance. The distinction between minor and major subdivision and development proposals has been made on the basis of the nature, scope and kind of likely impacts, service and facility requirements, and complexity of the project. Proposals considered as minor are eligible for a streamlined review process, whereas those proposals deemed as major require substantially more documentation and information, and greater and broader scrutiny and consideration. Applicants shall apply for and secure approval in accordance with the following procedures:

1. Minor Subdivision and Development Plan General Requirements and Processes.
  - a. Applicants for a minor subdivision and development review and approval are encouraged to submit a sketch plan to the Borough, but are not required to do so. Requirements for sketch plans are specified in Section 303.
  - b. Applicants for minor subdivision and land development review and approval must either submit a preliminary plan followed later by a final plan to the Borough, or submit a joint preliminary-final plan to the Borough.
  - c. Minor subdivision and development plans shall be exempt from the following requirements and provisions:

- 1) Except in the case of a plan which proposes the creation of three new building lots, Section 301 regarding public notification.
  - 2) Preparation and submission of a wetlands delineation and evaluation, when and where wetlands are clearly not present, as required by Sections 303.B, 305.C, 305.D, 305.E, 306.C, 306.D, 306.E, or 307.C, or **Appendix B, Appendix C, Appendix D, Appendix E, or Appendix H.**
  - 3) The delineation of significant features within one hundred (100) feet of the subject property, as otherwise required by Section 305.C, Section 306.C or **Appendix C.**
  - 4) Preparation and submission of a proximity plan and comprehensive disclosure and analysis of existing site features within five hundred (500) feet of the subject project site, as otherwise required by Section 305.C, Section 306.C or **Appendix C.**
  - 5) Preparation and submission of a Transportation Study, as otherwise required by Section 307A.
  - 6) Minor plans which involve only the modification of existing lot lines, rather than the creation of new building lots or sites, shall not be subject to Park, Recreation and Open Space dedication and design requirements and standards of Section 425 of this Ordinance.
  - 7) Minor plans which involve only the modification of existing lot lines, rather than the creation of new building lots or sites, shall not be subject to Landscaping, Screening, and Buffering requirements of Section 427 of this Ordinance.
- d. Park, Recreation and Open Space Requirements: An applicant for a minor subdivision and development plan which proposes the creation of two or more new building lots/sites shall be required to provide a fee-in-lieu of dedication. The fee shall be calculated according to the provisions and formulas established by Section 425.B of this Ordinance.
- e. Landscaping, Screening and Buffering Requirements: Landscaping, Screening and Buffering requirements are specified in Section 427 of Article IV of this Ordinance.
2. Major Subdivision and Development Plan General Requirements and Processes.

All plan proposals not classified as minor subdivisions and land developments shall be subject to the requirements and procedures of Sections 301 through 313 of this Ordinance, except as relief might be granted through the provisions and procedures of Sections 300.B and 703 of this Ordinance.

- D. Preparation and Submission of a Sketch Plan is Encouraged:** The applicant(s) is strongly encouraged to voluntarily submit a sketch plan, indicating how the tract will be utilized, prior to the formal submission of a plan to the Borough.

## SECTION 301 PUBLIC NOTIFICATION

The Borough finds that it is in the public interest to enable neighbors, citizens and business within the borough to be aware of subdivision and land development project proposals that have been submitted to enable same to study and comment upon such proposals. Both the Borough and the applicant can benefit from such exposure. Consistent with this finding, the following public notification steps are required of the applicant, except as otherwise exempted elsewhere in this Ordinance.

- A. Notice to Be Mailed:** The filing of a preliminary plan for a major subdivision or land development shall require the applicant to notify surrounding property owners by mail and by placement of a sign on the property that is the subject of the application.
- B. Timing and Coverage of Notice:** The mailed notice to surrounding property owners shall occur at least 14 days before the public meeting of the Planning Commission when the plan is to be first reviewed. Notice shall be by first class mail, return receipt requested and the applicant shall provide the Borough with documentation of the mailings prior to the Planning Commission meeting. The mailings shall be made as follows:
1. For major subdivision and residential land development plans, all property owners within five hundred (500) feet of the application site shall receive a notice by mail.
  2. For non-residential land development plans, all property owners within one thousand (1,000) feet of the application site shall receive a notice by mail.
- C. Measuring Distance from Project Site:** For the purpose of compliance with this Section distances shall be measured from the nearest point of the boundary of the application site to any point on the boundary of an affected parcel for which a mailing is required.
- D. A Narrative Description of the Proposal is Required:** The required mailed notice shall contain a narrative description of the proposed subdivision or land development and include, at a minimum, the name and address of the applicant, the parcel number(s), a description of the application site, and the number and type of dwelling units, and/or the number and type of non-residential buildings, including the floor area of each building.
- E. Posted Notification Sign Requirements:** The required sign shall be placed on the application site so as to be in clear view of passers-by and adjacent to and outside of the street right-of-way. If the application site has frontage on more than one (1) street, a sign

shall be required for each street, however in no case shall more than two (2) signs be required. The sign shall be placed on the application site within ten (10) days of acceptance of the application by the Borough. A permit shall be required for each sign and the sign shall comply with the following requirements:

1. The sign(s) shall be placed in a conspicuous location, clearly visible to the public, along and parallel to the street frontage, as close to, but outside of, the street right-of-way. The Borough may permit the placement of only one (1) sign on a corner lot of less than two (2) acres. In no case shall a sign be placed so as to interfere with driver visibility or vehicular safety.
2. The sign(s) shall be single faced and shall measure four (4) feet by four (4) feet with a yellow background and two (2) inch black sans serif typeface. The sign shall be no more than seven (7) feet in height, measured from the top of the sign to the average elevation of the ground beneath the sign.
3. The sign(s) shall include a site plan that depicts the lot configuration for subdivision plans or the placement of buildings, with the floor area thereof, vehicular and pedestrian circulation, parking areas and landscaping; the applicants name and telephone number; the name of the plan; the application number; and the tax parcel number. The Borough internet address and Borough telephone contact number shall be placed at the bottom of the sign(s).
4. The applicant shall be responsible for cleaning, maintaining, or replacing, within ten (10) days of notification, any sign that becomes illegible, or is removed. The sign(s) shall remain in place until final action is taken on the application.
5. The applicant shall provide the Borough with photographic evidence of posting of the sign(s) and a signed affidavit prior to the public meeting. Failure of any such posted sign(s) to remain in place after the initial posting shall not be deemed a failure to comply with the posting requirements or be grounds for a challenge to the validity of any decision made on the application unless the sign(s) was removed by the applicant or at his direction.
6. The applicant shall remove the posted sign(s) not later than ten (10) days after final action on the application is taken by the Borough.

## **SECTION 302      REVIEW BY CHESTER COUNTY AND OTHER AGENCIES AND ENTITIES**

- A. Chester County Planning Commission** - The applicant shall supply one (1) copy of all preliminary plans and final plans, and all supporting information, including the sewage facilities planning module, to the Borough for submission to the Chester County Planning

Commission for their review.

- B. **Chester County Health Department** - The applicant shall supply two (2) copies of the preliminary plan and sewage facilities planning module to the Borough for submission to the Chester County Health Department for review of matters relating to requirements for public water and sewer systems.
- C. **Chester County Conservation District** - One (1) copy of the final plan shall be provided for submission to the Chester County Conservation District for review of stormwater and soil erosion management.
- D. **Other Agencies** - The applicant shall submit additional copies of plans as may be required by the Planning Commission or Borough Council for review by county, state, federal, or other reviewing or regulatory agencies, the fire company, police department, water supply provider, and the sanitary sewage disposal provider in the Borough.
- E. **Adjoining Municipalities and Governmental Entities** - The applicant shall submit copies of plans, as may be required by the Planning Commission or Borough Council, for review by adjoining municipalities and/or other governmental entities within one thousand (1,000) feet of the proposed subdivision or land development.

### SECTION 303 SKETCH PLAN REVIEW AND CONTENT

A sketch plan for a proposed subdivision or land development may be, if provided by the applicant, submitted to the Borough Planning Commission for review. The submission of a sketch plan does not constitute submission of an application for approval of a subdivision or land development plan. However it does represent a basis for informal discussion between the Planning Commission and the applicant which may afford the applicant with valuable guidance and assistance in formulating plans, documents and other material for preliminary plan processing.

In the event that an applicant submits a sketch plan for review, the following shall apply:

#### A. **Number of Copies of Sketch Plan to Submit and to Whom.**

If the applicant chooses to submit a sketch plan, multiple copies of the plan are hereby required. The number of required copies of the sketch plan to be submitted to the Borough is specified in **Appendix A** of this Ordinance. The copies of the sketch plan are submitted to the Borough (Secretary/Manager) who will be responsible for the distribution of the sketch plan to the appropriate offices, staff members, commissions, agencies, or adjoining municipalities, as applicable.

**B. Content of the Sketch Plan.**

The desired content and format of the sketch plan is specified in **Appendix B** of this Ordinance. In all cases, the sketch plan shall contain the name, address and telephone number of the legal owner of the property, the applicant, if not the legal owner and the agent, if any, of the applicant.

**C. Sketch Plan Review Process.**

1. The Planning Commission shall review the sketch plan with the applicant, or applicant's agent, if such person is present at the meeting. In the event such person is not present, the Planning Commission shall communicate in writing to the applicant all of the review comments pertaining to the sketch plan.
2. The Planning Commission's review shall take into consideration the requirements of this Ordinance and all other relevant Borough ordinances, regulations, plans, maps and shall pay particular attention to the following: the arrangements, size and location of lots and proposed structures, if any; stormwater management; the relation of the proposed subdivision or land development to the natural and cultural features of the site; infrastructure requirements of the proposed subdivision or land development; the relationship of the proposed subdivision or land development with the surrounding community; the potential further development of adjoining lands; and the compatibility of the proposed subdivision or land development with the Comprehensive Plan and other relevant planning documents.

**SECTION 304      PRELIMINARY & FINAL PLAN PREPARATION: DESIGN  
PROFESSIONAL-OF-RECORD**

Responsibilities and qualifications of professionals-of-record are herein specified as follows:

- A. **Plan To Be Prepared by Professionals-of-Record** - Both the preliminary and final plan submission, including the provisions of Sections 305 through 306, and Sections 307.A and 307.C shall be prepared under the supervision of the engineer-of-record. The engineer-of-record and other design professionals-of-record shall prepare and supervise the plan submission in accordance with Pennsylvania Act 367, the Engineer, Land Surveyor, and Geologist Registration Law, and provide a statement of such on the plans. Other professionals-of-record, such as landscape architects and architects, shall prepare and supervise their responsible parts of the plan submission in accordance with Pennsylvania laws that govern their particular professional registration.
- B. **Include Statement of Compliance** - A statement shall note that the plans conform to Borough ordinances including the Borough Zoning Ordinance, the Borough Subdivision and

Land Development Ordinance, the Borough of Parkesburg Stormwater Ordinance, and other applicable Borough ordinances, all latest amended versions.

- C. **Responsibilities of the Professionals-of-Record** - Responsibilities of the engineer-of-record include those as cited in and provided for in Sections 305, 306, and 307 of this Ordinance. As part of the preparation of the plans, the engineer-of-record shall be responsible for providing the necessary assessments, analyses, and designs necessary and incidental to the plan submission including resolving potential safety issues, such as may be the case with the physical access to detention basins, or the location of pedestrian cross-walks. Review by the Borough does not relieve the professionals-of-record from the responsibilities of the preparation of the plan submission. The engineer-of-record shall be responsible for the engineering, design, drawing preparation, conclusions, and recommendations related to the subdivision and/or land development plans, including the information required by Sections 305 and 307 of this Ordinance for preliminary plans, and Section 306 for final plans.

## **SECTION 305          PRELIMINARY PLAN SUBMISSION, RESUBMISSION, REVIEW AND CONTENT**

### **A. A Complete Preliminary Plan Submission Required.**

1. All preliminary plans submitted pursuant to this Ordinance shall conform to the requirements of this Section.
2. The Borough shall have ninety (90) days to complete its review and approve or disapprove a preliminary plan, once a complete plan with all supporting forms, documents and reports are submitted.
3. All preliminary plans, as further described in this Section, together with a completed official application, available from the Borough, shall be submitted, along with supporting information, to the Borough and other reviewing agencies and individuals, as provided in Sections 305.C, 305.D, and 305.E below.

### **B. Number of Copies of the Preliminary Plan to Submit and to Whom.**

Multiple copies of the preliminary plan are hereby required. The number of required copies of the preliminary plan and supporting documents and forms to be submitted to the Borough is specified in **Appendix A** of this Ordinance. The copies of the preliminary plan are submitted to the Borough (Secretary/Manager) who will be responsible for the distribution of the preliminary plan to the appropriate offices, staff members, commissions, agencies, or adjoining municipalities, as applicable.

**C. Content of the Preliminary Plan.**

The required content and format of the preliminary plan is specified in **Appendix C** of this Ordinance. In all cases, the preliminary plan shall contain the name, address and telephone number of the legal owner of the property, the applicant, if not the legal owner and the agent, if any, of the applicant.

If the applicant is submitting a combination preliminary-final plan, the content and format of the plan must meet the requirements for content and format of the Final Plan (See Section 306.C, 306.D, and 306.E, **Appendix C, Appendix D, Appendix E, and Appendix F**).

In general, and except as specifically and explicitly exempted elsewhere in this Ordinance, the preliminary plan submission shall include, as a minimum requirement, a site design and layout plan, an existing conditions plan, a proximity plan, a grading plan, an improvements construction plan, a master plan, a landscape plan, and an outdoor lighting plan. In addition, the plans shall include the erosion and sedimentation control plan, and the stormwater management and drainage plan, both in accordance with the Borough of Parkesburg Stormwater Ordinance. In addition, the plans shall be accompanied by Supplementary Information. All plans shall include existing and proposed conditions.

**D. Drafting Standards and Drawing Preparation.**

The preliminary plan submission (drawings, sheets, etc) shall incorporate the minimum drafting standards specified in **Appendix D**. The drawings (sheets) of the preliminary plan submission shall be prepared in accordance with Sections 305.C and 305.D of this Ordinance, herein, and shall also conform to the standards and requirements specified in **Appendix E**.

**E. Supplementary Information for Preliminary Plans.**

The preliminary plan submission, including the data and information required by Section 305.C, 305.D and 305.E and **Appendices C, D and E** of this Ordinance, at a minimum, shall be accompanied by the applicable Supplementary Information (and supporting information) specified in **Appendix F**.

**F. Resubmission of Preliminary Plans.**

Resubmission of plans to the Borough shall be accompanied by a transmittal letter from the engineer-of-record that describes all changes made to the plan submission and describes how outstanding issues of the municipal engineering reviews have been addressed.

**G. Review of a Preliminary Plan.**

1. The preliminary plan and application shall be placed on the agenda of the regularly

scheduled meeting of the Planning Commission next following the date that a complete preliminary plan and application was filed.

2. The preliminary plan shall be reviewed by the Planning Commission at the next regularly scheduled meeting, per Subsection 305.G.1 above, and shall also be reviewed by the Borough Engineer and Borough Planner, the Chester County Planning Commission, the Chester County Health Department, and such other agencies as deemed appropriate by the Planning Commission.

3. Official Review Period

- a. The Borough shall have ninety (90) days in which to review and take action on the preliminary plan.
- b. The ninety (90) day period shall commence on the date of the regularly scheduled Planning Commission meeting next following submission of the preliminary plan and application. Whenever the next regularly scheduled meeting of the Planning Commission occurs more than thirty (30) days following the submission of a preliminary plan and application, the ninety (90) day review period shall commence on the thirtieth (30th) day following the day the preliminary plan and application was submitted.
- c. An extension of the ninety (90) day review period shall occur only when agreed to in writing by the applicant and accepted by the Borough Council.

4. Review by the Borough Engineer and Borough Planner

- a. The review by the Borough Engineer shall be for the purpose of checking the plan submission for general consistency with the applicable provisions of the Borough Zoning Ordinance, Borough Subdivision and Land Development Ordinance, and the Borough Stormwater Ordinance. It shall be the responsibility of the engineer-of-record to identify and resolve all issues of plan nonconformance with Borough ordinances. The Borough Engineer shall forward his written comments on the plan to the Borough.
- b. The review by the Borough Planner shall be for the purpose of checking the plan submission for general compatibility with applicable Borough planning. It shall be the responsibility of the applicant's design professionals to resolve all non-compatible issues. The Borough Planner shall forward his written comments on the plan to the Borough.

5. Review by the Borough Planning Commission.

- a. The Borough Planning Commission shall review all plans referred to it and shall

consider any recommendations made by a County agency, the Borough Engineer, the Borough Planner and any other persons or agencies who shall have submitted comments with respect to any such application.

- b. In its review of the preliminary plan, the Planning Commission shall examine the plan with particular emphasis on determining the suitability of the plan for the development of land and its relationship to the proper extension of streets and utilities, arrangement and density of housing or other uses, and compatibility of the plan with the Borough Comprehensive Plan and Borough Zoning Ordinance. The Planning Commission shall also assess the adequacy of parking, surface and storm drainage, access and landscaping or other related design standards.
- c. After such review, the Planning Commission shall send written notice of its action and the reasons therefore, citing specific sections of the Ordinance relied upon, along with the written comments of the Borough Engineer, the Borough Planner, the Chester County Planning Commission, and other agencies which have submitted comments, to the Borough Council, with a copy to the applicant, within five (5) days of completion of the Planning Commission's review.

6. Review by the Borough Council

- a. When a written report has been sent to the Borough Council by the Planning Commission such plan shall be placed on the Council's agenda for its review at its next regularly scheduled meeting.
- b. The Council shall, at one or more regular or special public meetings, review the Plan, other supporting information, and the written comments of the Planning Commission, Borough Engineer, the Borough Planner, County Planning Commission, and all other reviewing agencies, to determine conformity of the plan to the standards of this and any other applicable ordinance. The Council may specify conditions, changes, modifications, or additions to the plan which it deems necessary and may make a decision to grant preliminary plan approval subject to such conditions, changes, modifications, or additions, citing appropriate ordinance provisions as described in Section 305.G.6.e. When a plan is not approved in terms as filed, the decision of the Council shall specify the defects found in the plan and describe the requirements which have not been met and shall, in each case, cite the provision of the ordinances relied upon in the decision. If the Council approves the preliminary plan, the minutes of the meeting shall reflect such approval either with or without conditions.
- c. The Borough Council shall render its decision on the preliminary plan and communicate such decision to the applicant not later than ninety (90) days following the date of the regular meeting of the Planning Commission next following the date that the preliminary plan and application was filed, or if the next regularly scheduled meeting of the Planning Commission occurs more than thirty (30) days following the

submission of the preliminary plan and application, then, not later than one hundred and twenty (120) days following the submission of the preliminary plan and application.

- d. The decision of the Borough Council shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision.
- e. Whenever the approval of a preliminary plan is subject to conditions, the written action of the Council as prescribed herein shall specify each condition of approval, citing relevant ordinance provisions in each case, and require the applicant's written agreement to the conditions. Where the applicant's written concurrence is not received within the time allotted, the Council shall be deemed to have denied approval.

## **SECTION 306 FINAL PLAN SUBMISSION, RESUBMISSION, REVIEW AND CONTENT**

### **A. A Complete Submission Required.**

1. Within twelve (12) months after approval of the preliminary plan, a final plan and all necessary supplementary data shall be submitted to the Borough. If the applicant does not make a proper final plan application within twelve (12) months of the preliminary plan approval, the preliminary plan shall expire.
2. The final plan shall conform to the terms of approval of the preliminary plan and to the most recent administrative regulations adopted by the Borough Council for such purposes.
3. The Borough Council may permit submission of the final plan in sections or phases, each covering a reasonable portion of the entire proposed subdivision or land development as shown on the approved preliminary plan, but in no case shall include less than twenty-five percent (25%) of the total lots or dwelling units or total floor area, as depicted on the approved preliminary plan.
4. The Borough shall have ninety (90) days to complete its review and approve or disapprove a final plan.
5. All final plans, as further described in this Section, together with a completed official application, available from the Borough shall be submitted, along with supporting information, to the Borough and other reviewing agencies and individuals as provided in Section 306.B.

6. The final plan and application shall be placed on the agenda of the regularly scheduled meeting of the Planning Commission next following the date the final plan and application was filed.
7. The Planning Commission shall receive comments from reviewing agencies and individuals as provided in this Section, correlate the comments and submit its written report to the Borough Council.
8. All revisions to final plans shall be submitted to the Borough for review by the Borough Engineer and the Borough Planner.
9. The Borough shall note the date of the receipt of the application, and any fees and escrow deposits, as determined by resolution of the Borough Council. The application shall not be processed until the required fees have been received.

**B. Number of Copies of the Final Plan to Submit and to Whom.**

Multiple copies of the Final Plan are hereby required. The number of required copies of the final plan and supporting documents and forms to be submitted to the Borough is specified in **Appendix A** of this Ordinance. The copies of the preliminary plan are submitted to the Borough (Secretary/Manager) who will be responsible for the distribution of the final plan to the appropriate offices, staff members, commissions, agencies, or adjoining municipalities, as applicable.

**C. Content of the Final Plan.**

The required content and format of the final plan is specified in **Appendix C** of this Ordinance. In all cases, the final plan shall contain the name, address and telephone number of the legal owner of the property, the applicant, if not the legal owner and the agent, if any, of the applicant.

If the applicant is submitting a combination preliminary-final plan, the content and format of the plan must meet the requirements for content of both the preliminary and final plan (See Sections 305.C, 305.D, 305.E, 306.C, 306.D, and 306.E, and **Appendix C, Appendix D, Appendix E, and Appendix F**).

The final plan submission shall include, as a minimum requirement, a site design and layout plan, an existing conditions plan, a proximity plan, a grading plan, an improvements construction plan, a master plan, a landscape plan, and an outdoor lighting plan. In addition, the plans shall include the erosion and sedimentation control plan, and the stormwater management and drainage plan, both in accordance with the Borough of Parkesburg Stormwater Ordinance. In addition, the plans shall be accompanied by Supplementary Information. All plans shall include existing and proposed conditions. Contents of the plans shall include, but not necessarily be limited to, the information as required in Sections 306.C

through 306.E of this Ordinance. All requirements of the preliminary plans, including those of Sections 305.C through 305.E of this Ordinance, whether specifically noted by the Borough or not, that were not a part of the preliminary plans submission, shall become a requirement of the final plan submission.

Final plans shall conform in all important details to preliminary plans, including any conditions specified by the Borough Council. A final plan shall consist of and be prepared in accordance with the following:

**D. Drafting Standards and Drawing Preparation for the Final Plan.**

The Final Plan submission (drawings, sheets, etc) shall incorporate the minimum drafting standards specified in **Appendix D** and Section 305.D. The drawings (sheets) of the final plan submission shall be prepared in accordance with Sections 305.D and 306 of this Ordinance, herein, and shall also conform to the standards and requirements specified in **Appendix E**.

**E. Supplementary Information for Final Plans.**

The Final Plan submission, including the data and information required by Sections 305.C, 305.D, 305.E, and 306.C, and **Appendices C, D and E** of this Ordinance, at a minimum, shall be accompanied by the applicable Supplementary Information (and supporting information) specified in **Appendix F**.

**F. Resubmission of Final Plans.**

Resubmission of plans to the Borough shall be accompanied by a transmittal letter from the engineer-of-record that describes all changes made to the plan submission and describes how outstanding issues of the municipal engineering reviews have been addressed.

**G. Review of the Final Plan.**

The final plan shall be reviewed by the Planning Commission at the next regularly scheduled meeting and shall also be reviewed by the Borough Engineer and Borough Planner, the Chester County Planning Commission, the Chester County Conservation District, the Chester County Health Department, and such other agencies as deemed appropriate by the Planning Commission.

**1. Official Review Period.**

- a. The Borough shall have ninety (90) days in which to review and take action on the final plan.
- b. The ninety (90) day review period shall commence on the date of the regularly

scheduled Planning Commission meeting next following submission of the final plan and application. Whenever the next regularly scheduled meeting of the Planning Commission occurs more than thirty (30) days following the submission of a final plan and application, the ninety (90) day review period shall commence on the thirtieth (30<sup>th</sup>) day following the day the final plan and application was submitted.

- c. An extension to the ninety-day (90-day) review period shall occur only when agreed to in writing by the applicant and accepted by the Borough Council.
2. Review by the Borough Engineer, Borough Planner, the Sanitary Sewage Disposal Provider and Water Supply Provider.
    - a. The review by the Borough Engineer shall be for the purpose of checking the plan submission for general consistency with the applicable provisions of the Borough Zoning Ordinance, Borough Subdivision and Land Development Ordinance, and the Borough Stormwater Ordinance. It shall be the responsibility of the engineer-of-record to identify and resolve all issues of plan nonconformance with Borough ordinances. The Borough Engineer shall forward his written comments on the plan to the Borough.
    - b. The review by the Borough Planner shall be for the purpose of checking the plan submission for general compatibility with applicable Borough planning. It shall be the responsibility of the applicant's design professionals to resolve all non-compatible issues. The Borough Planner shall forward his written comments on the plan to the Borough.
    - c. The sanitary sewage disposal provider shall review the final design of sewerage facilities to determine compliance with standards established for acceptance of such systems by the Council. Final approval of plans by the sanitary sewage disposal provider shall be a condition precedent to the Council's action on the final plan.
  3. Review by the Borough Planning Commission
    - a. The Borough Planning Commission shall review all plans referred to it and shall consider any recommendations made by a County agency, the Borough Engineer, the Borough Planner and any other persons or agencies who shall have submitted comments with respect to any such application.
    - b. In its review of the final plan, the Planning Commission shall examine the plan with particular emphasis on determining the suitability of the plan for the development of land and its relationship to the harmonious extension of streets and utilities, arrangement and density of housing or other uses, and compatibility of the plan with the Borough Comprehensive Plan and Borough Zoning Ordinance. The Planning Commission shall also assess the adequacy of parking, surface and storm drainage,

access and landscaping or other related design standards.

- c. After such review, the Planning Commission shall send written notice of its action and the reasons therefore, citing specific sections of the Ordinance relied upon, along with the written comments of the Borough Engineer, the Borough Planner, the Chester County Planning Commission, the water supply provider and the sanitary sewage disposal provider, and other agencies which have submitted comments, to the Borough Council, with a copy to the applicant, within five (5) days of completion of the Planning Commission's review.
4. Review by the Borough Council.
    - a. When a written report has been sent to the Borough Council by the Planning Commission, such plan shall be placed on the Council's agenda for its review at its next regularly scheduled meeting.
    - b. The Council shall, at one or more regular or special public meetings, review the final plan, other supporting information, and the written comments of the Planning Commission, the Borough Engineer, the Borough Planner, County Planning Commission, and all other reviewing agencies, to determine conformity of the final plan to the standards of this and any other applicable ordinance. The Council may specify conditions, changes, modifications, or additions to the plan which the Council deems necessary and may make a decision to grant final plan approval subject to such conditions, changes, modifications, or additions, citing appropriate ordinance provisions as described in Subsection 306.G.4.d. When a final plan is not approved in terms as filed, the decision of the Council shall specify the defects found in the final plan and describe the requirements which have not been met and shall, in each case, cite the provision of the Ordinance relied upon in the decision. If the Council approves the final plan, the minutes of the meeting shall reflect such approval either with or without conditions.
    - c. The Borough Council shall render its decision on the final plan and communicate such decision to the applicant not later than ninety (90) days following the date of the regular meeting of the Planning Commission next following the date that the final plan and application was filed, or if the next regularly scheduled meeting of the Planning Commission occurs more than thirty (30) days following the submission of the final plan and application, then, not later than one hundred and twenty (120) days following the submission of the final plan and application. The decision of the Borough Council shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision.
    - d. Whenever the approval of a final plan is subject to conditions, the written action of the Council as prescribed herein shall specify each condition of approval, citing

relevant ordinance provisions in each case, and require the applicant's written agreement to the conditions. Where the applicant's written concurrence is not received within the time allotted, the Council shall be deemed to have denied approval.

- e. Upon the Planning Commission's recommendation for approval of the final plan, the Council may request the applicant to prepare an estimate, subject to approval of the Borough Engineer, of the cost of all public improvements to be dedicated to the Borough. The estimate shall be prepared, and certified as representing a fair and reasonable estimate of the cost, by a professional engineer licensed as such in Pennsylvania.
  - f. The Borough Council shall designate one (1) signed and recorded reproducible (Mylar®) copy and an electronic (AutoCAD®) copy of the final plan as the official copy. These copies shall include all corrections required by the Borough Council. All copies shall be retained in the Borough files.
  - g. Copies of the final plan as approved, with the appropriate endorsement of the Borough Council and the Borough Engineer shall be distributed as follows:
    - (1) A minimum of four (4) copies to the applicant, three (3) of which shall be utilized in recording in accordance with Section 306 and Section 308, and one (1) copy to be returned to the Borough after recording.
    - (2) One (1) copy to the County Planning Commission.
    - (3) One (1) signed and recorded copy to be retained in the Borough files, together with one (1) copy of all supporting materials.
  - h. Borough Council Hearing: Before acting upon any subdivision or land development plan, the Borough Council may hold a public hearing thereon pursuant to public notice.
5. No plan which will require access onto a road under the jurisdiction of Penn DOT shall be finally approved unless the plan contains a notice that a highway access permit is required pursuant to Section 420 of Act 428, known as the "State Highway Law", before access to a state road is permitted.

#### **H. Conditions of Final Plan Approval.**

Every final plan approval, with the exception of minor subdivision plans, as defined under Section 300.C.1, shall be subject to the following conditions:

- 1. The applicant shall execute a subdivision and land development improvements agreement

in accordance with Section 308 and Section 310, agreeing with the Borough to install all the improvements as required by this Ordinance and all regulations adopted pursuant thereto.

2. The applicant shall provide a performance guarantee in accordance with Section 310 and Section 311.
3. The applicant agrees, if requested by the Borough Council, and to the extent permitted by law, to tender a deed of dedication to the Borough for such streets, any and all easements for sanitary sewers, water lines, or storm sewers, and public improvements including street paving, sidewalks, shade trees, water mains, any fire hydrants, sanitary and storm sewers, as are required for the promotion of public welfare, after all said improvements are completed and such completion is certified as satisfactory by the Borough Engineer. The Council shall require that the applicant supply a title insurance certificate from a reputable company before any property is accepted by the Borough.
4. Whenever the applicant is providing open space as part of the development, an easement in perpetuity restricting such open space from further subdivision or development shall be executed between the applicant and the Borough, or an organization acceptable to the Borough, and shall be for the benefit of the Borough or the lot purchasers in the subdivision or land development.
5. The applicant shall have applied for all required permits from agencies having jurisdiction over ancillary development, such as Pennsylvania Departments of Transportation and Environmental Protection, Public Utility Commission, and County Health Department.

## **SECTION 307            ACCOMPANYING SPECIAL STUDIES AND DATA**

Under certain circumstances and conditions, special studies and data shall be required of an applicant. The circumstances that require the submission of a Transportation Study, Historic Resources Study, Environmental Impact Study, or Utilities and Services Study are specified in this Section, as well as the content and documentation requirements for such special studies.

### **A. Transportation Study**

#### **1. Applicability for a Transportation Study**

A transportation study as provided for in this Ordinance shall be required for all applications for subdivision and/or land development when any one or a combination of the following are considered relevant:

- a. Residential development with a trip generation rate of sixty (60) or more AADT

(annual average daily trips) as established in the Trip Generation Manual, latest amended version, as prepared by the Institute of Transportation Engineers;

- b. Institution or retirement facility with a trip generation rate of sixty (60) or more AADT, as established in the Trip Generation Manual, latest amended version, as prepared by the Institute of Transportation Engineers;
- c. Industrial, commercial and/or office development having a trip generation rate of sixty or more (60) AADT, as established in the Trip Generation Manual, latest amended version, as prepared by the Institute of Transportation Engineers;
- d. Any project that will affect streets or intersections that, in the opinion of the Borough, with or without substantiating data, will have a current level of service of "D", "E", or "F";
- e. Any project that will affect streets that, in the opinion of the Borough, have a safety or design deficiency, locations of high rates of accidents, inadequate intersection geometry, congested intersection activity, or other problematic issues that would be further exacerbated by proposed development in the absence of improvements;
- f. Any project that will be developed in phases with a cumulative effect of falling within the foregoing categories.

## 2. Requirements of the Transportation Study

The transportation study shall be formulated to the specific needs of the Borough and potential impacts of the proposed subdivision and/or land development, but shall, at a minimum, include the contents and scope specified in Part A of **Appendix G**.

## 3. Required Documentation

The Transportation Study shall document the purpose, procedures, assumptions, criteria, findings, conclusions, and recommendations of the study. The study shall include separate report sections of narrative text that summarize the points specified in Part B of **Appendix G**.

- 4. Sequence of the Study: The study documentation shall be presented in a logical sequence. It shall follow a step-by-step process through the various stages, conclusions and recommendations.
- 5. Time Line for Improvements: The recommendations shall specify the period within which the improvements shall be made, in relation to the various stages of the development's construction, and any monitoring of operating conditions and improvements that may be required.

6. Data Presentation: Data shall be presented in the form of tables, graphs, and overall maps and diagrams for purposes of summarizing for clarity and for ease of understanding and review.
7. Executive Summary: An executive summary of one or two pages shall be provided, which concisely reviews the basic purpose, conclusions, and recommendations.
8. Unusual Circumstances: Unusual or complicated circumstances may require the use of expanded studies or review that involve analyses that extend beyond the minimal requirements of this Section of the Ordinance. The studies shall be expanded as may be required by the opinion of either the transportation engineer or the Borough. If the transportation engineer responsible for the study determines that further studies are not required, a statement as such shall be included in the study.

## B. Historic Resources Study

### 1. Applicability for a Historic Resources Study

A historic resources study as provided for in this Ordinance shall be required for all preliminary plan applications for subdivision and/or land development when any one or a combination of the following are considered relevant:

- a. Subdivision and/or land development where new construction of buildings or other structures are located within one hundred (100) feet of the exterior perimeter of a historic resource;
  - b. Subdivision and/or land development that includes adaptive reuse or demolition of a historic resource;
  - c. Subdivision and/or land development that proposes the alteration of the façade of a historic resource;
  - d. Subdivision and/or land development that proposes to change the appearance of an elevation or face of a historic resource, by obstructing or partially obstructing the existing view, even though there may be no physical contact with the historic resource; or,
  - e. Subdivision and/or land development where a historic resource is located within the site.
- ### 2. Requirements of the Historic Resources Study

The historic resources study shall be formulated to the specific needs and potential impact of the proposed subdivision and/or land development, but shall, at a minimum,

include the following contents and scope:

- a. **Preparation and Requirements:** The historic resources study shall be prepared by a qualified professional in historic preservation, historical architecture, planning, or a related discipline.
- b. **Background Information:** The study shall include the following: A general description and classification of all historic resources located on the project site and adjacent properties, and other areas within one hundred (100) feet from the project site boundary. A physical description of all historic resources as identified in Section 305.C and **Appendix C**.
- c. **Statement of Historic or Architectural Significance:** A statement of the significance of each historic resource, both relative to the Borough and to the region in general. A narrative description of the historical development of the project site. All descriptions shall be comprehensive and include aspects that are typically a part of the PHMC forms. The background information shall include a sufficient number of black and white, 8 inch by 10 inch, photographs to detail the historic resources as identified in Section 305.C and **Appendix C**.
- d. **Description of the Proposed Changes:** The study shall include the following: A general description of the project. A description of the effects and impact on each historic resource identified in Section 305.C and **Appendix C**, with regard to architectural integrity, historic setting, historic character of the community, overall historic significance, and future use. A general description of the possible effects and impacts generated by the proposed change on each historic resource.
- e. **Mitigation Measures:** The study shall include the following: Recommendations for mitigating the project's impacts on historic resources, including identification of alternatives and other appropriate measures, as permitted under the terms of this and other Borough ordinances.

### C. Environmental Impact Study

#### 1. Applicability for an Environmental Impact Study

An environmental impact study as provided for in this Ordinance shall be required for all preliminary plan applications for subdivision and/or land development when any one or a combination of the following are considered relevant:

- a. Subdivision and/or land development where new construction of buildings or other structures are located within one hundred (100) feet of locations with known environmental issues;

- b. Subdivision and/or land development where known environmental issues are located within the site;
- c. Subdivision and/or and development which, in the opinion of the Borough, may have the potential to create adverse impacts to the project, the site, or the immediately surrounding area.

2. Requirements of the Environmental Impact Study

The environmental impact study shall be formulated to the specific needs and potential impact of the proposed subdivision and/or land development, but shall, at a minimum, include the contents and scope specified in **Appendix H**.

**D. Utilities and Services Study**

1. Applicability for a Utilities and Services Study

A utilities study as provided for in this Ordinance shall be required for all preliminary plan applications for subdivision and/or land development when any one or a combination of the following are considered relevant:

- a. Subdivision and/or land development where major modifications or relocations to existing utilities or services are proposed;
- b. Subdivision and/or land development where existing utilities or services may, in the opinion of the Borough, potentially be adversely effected.

2. Requirements for the Utilities and Services Study

The utilities and services study shall be formulated to the specific needs and potential impact of the proposed subdivision and/or land development, but shall, at a minimum, include the following elements and requirements:

- a. Preparation and Requirements: The utilities and services study shall be prepared by a qualified professional engineer experienced in the issues of the specific utilities and services.
- b. Background Information: The study shall include the following: General layouts and descriptions of all the utilities and services which are the subject of the study, and statements regarding the degree of redundancy provided by the existing utilities and services.
- c. Description of the Proposed Changes: The study shall include the following: A general description of the project, and a description of the changes and possible effects

on the utilities and services.

- d. The study shall identify, evaluate and present the impacts on the utilities and services, including capacity analyses, upgrades required as a result of existing conditions, etc. Evaluations shall consider both existing development of the community and the maximum land development densities as allowed by the Borough ordinances. Latest amended versions. Capacity analyses shall include an evaluation of all effected components of each utility and service system. The capacity analyses shall quantify existing use of capacity, proposed use of capacity, total capacity, as well as the forecasted timeline when proposed use of capacity will equal total capacity. The degree of impacts, secondary impacts, and the related economic values shall be identified and evaluated. Where there are no adverse impacts, such as may be the case for communications, mass transit, solid waste, storm sewer, sanitary sewer, water, fire protection, natural gas, electric, and other utilities and services, the study report shall indicate as such. Conclusions and recommendations shall be presented.
- e. Mitigation Measures: The study shall include the following: Recommendations for mitigating the project's impacts on the utilities and services, including alternatives and any other appropriate measures permitted under the terms of this and other Borough ordinances.

## **SECTION 308      RECORDING OF FINAL PLAN**

- A. **Endorsement of Plan Upon Completion of Plan Approval Process** - Upon completion of the procedures outlined under this Ordinance, all endorsements shall be indicated on the record plan and on as many other copies of the final plan as may be desired.
- B. **Plan to Be Recorded Within Ninety Days of Final Plan Approval** - Upon the signing of the of the final plan by the Borough Council, the Borough or the applicant, as determined by the Borough, shall file the record plan with the County Recorder of Deeds within ninety (90) days of the date of the final approval by the Borough. The County Recorder of Deeds shall not accept any plan for recording unless such plan officially notes the approval of the Borough Council and review by the County Planning Commission. If the applicant fails to record the final plan within such period, the action of the Borough shall be null and void, unless an extension of time is granted in writing by the Borough prior to the expiration of the ninety (90) day period upon written request by the applicant.
- C. **Recording of Other Required Documents and Agreements** - Where a major plan, as defined by this Ordinance, is to be recorded, the documentation outlined under Sections 310.C and 310.D shall also be recorded therewith.

**SECTION 309 RESUBDIVISION PLAN SUBMISSION, REVIEW AND CONTENT**

**A. Qualification as a Resubdivision Plan and Compliance with Final Plan Requirements**

1. To qualify for treatment and processing as a resubdivision plan, the proposal must meet the definition of "resubdivision" as specified in Section 201 of Article II of this Ordinance.
2. All resubdivision plan applications shall comply with the applicable final plan application, review and content requirements and procedures outlined under Sections 306.A, 306.B, 306.C, 306.D and 306.G of this Ordinance, and when applicable, Section 306.E of this Ordinance. Where, in the determination of the Borough Council, extraordinary conditions or circumstances exist, or the magnitude of the resubdivision meets or exceeds the threshold for the impact studies required under Section 307 of this Ordinance, the applicant shall be required to submit such impact studies.

**B. Special Requirements for Resubdivision Plans - In the resubdivision of land, the following shall be observed:**

1. Parcels of land may be divided so long as they are made a part of adjoining land and no lot or tract of land results that is smaller than the minimum dimensions required by the Borough Zoning Ordinance;
2. Easements reserved for drainage shall not be changed;
3. No lot shall be created which does not abut a street; and
4. The character of the area shall be maintained.

**SECTION 310 SUBDIVISION AND LAND DEVELOPMENT IMPROVEMENTS AGREEMENT**

The applicant shall execute an agreement, to be approved by the Borough, pending the review of the Borough Solicitor, before the final plan is released by the Borough Council and filed on record. Said agreement shall, as a minimum, specify the following, where applicable:

- A. Construction of Improvements -** The applicant agrees that he will lay out and construct all streets and other public improvements, including grading, paving, sidewalks, fire hydrants, water mains, street signs, shade trees, storm and sanitary sewers, landscaping, traffic control devices, open space areas, and erosion and sediment control measures in accordance with the final plan as approved, where any or all of these improvements are required as conditions of approval.

- B. Completion and Maintenance Guarantee** - The applicant guarantees completion and maintenance of all improvements by means of a type of financial security acceptable to the Borough, as specified in Section 311.C. of this Ordinance.
- C. Deed of Dedication** - The applicant agrees to execute a deed of dedication, that shall be prepared by the Borough Solicitor, for such streets and for such easements for sanitary and storm sewers, sidewalks, open space, and other public improvements, provided that the Borough shall not accept dedication of such improvements until their completion is accepted by the Borough.
- D. Streets or Right-of-Ways Not Initially Offered for Dedication** - Whenever an applicant proposes to establish or continue a street or right-of-way which is not offered for dedication to public use, the Borough Council shall require the applicant to submit, and also to record with the plan, a copy of an agreement made with the Council on behalf of himself and his heirs and assigns, and signed by him, and which shall establish the conditions under which the street or right-of-way may later be offered for dedication, and shall stipulate among other things:
1. That an offer to dedicate the street or right-of-ways shall be made only for the street as a whole;
  2. That the Borough shall not be responsible for repairing or maintaining any undedicated streets or right-of-ways ;
  3. That the method of assessing repair and maintenance costs of the undedicated streets, or right-of-ways be stipulated and be set forth in recorded deed restrictions so as to be binding on all successors or assigns; and
  4. That, if dedication is to be sought, the street or right-of-way shall conform to Borough specifications or that the owners of the abutting lots shall, at their own expense, restore the streets or right-of-ways to conformance with Borough specifications.

## **SECTION 311      PERFORMANCE GUARANTEES**

- A. Financial Security for Assuring Completion of Improvement to Be Filed** - The applicant shall deposit with the Borough, financial security in an amount sufficient to cover the cost of all improvements, both public and private, and common amenities, including but not limited to streets, walkways, shade trees, stormwater detention facilities, recreational facilities, open space improvements, buffer and screen plantings, water supply facilities, fire hydrants, sanitary sewage disposal facilities.

- B. Resolution of Final Plan Approval** - When requested by the applicant, in order to facilitate financing, the Borough Council shall furnish the applicant with a signed copy of a resolution indicating approval of the final plan contingent upon the applicant obtaining satisfactory financial security. The final plan or record plan shall not be signed nor recorded until the financial improvements agreement is executed. The resolution or letter of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within ninety (90) days, unless a written extension is granted by the Council; such extension shall not be unreasonably withheld and shall be provided in writing at the request of the applicant.
- C. Acceptable Form of Financial Security** - Financial security required herein shall be in the form of a federal or Commonwealth chartered lending institution irrevocable letter of credit, a restrictive or escrow account in such institution, or with a financially responsible bonding company, or such other type of financial security which the Borough may approve at its discretion. The bonding company may be chosen by the party posting the financial security, provided that the said bonding company or lending institution is authorized to conduct business within the Commonwealth and stipulates that it will submit to Pennsylvania jurisdiction and Chester County venue in the event of legal action.
- D. Completion Date of Improvements Secured** - The said financial security shall provide for, and secure to the public, the completion of any improvements, for which such security is being posted, on or before the date fixed in the approved subdivision plan and subdivision agreement for completion of such improvements.
- E. Amount of the Posted Financial Security** - The amount of financial security to be posted for the completion of the required improvements shall be equal to one hundred ten (110) percent of the cost of completion estimated as of ninety (90) days following the date scheduled for completion by the applicant. The Borough may annually adjust the amount of the financial security by comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the ninetieth (90th) day after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment the Borough may require the applicant to post additional security in order to assure that the financial security equals the said one hundred ten percent (110%). Any additional security shall be posted by the applicant in accordance with this section.
- F. Estimate of the Cost of Completing Improvements** - The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements, submitted by the applicant and prepared by a professional engineer licensed as such in this Commonwealth and certified by such engineer to be a fair and reasonable estimate of such cost. The Borough, upon the recommendation of the Borough Engineer, may refuse to accept such estimate for good cause shown. If the applicant and the Borough are unable to agree upon an estimate, then the estimate shall be recalculated and re-certified by

another professional engineer licensed as such in this Commonwealth and chosen mutually by the Borough and the applicant. 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 such engineer shall be paid equally by the Borough and the applicant.

- G. Additional Security Required for Completion Periods in Excess of One Year** - If the party posting the financial security requires more than one (1) year from the date of posting the financial security to complete the required improvements, the amount of financial security shall be increased by an additional ten percent (10%) for each one (1) year period beyond the first anniversary date from posting of financial security or to an amount not exceeding one hundred ten percent (110%) of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one (1) year period by using the above bidding procedure.
- H. Phased or Staged Developments** - In the case where development is projected over a period of years, the Borough Council may authorize submission of final plans by section or stage of development, subject to such requirements or guarantees as to improvements in the future sections or stages of development as it finds essential for the protection of any finally approved section of the development.
- I. Release of All or Portions of the Financial Security** - As the work of installing the required improvements proceeds, the party posting the financial security may request the Borough Council to release or authorize to be released, from time to time, such portions of the financial security necessary for payment to the contractor or contractors performing the work. Any such requests shall be in writing addressed to the Borough Council, and the Council shall have forty-five (45) days from receipt of such request within which to allow the Borough Engineer to review the request for release and present a recommendation for the amount of release. Upon such recommendation, the Council shall authorize release by the bonding company or lending institution of an amount as estimated by the Borough Engineer fairly representing the value of the improvements completed. The Borough Engineer, in recommending a partial release, shall not be bound to the amount requested by the applicant, but shall provide to the Council his independent evaluation of the proper amount of partial releases. The Council may, prior to final release at the time of completion, require retention of ten percent (10%) of the estimated cost of the aforesaid improvements.

## **SECTION 312 COMMENCEMENT OF DEVELOPMENT**

- A. Prohibition of Construction Prior to Recording of Plan:** No construction or land disturbance activities, with the exception of soil or testing, or similar engineering or surveying activities, shall be commenced until the applicant submits to the Borough a copy of the Recorder of Deeds receipt for recording of the final plan.

- B. Prohibition of Building Permit Issuance:** No application for a building permit shall be submitted and no building permit shall be issued for any building in any subdivision or land development until the final plans for the said subdivision or land development has been approved and recorded as provided for and until the terms of Sections 306, 308, 310, and 311 have been satisfied. Further, where final subdivision or land development approval has been conditioned upon the submission and approval of individual lot grading plans for some or all of the lots, no building permit shall be issued for construction or any such lot until this condition has been complied with.
- C. Limitation on Sewer and Water System Extension and Construction:** No water system or sewer system, including extensions to existing or proposed systems, or new systems employing sewage treatment plants, shall be constructed prior to the issuance of appropriate permits from the Pennsylvania Department of Environmental Protection or from Federal or local agencies, as required.

### SECTION 313      PLAN AMENDMENTS

Any modification of the approved plan shall be resubmitted and reprocessed in the same manner as the original plan. All site disturbance activities shall cease pending approval of modified plans.

## ARTICLE IV

### DEVELOPMENT DESIGN STANDARDS

#### SECTION 400 GENERAL

- A. Scope, Applicability, and Variation:** The following standards shall be complied with in all subdivision and land development, and are intended as the minimum for the promotion of the public health, safety and welfare. If an applicant, however, can clearly demonstrate to the satisfaction of the Borough Council that because of peculiar physical conditions pertaining to his land, the literal enforcement of these standards would cause undue hardship, such variations from their literal interpretation may be permitted as may be reasonable and consistent with the purpose and intent of this Ordinance subject to Section 703. Such variations shall represent the least change from the standard.
- B. Compliance with Zoning Regulations:** All proposed subdivisions and land developments shall comply fully with the existing zoning regulations applicable to the land, and no parcel of land shall be created, either by inclusion or exclusion from a proposed subdivision that cannot be properly utilized for a permitted use under the Borough Zoning Ordinance and Subdivision and Land Development Ordinance, as amended.
- C. Physical Improvements Must Comply with Plan and Borough Requirements:** Physical improvements to the property being subdivided shall be provided, constructed, and installed as shown on the plan of record, and in accordance with the requirements of the Borough.
- D. Design of Improvements to Comply with Applicable Ordinances, Regulations and Statutes:** The design of all improvements in a subdivision or land development shall be in accordance with the design specifications, standards and requirements as set forth in this Ordinance and/or other applicable ordinances or, in the absence of the foregoing, in accordance with the applicable provisions of the latest design specifications of the Pennsylvania Department of Transportation, the Pennsylvania Department of Environmental Protection and/or such other governmental agency or body which promulgates or otherwise issues design standards, specifications and requirements relevant to the work. In the event that there are no design specifications, standards or requirements, as aforesaid, applicable to the design and construction of any improvements, or parts thereof, in a subdivision or land development, the design, and the specifications, standards and requirements proposed by the applicant for such improvements shall be subject to Borough acceptance.

#### SECTION 401 LAND REQUIREMENTS

- A. Residential Safeguards:** No land shall be developed for residential purposes unless all known hazards to health, safety and welfare shall have been eliminated or unless the plans for the development shall provide adequate safeguard against such hazards.

- B. Adequate Water and Sanitation Required:** No land shall be developed unless adequate public water supply and adequate public sewage disposal systems are available to serve such development.

## **SECTION 402      LOT DESIGN**

### **A. General Lot Design Standards:**

1. Lot dimensions, areas and orientation shall be appropriate for the type of development and use contemplated, and sufficient to provide the required space for off-street parking and other accessory uses.
2. Side lot lines shall be at right angles to straight street lines, and radial to curved street lines and cul-de-sac turnarounds.
3. Lot lines shall follow municipal boundaries rather than cross them, in order to avoid jurisdictional problems.
4. Generally, the depth of residential lots shall be not less than one (1) or more than three (3) times their width.

### **B. Tract Frontage Standards:**

1. All tracts proposed for a residential subdivision or land development shall have direct access to a public street and, where applicable, shall have a frontage in accordance with the Borough of Parkesburg Zoning Ordinance, but in no case shall such access be less than a minimum width of fifty (50) feet, with the ability to demonstrate adequate traffic safety to enter the highway.
2. Any proposed lots abutting an existing or proposed arterial or collector street in the Borough shall be designed as reverse frontage lots having access to the street with a lower function.
3. All residential lots using reverse frontage shall have a rear yard with a minimum depth equal to one hundred and fifty percent (150%) of the required minimum rear yard of the applicable zoning district, measured in the shortest distance from the proposed dwelling unit to the proposed right-of-way, and shall, within such rear yard and immediately adjacent to the right-of-way, have a planting screen easement of at least ten (10) feet in width, across which there shall be no right of access.

### C. Existing Trees.

If, in the opinion of the Planning Commission, an applicant proposes streets or building development which would destroy existing tree growth, whether by reason of street alignment, grading or otherwise, the Planning Commission may recommend to the Council:

1. That the Council not approve the preliminary plan; or
2. An alternative subdivision or land development plan that would preserve as many of the existing trees as is reasonably possible that are four (4) inches DBH and greater or greater than eight (8) feet in height; or
3. That, as a condition of Council's approval, the applicant be required to plan two (2) new trees of not less than two and one half inch (2 1/2") caliper for every existing tree to be destroyed that is four (4) inches DBH and greater or greater than eight (8) feet in height, such new trees to be planted on the lots and not as street trees, as approved by the Council. Furthermore such trees shall be provided in conformance with all of the applicable requirements of Sections 1407 and 1408 of the Zoning Ordinance, and Sections 419 and 427 of this Ordinance. The purpose of this particular regulation shall be to maintain natural vegetation, prevent erosion of the topsoil on the site and surrounding properties, and generally promote the public health, safety and welfare.

### D. Building Setback Lines.

The minimum building setback line shall be in accordance with the Borough of Parkesburg Zoning Ordinance.

### E. Interior Lots.

No interior lots shall be permitted.

- F. Green Design Encouraged:** The Borough encourages applicants to employ the principles and practices of a green design approach to the design and construction of all development in the Borough (this includes encouragement of U.S. Green Building Council (USGBC) LEED and LEED-ND design, development, construction, operations, and maintenance solutions).

## SECTION 403 MONUMENTS AND MARKERS

### A. Monument Standards:

1. Permanent concrete monuments shall be accurately placed at the intersection of all lines forming angles and at changes in directions of lines in the boundary (perimeter) of the property being subdivided.
2. All monuments shall be placed by a registered professional engineer or surveyor so that

the scored point created by an indented cross or drilled hole in the top of the monument shall coincide exactly with the point of intersection of the lines being monumented.

3. Monuments shall be set with their top level with the finished grade of the surrounding ground.
4. All streets shall be monumented on the right-of-way line at the following locations:
  - a. At least one monument at each intersection;
  - b. At changes in direction of street lines;
  - c. At each end of each curved street line, (e.g., points of curvature and tangency); only one side of each street need be monumented;
  - d. An intermediate monument wherever topographical or other conditions make it impossible to sight between two (2) otherwise required monuments; and
  - e. At such other places along the line of streets as may be determined by the Borough Engineer to be necessary so that any street may be readily defined in the future.
5. Utility pipeline rights-of-way shall be monumented at all property lines.
6. Open space areas shall be monumented.

**B. Marker Standards:**

1. Markers shall be accurately placed at all lot corners within subdivision.
2. Markers shall consist of solid iron rods or pins, with a minimum diameter of five-eighths (5/8) inch, and shall have a minimum length of thirty-six (36) inches and installed vertically.
3. Markers shall be placed in concrete to ensure that they will not be removed.

**SECTION 404 STREET SYSTEM**

- A. Streets to Be Consistent Adopted Street Plans and Recorded Plats:** Proposed streets shall be consistent with such street plans or parts thereof as have been officially prepared and adopted by the Borough, including recorded subdivision plans and the Comprehensive Plan of the Borough.
- B. Consistency With Borough, County and State Road Plans:** Proposed streets shall further conform to such Borough, County and State road and highway plans as have been prepared, adopted and/or filed as prescribed by law.

- C. Thoughtful, Imaginative and Progressive Design Required:** Thoughtful and imaginative design of streets and their relationship to the arrangement and shape of lots is required. When appropriate, consideration shall be given to traffic calming street design and measures, including grid system designs.
- D. Reasonable Local Street Connectivity Required:** Local streets shall be laid out so as to discourage through traffic, but provisions for street connections into and from adjacent areas may be required.
- E. Special Circumstances and Treatment Responses:** Where a subdivision abuts or contains an existing or proposed major thoroughfare, the Borough Council may require dedication of additional right-of-way specified hereinafter and marginal access streets, rear service alleys, reverse frontage lots, or such other treatment as will provide protection for abutting properties, reduction in the number of intersections with the major thoroughfare and separation of local and through traffic.
- F. Partial Streets Prohibited:** New partial streets shall not be permitted.
- G. Dead-end Streets Prohibited:** Dead-end streets shall not be permitted.
- H. Circumstances Requiring Multi-municipal Consultation and Coordination:** Where streets and other public improvements continue into adjoining municipalities, evidence of compatibility of design, particularly with regard to street widths, shall be submitted and approved by both municipalities. The applicant shall coordinate such design with both municipalities to avoid abrupt changes in cartway width or in improvements provided.
- I. Continuation of Abutting Dead-end Streets:** Where a proposed subdivision abuts an existing subdivision having a dedicated residential street dead-ending at a common property line, the proposed subdivision shall make provision for extension of such dedicated residential street within the proposed subdivision. In the design of a proposed subdivision, provision shall be made for continuation of the width, gradient, general alignment and direction of traffic flow of a collector street that dead-ends at a common property line.
- J. Improvements to an Existing Street:** Where lots abut an existing street, additional right-of-way, paving and other street improvements may be required for such an existing street to the extent deemed by the Borough to be in the public interest.
- K. Large Lots and Residual Portions of a Tract:** If lots resulting from original subdivision are large enough to permit re-subdivision, or if a portion of the tract is not subdivided, adequate street rights of way to permit further subdivision shall be provided in accordance with Section 405 of this Article.
- L. Private Streets Require a Home Owners Association for Maintenance:** Private streets may be permitted only in a community with a homeowners association that shall guarantee the maintenance of the streets built to Borough specifications.

**M. Crosswalks:**

1. Crosswalks shall be required by the Borough Council to facilitate pedestrian circulation and to give access to community facilities where situations warrant concern for the safety and welfare of Borough residents.
2. The design and installation of required crosswalks shall be in accordance with the provisions of the Federal Highway Administration Manual on Uniform Traffic Control Devices and approved by the Borough Engineer.

**SECTION 405 STREET RIGHT-OF-WAY AND CARTWAY WIDTHS**

**A. Minimum Street Widths:** The minimum right-of-way, cartway, and shoulder widths for all new streets in the Borough shall be as follows:

Street Function	Minimum Right-of-Way Width	Minimum Cartway Width	Minimum Shoulder* Width
Principal Arterial	Per PennDOT	Per PennDOT	Per PennDOT
Minor Arterial	80'	28'	8'
Collector Streets	60'	24'	8'
Local Streets	50'	24'	4'
Alleys:			
One-Way	22'	12'	0'
Two-Way	28'	18'	0'
* Including single access loop streets.			

**B. Conditions for Divided Cartways:** Divided cartway streets (or boulevards), or parts thereof, may be permitted subject to approval by the Council, upon recommendation of the Planning Commission, and the following requirements:

1. Each cartway shall be one-way and twelve (12) feet in width with a shoulder as required in Section 405.A, above.
2. The minimum separation between cartways shall be ten (10) feet and shall not exceed twenty (20) feet, and such separation area shall be landscaped according to a plan recommended by the Planning Commission and approved by the Borough Council.

3. Each side of each cartway shall be curbed, where required, with vertical curbs meeting the specifications of Section 415.
4. The minimum right-of-way of divided cartway streets shall meet the requirements of Section 405.A plus one (1) foot for each foot of separation between one-way cartways.

**C. Eyebrow Type Street Sections:** Eyebrow type street sections may be permitted subject to approval by the Borough Council, upon recommendation of the Planning Commission, and shall meet all applicable design standards of Sections 407, 408, 409 and 410 of this Article.

**D. Conditions Justifying Additional Street Width:** The Borough may require additional right-of-way and cartway widths for the following purposes:

1. To promote public safety and convenience.
2. To provide parking space in commercial districts and in areas of high-density residential development.
3. To accommodate special topographic circumstances which may result in cut/fill slopes extending beyond the standard right-of-way in all circumstances to assure accessibility for maintenance operations.
4. To accommodate acceleration and deceleration lanes as required by Section 411 of this Ordinance.

**E. Narrower Rights-of-Way Prohibited:** Rights-of-way of lesser width than prescribed in this Section shall not be permitted.

**F. Subdivisions Abutting Existing Streets:** Subdivisions abutting existing streets may be required to provide, for dedication, sufficient land to provide the ultimate right-of-way for such existing streets in accordance with the provisions of this Ordinance.

**G. Abutting Existing Streets of Improper Width or Alignment:** Where a subdivision abuts an existing street of improper cartway or right-of-way width or alignment, the Council shall require the dedication of land sufficient to widen the street or correct the alignment. In addition, the Borough may require resurfacing of the existing street or require the escrow of funds where deemed necessary to improve said street.

## SECTION 406 INCREASE OF RIGHT-OF-WAY WIDTHS

In the case where lots created within a subdivision are large enough to accommodate either further subdivision, or a higher intensity of development, and thus may result in higher traffic levels, the Borough may require that additional right-of-way be provided to permit the future

development of a higher functional classification street.

## SECTION 407 STREET GRADES

- A. Minimum and Maximum Street Grade:** There shall be a minimum longitudinal street grade of one (1) percent and such grade shall not exceed the following:

<u>Street Function</u>	<u>Maximum Grade</u>
State Highway	6%
Collector	7%
Local	8%

- B. Maximum Intersection Approach Grade:** In the approach to an intersection, the street grade shall not exceed the following percentage for the classification of street indicated below. These approach grades shall extend for a minimum of one hundred (100) feet from the nearest right-of-way of the intersection street:

<u>Street Function</u>	<u>Maximum Grade</u>
State Highway	2%
Collector	2%
Local	2%

- C. Changes and Transitions in Street Grade:** At all changes of street grades where the algebraic difference exceeds one (1) percent, vertical curves shall be provided per AASHTO, A Policy on Geometric Design of Highways and Streets (latest version, as amended).

- D. Limitation on Maximum Grades:** Under no circumstances shall maximum grades be permitted using the minimum curve radii per AASHTO standards.

## SECTION 408 STREET ALIGNMENT

- A. Connecting Deflected Street Lines:** Whenever street lines are deflected in excess of five (5) degrees, connection shall be made by horizontal curves.

- B. Minimum Centerline Radii:** The minimum centerline radii for horizontal curves shall be provided per AASHTO, A Policy on Geometric Design of Highways and Streets (latest version, as amended). Centerline radii and superelevation shall be provided in accordance with AASHTO Standards.

- C. Minimum Connecting Tangent for Curves:** A tangent of no less than one hundred (100) feet shall be introduced between all horizontal curves on collector and arterial streets and between reverse curves on local streets.

- D. Circumstance in Which Super Elevation is Required:** Super elevation in accordance with

PennDOT standards shall be required when curve radii are less than six hundred (600) feet on arterial streets.

## SECTION 409 STREET INTERSECTIONS

- A. Right-Angle Intersections Required:** Right angle intersections shall be required.
- B. Intersections Limited to Two Streets:** No more than two (2) streets, creating a four-way intersection, shall cross at the same point.
- C. Minimum Arterial-Collector Street Intersection Distance:** Intersections with arterial and collector streets shall be located not less than fifteen hundred (1500) feet apart, measured from centerline to centerline.
- D. Minimum Street Offset:** Streets entering from opposite sides of another street shall either be directly across from each other or offset by at least one hundred and seventy-five (175) feet on local and collector streets, and three hundred (300) feet on arterial streets, measured from centerline to centerline.
- E. Minimum Curb Radii at Intersections:** Where curbs are required, curb radii shall not be less than twenty-five (25) feet, forming a tangential arc, and the top curb grade lines for intersecting streets shall be so designed that would meet at a common point if projected. For all intersections involving arterial and collector streets, a thirty-five (35) foot radius shall be required.
- F. Safe Sight Distance at Intersections:** Safe sight distances shall be provided at all street intersections. Within such lines of sight, no vision-obstructing object, including plant materials, shall be permitted. Safe sight distances shall be provided for all intersections in accordance with Pennsylvania Department of Transportation Design Manual, Part 2, Highway Design, Publication 13M (DM-2).
- G. Safe Sight Distance for Intersections with State Highways:** Greater safe sight distance dimensions imposed by PennDOT for intersections with the State highway system shall supersede the above.
- H. Responses to Cases in Which Access Needs to be Restricted:** Whenever a subdivision abuts or contains an existing or proposed dedicated street, the Planning Commission may recommend and the Borough Council may require restriction of access to the street by:
1. Provision of reverse frontage lots;
  2. Provision of service streets along the rear of the abutting lots, together with prohibition of private driveways intersecting the streets; or
  3. Provision of marginal access streets, provided that the reserve strips establishing such

marginal access streets shall be offered for dedication to the Borough under an agreement meeting the approval of the Borough.

## SECTION 410 SINGLE ACCESS STREETS / CUL-DE-SACS

- A. Single Access Streets are Discouraged:** A single access street shall not be approved wherever a through street is feasible as determined by the Borough Council upon recommendation of the Planning Commission.
- B. Single Access Street and Cul-de-Sac Length and Service Limits:** A single access street shall not be less than two hundred and fifty (250) feet nor more than twelve hundred (1,200) feet in length and shall not furnish access to more than twenty-four (24) dwelling units unless clearly impractical due to tract dimensions or topography. In the case of single access loop streets, the measurement of the length shall be taken between the farthest edge of the cartway and the centerline of the cartway of the through street to which it connects. In the case of a cul-de-sac, such measurement shall be taken between the center of the turnaround and the nearest edge of the cartway of the street to which it connects. There shall be no more than six (6) lots (curb cuts) fronting on a cul-de-sac.
- C. Special Consideration of Longer Single Access Streets:** The Borough Council may permit additional dwelling units to be served by a single access street or and/or the length of a single access street greater than twelve hundred (1,200) feet upon recommendation of the Planning Commission and only after due consideration of the feasibility of a through street, adjacent land uses, lot dimensions, topography and drainage.
- D. Conditions for Single Access Streets:** The Borough Council shall, upon recommendation of the Planning Commission, require the following for single access streets:
1. Provision of a constructed street stub(s) extending to the boundary of the tract where appropriate to provide connection with an adjoining tract(s).
  2. Provision of emergency access designed to the satisfaction of the Borough Council.
  3. Right-of-way for future connection.
  4. Easements for future utilities.
- E. Street Stubs in Staged or Phased Developments:** Any constructed street stub for access to an adjoining tract or because of authorized staged development shall be provided with a temporary, all weather turnaround within the subdivision, and the use of such turnaround shall be guaranteed to the public until such time as the street is extended.
- F. Parcels Capable of Further Subdivision:** The Borough Council may require, as a condition of approval and to be noted on the plan of record, that parcels with access to a single access street that are capable of further subdivision or land development under current zoning

regulations shall not be subdivided and/or developed until the single access street becomes a through street.

- G. Minimum Length of Single Access Streets:** Single access streets, permanently designed as such, shall have a minimum length of two hundred and fifty (250) feet.
- H. Cul-de-Sac Design, and Landscaping Island:** All cul-de-sac streets, whether permanently or temporarily designed as such, shall be provided at the closed end with a fully paved turnaround that shall be provided with a fully curbed planting island with a minimum radius, measured at the outside edge of the curb, of twenty-one (21) feet. cul-de-sacs shall have a minimum 100' right-of-way and 80' paved cartway. The planting island shall be landscaped according to a plan approved by the Borough, and the applicant shall be required to submit a proposal acceptable to the Borough for the maintenance of such planting island.
- I. Minimum Radii:** The minimum radius to the pavement edge or curb line shall be forty-five (45) feet and the minimum radius of the right-of-way line shall be sixty (60) feet.
- J. Maximum Cul-de-Sac Street Grades:** The longitudinal street grade on a cul-de-sac street shall not exceed three percent (3%) and the grade of the diameter of the turnaround shall not exceed five percent (5%).
- K. Cul-de-Sac Streets near Tract Boundaries:** The turnaround right-of-way of a cul-de-sac street shall be placed adjacent to the tract boundary and a fifty (50) foot right-of-way width shall be provided along the boundary line to permit dedication, in accordance with Section 605 of this Ordinance, and extension of a street at full width, unless future expansion of a cul-de-sac street is clearly impractical or undesirable. The small triangles of land beyond the cul-de-sac to the boundary shall be dedicated to the Borough.

#### SECTION 411 ACCELERATION, DECELERATION AND TURNING LANES

- A. Deceleration and Turning Lanes Are Required:** Deceleration or turning lanes, along existing and proposed streets, shall be required by the Borough.
- B. Design of Deceleration Lanes:** Deceleration lanes shall be designed to the following standards:
1. The lane shall have a minimum width of twelve (12) feet, or in the case of intersections with State highways, such width as is required by the applicable regulations and standards of PennDOT.
  2. The lane shall be paved the required width for the entire length, which shall be measured from the centerline of the intersecting road. In addition, there shall be a seventy-five (75) foot taper, indicated by a painted yellow stripe, provided at the beginning of the lane so that traffic can leave the main travel lane smoothly.

3. The minimum lane length shall be as follows:

Posted Speed Limit	Minimum Deceleration	
	Lane Taper	Lane Length
25 mph	75'	165'
35 mph	75'	275'
45 mph	75'	300'

**C. Cases Where Acceleration Lanes Are Required:** Acceleration lanes are required only when the need is indicated by a traffic impact study. The design shall be as per the recommendation of the engineer of record. As necessary, a paved taper shall be provided for right hand turns.

**D. Consideration of Recommendations of the Engineer of Record:** Upon the recommendation of the engineer of record, acceleration and deceleration lanes shall be provided for:

- 1 All streets intersecting with streets of a functional classification of collector and greater.
2. For all commercial development, the length of acceleration and deceleration lanes to be determined by the traffic impact study.

## SECTION 412 STREET CONSTRUCTION

All materials used in the construction of streets, and the methods of construction and drainage, shall be in accordance with the applicable requirements of Pennsylvania Department of Transportation Specifications Publication 408, latest revision thereof, and the specifications, standards and requirements of Part 1.00 of Appendix I of this Ordinance, and shall be supplied by vendors approved by the Pennsylvania Department of Transportation for the supply of such materials. The thickness of all materials shall be as described in the Material Thickness Table in Part 1.00 of Appendix I. Inspection of materials and construction methods shall be as approved, and in accordance with Section 601 of this Ordinance.

## SECTION 413 PRIVATE STREETS

Private streets may be permitted in a unified development that is under single ownership subject to all of the road design and construction standards of this Article.

## SECTION 414 PRIVATE DRIVEWAYS

Private driveways shall be permitted only in accordance with the following provisions:

- A. **Minimum Driveway Width:** All driveways shall be a minimum ten (10) feet in width.
- B. **Entrance Permit Required:** All driveways shall have an approved entrance permit for entrance onto a public street.
- C. **Driveway Construction Specifications:** All driveway paving shall consist of a minimum of 2 1/2" of compacted bituminous wearing course on a minimum of four (4) inches of 2B stone or a minimum of four (4) inches of reinforced concrete on a minimum of four (4) inches of 2B stone. Permeable pavement materials may be substituted upon approval of the Borough Engineer, and concurrence of Borough Planning Commission and Borough Council.

## SECTION 415 CURBS

- A. **Curbs Required on Both Sides of a Street:** Curbs shall be installed along both sides of the proposed streets and shall be the vertical type.
- B. **Drainage Shall not be Carried Over the Top of Curbs and Sidewalks:** No drainage of any kind shall be conducted over the top of curbs and sidewalks and all underground drainage conductors shall be installed in accordance with Part 2.00 of Appendix I.
- C. **Curbs Required in Land Development Parking Areas:** Curbs shall be provided in all new parking areas located within a land development.
- D. **Curb Design and Construction Specifications:** Curbs shall be designed, constructed and installed in accordance Section 409.E of this Ordinance, and with the specifications, standards and requirements of this Section, and Part 2.00 of Appendix I..
- E. **Unused Depressed Curb Sections:** Any depressed curb sections that are unused when a development or phase of a development is completed, shall be completely removed and replaced with full section upright curbing to line and grade of adjacent curbing. Forming and pouring vertical curbing on top of an existing curb depression will not be permitted.
- F. **Curb Ramps for Handicapped Accessibility:** Curb cut ramps, for use by the handicapped, shall be provided at all street intersections, and shall be installed in accordance with this Section and Part 2.00 of Appendix I.

## SECTION 416 STREET NAMES AND SIGNS

- A. **Names Continued for Extension of Existing Streets:** Proposed streets that are in alignment with already existing and named streets shall bear the names of the existing streets.
- B. **Duplication of Street Names Is Prohibited:** In no case shall the name of a proposed street duplicate, or be similar to an existing street name in the Borough or in any postal district located in the Borough or in an adjacent municipality, irrespective of the use of the suffix, street, road, avenue, boulevard, driveway, place, court, lane, etc.
- C. **Process for Street Name Approval:** All street names shall be subject to the recommendation of the Borough Planning Commission and the approval of the Borough Council and with addresses compliant with 911 Emergency Services.
- D. **Street Name Signs:** Street name signs shall be installed at all street intersections. The design and placement of such signs shall be subject to approval by the Borough and installed in accordance with the standards and requirements of the Borough of Parkesburg.
- E. **Traffic Control Signs:** Traffic control and warning signs shall be shown on final plans for all streets. Signs and posts shall meet PennDOT standards. The Borough may require additional signs prior to dedication of roads. Traffic control and warning signs shall be installed as a condition of final plan approval.

## SECTION 417 SIDEWALKS

Sidewalks shall be designed and constructed and installed in accordance with the provisions of Part 3.00 of Appendix I and this Section, and shall conform to the following standards and requirements:

- A. **Location of Required Sidewalks:** All developments shall have concrete sidewalks on both sides of all streets. Sidewalks shall be provided along all new streets and parking areas located in non-residential subdivisions or land developments.
- B. **Off-site Sidewalks:** The Borough may require sidewalks at off-site locations deemed by the Borough Council to be necessary for the safety and convenience of the public.
- C. **Location and General Design of Street Sidewalks:** Sidewalks, in all new developments or street construction, shall be located within the street right-of-way a minimum of five (5) feet measured from the back of the curb to the street side of the paved edge of the sidewalk. Where the dimensional standards for street pavement and sidewalk pavement and location dictate, an increased right-of-way shall be provided. Sidewalks shall be installed in accordance with Part 3.00 of Appendix I and any other applicable standards, regulations, or Ordinances of the Borough of Parkesburg.

A grass planting-strip shall be provided between the curb and sidewalk. All required street trees shall be installed on the residence side of the sidewalk at distance of at least two (2) feet outside of the ultimate street right-of-way line, unless otherwise specified elsewhere, in which case the greater distance shall apply. In developed areas of the Borough, the existing conditions shall be considered in the application of these location requirements. Curb cut ramps, in conformance with ADA standards, shall be provided at all street intersections, and shall be installed in accordance with Part 3.00 of Appendix I and any other applicable standards, regulations, or Ordinances of the Borough of Parkesburg.

- C. Sidewalk Paved Width:** The paved width of sidewalks shall be a minimum of four (4) feet in all new developments or street construction. In no case shall a bike path be combined with a sidewalk, unless designated as a multipurpose pathway or trail, in which case the minimum sidewalk width shall be six (6) feet. In developed areas of the Borough, the existing conditions shall be considered in the application of these requirements.

#### **SECTION 418      PARKING AREAS**

- A. Compliance with Zoning Ordinance and This Ordinance:** All parking areas shall comply with the standards of the Borough Zoning Ordinance and the specifications contained herein.
- B. Paving and Curbs Required in Parking Areas:** All parking areas shall be paved and curbed in compliance with the specifications for residential streets as provided in Sections 412 and 415 of this Article.

#### **SECTION 419      SHADE TREES AND SCREEN PLANTING**

Street trees shall be installed within a four (4) foot wide planting strip located a minimum of two (2) feet outside of and parallel to the ultimate street right-of-way line, such trees to be spaced not less than forty (40) feet nor more than sixty (60) feet apart, staggered along both sides of all streets. No fences, hedges, free-standing walls, or planting shall be permitted within the rights-of-way of a street. Screen planting, as required by Section 427 of this Ordinance shall be installed by the applicant. Shade trees and screen planting shall be in conformance with Section 427 of this Ordinance. The applicant is required to use plant material selected from an approved plant list, and where practical, to use plants that are native species.

When a specific landscaping plan is prepared by the applicant and approved by the Borough, the applicant may, upon approval of the Borough Council, provide for the rearrangement of required street trees into clusters of trees to blend with other proposed landscaping on lots.

#### **SECTION 420      SEWAGE TREATMENT AND DISPOSAL**

- A.** The proposed method of sanitary sewage disposal shall be in accordance with the Act 537 Sewage Facilities Plan, as amended.

- B. All subdivisions and land developments shall be served by the applicable sewer authority designated by the Borough. No private systems shall be permitted.
- C. Sanitary sewers shall be designed and constructed in accordance with the Pennsylvania Department of Environmental Protection and the Borough standards. A copy of the approval by the sewer authority having jurisdiction of such systems shall be submitted with the final plan. Permits, where required, shall be obtained before construction of a sanitary sewer system is started.
- D. Sanitary sewers shall not be used to carry stormwater.
- E. Grinder pumps shall not be permitted.

## SECTION 421 WATER SUPPLY

- A. **Design Requirements for an Adequate Potable Water Supply:** Adequate and potable water supply system(s) shall be installed consistent with design principles and requirements contained in this Ordinance and Pennsylvania Department of Environmental Protection regulation.
- B. **Water Service Provision:** All subdivisions and land developments shall be served by an applicable water authority as designated and approved by the Borough. The design and installation of such public system shall be subject to the approval of the Borough and the water authority.
- C. **Fire Hydrants:** Fire hydrants shall be installed for fire protection and shall meet the specifications of the Insurance Services Office (ISO). The location of all fire hydrants shall be approved by the Borough.
  - 1. Fire hydrants shall be located on a minimum looped eight (8) inch line.
  - 2. Fire hydrants shall be spaced in a development so that all proposed building(s) will be no more than one thousand (1000) feet from the hydrant measured along traveled ways and shall provide a minimum of one thousand (1,000) gallons per minute (GPM) at a residual pressure of twenty (20) pounds per square inch (PSI) for a two-hour (2-hour) period at the highest useable floor.
  - 3. For additional fire protection, a dry hydrant shall be required to be incorporated into existing and proposed ponds or reservoirs and an access easement provided for emergency use.
- D. **Minimum Water Supply Requirements:**
  - 1. In all subdivisions and land developments the following water pressure and volume requirements shall apply:

a. Residential Use

A minimum domestic pressure of forty (40) to eighty (80) pounds per square inch (PSI) shall be provided at each house to be connected to the water main. The system to which the residential unit is connected shall have sufficient capacity to supply a minimum of three hundred (300) gallons of water per residential unit per day within the subdivision or land development.

b. Commercial or Industrial Use

A public water supply shall be required for all new commercial and industrial subdivisions and/or land developments. The public water supply provider shall certify in writing, to the satisfaction of the Borough Council, that sufficient water pressure and volume is available to serve the commercial or industrial use. A minimum pressure of forty (40) to eighty (80) pounds per square inch (PSI) shall be provided at each commercial or industrial building connected to the water supply main.

For purposes of fire protection in commercial and industrial districts, one thousand (1,000) GPM at 20 pounds per square inch (PSI) residual pressure, at the highest useable floor, is required or as required for ISO certification. A fire flow test for a minimum of two (2) hours shall be conducted.

**E. Approvals Conditioned Upon Adequacy of Public Water Supply.**

No proposed subdivision or land development application shall be granted preliminary or final approval unless the applicant demonstrates full compliance with the provisions of this Section.

**SECTION 422 OTHER UTILITIES**

- A. Utilities to be Placed Underground:** All other utility lines including, but not limited to electric, gas, street light supply, cable television, other electronic services and telephone shall be placed underground. Installation of all utilities shall be in strict accordance with the engineering standards and specifications of the public utility concerned.
- B. Use of PA One Call System Prior to Excavation:** In accordance with the provisions of PA One Call System, all developers, contractors, etc., will contact all applicable utilities and accurately determine the locations and depth of all underground utilities within the boundaries of the tract proposed for development, prior to excavation.
- C. Gas, Electric and Petroleum Product Pipelines:** There shall be a minimum distance of one hundred and fifty (150) feet, measured at the shortest distance, between any proposed dwelling and any existing natural gas, electric, telecommunications or petroleum product transmission right-of-way line.

**SECTION 423 STORMWATER MANAGEMENT, GRADING, AND EROSION  
AND SEDIMENTATION PREVENTION**

**A. Stormwater Management:**

1. Storm Drainage Required

A stormwater management system including a storm sewer system and all appurtenances and retention or detention facilities, including off-site facilities when warranted, shall be required to be constructed by the applicant in any area from which the surface or subsurface drainage could impair public safety, cause physical damage to adjacent lands or public property, or be required by the provisions of the Borough of Parkesburg Stormwater Ordinance, as might be amended or superseded.

2. The standards for design of stormwater drainage and management systems are contained in the Borough of Parkesburg Stormwater Ordinance, as might be amended or superseded.
3. Maintenance of stormwater management facilities shall be provided in accordance with the Borough of Parkesburg Stormwater Ordinance, as might be amended or superseded.

**B. Stripping, Piling, Replacement or Removal of Topsoil:**

Initial construction of any site shall consist of stripping and piling of topsoil from all areas planned to be disturbed. The area stripped shall be kept to a minimum. Upon completion of other construction, the entire amount of topsoil stripped shall be replaced on the site. No topsoil shall be disposed of, by sale or otherwise, off the site of the construction without the approval of the Borough. The removal of topsoil from any site resulting from the sale of trees shall not be permitted without the replacement of an equal amount of topsoil.

**C. Standards for Grading, Excavation and Fill Requirements:**

1. All grading, excavation and filling shall comply with the "Borough of Parkesburg Stormwater Ordinance" (Ordinance No 464, Adopted June 12, 2006) as might be amended including by Act 167, and the Borough of Parkesburg Driveway Ordinance.
2. No excavation or fill shall be made with an exposed face steeper in slope than three (3) horizontal to one (1) vertical, except under one or more of the following conditions:
  - a. The material in which the excavation or fill is to be made is sufficiently stable to sustain a slope steeper than three (3) horizontal to one (1) vertical, and a written statement to that effect by a licensed professional engineer experienced in erosion control is submitted and approved by the Borough Engineer. The statement shall certify that the site has been inspected and that the deviation from the slope specified will not result in injury to persons or damage to property of increased erosion and resulting sedimentation.

- b. When a retaining wall is to support the face of the excavation, retaining walls shall be reviewed and approved by the Borough Engineer. Retaining walls greater than four (4) feet in height shall have a protective fence a minimum of four (4) feet in height.
3. The Borough Engineer may require a flatter slope when it is found that the material in which the excavation is to be made is unusually subject to erosion or if other conditions exist which make such a shallower slope necessary for stability and safety.
4. The top or bottom edge of slopes shall be located at least five (5) feet from property lines, in order to permit a gradual rounding of the edge without encroaching onto the abutting property.
5. Excavation shall not exceed below the angle of repose or natural slope of the soil under the nearest point of any footing or foundation or any existing building or structure unless such footing or foundation is first properly underpinned or protected against settlement.
6. Grading shall not redirect or concentrate surface water onto an adjacent property.
7. During grading operations, necessary measures for dust control to prevent particulate matter from becoming airborne shall be followed. These measures shall include, but not be limited to the following:
  - a. A tire cleaning area shall be provided at each point of egress from the development areas;
  - b. Use, where possible, of water or other method approved by the Borough Engineer for control of dust during any land disturbance activity;
  - c. Removal of earth or other material from paved streets at the end of each workday.
8. Grading equipment shall not be allowed to cross permanent or intermittent streams without first obtaining appropriate permits from the Pennsylvania Department of Environmental Protection.
9. No applicant shall engage in land disturbance activities that endanger any adjoining property, public street, sidewalk, alley, or other property from settling, cracking or other damage that might result from such land disturbance. If in the opinion of the Borough Engineer, the land disturbance would create a hazard to life or property unless adequately safe-guarded, the applicant shall construct walls, fences, guardrails, or other structures to safeguard the adjoining property, public street, sidewalk, alley, or other property and persons.
10. Excavation or fills shall not encroach on natural watercourses, flood plain areas, constructed channels, or wetlands without the necessary state and federal permits. Excavations or fills located adjacent to natural watercourses or constructed channels shall have suitable protection against erosion.

11. All fill shall be compacted to provide stability of material and to prevent undesirable settlements. The fill shall be spread in a series of layers, not exceeding twelve (12) inches in thickness, and be compacted by a sheepsfoot roller or other approved method after each layer is spread. The Borough Engineer may require compaction tests and reports.
12. Adequate provisions shall be made to prevent surface waters from damaging the cut face of an excavation or the sloping surface or a fill within the area of a proposed subdivision or land development. Slopes of more than ten (10) feet in vertical height shall be separated by level berms of at least four (4) feet in width within which ditches shall be constructed where necessary to prevent erosion and as a safe place to deposit and receive such water. The Borough Engineer may require such drainage structures or pipes to be constructed or installed which are perceived necessary to prevent erosion damage and to satisfactorily carry off surface waters.

**D. Grading for Drainage:**

1. All lots, tracts or parcels shall be graded to provide property drainage away from buildings with a minimum slope of two percent (2%), and to dispose of water without ponding. All land within a development shall be graded to drain and dispose of surface water without ponding, except where ponding, as in the case of detention basins, is part of the stormwater management system for the proposed subdivision or land development.
2. All drainage provisions shall be of such design to adequately handle the surface runoff and carry it to the nearest suitable outlet. Where drainage swales are used to direct surface waters away from buildings, they shall be sodded or planted as required.

**E. Vegetative Cover:**

1. Removal of any portion of existing vegetation, including, but not limited to, trees, tree masses and associated vegetation layers shall be done in such a manner as to minimize erosion and sedimentation. Existing vegetation shall be retained and protected, or replaced by an immediate cover, such as rye grass or other fast-growing cover material, acceptable to the Borough, within thirty (30) days of disturbance.
2. The appropriate measures, as defined in Section 427 shall be taken to protect existing trees, tree masses, and associated vegetation.

**F. Responsibility:**

1. Whenever sedimentation is caused by the removal of vegetation, re-grading or other disturbance, it shall be the responsibility of the applicant causing such sedimentation to remove it from all adjoining surfaces, drainage systems and watercourses and to repair any damage at his or her expense within a time period acceptable to the Borough.
2. No applicant shall block, impede the flow of, alter, construct any structure, or deposit any material or thing, or commit any act that will affect normal flood flow in any stream or

watercourse without having obtained prior approval from the Pennsylvania Department of Environmental Protection and the Borough.

3. Where a subdivision or land development is traversed by a watercourse, a drainage easement or right-of-way shall be established along the line of such watercourse, and of adequate width to preserve natural drainage.
4. All required drainage and erosion control improvements, whether temporary or permanent, shall be installed by the applicant, at his expense, and in accordance with all applicable requirements.

#### **G. Street and Road Grading and Shoulders.**

See Section 412 of Article IV, and Part 1.00, D of Appendix I for additional special provisions related to street and road grading and shoulders.

#### **SECTION 424        RESERVED (For Future Use)**

#### **SECTION 425        PARK, RECREATION AND OPEN SPACE**

**A. Adequacy of Parks, Recreation and Open Space Area Must be Considered:** The applicant shall consider the adequacy of parks, recreation and open space areas to meet the needs of the additional dwellings proposed by the subdivision or land development, based upon the standards identified in the Borough of Parkesburg Open Space, Recreation and Environmental Resources Plan. The Planning Commission shall determine if the proposed plan satisfies the standards and requirements of the Open Space, Recreation and Environmental Resources Plan and this Section.

#### **B. Land for Recreation or Open Space.**

All subdivision and land development plans shall provide suitable public recreation land and improvements, and/or open space land to be dedicated to meet public recreation and open space needs or a fee-in-lieu when approved by the Borough Council. All proposed public recreation and open space facilities are to be designed in accordance with the provisions of the Open Space, Recreation and Environmental Resources Plan.

1. The amount and composition of land to be provided shall meet the following standards:
  - a. The amount of land to be dedicated (see Percentage of Tract Area to be Dedicated Table, below) is based on the lot area proposed for development.
  - b. All land is to be offered for public dedication, but can remain as private property for use by the residents of the proposed project at the discretion of the Borough Council.

- c. The applicant is responsible for providing and installing recreation equipment and/or site improvements suitable to the area of land, subject to the approval of the Borough Council.

<b>PERCENTAGE OF TRACT AREA TO BE DEDICATED TABLE</b>			
<b>TYPE OF DEVELOPMENT**</b>	<b>TOTAL</b>	<b>ACTIVE RECREATION</b>	<b>PASSIVE RECREATION / OPEN SPACE</b>
Residential Lots Greater Than 10.0 Acres	0%	0%	0%
Residential Lots of 6.0 To 10.0 Acres	5%	0%	5%
Residential Lots from 2.0 Acres To Less Than 6.0 Acres	10%	0%	10%
Residential Lots from 25,000 Square Feet to Less Than 2 Acres	20%	0%	20%
Residential Lots from 10,000 Square Feet to Less Than 25,000 Square Feet	25%	5%	20%
Residential Lots From 3,000 Square Feet to Less Than 10,000 Square Feet and Mobile Home Parks	30%	20%	10%
Residential Lots of Less Than 3,000 Square Feet, and Apartments, Townhouse and Condominium Development Sites	40%	25%	15%
Adult Community and Adult Community Mobile Home Park	20%	0%	20%
Industrial Uses	20%	0%	20%
Commercial Uses	20%	0%	10%
Institutional Uses	25%	0%	25%
* If the proposed development includes the clustering or lot averaging option, the net density shall be used to determine the lot sizes.			

2. If the Borough Council approves a fee-in-lieu of land dedication and required improvements to satisfy the requirements of this Section, the amount of any fee shall be equal to the total fair market value of the land and improvements otherwise required by this Section. Determination of the total fair market value of the land at its highest and best use shall be prepared by an MAI appraiser, and improvements by a registered landscape architect, and shall be the responsibility of, and funded by, the applicant. The appraisal

shall result in a reasonable value acceptable to the Borough Council.

### C. Open Space Characteristics and Design Standards.

In designating areas for open space and recreation within the subdivision or land development, the applicant shall adhere to the following criteria and standards. The designated areas for open space and recreation shall be:

1. Consistent with the Borough of Parkesburg Comprehensive Plan;
2. Suitable for active recreational uses, without interfering with adjacent dwelling units, parking, driveway, and streets. The land used for active recreation may be in the flood plain, but shall not be on slopes exceeding three percent (3%), in wetlands, or contain stormwater facilities.
3. Consistent with the natural and historic features protection provisions, as contained in Section 428 of this Ordinance.
4. The relationship of erosion and sediment control or stormwater control facilities with open space and recreation areas may be permitted and is encouraged by the Borough if the presence of such facilities does not conflict with proposed activities or detract from the aesthetic values associated with the open space and recreation areas. Plans for combining these facilities should be submitted to the Borough for review and approval.
5. Interconnected with open space or recreation areas on abutting parcels, including provisions for pedestrian trails, for general public use to create linked pathway systems within the Borough.
6. Coordinated, by the applicant, with applicable open space and recreation plans of any Federal, State, County, Regional, Borough, adjacent Municipal, or private organizations to compliment various programs increasing the utility of the open space and recreation network.
7. Comprised of areas not less than seventy-five (75) feet in width, and not less than one-half ( $\frac{1}{2}$ ) acre for active recreation facilities, or two (2) acres for passive recreation or open space facilities. When appropriate and recommended by the Planning Commission, pocket parks of no less than ten thousand (10,000) square feet, to serve active recreational requirements in the area, shall be required. Such parks shall be a minimum of seventy-five (75) feet in width, suitably lighted and landscaped in accordance with the provisions of Sections 426 and 427, herein, and equipped with sitting areas for adults, walks, benches and tables, and playground equipment. When deemed appropriate by Borough Council, looped trail systems with off-site connections may be permitted.
8. Provided with sufficient parking, as determined by the engineer of record upon recommendation of the Borough Engineer, Borough Planner and the Planning Commission, and approved by Borough Council, with safe and convenient access by

adjoining street frontage or other rights-of-way or easements capable of accommodating pedestrian, bicycle, maintenance, and vehicle traffic and containing appropriate access movements.

9. Undivided by any public streets, except where necessary for proper traffic circulation, and then only upon recommendation of the Planning Commission.
10. Free of all structures, except those related to outdoor recreational uses.
11. Suitably landscaped either by retaining existing vegetation and wooded areas and/or by a landscaping plan for enhancing open space and recreation areas through plantings that are consistent with the purposes of this Section and which minimize maintenance costs.
12. Conveniently accessible to the general public to improve the utility of the facility and to promote its use among the residents of the Borough. This applies to private facilities with limited access, should such facility be offered for dedication to the Borough.

## SECTION 426      OUTDOOR LIGHTING REQUIREMENTS AND STANDARDS

- A. **Locations Where Outdoor Lighting Is Required:** Outdoor lighting facilities shall be required for all off-street parking areas and off-street loading areas and for all driveways providing ingress and egress thereto and along all road and pedestrian ways in all major subdivisions and land developments. The requirements and standards of this Section shall also apply to sign, architectural and landscape lighting.
- B. **Lighting Plans Required:** Lighting plans for all major subdivisions and land developments shall be submitted as part of the preliminary plan requirements of Section 305 of this Ordinance. Such lighting plans shall include a schematic layout of all proposed lighting fixture locations and isofootcandle plots of individual fixture installations and ten (10) foot by ten (10) foot illuminance grid plots for multi-fixture installations that demonstrate full compliance with the intensity and uniformity standards of this Section. The lighting plans shall also include the lighting fixture manufacturers' description of the equipment (catalog cuts) including luminaires, glare control devices, lamps, standards as well as mounting heights and means, hours of operation of the lighting, and maintenance schedule.
- C. **Applicant To Demonstrate Compliance:** The Borough Council shall require the applicant to demonstrate that no nuisance glare or disabling glare will result from implementation of the proposed lighting plan, or if unavoidable, the provision of adequate measures to mitigate nuisance glare and disabling glare both on the site and on adjoining properties and uses.
- D. **Outdoor Lighting Design Standards and Illumination Standards:**
  1. All lighting facilities for subdivisions, land developments and uses governed by this Section shall provide an illumination level utilizing the current recommended practices and standards of the Illuminating Engineering Society of North America (IESNA).

2. Illumination where required by this Section shall have the lighting intensities and uniformity ratios as provided in the Lighting Handbook of the Illuminating Engineering Society of North America (IESNA), 9th Edition, as follows:

ILLUMINATION STANDARDS TABLE		
Use/Task	Maintained Footcandles	Uniformity Average: Minimum
Pedestrian Walkways	0.5 Avg	5:1
Local Commercial: Streets, Intersection of Streets, or Parking Areas	1.0 Avg	6:1
Local Residential: Streets, Intersection of Streets, or Parking Areas	0.4 Avg	4:1
Parking: Multi-Family Residential	0.4 Min - 1.0 Max	4:1
Parking: Commercial/Industrial Uses	0.6 Min - 1.2 Max	4:1
Illuminated Signs	0.6 Avg	6:1
Recreational Uses/Parks	0.6 Min	4:1
Institutional Activities / Uses	1.0 Avg	4:1
Notes:	1. Illumination levels are maintained horizontal footcandles on the task, e.g. pavement or area surface.	
	2. Uniformity ratios dictate that average luminance values shall not exceed minimum values by more than the product of the minimum value and the specified ratio, e.g. for local residential streets, the average footcandles shall not exceed 1.6 (0.4 x 4).	

3. Lighting fixtures and standards shall be of a type and design appropriate to the lighting application and as established by Borough Council, appropriate to the architecture and overall character of the area in which they are located. All lighting fixtures and standards shall further comply with any design and installation requirements established by the Borough of Parkesburg.
4. For lighting horizontal surfaces such as roadways, pedestrian- ways, and parking areas, fixtures shall meet IESNA "full cutoff" criteria.

5. The use of floodlighting, spotlighting, wall mounted fixtures, decorative globes and other fixtures not meeting IESNA "full cutoff" criteria may be permitted by the borough Council, only when the applicant can demonstrate acceptable glare and light trespass control and designed by the engineer of record.
6. Fixtures shall be equipped with or be capable of being retrofitted with light directing devices such as shields, visors or hoods when necessary to redirect offending light distribution.

**E. Control of Nuisance Glare and Disabling Glare.**

1. All outdoor lighting shall be aimed, located, designed, installed and maintained so as not to present a hazard (disabling glare) to drivers or pedestrians by impairing their ability to safely traverse, and so as not to create a nuisance by projecting or reflecting objectionable light (nuisance glare) onto a neighboring property or use.
2. Floodlights and spotlights shall be so installed and aimed so that they do not project their output into the windows of neighboring residences, adjacent uses, directly skyward or onto a roadway or pedestrian way.
3. Unless otherwise permitted by the Borough Council for reasons of safety and security, all exterior lighting of streets and pedestrian ways in the Borough shall be controlled by automatic switching devices, such as time clocks or combination motion detectors and photocells, to permit extinguishing light between eleven (11) p.m. and dawn so as to mitigate nuisance glare and light.
4. When all-night, safety or security, lighting is permitted by the Borough Council, the average site lighting intensity levels shall not exceed twenty-five (25) percent of the levels normally permitted by this Section.
5. Vegetative or other screens shall not be employed as the primary means of controlling glare, but rather glare control shall be achieved through the use of such means as cutoff fixtures, shields and baffles and the appropriate selection and application of fixture mounting height, wattage, aiming angle and fixture placement.
6. The intensity of illumination projected onto a residential property from an adjoining property shall not exceed 0.1 vertical footcandle anywhere on such residential property.
7. Fixtures meeting IESNA "full cutoff" criteria shall not be mounted in excess of twenty (20) feet above finished grade, in commercial, office and industrial developments, nor in excess of fourteen (14) feet above finished grade in residential developments. Fixtures not meeting IESNA "full cutoff" criteria, when permitted by the Borough Council, shall not be mounted in excess of sixteen (16) feet above finished grade in commercial, office and industrial developments, nor in excess of ten (10) feet in residential developments, unless specifically reviewed and approved by the Borough Council.

8. Fixtures used for architectural lighting, e.g. facade, fountain, feature and landscape lighting, shall be aimed so as not to project their output beyond the objects intended to be illuminated and shall be extinguished between eleven (11) p.m. and dawn, unless specifically reviewed and approved by the Borough Council.
9. When outdoor lighting is required in major subdivisions and land developments, such lighting shall provide illumination of street name signs so that they can be read by occupants of vehicles approaching the intersection when entering the area. The street name sign shall not be directly lighted, however the immediate area of the sign shall be lighted to maintain a minimum of one (1) footcandle per square foot. In addition, community mailboxes, where permitted, shall be illuminated.
10. The engineer of record shall be required to evaluate existing lighting and issue a report to the Borough certifying whether the existing lighting satisfies and is in compliance with Borough lighting standards or is non-compliant.

**F. Installation.**

Electrical feeds for exterior lighting standards shall be placed underground.

Exterior lighting standards shall be placed a minimum of five (5) feet outside paved areas or on concrete pedestals at least thirty (30) inches high above the pavement or suitably protected by other means as reviewed and approved by the Borough.

**G. Maintenance.**

Lighting fixtures and ancillary equipment shall be maintained by the owner or lessee of the property on which they are located, or if located within a public right-of-way, the owner of the right-of-way. Such maintenance shall be performed so as to continuously meet the requirements of this Section.

**H. Inspection and Compliance.**

1. The engineer of record shall conduct a post-installation nighttime inspection to verify compliance with the requirements of this Section and if appropriate require remedial action, the cost of which shall be borne by the applicant.
2. Nuisance Glare and Inadequate Illumination:
  - a. The owner of an exterior lighting installation that produces unacceptable levels of nuisance glare, light, excessive or insufficient levels of illumination or otherwise does not conform to the requirements of this Section shall be notified thereof by the Borough and shall be required to take remedial action.

- b. Remedial action must be completed within thirty (30) days of notification by the Borough, after which the Borough may levy a fine for as long as the hazard continues to exist.

## SECTION 427      LANDSCAPING, SCREENING AND BUFFERING

- A. **Applicability:** The provisions of this Section shall only apply to subdivisions and land development proposals and plans submitted to the Borough of Parkesburg for review and approval.
- B. **Exemption:** A Minor Subdivision Plan involving only lot line adjustments shall be exempt from the requirements of this Section.
- C. **Minor Subdivision of Three Lots or Less:** Minor subdivision applications proposing no more than three (3) lots shall be exempt from on-lot landscaping requirements except in regard to adequate ground cover as specified by Section 427.E. Generally, minor subdivision plans will be subject to street tree, buffering and screening requirements, however.
- D. **Landscape Plan Required:** Except in the case of minor subdivision application, the applicant shall submit a landscape plan, prepared by a landscape architect, registered as such in the Commonwealth of Pennsylvania, that demonstrates compliance with all provisions of the Borough Ordinances and which indicates how the applicant's landscape planning and design is based upon the required site analysis required in Article III of this Ordinance.
- E. **On-Lot or Tract Ground Cover and Landscaping:** Any portion of a lot or tract not used for buildings, other structures, loading or parking spaces and aisles, sidewalks and designated storage areas shall be planted and continually maintained with an all-season ground cover and otherwise shall be landscaped in accordance with a landscape plan approved by the Borough. Landscaping shall comply with the minimum design and planting standards and the criteria for the selection of plant material of this Section.
- F. **Tree Planting Setback from Property Lines and Utility Easements:** No trees shall be planted within five (5) feet of any property line nor shall trees be planted within any utility easement or right-of-way.
- G. **Situations Requiring Screening or Buffering:** In addition to situations cited in the Borough Zoning Ordinance, screening or buffering is required in the following situations and circumstances:
  - 1. All non-residential buildings including agricultural buildings and buildings accessory to non-residential uses.
  - 2. Uses accessory to residential uses when closer than fifteen (15) feet from a property line.

3. Between residential uses and all other uses.
4. Along all new roads that expose existing yards, both residential and non-residential.
5. Around all stormwater management basins.
6. All parking areas that exceed one thousand (1,000) square feet in area.
7. All loading or storage areas for equipment or materials.
8. Any of the following structures or facilities:
  - a. Public utility structures and facilities.
  - b. Liquid and solid waste collection, storage, including dumpster locations, conveyance and treatment facilities.
  - c. Group mailboxes, storage facilities, including nonresidential motor vehicle storage, landscape and construction equipment storage, commercial recreational vehicle and trailer storage or commercial storage of items of a similar nature.
  - d. HVAC systems, both ground based and roof mounted, as well as any other mechanical or electrical equipment.
9. Walls and fences can be considered landscaping elements where approved for use by the Borough. Planting may be required on one or both sides of fence depending upon adjacent uses and circumstances. All fences should have the good side (finished side) facing out and be constructed of customary fencing material.
10. Any other structure or facility of a similar character or impact.
11. Any activity for which a landscape buffer or screen is required, as a condition of approval, by the Zoning Hearing Board or the Borough Council.

Appropriate notes will be placed on the face of the plan to assure appropriate and adequate screening and buffering treatments are implemented for any of the situations cited above.

#### **H. Minimum Planting Standards:**

1. The total number of plantings shall be no less than the total calculated from all columns in the following table.

<b>MINIMUM NUMBER OF PLANTS TABLE</b>				
<b>Improvement / Conditions</b>	<b>Deciduous</b>		<b>Evergreen</b>	
	<b>Trees</b>	<b>Shrubs</b>	<b>Trees</b>	<b>Shrubs</b>
Nonresidential Uses: Per 1,000 Sq. Ft. of Gross Floor Area	1	4	1	4
Per 2,000 Sq. Ft. Parking or Loading Area	1	2	1	2
Street Trees: Per 100 Lineal Ft. of New and Existing Road Frontage on both sides at 50' intervals	2	0	0	0
Per 100 Lineal Ft. of Existing Tract Boundary exclusive of Road or Street Frontage.	1	3	3	5
The use of linear measurements to calculate the minimum number of plantings is not intended to specify a linear arrangement. Rather, groupings of plantings are encouraged consistent with the provisions of this Section.				

2. Any fractional plantings resulting from the calculation of required planting shall be rounded up to the nearest whole number.
3. All plantings used to comply with the minimum required number of plantings shall be:
  - a. Trees: 2 Inch Caliper, Minimum
  - b. Shrubs: 24 to 30 Inches in Height, Minimum
  - c. Evergreen plantings used to comply with the visual screening and buffering requirements shall be provided in accordance with Section 427.J.4, below.
  - d. Plantings and their measurement shall conform to the standards of the American or U.S.A. Standard for Nursery Stock, ANSI or U.S.A.S. Z60.1 of the American Association of Nurserymen, as amended. All plant material used on the site shall have been grown within the same USDA hardiness zone as the site and shall be nursery grown unless it is determined by the Borough that the transplanting of trees partially fulfills the requirements of this Section.

**I. Criteria for Plant Material Selection:**

1. Species selected by the applicant from the approved plant list (Appendix J) shall reflect a careful evaluation of the required existing resources and site analysis and in particular the following:

- a. Existing and proposed site conditions and their suitability for the plant material based upon the site's geology, hydrology, soils and microclimate.
  - b. Specific functional and design objectives of the plantings, which may include but not be limited to the provision of a landscape buffer, visual screening, noise abatement, energy conservation, wildlife habitat, and aesthetic values.
  - c. Maintenance considerations such as hardiness, insect and disease resistance, longevity and availability.
2. The applicant shall conform to the requirements of this Section through the use of nursery grown native tree and shrub species.
  3. Species for shade trees shall be selected on the basis of hardiness, growing habit considering pedestrian and vehicular passage, minimal need for maintenance and compatibility with other features of the site and surrounding environs.
  4. In order to promote disease protection, minimum maintenance, diverse natural plant associations, and long-term stability of plantings, the applicant shall choose those combinations of species which may be expected to be found together under conditions on comparable sites.

**J. Landscape Design Standards:**

1. The minimum number of plantings, exclusive of building foundation plantings, shall be determined in accordance with Section 427.H, above, however additional plantings may be provided to further the objectives of this Section. The use of linear measurements to calculate the minimum number of plantings is not intended to specify a linear arrangement. Rather, groupings of plantings are encouraged consistent with the provisions of this Section.
2. The applicant shall provide the plantings and other landscaping improvements such as berms, solid fencing and/or walls, as appropriate, herein, to mitigate any adverse impacts, including visual impacts that the proposed activity will have on the site and adjoining properties as well as the Borough overall, and otherwise address all issues as identified in the review of the required site analysis. The Borough at its discretion can require additional landscaping for purposes of beautification and/or fully opaque screening.
3. Plantings and other landscape improvements shall be provided according to a design in response to specific site conditions and which best mitigate adverse site activity impacts. The amount, density and types of plantings in any given location shall be based upon the natural features of the site, feasibility of using native species, proximity to existing dwellings, compatibility with adjacent uses, nature of views into and across the site and in consideration of privacy of residential uses that may be impacted.
4. Where a specific need(s) for visual screening or buffering have been identified, evergreen

plantings shall be provided that are a minimum of eight (8) feet in height, measured from ground level, and planted at intervals of no less than eight (8) feet on center. Where approved by the Borough Council, upon recommendation of the Planning Commission, the applicant may provide, in lieu of an immediate screen, an eventual screen (3 to 5 years) to provide buffering for future development. Such eventual screen plantings shall be a minimum of two and one-half (2.5) feet in height, measured from ground level, and planted at intervals of no greater than eight (8) feet on center.

5. Accessory Use Landscaping.

Landscaping of non-residential accessory uses located less than fifteen (15) feet from any property line shall be provided in accordance with the provisions of this Section to screen such uses from adjacent properties.

6. Parking Lot Landscaping.

- a. All off-street parking areas shall be landscaped with trees and shrubs of varying species.
- b. Planting areas, including berms, shall be placed so as to facilitate snow removal and proper surface water drainage and to provide for safe movement of traffic and pedestrians. Planting areas shall be elevated above the parking lot surface or bordered appropriately to prevent erosion or damage from vehicles. Bollards may be used to afford protection of trees.

7. The locations, dimensions and spacing of required plantings shall be adequate for their proper growth and maintenance, with consideration of the sizes of such plantings at maturity and their initial and future environmental requirements such as moisture and sunlight. In the selection of shade trees, consideration shall also be given to the aesthetic qualities of the site and to the protection of solar access. In the selection of the layout of landscape screens and buffers or the location and mix of the required plantings, consideration shall be given to the natural topographical setting of the site and the texture, coloration and compatibility of the varying plant species. It is strongly encouraged that improved landscapes be designed creatively in such a manner as to be attractive while maintaining the integrity of the natural landscape within which such landscapes are proposed.

8. Plantings shall be limited or carefully selected for locations where they may be disturbed or contribute to conditions hazardous to public safety. Examples of such locations include, but are not limited to parking area edges, underground and above ground utilities and sight triangles at intersections. No trees shall be planted closer than fifteen (15) feet from fire hydrants, streetlights or stop signs.

9. The five (5) foot wide area between the back of a street curb and the sidewalk shall be planted and continually maintained as lawn.

**K. Conservation of Existing Vegetation and Natural Features.**

In accordance with Section 402.C, no portions of tree masses or trees of four (4) inches DBH or greater, or trees greater than eight (8) feet in height shall be cleared unless a reforestation plan is prepared which demonstrates that 2.5 inch caliper trees, exclusive of street trees and buffer plantings, will replace those cleared. Such replacement trees shall be planted at a ratio of two trees for each tree, in excess of four (4) inches DBH or greater or greater than eight (8) feet in height, cleared. The applicant shall make all reasonable efforts to harmonize his plans with the preservation of existing trees. Trees of 25-inch DBH or greater shall not be disturbed.

1. When site disturbance necessitates the clearing of trees or portions of tree masses, the applicant shall be guided by the following criteria in the selection of vegetation for retention and clearing:
  - a. Aesthetic values including, but not limited to, autumn coloration, types of flower or fruit, bark and crown characteristics and amount of dieback present.
  - b. Susceptibility to disease and/or insect infestation.
  - c. Species longevity.
  - d. Wind firmness and capability of soil to hold trees.
  - e. Existence of disease, rot or other damage. Such damaged trees should be removed.
  - f. Protection of buildings and other structures.
  - g. The size of trees at maturity.
2. The applicant shall exercise care to protect retained trees from damage during construction. The following procedures shall be utilized in order to protect trees:
  - a. Where trees are to be retained, no disturbance or construction shall be permitted within two (2') feet of the dripline of the trees. Where trees to be retained are adjacent to proposed disturbance or construction, appropriate temporary fencing, four (4) feet in height, shall be placed at two (2) feet outside the dripline of such trees. Such fencing shall remain in place throughout the duration of construction activity. Roots shall not be cut within the dripline of retained trees.
  - b. No material shall be nailed or otherwise attached that may cause damage to trees during construction or site disturbance.
  - c. Tree trunks and exposed roots accidentally damaged during construction or site disturbance shall be protected from further damage by being immediately and professionally treated.

- d. Tree limbs accidentally damaged during construction or disturbance shall immediately and professionally treated.
- e. Construction debris or other debris shall not be stored or disposed of within ten (10) feet of the dripline of retained trees except for mulched vegetative matter used to prevent soil compaction.

**L. Site Maintenance and Guarantee:**

1. All landscape improvements to be provided in accordance with this Section shall be installed and maintained by accepted practices as recognized by the American Association of Nurserymen and the International Society of Arboriculture. Planting and maintenance of vegetation shall include, as appropriate and not limited to provisions for surface mulch, guy-wires and stakes, irrigation, fertilization, insect and disease control, pruning, and weeding.
2. Except in the case of minor subdivision, the applicant shall guarantee in a form acceptable to the Borough that all landscape improvements required in accordance with this Section shall be installed and maintained in a healthy and/or sound condition, or otherwise be replaced by equivalent improvements, for a period of at least eighteen (18) months after completion of the subdivision or land development. After installation and prior to acceptance of the landscape improvements by the Borough, the Borough shall perform a review and inspection of such improvements for compliance with the approved landscape plan.
3. The installation of landscape improvements shall be guaranteed along with all other site improvements in accordance with Article VI of this Ordinance. The cost of the landscape improvements including material and installation shall be considered in determining the amount of the performance guarantee required. The applicant may be required to escrow sufficient additional funds for the maintenance and/or replacement of the installed plantings or other material during the eighteen (18) month replacement period. The applications for approval of a minor subdivision are exempt from this performance guarantee requirement.

**SECTION 428 NATURAL AND HISTORIC FEATURES PROTECTION**

- A. Identification and Consideration of Natural Features and Community Assets:** Consideration shall be shown, and limitations or restrictions shall be identified, for all natural features, such as large trees, watercourses, historic areas and structures, and similar community assets that, if preserved, will add attractiveness and value to the remainder of the subdivision or land development.
- B. Applicable Standards, Procedures and Prohibitions:** All uses and activities shall comply with the following standards. Site alterations, re-grading, filling or clearing of vegetation prior to the submission of applications for zoning or building permits or the submission of

plans for subdivision or land development shall be a violation of this Ordinance. In the event that two (2) or more resources overlap, the resource with the greatest protection standard (the least amount of alteration, re-grading, clearing or building) shall apply to the area of overlap.

1. Streams, watercourses, wetlands, wetland margins, lakes or ponds shall not be altered, re-graded, developed, filled, piped, diverted or built upon except in strict compliance with the Pennsylvania Department of Environmental Protection regulations and all other applicable regulations where no other reasonable alternative is available.
2. In the event that a wetlands delineation, validated by the U.S. Army Corps of Engineers, is shown to vary from the wetlands boundary shown on the plan in accordance with Section 305.C., the Corps delineation will govern. The wetlands margin will then be measured from the Corps' delineated boundary.

### C. Trails:

1. When a subdivision or land development proposal is traversed by or abuts an existing trail customarily used by pedestrians, the applicant may be required to make provisions for the continued recreational use of the trail.
2. The applicant may alter the course of the trail, unless otherwise restricted by the terms and conditions under which the trail was granted, within the tract for which development is proposed under the following conditions:
  - a. The points at which the trail enters and exits the tract remain unchanged.
  - b. The proposed alteration exhibits quality trail design according to generally accepted principals of landscape architecture. The Borough recommends the Department of Environmental Protection publication, Non-Motorized Trails, prepared by the Pennsylvania Trails Program of the Bureau of State Parks as a guide for the development of high quality trails.
  - c. The proposed alteration does not run coincidentally with a paved road intended for use by motorized vehicles.
3. An applicant may propose and develop a new trail. If existing or proposed trails are available for use by the general public, the easement for said trail may be credited toward the open space requirement described in Section 425.
4. Trails shall be designed within the context of a Borough-wide trail system wherein trails developed on an individual tract provide appropriate interconnection with adjoining tracts and/or existing adjoining trails.
5. Improvements to trails shall demonstrate adherence to principles of quality trail design, enhancing the enjoyment of the urban qualities of the Borough.

6. Trails shall have a vertical clearance of no less than ten (10) feet.
7. Trails shall be located in an easement or right-of-way with a minimum width of twenty (20) feet.
8. The width of the trail surface may vary depending upon the type of use to be accommodated, but in no case shall be less than six (6) feet or greater than ten (10) feet.
9. Trails shall be constructed of material as approved by the engineer of record who shall provide a pavement design based upon sub-grade conditions, and which shall consist, at a minimum, of six (6) inches of 2A modified stone base, and one and one-half (1-1/2) inches of bituminous 102 wearing surface. Furthermore all trails shall comply, to the maximum extent possible, with ADA design standards and guidelines.
10. The base and binder course for trails and bridges, where required, behind any lot, shall be installed prior to the issuance of a certificate of occupancy. The wearing course shall be installed at the time of the installation of the wearing course for the streets.
11. No trail shall be designed with the intent to accommodate motorized vehicles or bicycles.
12. Trails and their easements or rights-of-way shall be offered for conveyance in fee simple to the Borough.

**D. Historic, Cultural, and Architectural Features and Points/Features of Interest:** Historic features and other points of interest shall be identified and preserved in accordance with the terms of the Borough of Parkesburg Zoning Ordinance and may be credited toward open space requirements under the following conditions:

1. The feature being preserved shall be listed upon a Borough, County, State, and/or National inventory of features, monuments, or places of historic or general interest, or the Borough Council may determine that a historic or other feature is of sufficient public interest to warrant preservation. Features may include, but shall not necessarily be limited to historically, culturally, or architecturally significant buildings, monuments, or sites; unique or historic landscape elements, such as historic gardens or large trees; archaeological sites; and any other feature which shall be deemed by the Borough Council to be of historic or cultural value to the Borough.
2. The feature shall be situated upon an area of land of sufficient size to preserve the impression of the environs of such feature prior to construction of the proposed development. The amount of credit toward open space requirements shall be equivalent to the size of the area preserved.
3. The historic feature shall not be moved.
4. The applicant may be required to provide interpretive signage explaining the significance of the feature.

5. The feature and the tract upon which it is located shall be maintained by the owner of the tract, a community association, a public agency, or a private conservation group which shall be responsible for the maintenance of the feature and its grounds.
6. The applicant shall be responsible for improvements to the site deemed necessary by the engineer of record to protect public safety.

## ARTICLE V

### MOBILE / MANUFACTURED HOME PARK

#### SECTION 500 SUBMISSION OF APPLICATION AND REVIEW OF PLANS

The construction of a new mobile/manufactured home park, as permitted by the Parkesburg Borough Zoning Ordinance, or the alteration of an existing park shall be made only after the application and plans have been submitted in accordance with this Ordinance. The application and plans shall be prepared and processed in accordance with Article III and the applicable standards incorporated in Article IV of this Ordinance and shall include the following:

- A. **Complete Layout.** Complete park layout showing lot sizes and dimensions, open space areas, and all improvements including streets, vehicular parking areas (including overflow parking areas), water supply location, sewer and water lines, service and storage buildings, sewage system, lighting facilities, walkways and trails, refuse storage areas and disposal methods, community buildings, recreation facilities and open space;
- B. **Drainage and Stormwater Management System.** Plans for providing adequate management of surface drainage;
- C. **Letter from Sewer Service Provider.** A Letter of Adequacy and Available Capacity from the appropriate agency regarding the ability to provide public sewer service. No individual or community sewer systems shall be permitted;
- D. **Sewer System Construction Details.** Details of the construction of the sewerage system, including size, slope, material, manhole and clean-out construction and location;
- E. **Water Supply System Details.** Details of a public water supply system, including expected capacity, pressure, delivery rate and volume, and distribution system, including size, materials and valve locations;
- F. **Service Building Plans and Details.** Construction of service buildings showing plumbing, heating, ventilation and other sanitary systems which are to be included;
- G. **Lighting and Electrical Power Lines.** Lighting facilities and electrical power line installation;
- H. **Parking Spaces.** Location and anticipated number of parking spaces as would be permitted under available land area;
- I. **Copy of Approved Plans Retained by Health Agency.** A copy of approved plans that will be kept on file by the reviewing health agency; and

**J. Phasing Details, If Any.** Phasing schedule and plans.

**SECTION 501 PERMITS, INSPECTIONS AND FEES**

**A. Permits Required**

1. It shall be unlawful for any person to construct, alter, extend, or operate a mobile/manufactured home park within Parkesburg Borough unless and until the Applicant obtains:
  - a. A permit issued by the Chester County Health Department in the name of the Operator in accordance with 28 Pa. Code Sections 17.71 - 17.75; and,
  - b. A mobile/manufactured home park permit issued by the Parkesburg Borough in the name of the operator, which shall not be issued until a copy of the Chester County Health Department permit has been furnished, all permits for water supply and sewage systems shall have been obtained, and all other requirements contained herein have been complied with and final approval of the application has been granted by the Borough Council;
  - c. A building permit is issued by Parkesburg Borough after having paid a fee for each unit to be placed within the mobile/manufactured home park; and,
  - d. Inspection and issuance, or refusal, of permit. Upon receipt of the application for a permit, Parkesburg Borough shall:
    - (1) Verify the validity of the Chester County Health Department permit;
    - (2) Verify the issuance of a certificate of the Borough Council granting a Conditional Use; verify the Planning Commission's recommendations and the Council's approval of the development plan; and, upon finding that all requirements of this Ordinance have been met, shall thereupon issue a permit in the name of the operator; the permit shall be valid for one (1) year from the date of issue.
    - (3) Require annual inspection by Parkesburg Borough.
    - (4) For yearly renewal of permit, there shall be a fee, payable to Parkesburg Borough and submitted to Parkesburg Borough with the application for renewal.
2. Applicability to existing Mobile/Manufactured Home Parks.

Upon the effective date of this Ordinance, the operators of any existing mobile parks shall be required to show Parkesburg Borough evidence of having obtained a permit from

the Chester County Health Department, and within a period of one (1) year shall take the necessary steps to comply with the provisions of this Article; and, at the end of the one (1) year period, shall obtain a permit from Parkesburg Borough upon payment of the fee, and shall renew the permit each year thereafter.

In the event that Parkesburg Borough shall find evidence of any condition that is not in accordance with the provisions of this Article, Parkesburg Borough shall refuse to issue, or renew, a permit, and notify the Chester County Health Department, accordingly. In the event that it is not feasible for the operator to comply literally with all of the provisions of this Article, Parkesburg Borough shall provide guidance to the operator concerning the procedure for gaining a position on the agenda to bring an appeal to the Borough Council. The Council shall decide to issue or deny the permit and, if issued, shall be done so without prejudice as long as a renewal of the Chester County Health Department permit is obtained. Any extension of an existing mobile/manufactured home park after the effective date of this Ordinance shall be in strict accordance with the provisions herein.

#### **B. Fees**

1. Fees for the initial application and preliminary and final approvals shall be prescribed by resolution of the Borough Council.
2. The fee for the annual permit shall be prescribed by resolution of the Borough Council and shall be submitted to Parkesburg Borough with the application for the annual permit.
3. Fees for the inspection of a mobile/manufactured home park during and following construction shall be as specified by Resolution of Borough Council.

#### **C. Inspections**

1. A mobile/manufactured home park shall be subject to inspection during any stage of construction and at any time during its operation by an authorized representative of Parkesburg Borough or other agency having jurisdiction, and such representative shall make known his presence and authorization to the operator at the time of each inspection.
2. Parkesburg Borough is hereby authorized to stop all work or other activity it finds to be in violation of the provisions of this or other applicable ordinances.
3. Upon receipt of the application for annual permit and before issuing such annual permit, Parkesburg Borough shall make an inspection of the mobile/manufactured home park to determine compliance with this Article. Parkesburg Borough shall thereafter notify the permittee of any instances of noncompliance with this Article and shall not issue the annual permit until the permittee has corrected all such violations.

- D. Appeal Rights and Procedure.** Where the Applicant or permittee believes that Parkesburg Borough has failed to follow procedures or has misinterpreted or misapplied any provision of this Ordinance in the review of an application for a mobile/manufactured home park permit or an annual permit renewal, he may appeal such action to the Parkesburg Borough Council in accordance with Section 909.1 of Act 247.
- E. Permit Is Not Transferable to a Different Location.** No permit issued under this Article shall be transferable to a different location.
- F. Changes to, Expansion or Reductions of Development.** No person, holding a permit under this Article, shall extend or reduce the area of any mobile/manufactured home park, add any new facility or structure, until notice of such proposed changes shall have been given to Parkesburg Borough which shall ascertain, after investigation as in the case of an original application for a permit, that such proposed changes are in accordance with all the requirements of this Article, and if so, grant approval.

## SECTION 502 DISCONTINUATION OF USE

- A. Advance Notice of Discontinuance Required.** In the event a mobile/manufactured home park operator intends to discontinue operation of the park, the operator shall notify park residents and Parkesburg Borough one (1) year in advance of the intended closing date.
- B. Content of Notice and Plan for Discontinuance.** Such notification to Parkesburg Borough shall include a Plan for Discontinuance that shall include the following:
1. The capping of all sewers.
  2. The capping of all water lines.
  3. The removal of all underground and above ground storage tanks.
  4. A plan for the displacement of all park residents.
  5. The removal of all signs.
  6. A plan for securing structures and facilities proposed to remain on the property.
  7. The posting of a bond, or other guarantee, suitable to Parkesburg Borough, to insure the completion of 1 through 6, above.

**SECTION 503 DENSITY, AREA AND DIMENSIONAL STANDARDS**

Regulations governing the density of dwelling units in any mobile/manufactured home park and the dimensions of any mobile/manufactured home park or mobile/manufactured home lot therein shall be as specified in the Parkesburg Borough Zoning Ordinance.

**SECTION 504 ACCESS REQUIREMENTS**

A safe and convenient vehicular access shall be provided from abutting public streets or roads to each mobile/manufactured home park. To ensure safe access, the following standards shall apply:

- A. **Street Design and Construction Standards.** With the exception of those street standards specified in this Article, which standards shall control, the standards in Article IV of this Ordinance shall govern the design and construction of streets in a mobile/manufactured home park. (See Residential Street Provisions, Sections 412 and 413.)
- B. **Access.** The entrance road(s) connecting the mobile/manufactured home park with a public street or road shall be designated as, and constructed to the standards of a collector road with a minimum pavement width of twenty-eight (28) feet. There shall be two points of access to mobile/manufactured home park that contains more than thirty one (31) dwellings. At least five hundred (500) feet must separate entrance roads. No entrance to a mobile/manufactured home park shall be beyond one thousand (1,000) feet from access to an arterial road.
- C. **Interior Streets.** All interior streets shall be designed and constructed to the same specifications as required for subdivisions, and shall be paved to a width of at least twenty-four (24) feet; all access streets, between interior streets and the public street, shall be paved to a width of at least twenty-four (24) feet; and, all interior streets shall be provided with vertical concrete curbs to subdivision standards herein.
- D. **Parking Areas**
  1. Off-street parking areas shall be provided in all mobile/manufactured home parks for the use of park occupants and guests. All off-street parking areas shall be paved in accordance with the provisions of Section 412 of this Ordinance.
  2. The parking requirements of the Parkesburg Borough Zoning Ordinance shall be applicable to all mobile/manufactured home parks.
  3. Required car parking spaces shall be so located as to provide convenient access to the mobile/manufactured home, but shall not exceed a distance of two hundred (200) feet from the manufactured or mobile/manufactured home that it is intended to serve.

4. Two (2) required parking spaces shall be provided for on-lot parking for each mobile/manufactured home.
5. On-site common parking areas shall be provided at a rate of one (1) parking space per each mobile/manufactured home lot. No single common parking area shall contain more than twenty (20) parking spaces.
6. The parking and storage of recreational vehicles, boats, any unlicensed or unregistered vehicles and all trailers in a mobile/manufactured home park shall not be permitted.

#### **E. Sidewalks**

1. All mobile/manufactured home parks shall provide concrete sidewalks, appropriately located along both sides of all streets and between the park streets and all community facilities provided for park residents.
2. All sidewalks shall be constructed in accordance with the requirements and standards of Section 417 of this Ordinance.

### **SECTION 505 SEWAGE TREATMENT AND DISPOSAL**

**A. General.** All mobile/manufactured home parks shall connect to and be served by the entity for sewer in Parkesburg Borough in accordance with that entity's regulations.

**B. Individual Sewer Connections.** Subject to the regulations of the entity for sewer in Parkesburg Borough and the current Uniform Construction Code (UCC) as amended by the State of Pennsylvania, the following represents minimum standards for sewer system connections:

1. Each mobile/manufactured home lot shall be provided with at least a four (4) inch diameter sewer riser pipe. The sewer riser pipe shall be so located on each lateral sewer connection to the mobile/manufactured home drain outlet with approximately a vertical position and there shall be provided a concrete apron at ground level with an expansion joint below the apron.
2. The sewer connection shall have a nominal inside diameter of not less than four (4) inches, and the slope of any portion thereof shall be at least one-fourth (1/4) inch per foot. All joints shall be watertight.
3. All sewer connections shall be installed in accordance with the current Uniform Construction Code (UCC) as amended by the State of Pennsylvania and sanitary sewer specifications in effect at the time of construction.

4. Provision shall be made for plugging the sewer riser pipe when a mobile/manufactured home does not occupy the lot. Surface drainage shall be diverted away from the riser. The rim of the riser pipe shall extend at least one-half ( $\frac{1}{2}$ ) inch above ground elevation.

## SECTION 506 WATER SUPPLY

**A. General.** All mobile/manufactured home parks shall be connected to the public water supplier, meeting the Insurance Services Office, Inc. (ISO) standards for volume, delivery rate and pressure in Parkesburg Borough. Construction shall be in strict accordance with the water supplier's standards and the current Uniform Construction Code (UCC) as amended by the State of Pennsylvania at the time of construction.

**B. Individual Water Riser Pipes and Connections.** Subject to the water supplier's standards and the current Uniform Construction Code (UCC) as amended by the State of Pennsylvania, the following represents minimum standards for public water connections:

1. Individual water riser pipes shall be located within the confined area of the mobile/manufactured home stand at a point where the water connection will approximate a vertical position, thereby insuring the shortest water connection possible and decreasing susceptibility to water pipe freezing.
2. The water riser pipe shall have a minimum nominal inside diameter of one-half ( $\frac{1}{2}$ ) inch and terminate at least four (4) inches above the ground surface. The water outlet shall be provided with a cap when a mobile/manufactured home does not occupy the lot.
3. Adequate provisions shall be made to prevent freezing of service lines, valves and riser pipes and to protect risers from heaving and thawing actions of ground during freezing weather. Surface drainage shall be diverted from the location of the riser pipe.
4. A shutoff valve below the frost line shall be provided near the water riser pipe on each mobile/manufactured home lot. Underground stop-and-waste valves are prohibited unless their type of manufacture and their method of installation are approved by Parkesburg Borough. A corporation cock shall be provided at the water main.

### C. Fire Protection

1. Fire protection facilities, meeting the requirements of the Insurance Services Office, Inc. (ISO) Fire Suppression Rating Schedule, Table 340, "Calculation of Needed Fire Flow", 6th Edition or later, shall be provided and shall otherwise meet the requirements of Sections 421.0 and 514 of this Ordinance.
2. A copy of the approved mobile/manufactured home park plan showing lots, addresses and the location of fire hydrants and stand-pipes shall be provided to the local fire

department, company, or service provider.

## **SECTION 507            OUTDOOR LIGHTING REQUIREMENTS AND STANDARDS**

Standards for lighting shall conform to the provisions set forth in Section 426 of this Ordinance. In addition, a driveway light on the right side of each driveway serving a mobile/manufactured home pad shall be required.

## **SECTION 508            ELECTRICAL DISTRIBUTION SYSTEM**

- A. General Requirements.** 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's specifications regulating such systems and the National Electrical Code (NEC) and the Uniform Construction Code. All utility lines shall be underground.
- B. Power Distribution Lines.** Electrical service conductors shall be located not less than eighteen (18) inches radial distance from water, sewer, gas or communications lines.
- C. Individual Electric Connections.** All exposed non-current carrying metal parts of mobile/manufactured 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/manufactured homes or other equipment.

## **SECTION 509            REFUSE DISPOSAL AND RECYCLING**

### **A. General Requirements**

1. The mobile/manufactured home park operator shall be responsible for the proper storage, collection, recycling and disposal of refuse.
2. The storage, collection, recycling and disposal of refuse in the mobile/manufactured home park shall be so conducted as to create no health hazard, rodent harborage, excess odor, insect breeding areas, accident or fire hazard, or air pollution and shall comply with the Pennsylvania Department of Health regulations or other applicable agencies, governing mobile/manufactured home parks.
3. All refuse shall be stored, whether for recycling or disposal, in fly-tight, watertight, rodent-proof containers, which shall be located not more than two hundred (200) feet from any mobile/manufactured home space and no less than one hundred (100) feet from

the mobile/manufactured home park boundary. Containers shall be provided in sufficient number and capacity to properly store all refuse.

4. Community refuse recycling and disposal containers shall be screened in such manner as approved by Parkesburg Borough.
5. Racks or holders shall be provided for all refuse recycling and disposal containers. Such container racks or holders shall be so designed as to prevent containers from being tipped, to minimize spillage and container deterioration, and to facilitate cleaning around them.

**B. Collection and Transport of Solid Waste.** All refuse for recycling or disposal shall be collected at least once weekly. Where suitable collection service is not available from private agencies, the mobile/manufactured home park operator shall provide this service. All refuse shall be collected and transported in covered vehicles or covered containers.

## SECTION 510 FUEL SUPPLY AND STORAGE

### A. Natural Gas System

1. Natural gas piping system, when installed in mobile/manufactured home parks, shall be maintained in conformity with the required natural gas supplier's standards and the Uniform Construction Code.
2. Each mobile/manufactured home lot provided with piped gas shall have an approved shut-off valve, installed upstream 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 (LPG)

1. All liquefied petroleum gas systems shall be installed in accordance with NFPA 58, 2001 Edition or later, (National Fire Protection Association, Liquefied Petroleum Gas Code) and the Uniform Construction Code (UCC) - The International Building Code, and The International Residential Code for one and two family dwellings and any standards adopted by the Department of Labor & Industry under Section 301 of the act (35 P.S. Section 7210.301).
2. Systems shall be provided with safety devices to relieve excess pressures and shall be arranged so that the discharge terminates at a safe location.
3. Systems shall have at least one accessible means for shutting off gas. Such means shall be located outside the mobile/manufactured home and shall be maintained in effective operating condition.

4. All LPG piping outside of the mobile/manufactured homes shall be well supported and protected against mechanical injury. Undiluted liquefied petroleum gas in liquid form shall not be conveyed through piping equipment and systems in mobile/manufactured homes. All outside piping and vessels shall be screened from view by a full and opaque evergreen landscaping or a solid fence or wall.
5. Vessels of more than twelve (12) and less than sixty (60) U.S. gallons gross capacity may be installed on a mobile/manufactured home lot and shall be securely, but not permanently, fastened to prevent accidental overturning.
6. No LPG vessel shall be stored or located inside or beneath any storage cabinet, carport, mobile/manufactured home, or any other structures unless such installations are specifically approved by the entity having jurisdiction.
7. No cylinder containing liquefied petroleum gas, bottled gas, or fuel oil shall be located in a mobile/manufactured home. Nor shall such cylinder containing liquefied petroleum gas, bottled gas, or fuel oil be located within ten (10) feet of an exterior source of ignition, openings into direct-vent appliances, mechanical ventilation air intakes or other building openings.

### **C. Fuel Oil Supply Systems**

1. All fuel oil supply systems provided for mobile/manufactured homes, service buildings, and other structures shall be installed and maintained in conformity with the rules and regulations of the entity having jurisdiction and the Uniform Construction Code.
2. All piping from outside fuel storage tanks to mobile/manufactured homes shall be securely, but not permanently, fastened in place. Outside fuel storage tanks shall be double walled and shall be placed above grade, and shall be screened from view by a full and opaque evergreen landscaping or a solid fence or wall. All exposed above-grade piping shall also be screened from view by a full and opaque evergreen landscaping or a solid fence or wall.
3. All fuel oil supply systems provided for mobile/manufactured homes, service buildings and other structures shall have shut-off valves located within five (5) inches of storage tanks.
4. No fuel combustion unit shall be used in any mobile/manufactured home without being vented to the outside of the trailer.
5. Storage tanks located in areas subject to traffic shall be protected against physical damage.

## SECTION 511      STORMWATER MANAGEMENT

The provisions of this Ordinance and the provisions of the Borough of Parkesburg Stormwater Ordinance, as might be amended or superseded, shall be applicable to all mobile/manufactured home park development.

## SECTION 512      OPEN SPACE, LANDSCAPING, SCREENING AND BUFFERING

The open space and screening and buffering criteria of all Sections of this Ordinance shall apply to all mobile/manufactured home parks.

## SECTION 513      SERVICE AND COMMUNITY BUILDINGS

- A. **Community Buildings Encouraged.** In addition, the mobile/manufactured home park may provide laundry facilities, storage facilities for use of occupants, management office, and indoor cooking, dining, meeting, activity, and recreation facilities for park residents and guests only. Where a community building is provided it must contain a toilet and lavatory and must meet Uniform Construction Code (UCC) standards for accessibility.
- B. **Community Building Construction and Maintenance.** Construction of all community buildings shall be in compliance with all applicable codes and shall be maintained in a clean, sanitary and structurally safe condition.
- C. **Community Building Ownership and Management.** Ownership of, management of, and maintenance responsibilities for all community buildings shall be specified and defined in the application for a mobile/manufactured home park.
- D. **Handicapped Accessibility.** All community buildings shall be equipped to provide accessibility for the handicapped in accordance the American Disabilities Act (ADA), Commonwealth Statutes and regulations, and with the Uniform Construction Code (UCC) as amended by the State of Pennsylvania.
- E. **Service and Maintenance Equipment Storage Site and Facilities.** The design and layout of a mobile/manufactured home park shall contain at least one site or lot for the placement of a Service and Maintenance Equipment Storage Building. The site shall be of adequate size to accommodate a building sufficient in area to match the size and scale of the mobile/manufactured home park, and conform to tract and lot setbacks. Any such building constructed shall comply with the UCC.

## SECTION 514 FIRE PROTECTION

- A. **Fire Codes Apply.** The mobile/manufactured home park area shall be subject to the rules and regulations of the applicable Fire Prevention Code where provided, and shall meet the standards and criteria for life and fire safety of Chapter 4 of NFPA 501A, National Fire Protection Association, Standard for Fire Safety Criteria for Manufactured Home Installations, Site and Communities, 2000 Edition or later.
- B. **Maintained Free of Flammable Materials.** Mobile/manufactured home park areas shall be kept free of litter, rubbish and other flammable materials.
- C. **Portable Fire Extinguishers in Park and Common Facilities.** Portable fire extinguishers of a type approved by the fire prevention authority shall be kept in offices, public buildings, community buildings, and service buildings under park control.
- D. **Fire Extinguishers, Smoke Detectors, and Carbon Monoxide Detectors Required in Each Mobile/Manufactured Home Unit.** Fire extinguishers of a type approved by the Fire Underwriter Laboratories (ABC Classification type) bearing the Underwriters label, shall be readily accessible within three hundred (300) feet of each mobile/manufactured home. It is required that mobile/manufactured home park owners or operators require each mobile/manufactured home unit to be equipped with a fire extinguisher, smoke detectors and carbon monoxide detectors.
- E. **Fire Hydrant Requirement and Placement.** Hydrants shall be installed along all streets within the mobile/manufactured home park and be spaced no greater than five hundred (500) feet apart.

## SECTION 515 MAINTENANCE OF COMMON AREAS AND FACILITIES

- A. **Responsibility for Maintenance.** The operator/permittee of a mobile/manufactured home park shall be responsible for the proper repair and maintenance of all common facilities, including, but not limited to, roads, parking areas, sidewalks or pathways, trees and landscaping, common open space, water supply and sewage disposal systems, fire extinguishers and hydrants, service and storage buildings, and community buildings.
- B. **Maintenance Bond.** The operator/permittee of a mobile/manufactured home park shall, prior to issuance of any certificate of occupancy pursuant to final approval of an application for a new development or expansion, post with Parkesburg Borough a maintenance bond in a form acceptable to the Parkesburg Borough Solicitor in an amount sufficient to cover for a period of eighteen (18) months, the costs of maintenance of all common areas and facilities described in Sections 308, 310, and 311 of this Ordinance and subject to performance guarantees during their construction, said costs to be estimated by the Parkesburg Borough Engineer or other representative.

## ARTICLE VI

### CONSTRUCTION AND ACCEPTANCE OF IMPROVEMENTS

#### SECTION 600 CONSTRUCTION REQUIRED

- A. Applicant to Construct in Compliance With Approved Final Plan.** The Applicant shall construct all roads, streets, lanes or alleys, together with all other improvements whether public or private, including grading, paving, curbs, gutters, sidewalks, street lights, fire hydrants, water mains, street signs, shade trees, stormwater management and drainage facilities, sanitary sewers, landscaping, traffic control devices, open space and restricted areas and erosion and sediment control measures in conformance with the final plan as approved, and applicable provisions of the Pennsylvania Department of Transportation Specifications, Publication 408, latest publication as amended, or the latest revision thereto, or other applicable governmental regulations.
- B. Recording and Building Permits Contingent Upon Construction or Performance Guarantee.** No plan shall be finally approved for recording, and no building permits shall be issued until the Applicant has completed all required improvements or has provided a performance guarantee in accordance with Sections 310 and 311, hereof.
- C. Borough Obligation in Cases Where Financial Security (Performance Guarantee) is Provided.** If financial security has been provided in lieu of the completion of improvements required as a condition for the final approval of a plat as set forth in this section, the Borough shall not condition the issuance of building, grading or other permits relating to the erection or placement of improvements, including buildings, upon the lots or land as depicted upon the final plat upon actual completion of the improvements depicted upon the approved final plat. Moreover, if said financial security has been provided, occupancy permits for any building or buildings to be erected shall not be withheld following: the improvement of the streets providing access to and from existing public roads to such building or buildings to a mud-free or otherwise permanently passable condition, as well as the completion of all other improvements as depicted upon the approved plat, either upon the lot or lots or beyond the lot or lots in question if such improvements are necessary for the reasonable use of or occupancy of the building or buildings.
- D. Stormwater Management Facilities and System.** On or before the completion of subdivision or land development improvements, the permanent stormwater management system for a tract shall be installed or constructed in accordance with the approved stormwater management plan. All such work shall be as specified in the approved plan. Continued functioning of these facilities shall be maintained, as necessary, in accordance with Sections 310, 311 and 312 of Article III, for the maintenance bond period required by Sections 602 and 606 of this Ordinance, and the Borough of Parkesburg Stormwater Ordinance.

**E. Trenches and Excavations for Borough Streets.** All trenches or other excavations in existing or proposed Borough streets shall be backfilled in accordance with the following (except where the standards of another agency apply):

1. Backfilling shall be done as promptly as possible and all open trenches shall be closed each night.
2. The trenches around the pipe shall be backfilled with hand-placed screenings or #57 stone and compacted. The pipe shall be chocked in place and 2A modified stone shall be backfilled above the conduit, pipe or pipe bell to a height of at least one (1) foot and shall be thoroughly mechanically tamped. Stone material surrounding the pipe shall be free from refuse, boulders, rocks, unsuitable organic material or other material that is unsuitable.
3. When the pipe is located in a dedicated street or any place where paving (including driveways) may be placed, the remainder of the trench above the stone backfill around the pipe shall be backfilled with 2A Modified stone (2 RC may be substituted upon Borough approval), separated from screenings, if used, by filter fabric and promptly compacted. The backfill material shall be mechanically tamped in maximum six (6) inch loose layers. Vibratory hydraulic ramps shall not be permitted. All compaction shall be a minimum 95% of maximum density at 2% optimum moisture in accordance with ASTM D 1557.
4. Where openings have been made in existing Borough roads, paving shall be restored in accordance with the paving standards contained in this Ordinance. Openings made in State roads shall be restored in accordance with the Pennsylvania Department of Transportation Specifications. Permits shall be required before paving is opened in any existing State or Borough road with full cartway restoration.
5. Where openings are made behind the curb line, work shall be as specified herein. The opening shall be covered with good topsoil to a depth of six (6) inches and seeded or sod installed in accordance with Borough and ASLA standards.
6. Whenever the trenches have not been properly filled or if settlement occurs, they shall be refilled, compacted, smoothed off and finally made to conform to the surface of the ground.
7. Frozen earth shall not be used for backfilling, nor shall any backfilling be done when materials already in the trench are frozen.

**F. Requirements for Vehicles Leaving Construction Site.** At all times during the construction of the project, tire scrubbers shall be positioned at all points exiting the site to facilitate the cleaning of mud and debris from all vehicles leaving the site.

- G. Onsite Burning and Burial of Trash and Debris Prohibited.** No burning or burying of trash or debris anywhere on the site shall be permitted. To ensure that all trash and debris is removed, a trash container of adequate capacity shall be placed at appropriate locations on the work site.

## SECTION 601      INSPECTIONS

- A. Procedure for Borough Observation and Inspection of Construction and Installation.** All land disturbance work shall be performed in accordance with a construction schedule submitted in advance to the Borough. The Borough will impose restrictions on work hours from 7:00 a.m. to 7:00 p.m. for five days a week unless written approval by the Borough is secured in advance. No work shall proceed to a subsequent phase until inspected and approved by the Borough Engineer who shall then file a report thereon with the Borough. The construction and installation of all improvements shall, at all times, provide the opportunity for the Borough to observe construction. The Borough reserves the right to require that new construction be removed if the opportunity to observe the construction was not afforded to the Borough. The Borough shall receive written notification forty-eight (48) hours in advance of all mobilization and remobilization associated with any construction activity.
- B. Remedies Available to the Borough for Noncompliance.** If such observation reveals that work is not in accordance with approved plans and specifications, that construction is not being done in a workmanlike manner, or that erosion or sediment controls are failing to prevent accelerated erosion or waterborne sediment from leaving the site construction, the Borough is empowered to require corrections to be made, and upon authorization by the Borough to issue a cease and desist order, which shall provide that no further construction shall take place on the site including construction of buildings for which permits are held by the developer except for the construction necessary to remedy the defects cited.
- C. Conditions for Termination of Cease and Desist Order.** The said cease and desist order shall be terminated upon the determination by Borough that the said defects or deviations from plan requirements have been corrected.
- D. Borough Engineer Inspection Rights.** After commencement of initial earthmoving operations, the Borough Engineer may, but is not obligated to do so, inspect at the following points in the development of the site, or of each stage thereof:
1. Upon completion of stripping, the stockpiling of topsoil, the construction of temporary stormwater management and erosion control facilities, disposal of all unsuitable materials, and preparations of the ground.

2. Upon completion of rough grading, but prior to placing topsoil, installing permanent drainage or other site improvements, or establishing covers.
3. During construction of the permanent facilities, at such time(s) as specified by the Borough Engineer.
4. Upon completion of permanent stormwater management facilities, including established ground covers and plantings for that purpose.
5. Upon completion of final grading, vegetative control measures and all other site restoration work undertaken in accordance with the approved plan and permit.
6. The Borough Engineer may make random inspections, as he deems necessary and appropriate.

**E. Inspection Prior to Covering Certain Excavations and Installations.** No underground pipes, structures, sub-grades or base course shall be covered until the Borough has been provided the opportunity to observe construction. The Borough shall be notified of all construction including but not limited to the following:

1. Excavation and completion of grade.
2. Excavation, installation and completion of drainage, structures, sewage systems or water supply systems.
3. Prior to placing first base course and between such base course. Proof rolling of subgrade is required.
4. Prior to placing binder course. Proof rolling of the base course is required.
5. Prior to placing wearing course.

**F. Notice of Construction Commencement or Remobilization.** The Applicant shall notify the Borough at least forty-eight (48) hours in advance of commencement of each stage or remobilization of all construction operations.

**G. Right to modify or Waive Inspection Schedule.** In the review of any plan, the Borough shall have the discretion to modify or waive the otherwise applicable inspection schedule called for in this section.

**H. Borough Inspection Expenses to be Reimbursed.** The Applicant shall reimburse the Borough for the reasonable and necessary expense incurred for the inspection of improvements. Such reimbursement shall be based upon a schedule established by resolution, and revised from time to time. Such expense shall be in accordance with the ordinary and

customary fees charged by the Borough consultants, including wetland consultants, for work performed for similar services in the Borough, but in no event shall the fees exceed the rate or cost charged by the engineer or consultant to the Borough when fees are not reimbursed or otherwise imposed on Applicants, as set forth in the Pennsylvania Municipalities Planning Code.

## SECTION 602 MAINTENANCE RESPONSIBILITIES

### A. Maintenance of Streets, Stormwater Management Systems, and Related Improvements.

The responsibilities for the control of erosion and sedimentation, the maintenance of stormwater management facilities, storm drainage systems and watercourses, snow removal, and the maintenance of streets, including traffic protection and localized resurfacing, shall be in accordance with the Parkesburg Borough Code of Ordinances, as amended. The temporary pavement of all manholes prior to street resurfacing shall be required.

### B. Maintenance of Recreation and Open Space Areas. All recreation and/or open space areas created under the terms of this Ordinance shall be first offered to the Borough and should the Borough refuse acceptance they then shall be owned and maintained by a private homeowners association as approved by the Borough and supported by a surety bond.

## SECTION 603 RELEASE FROM PERFORMANCE GUARANTEE

When the Applicant has completed all of the necessary and appropriate improvements, he shall notify the Borough Council, in writing, by certified or registered mail, of the completion of such improvements and shall send a copy thereof to the Borough, as set forth in the MPC.

## SECTION 604 AS-BUILT PLANS

Prior to the release of final escrow or within 90 days of substantial completion and Borough approval and final inspection of the subdivision or land development improvements as shown on the Final Plan, and before Borough acceptance of such improvements, the developer shall submit to the Borough Council a plan showing actual locations, dimensions and conditions of streets and all other public or common private improvements, including easements showing geometry and monument locations certified by a registered engineer to be in accordance with actual construction. As-Built Plans shall show elevations and inverts to all manholes, pipes and roads, shall confirm volumes of stormwater facilities, and shall confirm the setting of survey pins and monuments.

### A. Review of As-Built Plans. The Borough shall designate an official, staff member, or consultant of its choice who shall review the As-Built Plans, including all corrections, and shall make a recommendation to the Borough Council regarding approval or disapproval of

As-Built Plans.

- B. Borough Council Action on As-Built Plans.** The Borough Council may approve or disapprove the As-Built Plans. If the Council approves the As-Built Plans, one (1) set of such plans indicating such approval shall be returned to the Applicant and one (1) set shall be retained for Borough records. If the As-Built Plans are disapproved by the Council, one (1) set of plans so disapproved shall have a notation and date of such disapproval placed thereon and shall be returned, together with the reasons for disapproval set forth in writing, to the Applicant, and the remaining set shall be retained for Borough records.
- C. Number and Media for As-Built Plans.** The As-Built Plans shall be provided to the Borough as one (1) set of reproducible (Mylar®) copies and three (3) sets of paper prints. A digital copy of the As-Built Plans shall also be provided to the Borough in a digital format and on a media acceptable to the Borough.

## SECTION 605 DEDICATION AND ACCEPTANCE OF IMPROVEMENTS

- A. Offer of Dedication, and Action on an Offer of Dedication.** Upon completion of any public improvements shown on an approved subdivision plan and within ninety (90) days after approval of such public improvements as herein provided, the developer shall submit written offer of such public improvements for dedication to the Borough. Said offer shall include a deed of dedication covering said public improvements together with satisfactory proof establishing the developer's clear title to said property. Such documents are to be filed with the Borough for review by the Borough. Deeds of dedication for public improvements may be accepted by resolution of the Borough Council at a regular meeting thereof. The Council may require that at least eighty (80) percent of the lots in any approved subdivision or land development (or phase thereof, if final plan approval has been in phases) have certificates of occupancy issued for buildings thereon prior to acceptance of dedication. Should the streets and other infrastructure, even though constructed according to the specifications of this Ordinance, deteriorate before the said eighty (80) percent of the lots have certificates of occupancy issued, such streets and other infrastructure shall be repaired in a manner acceptable to the Council before being accepted by the Borough.
- B. Implication of Failure to Offer Dedication.** If the developer fails to offer dedication of said improvements, then the Council may, in addition to any other remedies provided by law, require the Applicant, or his heirs, successors, executors, or assigns, to make an offer at any time in the future that the best interests of the Borough are served by the dedication and acceptance of the public improvements.
- C. Conditions Necessary for Borough Acceptance.** The Borough shall have no obligation to takeover and make public any street, other improvement or park, however, unless:

1. The required improvements, utility mains and laterals, monuments, markers, etc., including conditions thereof, shown on the approved final plans, have been found acceptable by the Borough as having been constructed in accordance with the provisions of this Ordinance.
2. It is established to the satisfaction of the Council that there exists a need for the improvements to be taken over and made public.

**D. Acceptance By Ordinance or Resolution is Necessary.** The Borough shall have no responsibility with respect to any park, street or other improvement, notwithstanding the use of the same by the public, unless the park, street, or other improvement has been accepted by ordinance or resolution by the Borough Council.

**E. Acceptable Alternatives to Public Dedication and Maintenance.** The Borough Council may require that certain subdivision and land development improvements remain undedicated, with maintenance the responsibility of individual lot owners, a homeowner's association or similar entity, or an organization capable of carrying out maintenance responsibilities.

#### **SECTION 606            MAINTENANCE GUARANTEE**

Where the Borough Council accepts dedication of all or some of the required improvements following completion (whether such dedication is of the fee or of an easement), the Council shall require the posting of financial security to secure the structural integrity of the improvements and the functioning of the improvements in accordance with the design and specifications as depicted on the Final Plan. The security shall be in the form authorized for the deposit of the performance guarantee, as described in Section 311 of this Ordinance, and shall be for a term of eighteen (18) months from the date of the acceptance of dedication and shall be in an amount equal to fifteen percent (15%) of the actual cost of installation of the improvements so dedicated.

#### **SECTION 607            LIABILITY INSURANCE**

If, in the opinion of the Borough, the nature of any land disturbance work is such that it may create a hazard to human life or endanger adjoining property or property at a higher or lower elevation, or any street or street improvement, or any other public property, then the Borough may require that the Applicant provide a certificate of insurance confirming that the Applicant is insured against claims for damages for personal and bodily injury and property damage (including damage to Parkesburg Borough by deposit or washing of material onto municipal streets or other public improvements), which may arise from or out of the performance of the work, whether such performance be by the Applicant, his subcontractor, or any person directly or indirectly employed by him. The certificate of insurance shall also list Parkesburg Borough as an additional insured, and be presented to the Borough prior to the disturbance work. The

amount of such insurance shall be prescribed by the Borough in accordance with its determination of the risks involved to persons or property but in no event shall the amount be less than one hundred thousand dollars (\$100,000) per occurrence. Such insurance shall be written by a company licensed to do business in Pennsylvania and shall be satisfactory to the Borough. Neither issuance of a permit nor compliance with the provisions thereto or any condition imposed by the Borough shall relieve any person from any responsibility for damage to persons or property otherwise imposed by law, nor shall it impose any liability upon the Borough for damages to persons or property.

## ARTICLE VII

### ADMINISTRATION

#### SECTION 700 ENFORCEMENT

- A. Grounds for a Finding of Noncompliance and General Remedies for Noncompliance.**  
Borough review revealing noncompliance with plans submitted under the provisions of this Ordinance, including all supplementary data required, shall be sufficient grounds for withdrawal of building permits by the Borough until correction thereof, or other penalties or remedies, including injunctive relief, as may be provided by law.
- B. Preventive Remedies.**
1. In addition to other remedies, the Borough 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.
  2. The Borough 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. This authority to deny such a permit or approval shall apply to any of the following applicants:
    - a. The owner of record at the time of such violation.
    - b. The vendee or lessee of the owner of record at the time of such violation without regard as to whether such 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.
  3. 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 Borough 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.

**C. Enforcement Remedies.**

1. Any person, partnership or corporation who or which has violated the provisions of this Subdivision and Land Development Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Borough, pay a judgment of not more than five hundred dollars (\$500.00) plus all court costs, including reasonable attorney fees incurred by the Borough as a result thereof. No judgment shall commence or be imposed, levied or be payable until the date of determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Borough may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.
2. 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.
3. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Borough the right to commence any action for enforcement pursuant to this Section.

**SECTION 701 RECORDS**

- A. **Borough's Record Keeping Responsibility.** The Borough shall assign a subdivision application number to all subdivision and land development applications, and all matters referring to an application should be filed in accordance with the subdivision case number. The Borough shall keep a record of its findings, decisions, and recommendations relative to all plans filed with it for review.
- B. **All Records are Public.** All such records shall be public records.

**SECTION 702 FEES AND COSTS**

- A. **Plans Are Not Deemed Submitted Until Fees Paid.** No application for preliminary plan or

final plan approval shall be deemed submitted until the fees and escrow deposits, as set forth below, have been paid.

**B. Basis and Process for Setting Fees and Escrow Amounts.** Subdivision or land development application fees (nonrefundable) and escrow deposits shall be submitted with any application for preliminary plan, or final plan approval to cover the costs of plan review and processing. The amounts of the application fees and escrow deposits shall be fixed by resolution of the Borough Council. The escrowed funds shall be used to reimburse the Borough for actual expenditures incidental to these processes, including, but not limited to, fees of the Borough Engineer and Borough Planner, and legal fees in excess of the fee for review of the Borough's standard forms. Any costs incurred by the Borough in excess of the amount held in escrow shall be fully reimbursed by the applicant prior to the issuance of any permits. Any unexpended balance in the escrow deposit shall become part of the second deposit required in Section 702.C.

**C. Escrow for and reimbursement of Inspections, Testing and Acceptance.** Following final plan approval and recording and the establishment of any required performance guarantee, a second escrow deposit shall be established to cover the cost of review of improvements construction; materials or site testing; or maintenance costs prior to the acceptance of improvements by the Borough. Any costs incurred by the Borough in excess of the amount held in escrow shall be fully reimbursed by the applicant. The amount of the escrow deposit shall be fixed by resolution of the Borough Council.

## SECTION 703            MODIFICATIONS AND WAIVERS

**A. Council May Grant Modifications and Waivers Under Certain Circumstances.** In any case in which an applicant demonstrates to the satisfaction of the Borough Council that strict application of any provisions of this Ordinance would be unreasonable and would cause unnecessary hardship as applied to the proposed subdivision or land development, the Council may grant a modification or waiver from the mandatory provision to grant relief from the unnecessary hardship; provided, however, that such modifications shall not be granted if it would be contrary to the public interest and have the effect of nullifying the intent and purpose of this Ordinance.

**B. Council May Impose Reasonable Conditions.** In granting modifications and waivers, the Borough Council may impose such conditions as will, in its judgment, secure substantially the objectives of the standards and requirements so modified.

**C. Required Form for and Content of a Request for a Modification or Waiver.** All requests for a modification or waiver shall be in writing and shall accompany and be a part of the application for preliminary plan approval. The request shall state, in full, the grounds and facts of unreasonableness or hardship on which the request is based, provision or provisions

of the ordinance involved, and the minimum modification necessary.

- D. Review Process for Modification and Waiver Request.** A request for a modification or waiver shall be reviewed by the Planning Commission who shall make recommendation to the Borough Council. The Council shall keep a written record of all action on all requests for modification or waiver.

## SECTION 704 APPEALS

Appeals from the actions of the Borough Council with respect to any application for subdivision or land development approval shall be governed by the provisions of Act 247 as they may be amended from time to time, or any successor legislation thereto.

## SECTION 705 AMENDMENTS

- A. Power to Amend.** The provisions of this Ordinance may be, from time to time, amended by the Borough Council.
- B. Amendment Procedure.** The following requirements shall be observed prior to making any amendment to this Ordinance:
1. Before voting on the enactment of a proposed amendment, the Borough Council shall hold a public hearing thereon pursuant to public notice as defined by this Ordinance, at which time the parties in interest and citizens shall have an opportunity to be heard. A brief summary setting forth the principal provisions of the proposed amendment and a reference to the place within the Borough where copies of the proposed amendment may be secured or examined shall be incorporated into the public notice.
  2. Proposed amendments shall be submitted to the Borough Planning Commission for their findings and recommendations at least thirty (30) days prior to the date fixed for the public hearing on such proposed amendment, if the amendment has been prepared by an agency other than the Borough Planning Commission. In addition, the proposed amendment shall be submitted to the County Planning Commission for their recommendations at least thirty (30) days prior to the date fixed for the public hearing on the amendment.
  3. The findings of the Borough Planning Commission shall be submitted to the Borough Council, upon their request, in a written report.
  4. Prior to the enactment of proposed amendments, the Borough shall publish the proposed amendment once in a newspaper of general circulation in the Borough not more than sixty (60) days and not less than seven (7) days prior to passage. Publication of the

proposed amendment shall include the time and place of the meeting, the place within the Borough where copies of the proposed amendment can be obtained, and either the full text thereof or the title and a brief summary prepared by the Borough Solicitor, 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 Borough at the time the public notice is published.
  - b. An attested copy of the proposed amendment shall be filed in the County Law Library.
  - c. In the event substantial changes are made in the proposed amendment, before voting upon enactment, the Borough Council shall, at least ten (10) days prior to the enactment, re-advertise in a newspaper of general circulation in the Borough, a brief summary setting forth all the provisions in reasonable detail, together with a summary of the changes.
5. Within thirty (30) days after enactment, the Borough Council shall forward a certified copy of the amendment to the County Planning Commission.

#### **SECTION 706      PRIMACY OF COMMONWEALTH STATUTES**

In regards to administration, enforcement, appeal, and amendment of this Ordinance, the enabling statutes of the Commonwealth of Pennsylvania shall supersede and take precedence over any provision of this Article found or determined by the Borough or a court of competent jurisdiction to be contrary or inconsistent with the enabling statutes of the Commonwealth of Pennsylvania.

# Appendices

Borough of Parkesburg  
Subdivision and Land Development Ordinance of 2014  
List of Appendices

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**Appendix A - Table A-1.00**

Number of Copies of Complete Plans to be Submitted

At Each Phase of the Subdivision and Land Development Review and Approval Process

Borough of Parkesburg, Chester County, Pennsylvania

Review Phase:	Internal Borough Use*				For Other Entities Receiving Full Size & Complete Plans				
	Full Size & Complete	Reduced Size	Disc	Planning Commission	Chester County			Other Agencies	Adjoining Municipalities
					Dept. Of Health	Conservation District			
Sketch Plan*	6	6	0	0	0	0	0	0	0
Preliminary*	6	6	0	1	2	0	TBD	TBD	TBD
Final*	6	6	0	1	TBD	1	TBD	TBD	TBD
Resubmissions*	6	6	0	1	TBD	TBD	TBD	TBD	TBD
Record Plan for Signing**	5	0	5	0	0	0	0	0	0
<b>Guidance to the Borough Manager or Secretary:</b>									
Internal Entities That Will Need Plans for Review:									
Planning Commission		Sketch	Prelim.	Final	Record	SALDO Section(s)			
Borough Council		X	X	X	X	303, 305.G.1,2,& 5, 306.G, 306.G3			
Borough Engineer		No	X	X	X***	305.G.6, 306.G.4, 306.G.4.f&g, 308			
Borough Planner		X	X	X	X	305.G.2 & 4, 306.G.2, 306.G.4.b			
Borough Zoning Officer		X	X	X	No	305.G.2 & 4			
Borough Manager/Secretary		No	No	No	No	Section 101.C, 103.A&B, at al. Determination of Zoning Compliance: ZO			
Notes: TBD = To Be determined by the Borough (Section 302.D & 302.E).									
ZO = Borough of Parkesburg Zoning Ordinance.									
* The copies of the plan are submitted to the Borough (Secretary/Manager) who will be responsible for distribution.									
** One of which shall be a reproducible on a film base (e.g., Mylar); and, 3 copies of the signed final plan will be for the applicant to use in recording (Section 306.G.4.f&g).									
*** The same document can be shared.									
NOTE: A Resubdivision Plan is subject to the same phased review process as any other final plan									
Authority Source for This Appendix: Sections 302, 303.A, 305.B, 305.G.2, 306.B, 306.G, 306.G.4.f, 306.G.4.g, 308, and 309.									
Appendices prepared by The Grafton Association.									

## Appendix B Content of a Sketch Plan

Authority for Appendix B is derived from Subsection 303.B of this Ordinance. Section 303 of Article III should be consulted for other Sketch Plan requirements and processes.

If an applicant chooses to submit a Sketch Plan, the Sketch Plan should contain or be submitted with the data and information cited in the following table.

<b>Table Appendix B                  Content of a Sketch Plan</b>		
<b>Item #</b>	<b>Description</b>	<b>(✓)</b>
1	Name, address and telephone number of the legal owner of the property, the applicant, if not the legal owner and the agent, if any, of the applicant.	
2	A location map which highlights the location of the site within the Borough and depicts adjoining and nearby streets.	
3	Tract boundaries with dimensions, tract area and the names of adjoining property owners.	
4	North arrow, written and graphic scale, not greater than 1 inch = 200 feet, and date.	
5	The title: "Sketch Plan".	
6	Name and address of the owner/applicant.	
7	Name of subdivision or land development.	
8	Name and address of the applicant's engineer, surveyor, planner, architect, landscape architect or site designer responsible for preparing the plan.	
9	Streets on and adjacent to the tract (both existing and proposed) with dimensions.	
10	Existing rights of way and easements with dimensions.	
11	Schematic layout indicating a general concept for land conservation and development.	
12	Zoning district and requirements and a statement as to the degree to which the plan meets those requirements.	
13	Proposed open space and/or recreation areas, and proposed management and ownership of such.	

**Table Appendix B  
Content of a Sketch Plan**

Item #	Description	(✓)
14	In the case of land development plans, proposed general layout, including building locations, parking lots, and open space.	
15	Topography. Ten (10) foot contour intervals (from U.S.G.S maps) are permissible. Slopes between fifteen (15) percent and twenty- five (25) percent and those exceeding twenty-five (25) percent shall be clearly indicated.	
16	The location and delineation of ponds, streams and natural drainage courses, as well as the one hundred (100) year floodplains and wetlands. Areas of wetlands on the proposed development site shall also be indicated, as evident from testing, visual inspection or from the presence of wetland vegetation and soils.	
17	Vegetative cover conditions on the site according to general cover type indicating cultivated land, permanent grassland, old-field, hedgerow, woodland, and canopy line of existing trees and woodlands. Vegetative types shall be described in terms of plant community, relative age and condition.	
18	High groundwater areas as identified by the location of soils with seasonal or perennial high water tables mapped in the U.S Department of Agriculture, Soil Conservation Service, <i>Soil Survey of Chester and Delaware Counties, Pennsylvania.</i>	
19	Soil series, types and phases, as mapped in the U.S. Department of Agriculture, Soil Conservation Service, Soil Survey of Chester and Delaware Counties, Pennsylvania and accompanying data for each soil relating to its suitability for construction.	
20	The location and dimensions of all existing and proposed buildings, other structures, utilities and other improvements.	
21	Architectural renderings and/or other graphic representations depicting the proposed subdivision or land development improvements.	
Note: Preparation and submission of a Sketch Plan is recommended, but not required.		
Appendices prepared by The Grafton Association.		

## Appendix C

### Basic Content Requirements for Preliminary & Final Plan Applications

Authority for Appendix C is derived from Subsections 305.C, 306.C and 307.B of this Ordinance. In addition, the plans shall include the erosion and sedimentation control, and the stormwater management and drainage, both in accordance with the Borough of Parkesburg Stormwater Ordinance. In addition, the plans when applicable shall be accompanied by Supplementary Information as specified in Appendix F. All plans shall include existing and proposed conditions, and comply with drafting standards, plan preparation requirements, and supplemental information requirements of Subsections 305.D, 305.E, 306.D, and 306.E of this Ordinance (also See Appendices D, E, & F). Exceptions from the requirements of Appendix C for Minor Subdivision Plans or Minor Land Development Plans that are not noted herein are specified in the body of Article III.

Contents of the Final Plan shall include, but not necessarily be limited to, the information as required in Section 305 of this Ordinance. All requirements of the preliminary plans, including those of Section 307, as applicable, of this Ordinance, whether specifically noted by the Borough or not, that were not a part of the preliminary plans submission, shall become a requirement of the final plan submission. Final plans shall conform in all important details to the Preliminary Plan, including any conditions specified by the Borough Council.

Contents of the Preliminary and Final Plans shall include, but not necessarily be limited to, the following information as specified in the Table below.

<b>Table Appendix C</b>			
<b>Basic Content Requirements for Preliminary &amp; Final Plan Applications</b>			
	Description of Required Information, Data or Forms, as Applicable	Preliminary	Final
1	Name, address and telephone number of the applicant.	Y	Y
2	Name, address and telephone number of the applicant's agent or representative, if applicable. If not applicable, state as such.	Y	Y
3	Name, address and telephone number of the property owner of record.	Y	Y
4	Name, address, and telephone number of the equitable property owner, if different from the property owner. If the equitable property owner is the same as the property owner, state as such.	Y	Y
5	The title of the plan submission shall include the name of the subdivision and/or land development, or other identifiable project title. The title shall also include/identify whether the plans are preliminary, final, or otherwise. The title shall be consistent throughout the plan sheets and Supplementary Information.	Y	Y

**Table Appendix C**  
**Basic Content Requirements for Preliminary & Final Plan Applications**

	Description of Required Information, Data or Forms, as Applicable	Preliminary	Final
6	Name, address and telephone number of the engineer-of-record. If other design professionals, such as an architect, landscape architect, geologist, or planner collaborated in the preparation of the plan, provide names, addresses, and telephone numbers of these design professionals, as well. All plan sheets shall be sealed by the engineer-of-record. The engineer-of-record shall be a professional engineer, registered in the Commonwealth of Pennsylvania. The first plan sheet shall be signed and sealed by the engineer-of-record.	Y	Y
7	Name, address, and telephone number of the surveyor-of-record. All plans shall be accompanied by a boundary survey sealed by the surveyor-of-record. The surveyor-of-record shall be a professional land surveyor, registered in the Commonwealth of Pennsylvania. The plan sheet of the boundary survey shall be signed and sealed by the surveyor-of-record.	Y	Y
8	A location map for the purpose of identifying the site to be subdivided and/or developed, at a scale of two thousand (2,000) feet to one inch or another appropriate scale, showing the relationship of the site to adjoining properties and to the streets and municipal boundaries existing within one thousand (1,000) feet of any part of the site.	Y	Y
9	All tax parcel numbers for the site.	Y	Y
10	The street address for the site.	Y	Y
11	A narrative summarizing the intentions of the proposed subdivision and/or land development. Where applicable, clarify the fee-simple status of building units.	Y	Y
12	A statement or tabulation that summarizes all improvements and demolition that are proposed as part of the subdivision and/or land development. If demolition is not applicable, state as such.	Y	Y
13	Information regarding the source of the proposed sanitary sewage disposal, including the name, address, telephone number, and contact of the provider, if applicable.	Y	Y
14	Information regarding the source of the proposed potable water, including the name, address, telephone number, and contact of the provider, if applicable.	Y	Y

**Table Appendix C**  
**Basic Content Requirements for Preliminary & Final Plan Applications**

	Description of Required Information, Data or Forms, as Applicable	Preliminary	Final
15	Information itemizing other proposed utilities that will service the subdivision and/or land development, clarifying whether natural gas, cable, or other utilities will be installed, with a summary of the required improvements, including required laterals, required mains, etc. Provide utility names, addresses, and telephone numbers.	Y	Y
16	A tabulation that itemizes the proposed uses of the site and site structures (buildings), and compares the proposed uses with the allowable zoning ordinance uses. Note all existing non-conforming uses. If applicable, confirm all existing or proposed uses within the floodplain boundaries.	Y	Y
17	A tabulation that summarizes the number, type, and size of building units (dwellings and otherwise), and, where applicable, summarizes the total number of lots.	Y	Y
18	A tabulation that summarizes the number and size of parking spaces, including the number of outside off-street parking spaces, the number of garaged off-street parking spaces, the number of on-street parking spaces, and the number of handicap parking spaces for each distinction. If a particular category of parking is not applicable, state as such.	Y	Y
19	A tabulation of the area (size) for each individual type (category) of open space and the intended use of each type of open space. Provide the ratio of each open space to the total net site area; if no open space is incorporated into the plans, state as such. A tabulation that itemizes other land area categories (wetlands, floodplains, etc) as defined by the Borough ordinances, and applicable to the subdivision and/or land development; the tabulation shall include areas (size) and the appropriate ratios to other areas (total net site area, etc).	Y	Y
20	A tabulation of the applicable zoning information, including zoning district, all area and bulk provisions, dimensional, and percentage requirements, all with a comparison of existing, proposed, and required. The tabulation shall identify all overlay districts related to the site, as provided for in the Borough's Zoning Ordinance.	Y	Y
21	A tabulation of the total area of all existing impervious surfaces, with distinctions made for building, street pavement, sidewalk, as well as other types of surfaces.	Y	Y
22	A tabulation itemizing all waivers granted to the applicant or requested by Borough Council. <sup>1</sup>	Y	Y

**Table Appendix C**  
**Basic Content Requirements for Preliminary & Final Plan Applications**

	Description of Required Information, Data or Forms, as Applicable	Preliminary	Final
23	A tabulation itemizing all relief from the Zoning Ordinance (special exceptions, variances, etc) granted to the applicant or requested to be granted to the applicant by the Zoning Hearing Board. <sup>2</sup>	Y	Y
24	A tabulation itemizing each legal document, as deemed necessary for the subdivision and land development. Legal documents shall include, but not necessarily be limited to the following: covenants, declarations, easements, agreements, deed restrictions, maintenance agreements, etc, addressing all issues including, but not limited to, easements for stormwater facilities, restrictions for conversion of garages to uses other than routine vehicular parking, restrictions against the removal of landscaping, restrictions against the removal of stormwater facilities, easements for utilities, easements for access, agreements for shared maintenance, maintenance responsibilities for stormwater facilities, homeowner association documents, etc.	Optional	Y
25	A tabulation of all existing easements, declarations, covenants, restrictions, and other encumbrances of the site that are or have been filed of record with the Recorder of Deeds of Chester County, including references to the dates and documentation of records, when available. If there are no existing easements, declarations, covenants, restrictions, or other encumbrances of the site, then state as such.	Y	Y
26	A tabulation summarizing all areas to be offered for deed of dedication to the Borough, including but not limited to, new ultimate right-of-ways, open space, parking facilities, new street right-of-ways, stormwater systems within street right- of-ways, etc. If no such offers of deed of dedication are applicable, state as such.	Y	Y
27	Notation clarifying the following: that trash service will or will not be provided by the Borough; the means by which U.S. mail delivery will be received (group mail boxes, curb-side mail boxes, or other planned facilities); snow removal responsibilities; and other issues relevant to community services.	Y	Y
28	The applicant shall be required to obtain any related required approvals from other regulating agencies, or third parties, and upon request, provide evidence of such to the Borough. <sup>3</sup>	Optional	Y

**Table Appendix C**  
**Basic Content Requirements for Preliminary & Final Plan Applications**

	Description of Required Information, Data or Forms, as Applicable	Preliminary	Final
29	Site and lot boundaries showing distances and bearings (metes and bounds) for the entire site boundary, including all existing and proposed right-of-ways, easements, greenway lands, and areas of restrictions and encumbrances. The boundaries shall be prepared by a registered professional land surveyor. Existing and proposed boundary monumentation and markers shall be shown on the plans.	Y	Y
30	Drawing Preparation Requirements and Drafting Standards cited in Appendices E and D, respectively, shall be observed.	Y	Y
31	Total area of the site and total area of each lot in acres (to the nearest thousandth of an acre) and also in square feet (to the nearest square foot). Provide totals for the gross lot area and for the net lot area (gross lot area less street right-of-ways). Also note other adjusted net areas, that recognize gross lot areas less the summation of areas for street right-of-ways and other significant reductions (steep slopes, etc), as may be applicable in accordance with the ordinances.	Y	Y
32	Front, side, and rear yard setbacks for each lot, including the required applicable setbacks from right-of-ways and easements (utility, drainage, etc). The result creates a continuous building envelope, within which a building is permitted. Label the setback lines (building envelope). Dimension the applicable distances.	Y	Y
33	Graphically depict the locations, dimensions, delineations, and notations of all right-of-ways, easements (including conservation easements), restrictions, and encumbrances, including, but not limited to, those associated with streets, railroads, sewer systems, water supply, feeder lines, fire hydrants, gas, electric, transmission lines, other utilities, water courses, courses of stormwater drainage, stormwater facilities, features of stormwater best management practices, trails, greenways, driveways, parking, historic resources, historic features, physical features, features and resources for preservation, open space, etc. Delineation shall include distances and bearings. Notations shall include the distinction between existing and proposed, such as may be the case with the distinction between ultimate right-of-ways and existing right-of-ways.	Y	Y

<b>Table Appendix C</b>			
<b>Basic Content Requirements for Preliminary &amp; Final Plan Applications</b>			
	Description of Required Information, Data or Forms, as Applicable	Preliminary	Final
34	Manmade improvements, existing and proposed, including, but not limited to, topography, buildings, utilities, drainage structures, wells, subsurface sewage disposal beds, subsurface stormwater infiltration beds, thoroughfares, parking, accessways, walkways, lighting, signage, etc. All structures shall have dimensions of the clear distances from the property lines. Subsurface sewage disposal beds and stormwater infiltration beds may be determined by research of existing documentation, if field confirmed information is not available, conditioned upon notations stating as much. All wells within 100 feet of the property boundaries shall be mapped in the case of a major subdivision or major land development plan.	Y	Y
35	Natural features including, but not limited to, topography, areas of steep slopes, wetlands, floodplains, swales, rock outcroppings, vegetation and ground cover. Include the location and delineation of ponds, streams, drainage courses, drainage basins and subbasins, high groundwater areas (seasonal or perennial high water tables, perched water tables, alluvial soils outside the floodplain boundaries, as well as floodplains, wetlands, and steep slopes. <sup>4</sup>	Y	Y
36	The applicant for a major subdivision or land development plan shall obtain a wetlands survey performed by a qualified professional, prepared in accordance with Pennsylvania Department of Environmental Protection criteria and delineated according to the procedures contained in the Federal Manual for Identifying and Delineating Jurisdictional Wetlands, latest amended version. If no such lands exist on the property for which the subdivision and/or land development is proposed, the plan shall include a statement indicating such. NOTE: In the case of a minor subdivision plan, the Borough reserves the right to request and require submission of a wetlands delineation. <sup>5</sup>	Y	Y
37	Significant features on the property, and in the case of a major subdivision or major land development plan within one hundred (100) feet of any part of the property, shall be clearly delineated and labeled.	Y	Y
38	The locations and dimensions of all historically significant resources, sites, features, and structures on the property or on abutting properties.	Y	Y
39	Location and names of streets and alleys on and adjacent to the site, both existing and proposed, including the dimensions of the cartways and right-of-ways. Include state route numbers, where applicable.	Y	Y

**Table Appendix C**  
**Basic Content Requirements for Preliminary & Final Plan Applications**

	Description of Required Information, Data or Forms, as Applicable	Preliminary	Final
40	The locations and dimensions of pedestrian trails, walkways, greenways, and greenway lands, both existing and proposed.	Y	Y
41	All existing trees with a Diameter at Breast Height (DBH) of 4 inches or greater, and a height of 8 feet or greater shall be mapped. The plans shall also note the total number of trees of this DBH and height criteria. For sites with sizeable woodland areas, when requested by the applicant, the Borough may consider accepting an alternative means of establishing the number of trees of 4 inches or greater DBH, and 8 feet or greater height, for portions of the site.	Y	Y
42	Topographic contour lines, both existing and proposed, at vertical intervals of not more than two (2) feet. Actual field surveying as may be supplemented by aerial surveying shall be required. The engineer-of-record shall provide contour lines at vertical intervals of not more than one foot (1) foot for sites or portions of sites that are relatively flat.	Y	Y
43	Location and elevation of the datum to which contour elevations refer; the datum utilized shall be NGVD datum, and shall reference a local benchmark. The local benchmark shall be marked and preserved during the field survey operations with a permanent monument, and so noted on the plans with reference to the datum.	Y	Y
45	In the case of a major subdivision or land development plan, information regarding the proximity plan shall be prepared to provide the applicant and the Borough with a comprehensive analysis of existing conditions, both on the site and within five hundred (500) feet of the site. <sup>6</sup>	Y	Y
46	In a case where phasing or staging of development is proposed, a statement summarizing the staging of the development, including the staging of any proposed project phases. Staging shall address the ongoing use of existing infrastructure, where required. Project phases shall be delineated on the plans.	Y	Y
Appendices prepared by The Grafton Association.			

**Endnotes:**

1. The tabulation shall state for each item the reasons for the waiver, the reference to the applicable ordinance provision, and either the date that the waiver was granted or the anticipated date that the waiver will be granted (i.e. with final plan approval). If there are no issues of plan non-conformance, a statement shall be provided indicating that no waivers are required. The tabulation shall be updated with all resubmissions. It shall be the responsibility of the engineer-of-record to identify and resolve all plan issues of nonconformance with the Borough ordinances.
2. For each item of relief, the tabulation shall reference the applicable ordinance provision, and the date that the relief was granted. If there are no issues of plan non-conformance, a statement shall be provided indicating that no relief from the Zoning Ordinance is required. It shall be the responsibility of the engineer-of-record to identify and resolve all plan issues of nonconformance with the Borough ordinances.
3. Such approvals shall include, but not necessarily be limited to such entities, when applicable, as the Pennsylvania Department of Transportation for a highway occupancy permit, the Pennsylvania Department of Environmental Protection for a general permit or otherwise, the Chester County Conservation District for an adequacy approval of the erosion and sedimentation control plans and NPDES II permit, the Pennsylvania American Water Company for approval of the sewer and/or water plans, Amtrak for approval of work within the railroad corridor, the Borough for building permits, etc. Any proposed improvements requiring a joint permit from the U.S. Army Corps of Engineers and the Pennsylvania Department of Environmental Protection shall be so indicated.
4. The delineation of the floodplains shall include floodway areas (FW), flood fringe areas (FF), and floodplain areas (FA), for the 100 year storm frequency. Delineation of the hundred (100) year floodplain. The 100 year floodplain delineation shall be clearly labeled, in addition to any associated legend references. A note shall be provided indicating the derivation of the delineation of the 100 year flood plain (i.e. FEMA mapping, HEC-RAS, etc). If no floodplain areas exist on the site, the plan shall include a statement indicating such. Vegetation shall be further identified indicating cultivated land, permanent grassland, old-field, woodland, wetland, etc. Vegetative types shall be described in terms of plant community, relative age and condition. Woodland shall be delineated by the line of the tree canopy for the outer perimeter and for internal interruptions. Geologic formations and fault zones on the site shall be identified based upon available published information or more detailed data as may be deemed necessary by the engineer-of-record. Soil series, types and phases, shall be those as mapped in the U.S. Department of Agriculture, Soil Conservation Service, Soil Survey of Chester and Delaware Counties, Pennsylvania, with the accompanying data for each soil relating to its suitability for construction. Additional areas of wetlands on the proposed development site shall also be indicated, as evident from testing, visual inspection or from the presence of wetland vegetation and soils.
5. Whenever the Borough has reasonable evidence to believe that wetlands may be present or may extend beyond the boundaries as delineated, the Borough may require the applicant to provide a subsequent confirmation of the presence or lack of presence of wetlands. If required, the confirmation shall involve the selection of a qualified professional, mutually acceptable to both the Borough and the applicant; or as an alternative, the applicant may appeal to the appropriate regulatory agency, including the United States Army Corps of Engineers, the Pennsylvania Department of Environmental Protection, and the United States Fish and Wildlife Service.
6. The information shall include topography, significant features, notable historic resources and historically significant areas, geologic formations, pedestrian walkways and trails, traffic thoroughfares, designated open space areas, contours of elevations, land improvements, significant features affecting stormwater drainage patterns, wetlands, floodplains, woodland and vegetation, ponds, reservoirs, and wells used for potable water. Off-site conditions may be described on the basis of existing published data available from aerial photography and/or third party sources, as well as conventional field surveys where the design professionals-of-record believe there is a need. All existing stormwater systems that will be subject to increased flow rates as a result of the subdivision and/or land development shall be surveyed and assessed, regardless of the distance from the subdivision and/or land development site. Boundaries of all adjoining properties, with names, addresses and tax parcel numbers, shall be provided.

## Appendix D Drafting Standards for Preliminary and Final Plans

Authority for Appendix D is derived from Subsections 305.D and 306.D of this Ordinance. The preliminary plan and final plan submission (drawings, sheets, etc) shall meet and incorporate the following minimum drafting standards as specified in the Table below. Exceptions from the requirements of Appendix D for Minor Subdivision Plans or Minor Land Development Plans that are not noted herein are specified in the body of Article III.

<b>Table Appendix D                      Drafting Standards for Preliminary and Final Plans</b>			
	Required Drafting Standard	Preliminary	Final
1	Plans shall be drawn to a scale that is adequate for proper review, but in no case shall plans be smaller in size than a scale of one (1) inch equals fifty (50) feet. Where the entire site can not be shown on a single plan at the required scale, then a master plan shall also be provided to show the entire relationship of the site. The master plan shall be provided at a scale that allows the largest master plan possible to be presented on one drawing.	Y	Y
2	The vertical scale of vertical profiles shall be ten (10) times the associated horizontal scale.	Y	Y
3	Dimensions shall be set in fractions of feet, and bearings in degrees, minutes, and seconds.	Y	Y
4	Each drawing (sheet) of the plan shall be numbered and shall show the relationship with the total number of drawings.	Y	Y
5	Plans shall clearly distinguish existing conditions from proposed conditions. The plans shall bear an adequate nomenclature to indicate clearly which features are existing and which features are proposed.	Y	Y
6	Original drawings and all submitted prints thereof shall be of the following size: twenty-four (24) inches by thirty-six (36) inches. Original drawings shall be mylar. Electronic files in a format acceptable to the Borough shall be provided. The Borough may require that such electronic files be in an AutoCAD format of a particular version, with ".dwg" files.	Y	Y
7	All notations on the plans shall be readable with a minimum font size of ten (10). Illegible notations and graphics, including those which are too small and too faint, shall be considered incomplete data on the plans. Portions of plans that are not legible, as may be determined by the Borough, shall be considered incomplete data on the plan. It shall be the responsibility of the engineer-of-record to assure that all recorded plans have the necessary clarity.	Y	Y

**Table Appendix D  
 Drafting Standards for Preliminary and Final Plans**

	Required Drafting Standard	Preliminary	Final
8	Legends and notes shown on the same sheet with a specific plan shall be applicable to that particular plan, otherwise the legends and/or notes shall be removed from that particular sheet.	Y	Y
9	Property lines shown on the plan shall be solid continuous lines.	Y	Y
10	The following lines as delineated on a plan shall be clearly labeled on the same plan regardless of whether there is a corresponding legend: wetland boundaries, 100 year flood plain boundaries, street right-of-ways, property lines, street curbing, underground utilities, setback lines (building envelopes), and areas of tree preservation, areas of non- disturbance.	Y	Y
11	Delineations denoted by legends that result in a lack of clarity, as may be determined by the Borough, shall be labeled on the plans.	Y	Y
12	The following signatures shall be placed on the plan in ink: the equitable property owners, the notary public, and the design professionals (engineer-of-record) responsible for the preparation of the plans.	N	Y
13	Notations of identification shall be accurately labeled.	Y	Y
14	The presentation of individual plans on different drawings (sheets) shall be as determined by the engineer-of-record, in order to clearly and efficiently show the required information for the subdivision and/or land development. The Borough may request individual plans on different drawings (sheets) for particular circumstances, as may be the case in the interest of providing better clarity of information, or for the purpose of a separate presentation of the information. The Borough may also request partial plans of a scale that better clarifies the detail of the layout.	Y	Y
15	Lack of clarity of the documentation, as may be determined by the Borough, shall be corrected. Non-relevant references shall be removed from the plans.	Y	Y

Appendices prepared by The Grafton Association.

## Appendix E

### Plan Preparation Standards & Requirements for Preliminary and Final Plans

Authority for Appendix E is derived from Subsections 305.D and 306.D of this Ordinance. The drawings (sheets) of the preliminary plan submission shall be prepared in accordance with Sections 305.C and 306.C of this Ordinance, herein, and shall also include or meet, at a minimum, the following requirements and specifications as cited in the Table below. Exceptions from the requirements of Appendix E for Minor Subdivision Plans or Minor Land Development Plans that are not noted herein are specified in the body of Article III.

<b>Table Appendix E</b>			
<b>Plan Preparation Standards &amp; Requirements for Preliminary and Final Plans</b>			
	Plan Preparation Standard or Requirement	Preliminary	Final
1	Provide signature blocks for Borough Council approval, Borough Planning Commission review, Borough Manager review, Borough Engineer review, Borough Planner review, Chester County Planning Commission review, and other reviews as may be applicable.	Y	Y
2	Provide notation for acknowledgment and authorization of the subdivision and/or land development by the equitable property owner. Notation by a notary public confirming the identity of the equitable property owner.	N	Y
3	Provide notation for acknowledgment and authorization of offers of dedication of right-of-ways, easements, etc by the equitable property owner and/or other entities. Notation by a notary public confirming the identity of the parties involved.	Y	Y
4	Show the real estate disclosure statement, to be located on the first sheet of the plans, in accordance with Borough Ordinance No. 430, latest amended version.	Y	Y
5	An index of plan drawings (sheets), to be located on the first sheet of the plans.	Y	Y
6	Provide written and graphic scales.	Y	Y
7	Show north arrows.	Y	Y
8	Provide the original date of plan preparation for each drawing (sheet), and also, when applicable, the revision number and the respective date of the revision, with concise descriptions of the revision; descriptions of a revision shall not be noted as per the Borough; all revisions shall be as per the initiatives of the engineer-of-record. The plans are the responsibility of the engineer-of-record, and if there are directives provided by the Borough that the engineer-of-record is not in agreement with, then the engineer-of-record shall resolve these issues.	Y	Y

<b>Table Appendix E</b>			
<b>Plan Preparation Standards &amp; Requirements for Preliminary and Final Plans</b>			
	Plan Preparation Standard or Requirement	Preliminary	Final
9	Where the applicant proposes to phase or stage, beyond five years, the installation of improvements, the plan submission shall show the delineation of all proposed sections and provide the schedule of the deadlines within which applications for final approval of each section are to be filed, all pursuant to Section 508.4.v of the Municipalities Planning Code, latest amended version.	Y	Y
10	Show the arrangement and relationship of all buildings and structures. Show cartilage dimensions. Show the dimensions for clear distances between adjacent structures of the site. Show dimensions for buildings. Where applicable show interior traffic circulation and vehicular stacking and queuing.	Y	Y
11	Show and label accessory site features, including such features as water meter pits, electrical transformers, emergency generators, out-buildings, trash disposal areas, retaining walls, protective fencing along walls, railings for walkways, general fencing, etc.	Y	Y
12	Show the first floor elevation of all structures.	Y	Y
13	Each lot of a subdivision shall be identified with a lot number, including a lot number for the lot remaining from the original subdivision site.	Y	Y
14	Where existing tax parcels are to be merged, a statement shall be provided to clarify such, and the graphic symbols representing the elimination of property lines shall be shown on the plans.	Y	Y
15	Provide mitigation plans, demolition plans, and other such plans, as may be applicable.	Y	Y
16	Define the limits of work and show the delineation of disturbance.	Y	Y
17	Where applicable, identify the location and type of construction activities having the potential to undermine existing structures, and note the project-specific provisions required to prevent undermining.	Y	Y
18	Show on the plans the locations and geometry for any proposed or required fire lanes.	Y	Y
19	Identify the project requirements and/or resolution related to any special issues resulting from the effects of the subdivision and/or land development on neighboring properties.	Y	Y
20	Identify the requirements and/or resolution related to any site environmental or hazardous conditions.	Y	Y

**Table Appendix E  
 Plan Preparation Standards & Requirements for Preliminary and Final Plans**

	Plan Preparation Standard or Requirement	Preliminary	Final
21	Where applicable, label on the plans the elevations for the surface waters associated with the 100 year flood at intervals along the floodway reach.	Y	Y
22	Street and alley plans shall include the horizontal layout with bearings, distances, curve data, and stations for the street center lines. Right-of-ways and curblines shall be shown with radii at intersections. The plans shall be labeled with appropriate stationing. Stationing shall be appropriate for the scale of the project, with maximum intervals of fifty (50) feet. The beginning and end of the proposed construction shall be noted. Tie-ins to intersections with other streets, existing and proposed, shall include bearings and distances. Streets and alleys shall have names. The Borough may request that the street names be consistent with a Borough street name plan. Dimensions for cartway widths and right-of-way widths shall be shown. The location, type and size of all drainage structures, curbs, fire hydrants, utilities, lighting, signage, and signalization shall be shown. The location, type and size of sidewalks, and depressed curbs/sidewalks shall be shown, including those for driveways, accessibility requirements, etc. Show the dimensions for the grass planting strip located between curb and sidewalk. Show dimensions for distances between access points and street intersections, and dimensions for distances between intersections, where applicable. Show sight triangles at intersections. Show data for sight distances for intersections, site access, and driveways. Provide a tabulation for all street and traffic signs, including required quantities, and PennDOT nomenclature for the sign type and the post type. Provide details for footings and embedments of signage.	Y	Y
23	Street and alley plans shall be accompanied by vertical profiles. Vertical profiles shall include existing and proposed grades at the street and alley centerlines, and also at both right-of-way lines. The profiles shall be labeled with appropriate stationing, coinciding with the plans. Elevations and gradient percentages (longitudinal slope) shall be noted at the stations. The vertical profiles shall provide all relevant curve data including design controls for sight distances.	Y	Y

<b>Table Appendix E</b>			
<b>Plan Preparation Standards &amp; Requirements for Preliminary and Final Plans</b>			
	Plan Preparation Standard or Requirement	Preliminary	Final
24	Street and alley plans shall be accompanied by cross-sections. Cross-sections shall be provided extending to the right-of-way lines, or to the limitations of earthwork activities whichever is the greater distance. Cross-sections shall show dimensions for cartway widths and right-of-way widths. The cross-sections shall show the type and thickness of the pavement structure, and the transverse slopes and crown. The cross-sections shall show the curb and sidewalk construction including type, width, and thickness of the sidewalk structure. The cross-sections shall show the dimension for the width of grass lawn area located between the curb and sidewalk. The cross-sections shall show the grading adjacent to the sidewalks. The cross-sections shall show the requirements for compaction, compaction testing, and proof-rolling. The cross-sections shall show the requirements for pavement sealer at the curb joint, around inlet, manhole, and other structures, as well as at the transition to existing pavement. The cross-sections shall show the typical locations of water, sanitary sewer, storm sewer, electric, cable, and other utilities.	Y	Y
25	Provide applicable design details for the construction of the streets and alleys, including details for anticipated conditions, and unforeseen conditions requiring stabilization. Note requirements for the replacement of unsuitable subgrade materials.	Y	Y
26	Provide locations, geometry and design details for the construction of street and intersection improvements, including turning lanes, drainage, signalization, signage, traffic devices, and traffic controls.	Y	Y
27	Provide a statement regarding any particular conditions governing the use of the streets and alleys (one-way traffic flow, etc). Provide the function category for each street, as designated in the Borough ordinances. Provide design information regarding the posted speed limits.	Y	Y
28	Provide location, geometry, pavement structure, signage, and other design details for the construction of parking areas, driveways, pedestrian trails, walkways, emergency access drives, maintenance accessways, and other site features. Where applicable provide profiles in order to show the connections to adjacent cartways, to show drainage patterns, etc. Where applicable show dimensions of clear distances to property lines and adjacent structures. For parking areas, show the delineation of parking spaces, and the number of spaces for localized sub-areas of the parking.	Y	Y

<b>Table Appendix E</b>			
<b>Plan Preparation Standards &amp; Requirements for Preliminary and Final Plans</b>			
	Plan Preparation Standard or Requirement	Preliminary	Final
29	Provide locations, specifications and design details for pavement markings, including that required for crosswalks, traffic circulation, and parking areas.	Y	Y
30	Provide details for trench backfill, including materials for pipe bedding and pipe cover, backfill, and pavement restoration. Provide requirements for compaction, and compaction testing. Provide requirements related to OSHA regulations.	Y	Y
31	Provide the requirements for general earthwork activities (basin embankments, etc) including requirements for unforeseen unsuitable materials, compaction, compaction testing, final shaping, and topsoil layer.	Y	Y
32	Provide the type, location, and details for outdoor lighting features, including lighting mounted on structures, lighting for parking areas, lighting for walkways and trails, lighting for streets, accent and/or architectural lighting, and security lighting. Information to be provided includes layouts, locations, design details of lamp posts and fixtures, height of luminaries above grade, light intensities and photometrics, means of energization, and data regarding nighttime reduction. Provide design details required for construction, including electrical service, electrical grounding, foundations, and anchors. Provide information regarding the source of service and whether the service will be metered.	Y	Y
33	Provide information regarding the dates that site surveys were conducted, the responsible professionals involved, and the applicable reference information for all site surveys (boundaries, topography, condition assessments, environmental, geological, etc.	Y	Y
34	Provide notation that all new utility services and relocated utility services, including telephone, cable, and electrical shall be installed underground at the same time that other site improvements are made, and that construction shall conform to the standards and requirements of the appropriate utility.	Y	Y
35	Provide notation that the construction of the sanitary sewer system shall be in accordance with the requirements of Pennsylvania American Water Company. Revise the provider's name as applicable.	Y	Y
36	Provide notation that the construction of the public water system shall be in accordance with the requirements of Pennsylvania American Water Company. Revise the provider's name as applicable.	Y	Y

<b>Table Appendix E</b>			
<b>Plan Preparation Standards &amp; Requirements for Preliminary and Final Plans</b>			
	Plan Preparation Standard or Requirement	Preliminary	Final
37	Provide notation clarifying that stormwater facilities located outside of street right-of-ways will not be dedicated to the Borough and shall be the responsibility of the property owner (or a homeowner's association, if applicable).	Y	Y
38	Where applicable, provide notation that all property owners are to be members of the homeowner's association, or other such applicable entities.	Y	Y
39	Provide notation indicating that abutting property owner(s) is (are) responsible for the repair, and maintenance of sidewalks.	Y	Y
40	Provide notation that the public use of partially completed improvements shall be prohibited, except by agreement between the developer and the user. The developer shall provide and maintain all site features required to assure the safety of the users, including, but not limited to, traffic controls, street signage, and stormwater drainage. Prior to the installation of the final bituminous wearing surface, temporary bituminous pavement shall be provided and maintained, as required for a smooth surface at manholes, inlets and other structures.	Y	Y
41	Provide notation that development and construction activities shall not create stormwater drainage patterns that result in concentrated flows and/or increased sheet flows onto neighboring properties. The construction of stormwater drainage swales and other discharges directed to neighboring properties are prohibited unless drainage easements from all affected downstream property owners are first obtained. Stormwater drainage should not be modified or altered in a manner that adversely affects neighboring properties.	Y	Y
42	Provide notation that a minimum ten (10) power roller shall be used for proof-rolling.	Y	Y
43	Provide a notation that the final bituminous wearing surface shall be placed only after the completion of all construction of the subdivision and/or land development, including the building of residential dwellings.	Y	Y
44	Provide notation that all construction wastes, including discarded building materials, concrete truck washouts, chemicals, litter, and sanitary wastes shall be properly disposed.	Y	Y
45	Provide notation that there shall be no illegal and illicit discharges, including those resulting from construction activities.	Y	Y

**Table Appendix E**  
**Plan Preparation Standards & Requirements for Preliminary and Final Plans**

	Plan Preparation Standard or Requirement	Preliminary	Final
46	Provide notation that construction operations and earthwork activities occurring on railroad property require Amtrak permits.	Y	Y
47	Provide notation that all grates for stormwater inlets shall be bicycle-type grates, and that all discharge ends of stormwater piping shall have child-proof grating.	Y	Y
48	Provide notation that all site signage, except for street and traffic-related signage, whether detailed on the plans or not, shall require a separate sign permit, and that the process for sign permits shall be in accordance with the Borough Zoning Ordinance, latest amended version.	Y	Y
49	Provide notation that erosion and sedimentation control, and stormwater management, including construction reviews, as-built documentation, remediation reporting, stream monitoring, stormwater facilities performance reporting, and illicit discharge reporting shall all be in accordance with the Borough of Parkesburg Stormwater Ordinance, latest amended version.	Y	Y
50	Provide notation that all sediment, debris and mud that is tracked onto streets and/or alleys within the Borough as a result of construction activity shall be hand-shoveled and removed, and the street surface hand-swept clean within four (4) hours after occurrence. Stormwater inlets and piping that have been subject to sediment as a result of construction activity shall be cleaned within four (4) hours after occurrence.	Y	Y
51	Where applicable, provide notation that no fill is to be placed within the floodplain areas without specific permits as required from the Department of Environmental Protection and from United States Army Corps of Engineers.	Y	Y
52	Provide notation that no trees shall be planted within utility and pipe line easements. No trees shall be planted closer than 15 feet from fire hydrants, street lights, and stop signs.	Y	Y
53	Provide notation that the development, including materials, workmanship, and management of all construction, shall be in accordance with the Borough ordinances and standards, all latest amended versions.	Y	Y
54	Provide notation that the developer shall be responsible for resolving unforeseen conditions that may be a result of the subdivision and/or land development activities. Plan revisions shall be amended in accordance with the procedures of Borough ordinances.	Y	Y

**Table Appendix E**  
**Plan Preparation Standards & Requirements for Preliminary and Final Plans**

	Plan Preparation Standard or Requirement	Preliminary	Final
55	Provide notation of the maximum dimension along the line of a fire hose from the closest fire hydrant to the face of the building structures of the subdivision and/or land development.	Y	Y
56	Provide notation that earthwork activities and the construction of trench backfill, pavement, stormwater piping, stormwater inlets, curbs, and sidewalks shall conform to PennDOT 408 Specifications, and PennDOT RC Standards, latest amended versions.	Y	Y
57	Provide notation that no site disturbance or construction activities shall commence until Borough permits have been issued in accordance with the Borough of Parkesburg Stormwater Ordinance.	Y	Y
58	Where applicable, provide notation that a highway access permit, Highway Occupancy Permit, issued by the Pennsylvania Department of Transportation pursuant to Section 420 of Act 428, known as the "State Highway Law" is required prior to the start of construction activities.	Y	Y
59	Provide notation that the subdivision and/or land development shall conform with all applicable federal, state, and local regulations.	Y	Y
60	Provide notation that all off-site trench construction shall require a separate Borough Street Opening Permit.	Y	Y
61	Provide notation that all roof-top mechanical equipment and site mechanical equipment shall be adequately screened from view with the exception of solar radiation collection panels.	Y	Y
62	Provide the certifications as required by the Borough ordinances, including, but not limited to the requirements of the Zoning Ordinance regarding structures designed for construction within floodplain areas.	Y	Y
63	Storm and sanitary sewer systems shall include plans of the horizontal layout with locations and stationing. Stationing shall be at maximum intervals of fifty (50) feet. The size, type, and material of piping shall be shown. Relationships to property lines and easements shall be provided. The location, size, type and material of the laterals shall be defined. The location, size, type, and material of related structures, including stormwater inlets, stormwater headwalls, and sanitary sewer manholes shall be shown. Beginning and end of the construction shall be shown. Endwalls shall be shown. Connections to existing facilities shall be shown. Information shall include length of piping between structures, and elevations of grade and inverts for structures. All structures shall be assigned and labeled with an identity number. The Borough may request that the identity number for certain structures be consistent with a Borough identification system.	Y	Y

**Table Appendix E**  
**Plan Preparation Standards & Requirements for Preliminary and Final Plans**

	Plan Preparation Standard or Requirement	Preliminary	Final
64	Storm and sanitary sewer system plans shall be accompanied by vertical profiles. Vertical profiles shall include existing and proposed grades along the line of the piping systems. The profiles shall be labeled with stationing that coincides with the plans. Information shall include elevations of inverts of structures, both in and out, where applicable.	Y	Y
65	Storm and sanitary sewer system plans shall include design details for construction, including trench excavation and backfill. Provide design details for construction for anticipated situations such as may be the case if a sanitary sewer line is to be encased in concrete for a stream crossing or when in the proximity of public water lines.	Y	Y
66	Storm and sanitary sewer system plans shall show all related facilities and systems, including, but not limited to, stormwater detention basins, stormwater infiltration beds, and other stormwater water best management practices. Provide all the design details for construction.	Y	Y
67	Label on the plan sheets the required volume capacity and/or the required area and depth for each stormwater facility (retention, detention, infiltration, etc). Specify the minimum required void ratio of the crushed stone, and the type of crushed stone material.	Y	Y
68	Show the locations of all existing and proposed utility services. Show the locations of proposed utility service laterals for existing structures. Show or note the locations of existing utility service laterals for proposed new structures. Provide the design details for the construction of the utilities, including trench excavation and backfill.	Y	Y
69	Provide design details for construction, as related to pavement and grade restorations, as may be related to the installation of curbs and utilities, including stormwater and sanitary sewer systems.	Y	Y
70	Show the locations and elevations of street survey monumentation. Show and label all existing survey markers and monumentation. Note specific requirements for the preservation of existing monumentation that may be affected by construction activities. Note the specific requirements for all proposed survey monumentation and markers, including physical details of the concrete and iron pins. If monumentation or markers are to be located within the areas of pavements or sidewalks provide the specific details compatible with the proposed locations.	Y	Y

**Table Appendix E**  
**Plan Preparation Standards & Requirements for Preliminary and Final Plans**

	Plan Preparation Standard or Requirement	Preliminary	Final
71	The locations, geometry, and details of proposed open space improvements shall be shown on the plans, including features of tot lots, pocket parks, playgrounds, play fields, walkways, and pedestrian trails. Design details for construction shall include the required information for special ground covers, site lighting, fencing, benches, bicycle racks, trash containers, signage, etc. Information noting ownership, maintenance, and any conditions governing use shall be provided on the plans.	Y	Y
72	Provide plans showing landscaping requirements and layout, including street trees, ground cover, shrubbery, screenings, mitigation, riparian buffers, and other buffers. Show all requirements for mitigation, as applicable. The plans shall delineate areas where existing woodland and vegetation are to be preserved, and where existing individual specimen trees are to be preserved. A separate plan that more clearly defines the limits of construction and the areas of preservation, may be requested by the Borough. Provide a tabulation summarizing the proposed plantings. The tabulation shall include a schedule of the plantings. Responsibilities for maintenance and replacement of landscaping shall be noted on the plans. Requirements for ongoing maintenance (fertilizer, pruning, etc) shall be noted on the plans. A summary of the applicable ordinance requirements with references to specific sections shall be shown on the plans. Specific requirements for the protection of existing trees shall be noted on the plans. Provide the applicable design details and planting specifications.	Y	Y
73	The Erosion and Sedimentation Control Plan, in accordance with the Borough of Parkesburg Stormwater Ordinance, latest amended version, shall be a part of the plans submission.	Y	Y
74	The Stormwater Management and Drainage Plan, in accordance with the Borough of Parkesburg Stormwater Ordinance, latest amended version, shall be a part of the plans submission.	Y	Y
75	Provide design information, design details, and specifications for the required materials and workmanship of construction of the subdivision and/or land development.	Y	Y
76	Provide design information and details for all improvements required by the Pennsylvania Department of Transportation, Pennsylvania Department of Environmental Protection, and other similar regulatory agencies.	Y	Y

<b>Table Appendix E</b> <b>Plan Preparation Standards &amp; Requirements for Preliminary and Final Plans</b>			
	Plan Preparation Standard or Requirement	Preliminary	Final
77	All other engineering design information, design details, and specifications, as deemed necessary by the engineer-of-record, or as may be determined by the Borough, in order to define the scope and quality of construction of the subdivision and/or land development.	Y	Y
78	As part of the signature block, the surveyor-of-record shall attest that the surveyor-of-record has performed the boundary survey in accordance with Pennsylvania standards and note on the plans the accuracy of the site boundary closure, and the applicable standards. Errors of closure shall not exceed one part per 10,000 or a more restrictive requirement if deemed applicable by the surveyor-of-record.	Y	Y
Appendices prepared by The Grafton Association.			

## Appendix F Supplementary Information for Preliminary and Final Plan Applications

Authority for Appendix F is derived from Subsections 305.E and 306.E of this Ordinance. Required Supplementary Information is specified in the Table below.

<b>Appendix F                  Supplementary Information for Preliminary &amp; Final Plan Applications</b>			
	Description of Required Information, Data or Forms, as Applicable	Preliminary	Final
1	Borough application forms.	Y	Y
2	Proof of notification to abutting property owners, in accordance with Section 301 of this Ordinance, accompanied with a single list of property owner names, street addresses, and tax parcel numbers.	Y	N
3	Act 247 County Referral Form.	Y	Y
4	Letter of confirmation from the Pennsylvania American Water Company (or other applicable provider of public water service) that adequate public water service is available for the specific subdivision and/or land development.	Y	N
5	Letter of confirmation from the Pennsylvania American Water Company (or other applicable provider of public sewer service) that adequate sanitary sewer service is available for the specific subdivision and/or land development.	Y	N
6	Confirmation that the Pennsylvania American Water Company (or other such provider of sanitary sewer and water) has reviewed the improvement plans and takes no exceptions.	N	Y
7	Title search of project site	Y	N
8	Descriptions related to all existing easements, declarations, covenants, restrictions, and other encumbrances of the site.	Y	N
9	Orders and Decisions by the Borough Zoning Hearing Board.	Y	Y
10	Applications, related documentation, and subsequent Orders and Decisions by the Borough Council, including those regarding Conditional Use Hearings	Y	Y
11	Review letters from the Chester County Planning Commission.	Y	Y
12	All applications, all correspondence, and permits as related to the Pennsylvania Department of Transportation approval process.	Y	Y

<b>Appendix F</b>			
<b>Supplementary Information for Preliminary &amp; Final Plan Applications</b>			
	Description of Required Information, Data or Forms, as Applicable	Preliminary	Final
13	Planning Modules Application Mailer, in accordance with the Pennsylvania Department of Environmental Protection procedures for sanitary sewers. If it has been determined that planning modules are not applicable to the approval process, then provide documentation as such, with substantiating details.	Y	N
14	Planning Modules, in accordance with the Pennsylvania Department of Environmental Protection procedures for sanitary sewers. The applicant shall be responsible for overseeing the completion and processing of all applicable forms. Borough acceptance of the Planning Modules will occur following approval of the preliminary plans.	Y	N
15	All applications, all correspondence, and permits as related to the Pennsylvania Department of Environmental Protection approval process, including the process for General Permits and Joint Permits.	Y	Y
16	Review and adequacy letters from the Chester County Conservation District, and required NPDES Permits.	N	Y
17	Documentation, including all correspondence and application forms submitted to third party and regulatory agencies for the purpose of obtaining approvals, permits, or relief from some form of mitigation. Include the Pennsylvania Historic and Museum Commission (PHMC) forms and Pennsylvania Natural Heritage Program (PNHP) data. Applications submitted prior to preliminary plan approval by the Borough may be at greater risk for possible revisions in order to achieve consistency with Borough requirements. After the initial transmittal of the plan submission to the Borough, all copies of applications made to third parties and regulatory agencies shall be submitted to the Borough at the same time as the applications are submitted to the third party regulatory agencies.	Y	Y
18	Documentation that certain existing utilities and services are appropriately separated for individual users.	Y	Y
19	Documentation that the existing conditions related to the infrastructure of certain utilities and services are adequate and require no repairs or upgrades.	Y	Y
20	Documentation that the existing conditions related to the stormwater infrastructure are adequate and require no repairs or upgrades.	Y	Y

<b>Appendix F Supplementary Information for Preliminary &amp; Final Plan Applications</b>			
	Description of Required Information, Data or Forms, as Applicable	Preliminary	Final
21	Description and explanation of appropriate detail for each request of waiver from Borough ordinances, corresponding to the tabulation of waiver request as documented on the plan drawings.	Y	Y
22	Evidence of adjacent municipality notification, review, and/or approval for all subdivisions and/or land developments where the site abuts, partially lies within, or receives access from another municipality. The extent of municipal action, acknowledgment of notification, review, or approval shall be as determined and documented by the other municipality.	Y	Y
23	Evidence of acceptance of the subdivision and/or land development from third parties, such as utility companies or neighboring property owners, when there is the potential that the subdivision and/or land development will impact property, access, services, etc, either temporarily or permanently.	Y	Y
24	Where applicable, documentation of an assessment of existing outdoor lighting, including lighting of adjacent streets. Documentation shall include conclusions that the existing lighting either does conform or does not conform to Borough ordinances and standards.	Y	Y
25	Traffic design calculations for lane lengths, computerized queuing analyses, warranting criteria, etc. All information, calculations and data shall be presented as a single document, signed and sealed by the appropriate design professional.	Y	Y
26	Hydraulic design information, calculations, and data for stormwater facilities, inlets, piping, culverts and bridge structures, street gutters, etc. All information, calculations and data shall be presented as a single document, signed and sealed by the appropriate design professional. Back-up data shall demonstrate consistency with FEMA studies. Calculations shall include the determination of the depth of stream bed scouring in Little Buck Run and other related tributaries.	Y	Y
27	Documentation of environmental issues as related to site hazards, regulatory agency closures, and regulatory agency approvals. Confirmation that there are no existing subsurface tanks, septic systems, open wells, cesspools, disposal containments, or other systems, abandoned or otherwise, that will present an adverse effect on the proposed subdivision and/or land development. Confirmation that the site conditions are or will be appropriate for the proposed subdivision and/or land development.	Y	Y

<b>Appendix F Supplementary Information for Preliminary &amp; Final Plan Applications</b>			
	Description of Required Information, Data or Forms, as Applicable	Preliminary	Final
28	Confirmation that there is no evidence of dumping of wastes on the site.	N	Y
29	Confirmation that the appropriate utility companies have reviewed the improvement plans and take no exceptions.	N	Y
30	Architectural renderings of buildings and other typical structures, including elevations of view-sensitive facades.	Y	N
31	Renderings of the site development from view-sensitive perspectives.	Y	N
32	As may be requested by the Borough, minutes of meetings between the applicant/developer and third parties, including regulatory agencies, abutting property owners, etc.	Y	Y
33	Documentation that the Borough Fire Marshall and/or the Borough Fire Department has reviewed the plans and concurs with the location of the proposed fire hydrants, and also takes no exceptions to the layout of the streets and interior circulation from an emergency services prospective.	Y	Y
34	Impact related studies, including those for transportation, historic resources, environmental impact, and utilities. The studies shall include the issues, data and information as required by Section 307 of this Ordinance. <sup>1</sup>	Y	Y
35	Engineering studies for all proposed regulatory traffic signage and controls. Studies shall be in accordance with applicable PennDOT, AASHTO, and Federal Highway Administration requirements.	N	Y
36	Legal descriptions related to all required and proposed easements, declarations, covenants, and restrictions, including, but not limited to, the following: easements related to private streets, easements related to utilities, easements related to allowing for the discharge of stormwater from street right-of-ways into stormwater courses and facilities of private property, easements related to access and maintenance, restrictions related to the preservation of landscaping, restrictions related to the perpetual preservation of stormwater facilities (on-site infiltration beds, etc), restrictions related to historic preservation.	N	Y

<b>Appendix F</b>			
<b>Supplementary Information for Preliminary &amp; Final Plan Applications</b>			
	Description of Required Information, Data or Forms, as Applicable	Preliminary	Final
37	Agreements associated with the subdivision and/or land development, including, but not limited to, the following: agreements related to tendered offers of deeds of dedication, agreements related to the maintenance of private streets, agreements related to the maintenance of stormwater facilities, agreements related to the maintenance of open space, agreements related to the use of open space, agreements required for homeowner associations, agreements related to the temporary maintenance of infrastructure by the developer prior to municipal acceptance of the deed of dedication. All information required under Section 310 of this Ordinance.	N	Y
38	Structural design information and calculations for certain site type structures such as retaining walls, fences, freestanding towers, stacks, similar areas of structural underpinning, etc. <sup>2</sup>	N	Y
39	Documentation of environmental issues as related to site hazards, regulatory agency closures, and regulatory agency approvals. Confirmation that there are no existing subsurface tanks, septic systems, open wells, cesspools, disposal containments, or other systems, abandoned or otherwise, that will present an adverse effect on the proposed subdivision and/or land development. Confirmation that the site conditions are or will be appropriate for the proposed subdivision and/or land development	N	Y
40	Engineering design plans that detail the required mitigations, improvements, and construction as defined by the recommendations of the studies as provided for in Section 307 of this Ordinance.	Y	Y
41	Other documentation, supporting information, and accompanying data, not specifically listed in this Appendix or Sections 305, 306, and 307, but required by this Ordinance to be submitted to the Borough.	Y	Y
42	All requirements of the preliminary plans, whether specifically noted by the Borough or not, that were not a part of the preliminary plans submission, shall become a requirement of the final plan submission.	N	Y
43	Reminder About the Resubmission of Plans:  Resubmission of plans to the Borough shall be accompanied by a transmittal letter from the engineer-of-record that describes all changes made to the plan submission and describes how outstanding issues of the municipal engineering reviews have been addressed.	Y	Y

<b>Appendix F</b>			
<b>Supplementary Information for Preliminary &amp; Final Plan Applications</b>			
	Description of Required Information, Data or Forms, as Applicable	Preliminary	Final
Appendices prepared by The Grafton Association.			

**Endnotes:**

1. Each copy of an impact related study shall be signed and sealed by the responsible design professional. Each study shall clearly present all conclusions of the study in a separately dedicated section of the report. Each study shall clearly present all recommendations of the study along with timelines in a separately dedicated section of the report. Conclusions and recommendations shall be consistent. All study and report documentation as required by this Ordinance shall include the associated references, maps, charts, exhibits, information sources, etc, and shall be paginated consecutively from the beginning of the narrative text through to the end of all documentation. Narratives shall be written in a manner and style that succinctly presents the issues, and clearly focuses on the information, data, and analyses, in accordance with the objectives developed by the design professionals to meet the specific needs of the project and the objectives defined by this Ordinance. The names, addresses, telephone numbers, and qualifications of the design professionals directly responsible for the preparation of each study shall be incorporated into the study documentation.

2. Retaining walls with an exposed height of four (4) feet or greater shall be accompanied by structural design information. Fences with a height above grade of 10 feet or greater shall be accompanied by structural design information. All freestanding towers, stacks, etc. with a height of 15 feet or greater shall be accompanied by structural design information. All information, and calculations shall be presented as a separate and single document, signed and sealed by the appropriate design professional.

## Appendix G Transportation Study: Detailed Requirements & Specifications

Authority for Appendix G is derived from Subsections 307.A.1, 307.A.2 and 307.A.3 of this Ordinance. The Transportation Study shall be formulated to the specific needs of the Borough and potential impacts of the proposed subdivision and/or land development, but shall, at a minimum, include the contents and scope defined in Part A of the Table below and in Section 307.A. Furthermore, the Transportation Study shall document the purpose, procedures, assumptions, criteria, findings, conclusions, and recommendations of the study. The study shall include separate report sections of narrative text that summarize the components as cited in Part B of the Table below and Section 307.A.

<b>Table Appendix G                      Transportation Study: Detailed Requirements &amp; Specifications</b>		
<b>Item</b>	<b>Requirement</b>	<b>(✓)</b>
	<b>PART A:</b> The transportation study shall be formulated to the specific needs of the Borough and potential impacts of the proposed subdivision and/or land development, but shall, at a minimum, include the following contents and scope:	<input checked="" type="checkbox"/>
A-1	<b>Preparation and Requirements:</b> The transportation study shall be prepared by or under the supervision of qualified transportation engineers with specific training and experience in the preparation of transportation analyses and evaluations for proposed developments within urban areas. The study shall include an evaluation of proposed on-site improvements, and an evaluation of the development's impact on the existing infrastructure. The study shall include, but not be limited to, addressing circulation, parking, ingress, egress, channelization, control devices, calming devices, signalization, pedestrian crossings, and ultimate right-of-ways, as may be determined to be of concern by the transportation engineer, or as may be determined to be of interest by the Borough.	<input type="checkbox"/>
A-2	<b>Study Area:</b> The study area shall be determined by the characteristics of the surrounding area. The intersections to be studied shall be mutually agreed upon between the Borough and the transportation engineer preparing the analysis. Generally, intersections to be included in the study shall be those intersections within the site, those intersections adjacent to the site, those intersections that directly affect access to the site, and also the following intersections: Church and First, Church and Main, Church and Chapel, Church and Beale, Church and Sadsbury, First and Gay, First and Culvert, First and West Bridge, Main and Strasburg, Main and Culvert, Main and West Bridge, Limestone and Upper Valley, Limestone and Strasburg, and all other intersections within one-quarter mile of the site.	<input type="checkbox"/>
A-3	<b>Horizon Year:</b> Traffic forecasts shall be prepared for the anticipated year ("horizon year") of the completion of the last phase of a project, under conditions of expected occupancy and build-out. If, in the opinion of the Borough, there is uncertainty regarding the completion of the project, as may generally be the case for projects without specific definitive timelines, then the horizon year shall be 10 years or more from the present, as established by the Borough.	<input type="checkbox"/>

**Table Appendix G**  
**Transportation Study: Detailed Requirements & Specifications**

Item	Requirement	(✓)
A-4	<p><b>Background Traffic:</b> Background traffic volumes shall be established for streets and intersections within the study area for the horizon year, based on current traffic counts and also based on the annual growth rate factor. The annual growth rate factor shall be agreed upon between the Borough and the transportation engineer preparing the analysis, with input from the PennDOT District Traffic Engineer, when appropriate. Rates of growth shall be compared with Delaware Valley Regional Planning Commission data and the Chester County Planning Commission data. The Borough may require an adjustment of the values for the rate of growth, should there be a difference in values from the various sources. Volumes shall be established for average daily, peak hour, etc.</p>	
A-5	<p><b>Non-Site-Generated Traffic Estimates:</b> Horizon year traffic estimates shall be made of all non site-generated traffic and traffic generated by all other developments within the study area, for which preliminary or final approvals have been issued. This traffic is incremental to the background growth in traffic. As a result of circumstances considered unique to the Borough of Parkesburg, traffic estimates shall also account for Friday afternoon-evening peak, in combination with summertime Chesapeake Bay shore traffic.</p>	
A-6	<p><b>Trip Generation Calculations:</b> The Transportation Study shall identify the categories and quantities of land uses that are proposed in the development, together with their corresponding trip generation rates and the resulting number of trips that are to be generated. Trip generation rates shall be referenced from the latest edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual, latest amended version, from analyses of actual conditions at similar Chester County developments, and from other sources acceptable to the Borough. All sources shall be cited in the study. Unusual or special trip rates generated by uncommon land uses shall be explained in the study.</p>	
A-7	<p><b>Consideration of Pass-By-and Shared-Use Trips:</b> Pass-by trips and shared trips (i.e., when vehicles which are already using the street are attracted to the site) shall be calculated and accounted for using ITE standards. Studies and interviews at similar land uses may be required to substantiate the anticipated effects, as acceptable to the Borough. All assumptions shall be separately summarized.</p>	
A-8	<p><b>Determination of Influence Area:</b> Prior to the distribution of site-generated trips for non-residential developments, an influence area shall be defined which contains not less than 80 percent of the trip ends that will be attracted to the development. The influence area can be determined by the use of usual and customary studies or documented material, acceptable to the Borough. The influence area may also be based on a reasonable maximum convenient travel time to the site, or by delineating area boundaries based on locations of competing developments. All assumptions shall be separately summarized.</p>	

<b>Table Appendix G</b> <b>Transportation Study: Detailed Requirements &amp; Specifications</b>		
Item	Requirement	(✓)
A-9	<b>Estimates of Trip Distributions:</b> Trip distribution may be estimated by an ITE endorsed method acceptable to the Borough. A multi-use development may require more than one distribution and coinciding assignments for each phase of completion. Consideration shall also be given to whether inbound and outbound trips will have similar distributions. All assumptions shall be separately summarized.	
A-10	<b>Trip Assignments:</b> Assignments shall be made considering logical routings, available street capacities, left turns at critical intersections, and projected travel times. Multiple paths between origins and destinations may be necessary to reflect realistic estimates, rather than assigning the routes with the shortest travel times. Multiple pathways shall be assigned to projects with multiple access points or with internal site streets. Pass-by trip assignment shall consider the re-routing of existing traffic.	
A-11	<b>Capacity Analysis:</b> A capacity analysis shall be performed at each of the major project site intersections and Borough intersections as defined by the study area. In addition, capacity analyses shall be completed for those street segments within the study area that are determined by the Borough to be sensitive to traffic. These may include such segments, both on-site and off-site, as internal site streets, parking facility access points, and locations where vehicle queuing is considered critical by the Borough. Studies of other locations may be required by the Borough. Existing and proposed turning movements shall be evaluated.	
A-12	<b>Level of Service Calculations:</b> The recommendations of the transportation study shall be oriented towards the provisions of safe and efficient movement of traffic to, from, within, and past the proposed development, while minimizing the impact on non-site trips. <sup>1</sup> The recommended level-of-service analyses procedures in the Institute of Transportation Engineers Highway Capacity Manual, latest amended version, shall be followed.	
A-13	<b>Safety:</b> The study shall include an analysis of existing accident data in the study area, an identification of potentially hazardous street and intersection conditions and configurations, and an explanation of the anticipated impact from the proposed development on these locations. The Borough may supplement the transportation engineer's list of locations of potentially hazardous conditions and configurations. The complete list of conditions and configurations shall be the subject of the study.	

<b>Table Appendix G Transportation Study: Detailed Requirements &amp; Specifications</b>		
Item	Requirement	(✓)
	<b>PART B:</b> The Transportation Study shall document the purpose, procedures, assumptions, criteria, findings, conclusions, and recommendations of the study. The study shall include separate report sections of narrative text that summarize the following:	<input checked="" type="checkbox"/>
B-1	Study purpose and objectives.	<input type="checkbox"/>
B-2	Description of the site and the study area.	<input type="checkbox"/>
B-3	Procedures, assumptions and criteria.	<input type="checkbox"/>
B-4	Planned developments (not yet generating traffic volumes), including those in surrounding municipalities and those within three miles of the site.	<input type="checkbox"/>
B-5	Summary of trip generation, distribution, and modal split.	<input type="checkbox"/>
B-6	Summary of horizon year trip volumes on streets and intersections of the study area.	<input type="checkbox"/>
B-7	Assessment of any anticipated change in street operating conditions resulting from the development traffic. Intersection assessments shall include computerized modeling of vehicular queuing as may be required.	<input type="checkbox"/>
B-8	Conclusions regarding potentially hazardous conditions and configurations. Conclusions regarding required improvements needed to maintain traffic flow to, from, within, and past the site at an acceptable and safe level of service, including the need for signalization, acceleration and deceleration lanes, turning lanes, shoulders, drainage improvements, traffic control devices, traffic calming devices, signage, and markings.	<input type="checkbox"/>
B-9	Recommendations, based on the conclusions, for site access and transportation improvements needed to maintain traffic flow to, from, within, and past the site at an acceptable and safe level of service.	<input type="checkbox"/>
		<input type="checkbox"/>
Appendices prepared by The Grafton Association.		

**Endnotes:**

1. Levels of service should not degrade below D if they are D or better prior to development and should not be allowed to degrade further if they are already at E or F prior to development. For purposes of this study, the overall level-of-service ratings of A, B, C and D shall be considered acceptable for signalized intersections, and levels E and F considered unacceptable.

## Appendix H Environmental Impact Study: Detailed Requirements & Specifications

Authority for Appendix H is derived from Subsection 307.C.2 of this Ordinance. The Environmental Impact study shall be formulated to the specific needs and potential impact of the proposed subdivision and/or land development, but shall, at a minimum, include the contents and scope specified in the Table below and Section 307.C.

<b>Table Appendix H                      Environmental Impact Study: Detailed Requirements &amp; Specifications</b>		
Item	Requirement	(✓)
1	<b>Preparation and Requirements:</b> The environmental impact study shall be prepared by a qualified professional in the sciences, engineering, or a related discipline. The environmental impact study shall contain text, tables, maps, and analyses which document the existing resources of the subject site and the predicted impacts associated with the proposed subdivision and/or land development. It is recommended that information contained in the Borough's open space and recreation plan be referenced for the study. The study shall incorporate supplemental and updated information as appropriate, including site-specific investigations, published reports, research studies, and natural resource data, as may be available.	
2	<b>Description of Existing Conditions:</b> The study documentation shall identify all of the natural resources, uses, and features, as applicable, on the subject property, including geologic resources, slopes, soils, water resources, biotic resources, wildlife, wetlands, floodplains, visual and aesthetic resources, land use, and hazardous conditions. If a particular resource, use, or feature is not applicable to a given property, it should be so stated.	
3	<b>Geological Resources:</b> The geological characteristics of the property shall be presented on a map and described. Such characteristics include the location and boundaries of rock formations at, or having direct influence on, the property, as well as unique features such as faults and/or fractures.	
4	<b>Slopes:</b> The topographical characteristics of the property shall be presented on a map and described. Areas of slopes in each of the following ranges shall be highlighted: fifteen to twenty (15-20) percent, twenty to twenty-five (20-25) percent, and steeper than twenty-five (>25) percent.	

<b>Table Appendix H</b>		
<b>Environmental Impact Study: Detailed Requirements &amp; Specifications</b>		
<b>Item</b>	<b>Requirement</b>	<b>(✓)</b>
5	<b>Soils:</b> The soil characteristics of the property shall be presented on a map and described. Such characteristics shall include a description and mapping of all soil types and shall include a table identifying pertinent soil characteristics such as; depth to bedrock, depth to seasonal high water table, flood hazard potential, limitations for on-site wastewater disposal or land application of wastewater (if applicable), drainage classification, classification as to the status of hydric or potentially hydric inclusions, and classification as to prime farmland or farmland of statewide importance. Information from the USDA-SCS Soil Survey of Chester and Delaware counties, at minimum, shall be presented.	
6	<b>Water Resources:</b> The hydrological characteristics of the property shall be presented on a map and described. Such characteristics include surface water features, their direction of flow, watershed (drainage area) boundaries, and groundwater resources. Surface water resources include streams, creeks, runs, springs, and any other permanent or intermittent drainageways; ponds, lakes, or other natural bodies of water; and any man-made impoundments. Groundwater resources include features such as aquifer recharge areas. Where rivers, streams, creeks, runs or other linear waterways are shown, trees and other vegetation within fifty (50) feet of the waterway shall be shown on the same map.	
7	<b>Biotic Resources:</b> The existing biotic resources, vegetation and land cover characteristics of the property shall be presented on a map and described. The locations and boundaries of the woodland and forest areas of the site shall be delineated and identified according to the dominant species types. In addition, all noteworthy and specimen trees shall be identified. The locations and boundaries of other vegetation associations, such as cultivated areas, pasture, meadows, old fields, and scrubland, also shall be identified. The generalized vegetation and cover types on areas immediately adjacent to subject property also shall be identified.	
8	<b>Wildlife:</b> The known or potential use of the property by wildlife shall be identified. The suitability of the property as habitat for, and the known use of the site by, terrestrial or aquatic species shall be described. Any PNHP (formerly PNDI) sites and inventory listed for the property shall be identified.	
9	<b>Wetlands:</b> Existing wetlands and wetland margins on the property shall be identified and confirmed in accordance with the procedures outlined in this Ordinance.	
10	<b>Floodplains:</b> The limits of the existing floodways and 100-year floodplains on the site, according to the latest FEMA information, shall be mapped per the requirements of this Ordinance.	

<b>Table Appendix H</b>		
<b>Environmental Impact Study: Detailed Requirements &amp; Specifications</b>		
Item	Requirement	(✓)
11	<b>Visual and Aesthetic Resources:</b> The visual resources, including aesthetically desirable vistas and corridors of the community and valley, as may be potentially affected by the subdivision and/or land development, shall be presented on a map and described. Such characteristics shall include areas which have a particular amenity value, areas which offer interest in viewing the site, and areas which enhance the character of the community (including significant historic, architectural and cultural resources), as may be established, in the opinion of the Borough.	
12	<b>Land Use:</b> The land use conditions and characteristics of the site and adjacent parcels shall be presented on a map and described. Categories of land use shall include: paved or other impervious surfaces, lawns and other landscaped areas, croplands, pastures, woodlands, old-fields, barren areas, easements, right-of-ways, and trails. The generalized land uses on areas immediately adjacent to the subject property also shall be identified.	
13	<b>Hazardous Conditions:</b> Known hazardous waste conditions, including Phase I and Phase II environmental reports, Brownfield data, super fund inventories, etc, shall be presented and summarized.	
14	<b>Description of the Proposed Development and the Assessment of Impacts:</b> The intent of the proposed subdivision or land development shall be described. An impact assessment of all potential adverse effects of the proposed project on natural resources and features (on-site and off-site, downstream, upstream, etc) shall be prepared. The proposed project shall be described in terms of the scale and/or magnitude of effects that it will have on each of the natural resources, uses and features, as addressed in this study. At a minimum, the impact assessment shall identify the following aspects of any impacts or effects (14-a through 14-f, below):	
14-a	a. The location and size (acreage) of each natural resource, use, and feature as addressed in this study, and a description of the nature of the disturbance.	
14-b	b. The location and size (acreage) of each natural resource, use, and feature as addressed in this study that will be impacted or disturbed directly or indirectly by the proposed project, and a description of the nature of the impact and disturbance.	
14-c	c. The nature of any effects on each resource, use, and feature as addressed in this study, as to whether it is beneficial, adverse, or neutral.	
14-d	d. The magnitude, degree, or significance of any adverse effects identified, relative both to the resources of the site and to the resources of the Borough of Parkesburg.	

**Table Appendix H**  
**Environmental Impact Study: Detailed Requirements & Specifications**

Item	Requirement	(✓)
14-e	e. The temporal nature of each adverse effect, as to whether it is temporary or permanent, short term or long term.	
14-f	f. The extent to which the development, in conjunction with other existing or proposed developments or circumstances, may result in cumulative adverse effects on the natural resources, uses, and features of the site, or otherwise within the Borough of Parkesburg.	
15	<b>Alternatives:</b> Alternatives that would preclude, reduce or lessen potential adverse impacts, and produce beneficial effects, shall be developed, evaluated, and presented. Alternatives to the proposed subdivision and/or land development that were initially considered but rejected shall be presented, and the reasons for their being rejected shall be given.	
16	<b>Measures To Mitigate Adverse Effects:</b> For adverse effects which cannot be avoided by alternative design or method, the types of remedial, protective, or mitigative measures that will be implemented shall be identified and presented. Such mitigation measures include those required through existing procedures, regulations, and standards, as well as those unique to a specific project and site (See 16-a & 16-b, below).	
16-a	a. <b>Mitigation measures which pertain to existing procedures, regulations, and standards</b> are those related to current requirements of federal, state, county, and/or Borough agencies for remedial or protective action such as the provision for compensatory resources, uses, and features.	
16-b	b. <b>Mitigation measures, which may be unique to a specific subdivision and/or land development project,</b> include additional efforts to minimize adverse effects, such as measures related to reforestation, revegetation, screening, fencing, community compatible aesthetics, emission control, traffic control, noise control, etc.	
Appendices prepared by The Grafton Association.		

## Appendix I

# Street, Curb and Sidewalk Construction Standards & Requirements

### Borough of Parkesburg, Chester County, Pennsylvania

#### PART 1.00 - STREET CONSTRUCTION AND MATERIALS

All materials used in the construction of streets, and the methods of construction and drainage, shall be in accordance with the applicable requirements of Pennsylvania Department of Transportation Specifications Publication 408, latest revision thereof, and shall be supplied by vendors approved by the Pennsylvania Department of Transportation for the supply of such materials. The thickness of all materials shall be as described in the Material Thickness Table, below. Inspection of materials and construction methods shall be as approved, and in accordance with Section 601 of this Ordinance.

##### A. Street Design:

1. Thickness of base and paving for new Borough streets shall meet the minimum requirements outlined in the Materials Thickness Table, below:

<b>MATERIALS THICKNESS TABLE</b>			
Layer	Reference*	Arterial, Collector, & Local Streets	All Other Streets
Wearing Course	409	1.5"	1.5"
Binder Course	409	3.0"	Not Necessary
Bituminous Concrete Base Course	409 or 309	4.0"	5.0"
PA DOT No. 2A Coarse Aggregate Sub Base	350 & 703	6.0"	6.0"
<b>Notes to Materials Thickness Table:</b>			
1.	All thickness specifications are for compacted materials.		
2.	Base course over 5 inches in depth shall be laid in two passes.		
3.	Binder course shall be installed immediately following base course installation.		
4.	Wearing course shall not be installed until after completion of the development.		
* Reference to section number PA DOT Publication 408, latest revision.			

2. Paving design is based on overall soil conditions in the Borough. The Borough may require additional paving, base courses or sub-base material or geosynthetic material where soil types are inferior, wet or otherwise unsuitable as indicated by the "Soil Survey of Chester and Delaware Counties, Pennsylvania" prepared by the U.S. Soil Conservation Service or where such conditions exist.
3. Permeable pavement and other green street improvement shall be subject to approval by the Borough Engineer and shall follow the latest standards at the time of construction.

**B. Sub-grade:**

1. The area within the limits of the proposed road surface shall be shaped to conform to the line, grade and cross-section of the proposed road.
2. All unsuitable sub-grade materials shall be removed, and replaced; and, the replacement material shall be stabilized.
3. Wet or swampy areas shall be permanently drained and stabilized.
4. Fills shall be made with suitable materials and thoroughly compacted for the full width in uniform layers of not more than eight (8) inches thick. Each lift shall be proof rolled.
5. The sub-grade shall be thoroughly compacted. Sub-grade shall be compacted, tight and dry, to ninety-five (95) percent compaction at optimum moisture content. Compaction of the sub-grade shall extend the full width of the cartway and shoulders.
6. Infill areas compaction tests meeting ASTM D1557 standards are required for each eight (8) inch layer at at one hundred fifty (150) foot intervals or for each thirty-five hundred square feet (3,500 SF). The tests must be performed by a certified testing laboratory and results submitted to the Borough Engineer. All compaction must be ninety-five (95) percent compaction at optimum moisture content. Any layer not conforming to this standard will be removed or re-rolled until suitable compaction is obtained. Work shall be supervised by a qualified geotechnical engineer.
7. In addition to the compaction and testing requirements described above, the sub-grade shall be proof-rolled. Proof rolling shall consist of several passes of a minimum ten ton smooth drum compactor that is capable of imparting a total (static plus dynamic) drum force of not less than 550 pounds per linear inch of drum width. It may be necessary to operate the equipment in the static mode if the groundwater level is close to the sub-grade elevation. Should any unsuitable areas be detected by the proof rolling that cannot be stabilized by additional passes of the equipment, the material in such unsuitable areas shall be undercut and replaced with compacted aggregate fill. The determination of what, if any, areas are unsuitable shall be made by the engineer of record and the qualified geotechnical engineer on site, and/or the Borough. Any unsuitable areas identified, shall be repaired prior to the sub-base installation.

**C. Paving:**

1. Bituminous materials thickness shall be as specified in Section A of Part 1.00 of this Appendix.
2. The sub-base course shall be installed and compacted in accordance with Pennsylvania Department of Transportation specifications and shall extend twelve (12) inches beyond the paving line when curbs are not to be installed.
3. Bituminous base, binder and surface courses shall be laid to the specified thickness measured, after compaction. All bituminous courses shall be laid with a mechanical bituminous paver in accordance with specifications of the Pennsylvania Department of Transportation Specifications, Publication 408, latest edition.
4. Crown board and straight edge shall be used for checking street construction. Maximum tolerance shall not exceed one-quarter (1/4) inch in the finished surface.
5. Delivery slips for all materials shall be furnished to the Borough.
6. Failure to adhere to the above specifications shall give the Borough cause to refuse to accept streets for dedication.

**D. Grading and Shoulders.**

Streets shall be graded for the full width of the right-of-way. Shoulders or berm areas, including planting strips behind curbs, shall be graded with a minimum slope two percent (2%) and a maximum slope of four percent (4%). Beyond the limits of this grading, banks shall be sloped to prevent erosion, but this slope shall not be more than three (3) horizontal to one (1) vertical with tops of slope in cuts rounded. All unpaved areas between the street line and the curb or shoulders (as the case may be) shall be covered with not less than four (4) inches of topsoil, fertilized and seeded and mulched.

## PART 2.00 - CURB CONSTRUCTION AND MATERIALS

Curbs shall be constructed and installed in accordance with this Appendix, Section 415 of this Ordinance, and shall conform to the following standards and requirements:

- A. **Material Specification:** All curbs shall be constructed of monolithic concrete. Such concrete shall develop a compressive strength of 3,500 pounds per square inch (psi) in twenty-eight (28) days. Certification of the concrete mix shall be provided to the Borough.
- B. **Joints:** Curbs shall have clean-cut joints, a minimum of two (2) inches deep, every ten (10) linear feet and expansion joints every thirty (30) linear feet or less, at structures, and at the end of a day's work. Expansion joints shall be one-half ( $\frac{1}{2}$ ) inch in width with pre-molded expansion joint filler.
- C. **Depth and Base:** All curbs shall have a depth of not less than eighteen (18) inches and shall be eight (8) inches in thickness at the base and seven (7) inches in thickness at the top. Curbs shall be constructed with a eight (8) inch reveal and shall rest on a compacted bed of AASHTO No. 57 (PennDOT 2B) crushed stone of a depth of not less than four (4) inches.
- D. **Curb Reinforcement and Finishing:** When a curved curb joins with a tangent curb, at curb returns, on sharp curves, and where a curb is jointed to an inlet, reinforcement shall be installed. The top surface of the curb shall be finished true to line and grade in a smooth, neat and even manner and the edge of the faces and back shall be rounded to a radius of one (1) inch. Reinforcing steel used as tie bars or longitudinal reinforcing shall comply with ASTM A615.
- E. **Curbs at Driveways and Entrances/Exits:** Depressed curbs at driveways and entrances shall be required. The depressed curb at driveways shall be no higher than one and one-half (1-1/2) inches above the street surface. The length of this depressed curb shall not exceed thirty-five (35) feet without a safety island that shall not be less than fifteen (15) feet in length. Pipes, grates, or other similar materials or structures shall not be placed in the gutter to form a driveway ramp. See Section 414 of Article 4 for Driveway design and construction standards and requirements.
- F. **Replacement of Vertical Curbs with Depressed Curbing:** When it is necessary to replace existing vertical curbs with depressed curbing, two (2) ten (10) foot long sections of existing curb shall be removed down to the sub-grade without disturbing the adjacent cartway paving. Any portions of the cartway disturbed during curbing removal or installation shall be repaired to new condition.
- G. **Accessibility:** Curb cuts and depressions shall follow state and federal American Disabilities Act (ADA) accessibility standards and requirements, and PennDOT requirements when applicable.

### PART 3.00 - SIDEWALK CONSTRUCTION AND MATERIALS

Sidewalks shall be designed and constructed and installed in accordance with the provisions of this Appendix, Section 417 of this Ordinance, and shall conform to the following standards and requirements:

- A. **Materials Specification:** All sidewalks shall be constructed of monolithic concrete with a minimum thickness of four (4) inches. Sidewalks in driveways shall be a minimum of six (6) inches thick and include 6" x 6" W2.9 x W2.9 welded fabric (WWF). Concrete shall develop a compressive strength of 3,500 pounds per square inch (psi) in twenty-eight (28) days. Certification of the concrete mix shall be provided to the Borough.
- B. **Sidewalks Abutting a Building:** Where sidewalks abut a building, wall or other permanent structure, a pre- molded expansion joint filler, one-half (½) inch in thickness shall be placed between the building, wall or other permanent structure and the sidewalk for the full length of such building, wall or other permanent structure. Surface between the sidewalk and a building must be sealed with a flexible sealant material.
- C. **Sidewalk Joints:** Sidewalks shall have clean-cut joints, a minimum of one (1) inch deep, every four (4) linear feet, and expansion joints every twenty (20) linear feet or less, at structures, and at the end of a day's work. Expansion joints shall be one-half (½) inch wide with pre-molded expansion joint filler. Expansion joint material shall also be placed between any curb and driveway apron. All sidewalks shall have a broom finish.
- D. **Sidewalk Base:** Sidewalks shall be placed on a minimum four (4) inch compacted base of AASHTO No. 57 (PennDOT 2B) crushed stone. The sidewalk sub-grade shall be properly compacted.
- E. **Handicap Accessible Ramps:** Handicap accessible ramps shall be designed and installed in accordance with federal and state American Disabilities Act (ADA) regulations and requirements, and PennDOT requirements when applicable.
- F. **Finished Sidewalk Construction Area:** The finished side walk construction site shall be graded, raked, seeded, stabilized, and cleared of all debris.

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Appendices prepared by The Grafton Association.

## Appendix J

### Plant List for Landscaping, Screening and Buffering Borough of Parkesburg, Chester County, Pennsylvania

Invasive Trees (prohibited as part of landscape plan):			
Scientific Name	Common Name	Scientific Name	Common Name
*Acer platanoides	Norway Maple	Acer pseudoplatanus	Sycamore Maple
Ailanthus altissima	Tree of Heaven	Albizia julibrissin	Mimosa
Evodia danielli	Korean Evodia	Morus alba	Mulberry
Paulownia tomentosa	Empress Tree	Phellodendron amurense	Amur Cork Tree
Pinus thunbergiana	Japanese Black Pine	Populus alba	White Poplar
Prunus avium	Sweet Cherry	Styrax japonica	Japanese Snowbell
Ulmus pumila	Siberian Elm	*Pyrus calleryana	Callery Pear
<p>* An asterisk (*) denotes that the species has cultivars that are not known to be invasive. Cultivars are cultivated varieties of plant species bred for predictable attributes like shorter height, showier flowers, or colored foliage. A cultivar is plant variety specifically produced by breeding; i.e., a variety of a cultivated plant that is developed by breeding and has a designated name.</p>			

<b>Invasive Shrubs (prohibited as part of landscape plan):</b>			
<b>Scientific Name</b>	<b>Common Name</b>	<b>Scientific Name</b>	<b>Common Name</b>
*Berberis thunbergii	Asian or Japanese Barberry*	Berberis vulgaris	European Barberry
Eleagnus angustifolia	Russian Olive	Eleagnus umbellata	Autumn Olive
Euonymus alata	Winged Euonymus	Euonymus fortuneii	Wintercreeper
Ilex crenata*	Japanese Holly*	Ligustrum vulgare and cultivars	Common Privet
Lonicera maackii	Amur Honeysuckle	Lonicera morrowii	Morrow's Honeysuckle
Lonicera standishii	Standish Honeysuckle	Lonicera tatarica	Tatarian Honeysuckle
Lonicera morrowii x tatarica	Bell's Honeysuckle	Rhamnus cathartica	Common Buckthorn
Rhamnus frangula	Alder or Glossy Buckthorn	Rosa multiflora	Multiflora Rose
Rubus phoenicolasius	Wineberry	Viburnum seiboldii	Seibold Viburnum
Ligustrum obtusifolium	Border privet	*Euonymus alatus	Winged Euonymus*
*Spiraea japonica	Japanese Spirea*	*Viburnum opulus var. opulus	Guelder Rose*
<p>* An asterisk (*) denotes that the species has cultivars that are not known to be invasive. Cultivars are cultivated varieties of plant species bred for predictable attributes like shorter height, showier flowers, or colored foliage. A cultivar is plant variety specifically produced by breeding; i.e., a variety of a cultivated plant that is developed by breeding and has a designated name.</p>			

<b>Invasive Vines, Ground Cover, Grasses, and Herbaceous Plants (prohibited as part of landscape plan):</b>			
<b>Scientific Name</b>	<b>Common Name</b>	<b>Scientific Name</b>	<b>Common Name</b>
Akebia quinata	Fiveleaf Akebia	Ampelopsis brevipedunculata	Porcelain-berry
Celastrus orbiculatus	Oriental Bittersweet	Clematis terniflora	Japanese Virgin's- Bower
Coronilla varia**	Crownvetch**	Hedera helix	English Ivy
Lonicera japonica	Japanese Honeysuckle	Pachysandra terminalis	Pachysandra
Pueraria montana	Kudzu	Vinca minor	Periwinkle
Alliaria petiolata	Garlic Mustard	Bidens polylepis	Tickseed Sunflower
Cabomba caroliniana	Carolina Fanwort	Cirsium arvense	Creeping Thistle
Egeria densa	Brazilian Waterweed	Eichhornia crassipes	Water Hyacinth
Hemerocallis fulva	Common Daylily	Hesperus matronalis	Dame's Rocket
Humulus japonicus	Japanese Hop	Humulus lupulus	Common Hop
Hydrilla verticillata	Hydrilla	Iris pseudacorus	Yellow Flag Iris
Ludwigia peploides	Creeping Primrose / Floating Seedbox	Lysimachia nummularia	Moneywort
Lythrum salicaria	Purple Loosestrife	Microstegium vimineum	Japanese Stilt Grass
Myriophyllum aquaticum	Parrott Feather	Myriophyllum spicatum	Eurasian Watermilfoil
Ornithogalum umbellatum	Star of Bethlehem	Phalaris arundinacea	Reed Canary Grass
Phragmites australis	Common Reed ("Phragmites")	Pistia stratiotes	Water Lettuce
Poa trivialis	Annual Bluegrass	Polygonum cuspidatum	Japanese Knotweed
Polygonum perfoliatum	Mile-a-minute (Vine)	Pseudosasa japonica	Bamboo
Ranunculus ficaria	Lesser Celandine	Saponaria officinalis	Bouncing Bet
Trapa natans	Water Chestnut	Sorghum halepense	Johnson Grass

<b>Invasive Vines, Ground Cover, Grasses, and Herbaceous Plants (prohibited as part of landscape plan):</b>			
<b>Scientific Name</b>	<b>Common Name</b>	<b>Scientific Name</b>	<b>Common Name</b>
Bromus tectorum	Cheatgrass	*Miscanthus sinensis	Maiden Grass*
Sorghum bicolor ssp. Drummondii	Shattercane		

\* An asterisk (\*)denotes that the species has cultivars that are not known to be invasive. Cultivars are cultivated varieties of plant species bred for predictable attributes like shorter height, showier flowers, or colored foliage.

\*\* Except to stabilize and prevent erosion on slopes and embankments where the grade exceeds 75 percent (100 x rise/run), and with specific Borough approval.

<b>Trees and Evergreen Species Acceptable for Buffers and Screens:</b>			
<b>Scientific Name</b>	<b>Common Name</b>	<b>Scientific Name</b>	<b>Common Name</b>
Picea abies	Norway Spruce	Pinus strobus	White Pine
Pinus nigra	Austrian Pine	Thuja Orientalis	Oriental Arborvitae
Tsuga canadensis	Canadian Hemlock	Tsuga caroliniana	Carolina Hemlock
Ilex opaca	American Holly		

<b>Recommended Street Trees:</b>			
<b>Scientific Name</b>	<b>Common Name</b>	<b>Scientific Name</b>	<b>Common Name</b>
Acer ginnala	American Maple	Acer rubrum "Red Sunset"	Red Maple
Acer rubrum buergerianum	Trident Maple	Acer rubrum triflorum	Three Flower Maple
Acer saccharum "Green Mountain"	Sugar Maple	Celtis occidentalis*	Common Hackberry*
Gleditsia triacanthos "inermis"	Thornless Honey Locust	Platanus acerifolia	London Plane Tree (Liberty or Columbia varieties)
Fraxinus americana	White Ash	F. Pennsylvania lanceolata	Green Ash
Ginkgo biloba	Ginkgo (male)	Liriodendron tulipifera	Tulip tree
Quercus alba	White Oak	Quercus borealis	Red Oak
Quercus coccinea*	Scarlet Oak*	Quercus macrocarpa or Quercus phellos	Willow Oak
Tilia cordata or Tilia euchlora	Linden or Littleleaf Linden	Quercus rubra*	Northern Red Oak*
Quercus shumardii	Shumard Oak	Zelkova serrata	Japanese Zelkova
Gleditsia triacanthos inermis	Honey Locust or Shademaster Locust	Acer campestre	Hedge Maple
Carpinus betulus	European Hornbeam	Carpinus caroliniana*	American Hornbeam*
Crataegus crusgalli inermis	Thornless Cockspur Hawthorn	Koelreuteria paniculata	Goldenrain Tree
Prunus serrulata "Kwanzan"	Kwanzan Cherry	Prunus sargentii	Sargent Cherry
Sophora japonica	Scholar Tree	Syringa reticulata	Japanese Tree Lilac
Prunus yedoensis	Yoshino Cherry		
Note: Any other trees proposed for street planting shall be approved by the Borough Council, upon recommendation of the Planning Commission.			
* Species marked with an asterisk (*) are also suitable for planting in riparian or natural areas.			

<b>Recommended Native Trees for General Use:</b>			
<b>Scientific Name</b>	<b>Common Name</b>	<b>Scientific Name</b>	<b>Common Name</b>
<i>Acer saccharum</i>	Sugar Maple	<i>Cercis canadensis</i>	Redbud
<i>Cornus alternifolia</i>	Pagoda Dogwood	<i>Cornus florida</i>	Flowering Dogwood
<i>Diospyrus virginiana</i>	Common Persimmon	<i>Fagus grandifolia</i>	American Beech
<i>Fraxinus americana</i>	White Ash	<i>Ilex opaca</i>	American Holly
<i>Liriodendron tulipifera</i>	Tulip Poplar	<i>Prunus serotina</i>	Black Cherry
<i>Quercus alba</i>	White Oak	<i>Quercus coccinea</i>	Scarlet Oak
<i>Quercus falcata</i>	Spanish Oak	<i>Quercus prinus</i>	Chestnut Oak
<i>Quercus rubra</i>	Red Oak	<i>Quercus velutina</i>	Black Oak
<i>Sassafras albidum</i>	Sassafras		

<b>Recommended Native Trees for Moist Soils and Streambanks:</b>			
<b>Scientific Name</b>	<b>Common Name</b>	<b>Scientific Name</b>	<b>Common Name</b>
<i>Acer negundo</i>	Box Elder	<i>Acer rubrum</i>	Red or Swamp Maple
<i>Acer saccharinum</i>	Silver Maple	<i>Alnus serrulata</i>	Common Alder
<i>Amelanchier canadensis</i>	Downy Shadblow or Serviceberry	<i>Asimina triloba</i>	Pawpaw
<i>Betula lenta</i>	Sweet Birch	<i>Betula nigra</i>	River Birch
<i>Carpinus caroliniana</i>	American Hornbeam (Ironwood)	<i>Carya cordiformis</i>	Bitternut Hickory
<i>Chionanthus virginicus</i>	Fringetree	<i>Fraxinus pennsylvanica</i>	Green Ash

Recommended Native Trees for Moist Soils and Streambanks:			
Scientific Name	Common Name	Scientific Name	Common Name
Liquidambar styraciflua	Sweetgum	Magnolia virginiana	Sweetbay Magnolia
Nyssa sylvatica	Black Gum	Platanus occidentalis or Phellodendron amurense	American Sycamore, Buttonwood
Populus heterophylla	Swamp Cottonwood	Quercus bicolor	Swamp White Oak
Quercus nigra	Water Oak	Quercus palustris	Pin Oak
Quercus phellos	Willow Oak	Salix nigra	Black Willow
Tilia americana	American Linden		

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 Appendices prepared by The Grafton Association.

Borough of Parkesburg  
Subdivision and Land Development Ordinance of 2014

Note

Inquiries regarding this document and its contents should be  
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