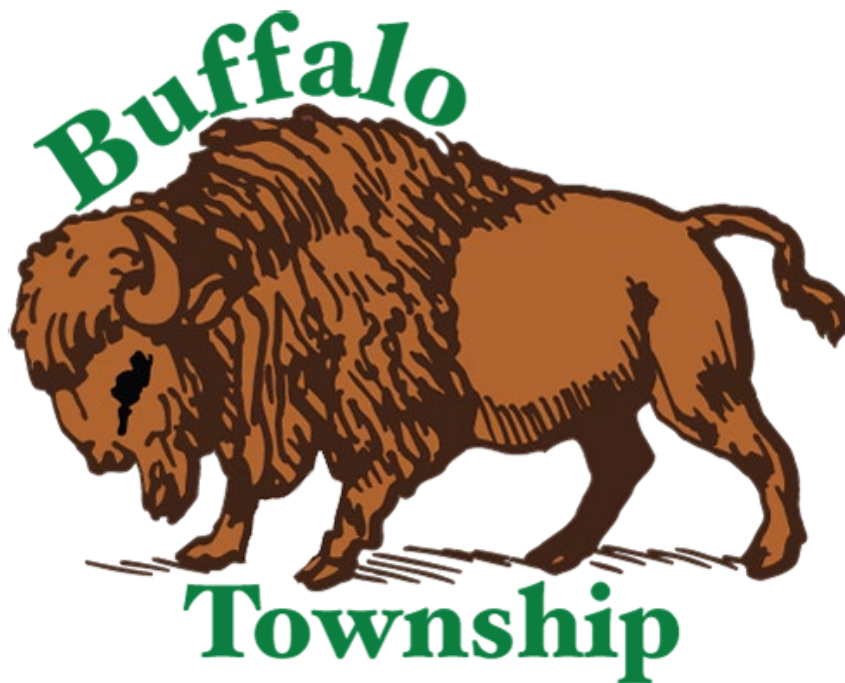


Buffalo Township  
Subdivision and Land  
Development Ordinance

Union County, Pennsylvania

Adopted: July 6, 1998  
Effective Date: October 5, 1998



August 2022 Edition

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**PROCEDURAL FLOW CHART FOR BUFFALO TOWNSHIP ORDINANCE  
for Subdivision and Land Development **WITH** Improvements**

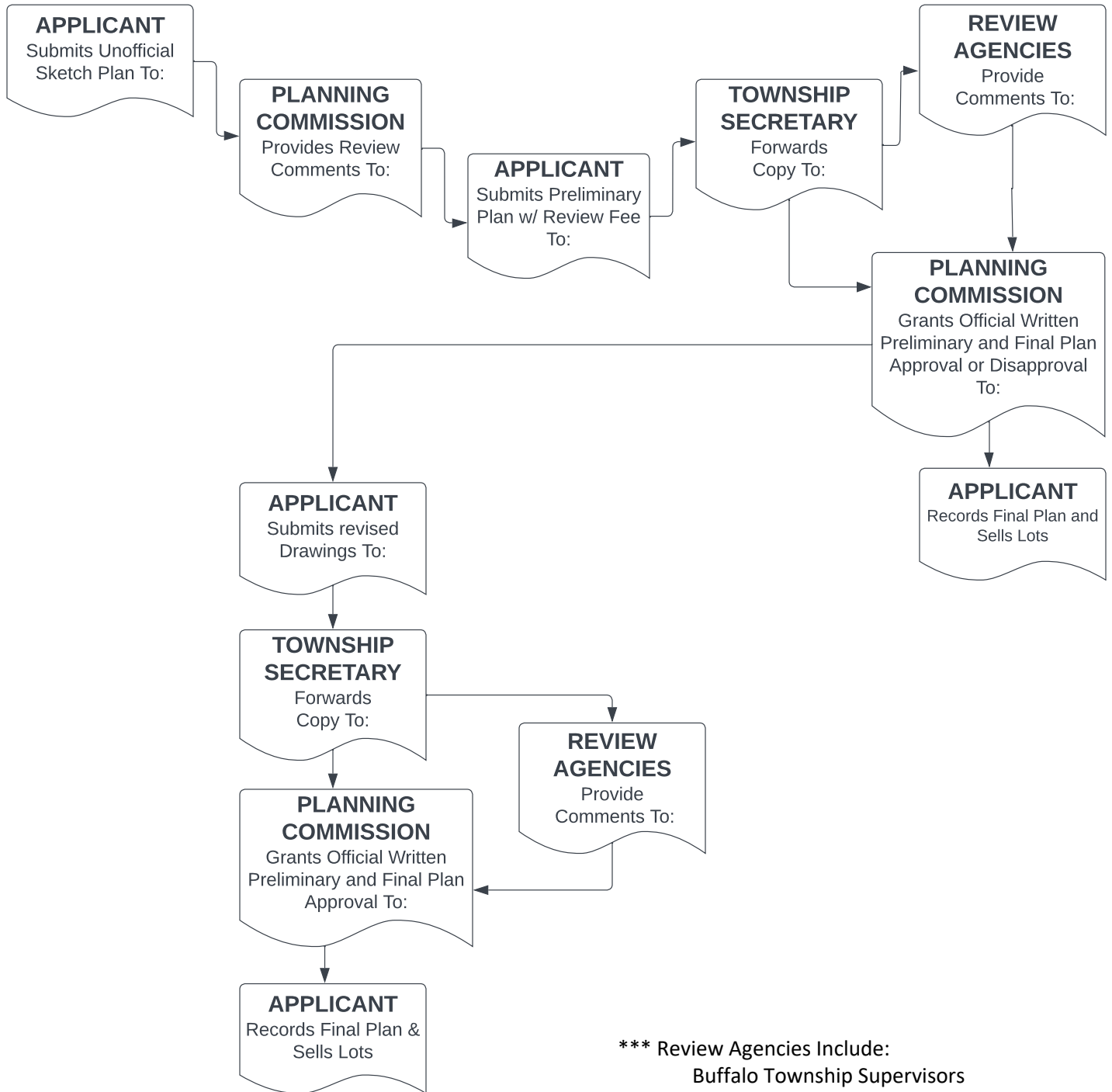


\*\*\* Review Agencies Include:

- Buffalo Township Supervisors
- Buffalo Township Municipal Authority Township Engineer
- Union County Planning Commission
- Union County Conservation District
- PennDOT
- PaDEP
- Others, as required

\* Inspect Improvements: Optional Maintenance Guarantee to ensure integrity of improvements may be required by the Township.

**PROCEDURAL FLOW CHART FOR BUFFALO TOWNSHIP ORDINANCE**  
for Subdivision and Land Development **WITHOUT** Improvements



**\*\*\* Review Agencies Include:**

- Buffalo Township Supervisors
- Buffalo Township Municipal Authority
- Township Engineer
- Union County Planning Commission
- Union County Conservation District
- PennDOT
- PaDEP
- Others, as required

## CHAPTER 22

### SUBDIVISION AND LAND DEVELOPMENT

#### Part 1

#### Authority, Purpose and Jurisdiction

**§101. Short Title.** These regulations shall be known and may be cited as “The Buffalo Township Subdivision and Land Development Ordinance”.

**§102. Authority.** The Board of Supervisors of the Township of Buffalo is vested by law with the authority to regulate subdivision and land development within the Township by Article V of the PA Municipalities Planning Code, Act 247 of 1968, as reenacted and amended.

**§103. Purpose.** This Chapter was designed and adopted for the following purposes:

- (1) To promote the health, safety, and general welfare of the citizens of the Township;
- (2) To provide for the orderly, safe, efficient, and harmonious development throughout the Township;
- (3) To secure equitable processing of all subdivision and land development plans;
- (4) To assure coordination of subdivision and land development proposals with municipal public improvement plans and programs;
- (5) To secure protection of soil and water resources and natural drainage ways;
- (6) To assure that adequate easements and rights-of-way are provided for drainage facilities, streets, and public utilities;
- (7) To ensure that any reservation of land for public use is suitable in size and location for the intended use;
- (8) To facilitate the safe and efficient movement of people and goods throughout the Township; and
- (9) To encourage the safe utilization of flood hazard areas.

**§104. Jurisdiction.** The authority to receive, review, approve, or disapprove subdivision and land development plans pursuant to this Chapter and to otherwise administer the provisions herein shall be vested with the Buffalo Township Planning Commission.

(1) **Review by the Union County Planning Commission.** All plans for subdivision and land development within the Township shall be forwarded, upon receipt by the Township to the Union County Planning Commission for review and recommendation. The Buffalo Township Planning Commission shall not approve or disapprove such plans until the County Planning Commission report is received or until the expiration of 30 days from the submission of the plan to the County Planning Commission, or within such further time as may be agreed upon between the County and the Township.

**§105. Conflict and Severability.**

(1) **Conflict with Other Ordinances.** Should any provision of this Chapter be found in conflict with the provisions of a zoning, building, fire, safety, health or other ordinance or code of the Township, the provision which establishes the higher standard for the protection of the health and safety of the Township shall prevail.

(2) **Conflict with Private Provisions.** This Chapter is not intended to invalidate any easement, covenant or any other private agreement or restriction, provided that where the provisions of this Chapter are more restrictive or impose higher standards or regulations than such easement, covenant, or other private agreement or restriction, the requirements of this Chapter shall govern.

Where the provisions of the easement, covenant or private agreement or restriction impose duties and obligations more restrictive, then the private provisions shall remain in effect and shall be operative and supplemental to these regulations.

(3) **Severability.** Should any section, subsection, or provision of this Chapter be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Chapter as a whole, or of any other part thereof. The Board of Supervisors of the Township of Buffalo hereby declares that it would have enacted the remainder of this Chapter even without any such part, provision, or application.

**§106. Application.** The provisions of this Chapter shall be considered to be the minimum standards necessary to meet the above stated purposes and the general purpose of the PA Municipalities Planning Code.

**§107. Effect.** No subdivision or land development of any lot, tract or parcel of land shall be made, no street, sanitary sewer, storm water, water main, or other improvements in connection therewith shall be constructed, opened or dedicated for public use or travel, or for the common use of occupants of buildings abutting thereon, unless and until a final plat



has been prepared in full compliance with the provisions of this Chapter and such has been finally approved and recorded as provided herein.

**§108. Disclaimer of Liability.** The grant of approval of a subsection or land development plan or of any improvement installed as a condition thereof, shall not constitute a representation, guarantee or warranty of any kind by Buffalo Township, or by any official, employee or appointee thereof, of the safety of the proposed improvement, and shall create no liability upon the Township, its officials, employees, or appointees for any damage that may result pursuant thereto.

(Ordinance No. 42, adopted July 6, 1998)

## CHAPTER 22

### SUBDIVISION AND LAND DEVELOPMENT

#### Part 2

#### Procedures

**§201. Procedures for Proposed Subdivision and Land Development.** The procedures established in this Part shall apply to all subdivisions that require approval of the Buffalo Township Planning Commission (see pages vi and vii for flow charts showing subdivision procedures). It shall be the responsibility of the applicant to submit preliminary and final subdivision or land development plans which comply in all respects with the applicable provisions of this Chapter and to coordinate planning with utility or services agencies in the manner set forth in this Chapter.

(1) Classification of Subdivision.

(a) Minor Subdivision. A minor subdivision is a subdivision of five (5) or less lots fronting on a public road and not involving the creation of any new streets. Note that the residual lot shall be counted as a lot. A minor subdivision is exempted from many of the plan requirements specified for a major subdivision. The plan requirements for a minor subdivision are specified in §304 of this Chapter.

(b) Add-On Subdivision. An add-on subdivision is the creation of a lot which is to be added to an existing contiguous lot and where no new building, lot or land development is proposed. The plan requirements for add-on subdivision are specified in §305 of this Chapter.

(c) Major Subdivision. All subdivisions which are not classified as minor or add-on subdivisions are major subdivisions and shall comply with all pertinent plan requirements of this Chapter (see §306 and §307).

(2) Classification of Land Development.

(a) Minor Land Development. Minor land development includes:

(1) A single non-residential building of less than 2,000 square feet in size; or

(2) The placement of two (2) single family detached dwellings on a single lot.

(b) Major Land Development. Major land development includes:

- (1) A non-residential building greater than 2,000 square feet in size; or
- (2) Two or more non-residential buildings on a single lot; or
- (3) Four (4) or more residential units or three or more residential structures on a single lot; or
- (4) Mobile Home Parks.

(c) Land Development Exceptions. Act 170 of 1988 provides for the exclusion of certain activities from the definition of land development. The following shall not be regarded as land development in Buffalo Township although applicable zoning regulations shall apply:

- (1) The conversion of an existing single-family detached dwelling or single-family semi-detached dwelling into not more than three residential units, unless such units are intended to be a condominium; or
- (2) The addition of any accessor building, including farm buildings, on a lot or lots subordinate to an existing principal building; or
- (3) The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For purposes of this subclass, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until plans for the expanded area have been approved by proper authorities.

(3) Official Submission Dates. For the purpose of these regulations, the official submission date is the date when all the plans and materials, including review fees, are received at the Township Office by the Secretary or a designee. Plans shall be submitted to the Township Planning Commission not less than 14 days in advance of the regular meeting of the Commission at which the plan is to be considered.

(4) Change in Regulations. From the time an application for approval of a plan, whether preliminary or final, is duly filed as provided in this Chapter, and while such application is pending approval or disapproval, no change or amendment of the zoning, subdivision or other governing ordinance or plan shall affect the decision on such plan adversely to the applicant. The applicant shall be entitled to a decision in accordance with the provisions of the Chapter as they stood at the time the application was filed.

(5) Referral of Plans to Review Agencies. Upon receipt of a preliminary or final subdivision or land development plan, the Township Secretary or a designee shall forward a copy of the plan to the Township Supervisors, Buffalo Township Municipal Authority (if public sewage service is contemplated), to the Union County Planning Commission, to the Union County Conservation District, to the Pennsylvania Department of Transportation (if a state highway is involved), and to other appropriate agencies or neighboring municipalities for review by those parties.

(6) Site Inspection. The Township Planning Commission or its representative(s) shall visit the site in order to evaluate the proposed plan on the basis of the information presented prior to taking action on the plan.

### **§202. Types of Subdivision and Land Development Plans.**

(1) Optional Sketch Plan. Subdividers are encouraged to prepare a sketch plan for informal discussion with the Township Planning Commission prior to submitting an official plan. Submission of a sketch plan will not constitute a formal filing of a plan with the Township.

(2) Sketch Plan May Be Required. A sketch plan may be required showing the overall development concept when a preliminary plan is submitted for only a portion of a tract. The Township Planning Commission shall determine the need for a Sketch Plan under this section based upon:

(a) A history of previous subdivision and land development upon the tract; or

(b) Critical design concerns that are present on the tract; or

(c) Other criteria which become apparent during their evaluation of the subject tract.

(3) Preliminary Plan.

(a) Plans Requiring Improvements. Subdivision plans proposing streets, sanitary sewers, storm water facilities, or other improvements shall be considered as preliminary plans unless an improvement guarantee agreement has been filed with the Township or unless the improvements have been completely installed (see §204)

(b) Preliminary Plan Approval. Township approval of the preliminary plan shall constitute approval as to the character and intensity of the development, and the general layout and approximate dimensions of streets, lots, and other features. The approval binds the subdivider to the general scheme of the subdivision or land development shown and permits the subdivider to proceed with final detailed drawings of improvements, and with preparation of the final plan. **Approval of the**

**preliminary plan does not authorize the sale of lots nor the recording of the preliminary plan.**

(4) Final Plan.

(a) Submission in Sections. The final plan may be submitted in sections, each covering a portion of the subdivision or land development as shown on the preliminary plan. Each section, except for the last section, of a residential subdivision shall contain a minimum of 25% of the total number of dwelling units depicted on the preliminary plan, unless a lesser percentage is approved by the Planning Commission.

(b) Conformance with Preliminary Plan. The final plan shall conform in all major respects with the approved preliminary plan. Otherwise, the plan submitted shall be considered as a revised preliminary plan.

(c) Required Improvements. Where improvements have been installed in accord with a previously approved preliminary plan, or an acceptable improvements guarantee agreement has been filed with the Township, or where site improvements are not proposed by the subdivider, nor required by the Township, the proposed subdivision plan may be considered as a final plan.

(d) 5 Year Rule. The applicant shall have a period of 5 years from the date of preliminary plan approval in which to submit a final plan. If the applicant fails to submit a final plan within the 5 year period, the approval of the preliminary plan shall become null and void unless an extension of time is requested by the subdivider in writing, along with a time schedule for submission of the final plan, and is approved by the Planning Commission prior to the expiration date.

**§203. Approval of Plans.**

(1) Deadline for Action by The Planning Commission. The Planning Commission shall render a decision and communicate it to the applicant not later than 90 days following the date of the regular meeting of the Planning Commission next following the date that the plan is filed.

However, should the next regular meeting occur more than 30 days following the filing of the plan, the said 90 day period shall be measured from the 30<sup>th</sup> day following the day the plan has been filed.

An extension in the time period for notification of plan action can be obtained by either the Planning Commission or the applicant, provided that the request for an extension is in writing and is granted by the other party in writing prior to the deadline for action.

(2) Notification to Applicant. At a public meeting, the Planning Commission shall consider the subdivision or land development plan to determine its conformity to the design standards and other requirements of this Chapter and to evaluate review comments received from the Township Supervisors, County Planning Commission, and other pertinent parties. The Planning Commission shall notify the applicant of its decision in accordance with the following:

(a) The decision of the Planning Commission shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than 15 days following the decision.

(b) When the application is not approved as filed, the decision shall specify the defects found in the application and shall, in each case, cite to the provisions of the Chapter relied upon.

(c) Failure of the Planning Commission to render a decision and communicate it to the applicant within the time and in the manner required herein shall be deemed an approval of the application (see §203(1))

(3) Conditional Approval. The Planning Commission may grant preliminary or final plan approval subject to condition acceptable to the applicant. The Planning Commission shall list all such condition within 15 days of the date of the conditional approval and present the listing to the applicant for concurrence. Failure on the part of the applicant to execute such concurrence and return it to the Planning Commission within 30 days of the conditional approval date shall nullify the conditional approval.

Except for extraordinary circumstances no subdivision or land development plan will be approved subject to a condition other than the following conditions:

(a) Receipt of an approved sewer planning module;

(b) Receipt of Pennsylvania Department of Transportation Highway Occupancy Permit;

(c) Receipt of an approved Erosion and Sedimentation Control Permit or Plan;

(d) Receipt of an approved NPDES Permit;

(e) Receipt of a permit or approval of another government agency;

(f) Receipt of properly executed Storm Water Agreement;

(g) Receipt of properly executed Improvements Guaranty;

(h) Receipt of properly executed Maintenance and Use Agreement.

Provided that upon submission of the said plan and upon approval of the said plan subject to conditions the applicant has submitted proof, satisfactory to the Township Planning Commission, that applicant has diligently pursued the said approval or permit.

Failure of applicant to satisfy the conditions attached to the approval within 90 days of the approval shall cause an automatic revocation of the approval. Township Planning Commission shall notify applicant of said revocation upon expiration of the said 90 days.

(Ordinance No. 09-63, adopted December 7, 2009)

(4) Optional Approval Resolution to Facilitate Financing. When required by the applicant, in order to facilitate financing, the Planning Commission shall furnish the applicant with a signed copy of a resolution indicating approval of the final plan contingent upon the applicant obtaining a satisfactory improvements guarantee agreement. The final plan or record plan shall not be signed nor recorded until the improvements guarantee agreement is executed. This resolution shall expire and shall be considered revoked if the improvements guarantee agreement is not executed within 90 days unless a written extension is granted by the Planning Commission.

(5) Review of Revised Plans. The costs of review, by Township employees, officers, Planning Commission, agents or consultants, of revisions to submitted subdivision and/or land development plans shall be paid by the applicant, the same to be in addition to the fee charged for the original submission of a subdivision and/or land development plan. The charge for review by a Township employee or officer shall be at the rate established from time to time by resolution of the Township. The charge for review by an agent or consultant shall be the same as the agent's or consultant's charge to the Township.

(Ordinance No. 09-63, adopted December 7, 2009)

**§204. Improvements.**

(1) General Requirements.

(a) Improvements required by the Township for the subdivision or land development may include streets, sidewalks, sanitary sewers, water supply facilities, storm water facilities, utilities, parks, or other facilities needed for the development.

(b) Improvements shall be installed by the applicant, or a suitable improvements guarantee agreement shall be provided which shall ensure the provision of the improvements at the standards set forth in these regulations. The final plan shall not be approved until final detail design of the improvements is approved and the improvements are installed and inspected and determined to be in

a satisfactory state of repair, or a suitable improvements guarantee agreement for installation and maintenance is provided (see §307(2)(n)).

(2) Improvements Guarantee Agreement.

(a) In lieu of the completion of the improvements required as a condition of final plan approval, the applicant may file with the Township a fiscal guarantee or an improvements guarantee agreement in the amount of 110% of the cost of the improvements estimated as of 90 days after the scheduled completion date of the improvements. The cost of required improvements shall be established by a Professional Engineer selected by the applicant and shall be submitted to the Planning Commission for approval. The Planning Commission may utilize the input of the Township Supervisors and the Township Engineer to review the estimate and choose to reject such estimate for reasonable cause.

(b) If the applicant and the Planning Commission are unable to agree upon an estimate, then the estimate shall be recalculated by a Professional Engineer mutually agreed upon by both the Planning Commission and the applicant. The estimate certified by this engineer shall be the final estimate. Fees for the service of this engineer shall be paid equally by the Township and the applicant.

(c) Should the completion of the required improvements require more than one year, the Township may require an increase in the amount of the improvements guarantee by an additional 10% for each year beyond the anniversary date of the original agreement.

(d) The improvements guarantee agreement shall be in a form acceptable to the Township. Bonds, an irrevocable bank letter of credit, or an escrow account are generally acceptable types of improvements guarantees.

(3) Inspection of Improvements. The applicant shall notify the Township Secretary or a designee 48 hours in advance of the installation of any required improvements so that a Township representative may be present to inspect their installation. In the event that the Township fails to perform an inspection after this notification, the inspection procedure stated below shall govern.

(a) The Township may authorize the release of a portion of the improvements guarantee to the applicant necessary for payment to a contractor performing the installation of the requirements improvements. In the event that the Township did not inspect the installation of the improvements during construction (see §204(3)), then it shall have 45 days from receipt of the request to authorize its engineer to inspect and determine that the improvements covered by the guarantee have been installed satisfactorily.



(b) When all necessary improvements have been completed, the developer shall notify the Township in writing by certified or registered mail of the completion. The Township shall, within 10 days after receipt of such notice, authorize an inspection by its engineer of the required improvements. A report shall be made in writing by certified mail to the developer within 30 days of the inspection authorization and shall indicate approval or rejection of the required improvements.

(c) Upon approval of the completed improvements, the Township shall release to the developer those funds remaining in the improvement guarantee including all interest accrued. Prior to the release of such funds, the developer shall guarantee to the Township in writing the integrity of the improvements for a period of eighteen (18) months.

(d) If a portion of the completed improvements shall be found unsatisfactory, the engineer's report shall contain a statement of reasons for rejection. The developer shall proceed to correct or complete those improvements and upon completion shall notify the Township in accord with the procedures noted above.

(e) Should the Township fail to comply with the time limitations as provided, all improvements will be deemed to have been approved and the developer shall be released from all liability pursuant to the fiscal guarantee agreement.

**(4) Dedication of Improvements/Maintenance Guarantee.**

(a) Where the developer proposes to dedicate improvements to the Township, a deed which dedicates the land and such improvements to the Township shall be recorded with the final plan.

(b) When the Township accepts dedication of all or some of the required improvements, the Township Supervisors may require up to 15% of the actual cost of installation of the improvements for a maintenance guarantee to insure the integrity of the improvements for a time period not to exceed 18 months from the date of acceptance of dedication.

(c) The Planning Commission may approve a final plan without an offer to dedicate the streets or other improvements, provided that such improvements are noted as private on the final plan. The developer shall also be required to provide a notice in each deed, lease, or conveyance explaining who has the responsibility for the maintenance of the improvements. See limitation as spelled out in §404(3).

**§205. Final Plan Recording.**

(1) Time Limit for Recording. Upon notification of final plan approval, the subdivider shall record two copies of the approved plan in the office of the Union County Register and

Recorder within 90 days after approval. Failure of the subdivider to record the final plan within the 90 day period shall cause the approval of the Planning Commission to become null and void, unless an extension of time is requested by the subdivider in writing and is granted by the Planning Commission before the expiration date. The final plan shall be filed with the Union County Register and Recorder before proceeding with the sale of lots or construction of buildings.

(2) Offer of Dedication. Recording the final plan after approval by the Planning Commission has the effect of an irrevocable offer to dedicate all streets and other public areas to public use. The offer to dedicate streets, parks, or other areas or portions of them, does not impose any duty upon the Township concerning maintenance or improvement until the proper authorities of the Township have made actual appropriation by ordinance or resolution, by entry, or improvement.

**§206. Re-Subdivision Procedures.** For any re-plotting or re-subdivision of land, the same procedures and regulations apply as prescribed for an original submission.

(Ordinance No. 42, adopted July 6, 1998)

## CHAPTER 22

### SUBDIVISION AND LAND DEVELOPMENT

#### Part 3

#### Plan Requirements

**§301. General Requirements.** All plans shall meet the requirements outlined in the following sections. Developers are urged to meet with the Planning Commission for advisory information and explanation of these requirements.

(1) The applicant developer shall prepare a Traffic Impact Study (TIS) where any of the following conditions are met. All calculations shall be based on the Institute of Transportation Engineers, or its successor's, most recent manual and shall be based on full, complete build out of project regardless of the number of stages or phases.

(a) The site is expected to generate 100 or more vehicle trips entering or exiting the development during any one hour time period of any day of the week.

(b) When any subdivision or land development will result in the creation of 25 or more lots, or 25 or more residential living units.

(c) If the entire site, upon final build out, is expected to generate 3,000 or more average daily trips or 1,500 average vehicles per day.

(d) Existing development sites that are expanded or redeveloped and the expanded or redeveloped site is expected to generate 100 or more additional trips entering or exiting the site during any one hour period of any day of the week.

(e) The elimination of a street or road resulting in redistribution of traffic onto the existing roadway network.

(f) The Township may require a Traffic Impact Study when its Engineer determines that the development is expected to have significant impact on its existing highway, street and/or road system regarding safety or traffic flows even if none of the conditions above are met.

(2) The Township and/or Pennsylvania Department of Transportation may require a Transportation Impact Assessment (TIA) for a proposed development or redevelopment even if the conditions set forth above are not met. Factors in determining if a TIA may be necessary include but are not limited to location of the proposed access and site configuration, existing or potential congestion and delay on surrounding roadway network,

and/or safety concerns. The purpose of a TIA is to assess the impact of the development on specific intersections or elements of the state or local transportation system. A TIA shall be prepared in the same manner as a TIS as applicable and may be incorporated as part of a TIS.

(3) The said TIS and TIA shall be prepared by a person who possesses a current Professional Engineer's license issued by the Commonwealth of Pennsylvania, shall be prepared in compliance with the applicable Pennsylvania Department of Transportation's most recent policies and procedures for preparation of said report or study and the Engineer shall affix his/her seal and signature to the report.

(4) Prior to the commencement of a TIS and/or a TIA the applicant developer's engineer shall submit a scope of the study to the Township and the Township Engineer for review and approval.

(5) The Township may elect to have the studies and supporting documents reviewed by a qualified Engineer for completeness, accuracy and consistency with the applicable policies, practices, and procedures and report their findings as recommendations or comments to the Township for consideration of acceptance of the study. All costs associated with the reviews shall be the responsibility of the applicant developer.

(Ordinance No. 11-07, adopted August 1, 2011)

**§302. Sketch Plan.** See §202. A sketch plan should show the following data, legibly drawn, but not necessarily to scale or showing precise dimensions.

(1) Tract boundaries and location;

(2) Title block, including the name of the owner, municipality, date, and the scale of the drawing (or the notation – drawing not to scale);

(3) North arrow;

(4) Significant topographic and physical features of the area;

(5) Proposed general street and lot layout, including the acreage of the area to be developed and any data available regarding sewers, septic systems, soil test sites, other utilities, and rights-of-way and easements.

(6) Location sketch of the surrounding area showing roads and significant community facilities within ½ mile of the proposed subdivision (e.g., U.S.G.S. map with subdivision outlined).

**§303. Minor Land Development.** In addition to the requirements of §302 above, a plan for a minor land development (see §201(2)(a)) shall meet the following:

(1) The plan shall be drawn at a scale of not more than 100 feet to the inch, and shall be on sheets 18" x 24" or 24" x 36";

(2) Six (6) copies of the plan and two (2) copies of proposed deed restrictions, if any, shall be submitted;

(3) The land development plan shall include detailed specifications for streets, sidewalks, parking lots, sewage disposal and water supply, other utilities, storm water facilities, and any other necessary site improvements;

(4) A copy of the required DER Planning Module, if any, or other required certificates or approvals shall be provided.

(5) Notwithstanding anything in this Chapter to the contrary, the placement of two (2) single family detached dwellings on a single lot shall not be considered a Land Development provided:

(a) A temporary Small Cottage is placed upon the lot where a primary single family dwelling is erected, with the Small Cottage being an accessory structure to said primary dwelling. A Small Cottage shall meet all criteria as outlined in Chapter 27 of the Code of Ordinances of Buffalo Township, Union County, Pennsylvania.

(b) An Accessory Structure for Temporary Residence is erected upon the lot where a primary single family dwelling is erected with said Accessory Structure for Temporary Residence occupied by a qualified occupant who is a member of the family occupying the primary residence, provided, however, that when the Accessory Structure for Temporary Residence is no longer occupied by a qualified occupant, said structure shall be removed or utilized for another permitted accessory use. The Accessory Structure for Temporary Residence shall meet all criteria as outlined in Chapter 27 of the Code of Ordinances of Buffalo Township, Union County, Pennsylvania.

(Ordinance No. 22-1, adopted January 3, 2022)

**§304. Minor Subdivision Plan.** The purpose of a Minor Subdivision Plan is to provide for simplified plan requirements when the intent of the subdivision is to create lots fronting on a public road and not involving the creation of any new streets (see §201(1)(a)).

The plan for a Minor Subdivision shall be drawn at a scale of not more than 100 feet to the inch and shall be on sheets either 18" x 24" or 24" x 36". All plans shall appear on black-on-white or blue-on-white prints. Six (6) copies of the final plan shall be submitted.

A plan for a Minor Subdivision shall show:

(1) Title block containing the name of the subdivision, municipality in which located, name and address of the subdivider, date, and scale;

(2) Name and address and certification, with seal, of the registered professional engineer or surveyor preparing the final plan survey and map;

(3) North arrow;

(4) Tract map showing the relationship of the proposed development to the entire tract. Show all prior conveyances, including acreage, made from the parent tract since September 1992;

(5) Location map showing relation of tract to adjoining properties, related road and highway system, municipal boundaries, and community facilities within a minimum of ½ mile from the proposed subdivision;

(6) Names of the owners on all adjoining property and the names of all abutting subdivisions;

(7) The location of prominent topographic features such as streams, wetlands, drainage channels, floodplain, wooded areas and other pertinent features that may influence the design. The 100 year flood elevation shall be shown where available from the Township's Flood Insurance Study;

(8) Soil types and soil boundaries (for more information contact the Union County Conservation District);

(9) Existing buildings, sewers, water lines, and culverts, transmission lines, fire hydrants, and other significant man-made features;

(10) Deep probe and soil percolation test sites, if on-lot sewage facilities are proposed;

(11) All existing or recorded streets on or adjacent to the tract, including name or number, right-of-way width and width of pavement;

(12) Bearings to the nearest second and dimensions to the nearest 100th of a foot for existing and proposed boundaries, lot lines, streets, rights of way, and easements, and any other areas to be dedicated to the public use. Also to be shown are street names, building setback lines, total acreage of the entire tract, total number of lots or dwelling units, a consecutive lot numbering system, zoning classification, and the area of each lot in square feet. All survey areas shall close with an error not exceeding one (1) foot in 10,000 feet;

(13) A notation that states that a PennDOT Highway Occupancy Permit is required prior to the construction of a driveway onto a state highway;

(14) Affidavit or certificate of ownership with all appropriate signatures and dated prior to submission;

(15) Block for signatures of the chairperson and secretary of the Buffalo Township Planning Commission indicating approval of the plan (see Page 23-3-13);

(16) Location and material of all permanent monuments and lot markers.

The following information, data, and documents shall be submitted as appropriate with the plan for a Minor Subdivision:

(17) Completed application form and plan review fee;

(18) Copies of proposed deed restrictions, if any;

(19) A sewage facilities plan and required documentation as specified in §415 of this Chapter.

**§305. Add-On Subdivision Plan.** The purpose of an Add-On Subdivision Plan is to provide for simplified plan requirements when the intent of the subdivision is to create a lot to be added to an existing contiguous lot and when no new building lots or land development is proposed (see §201(1)(b)).

The Add-On Plan shall be drawn at a scale of not more than 100 feet to the inch and shall be on sheets either 18" x 24" or 24" x 36". All plans shall appear on black-on-white or blue-on-white prints. Six (6) copies of the final plan shall be submitted.

An "add-on" subdivision plan shall show:

(1) Title block containing the name of the subdivision, municipality, tract owner, date, scale, and the name and profession of the individual preparing the plan;

(2) North indicator;

(3) Location map showing relation of tract to adjoining properties, related road and highway system, and municipal boundaries;

(4) Tract map showing the relationship of the proposed lot to the entire tract and to the contiguous lot. Show all prior conveyances, including acreage, made from the parent tract since September 1992;

(5) Names of the owners on all adjoining property;

(6) Certification and seal of a professional land surveyor to the effect that the survey and map are correct;

(7) Bearings to the nearest second and dimensions to the nearest 100th of a foot for existing boundaries, proposed lot lines, building setback lines, zoning classification, and the area of each lot in square feet. All surveyed areas shall close with an error not exceeding one (1) foot in ten thousand (10,000) feet;

(8) The location of all required monuments (see §412);

(9) Affidavit or certificate of ownership with all appropriate signatures and dated upon submission;

(10) Block for signatures of the chairperson and secretary of the Buffalo Township Planning Commission indicating approval of the plan (see Page 23-3-13);

(11) A notation stating that: "This lot is an addition to existing land or record of Grantee as recorded in Deed Book \_\_\_\_\_ Page \_\_\_\_\_. Both parcels are to be considered as one for future subdivision, land transfers, land development, and/or building purposes.";

(12) In lieu of evidence of a sewage permit, SEO feasibility report, or access to central sewage, it shall be noted on the subdivision plan, that: A permit for sewage disposal has been neither requested nor granted for this lot. The Grantee, his heirs and assigns, accept the responsibility for obtaining a permit for sewage facilities if, and at the time, same are necessary.

The following information, data, and documents shall be submitted as appropriate with the Add-On Plan:

(13) Completed application form and plan review fee;

(14) Copies of proposed deed restrictions, if any.

**§306. Preliminary Plan – Major Subdivision and Major Land Development.** The subdivider shall file with the Township Secretary, six (6) copies of the preliminary plan and two (2) copies of the other required material along with the Buffalo Subdivision and Land Development Review Application Form. The copies of the preliminary plan shall be either black and white or blue and white prints, and the sheet size shall be no smaller than 18" x 24" and no larger than 24" x 36". If the plan is drawn in two or more sections, a key map of



the sections shall be placed on each sheet with the match lines showing. All sheets shall be labeled, "sheet 1 of \_\_, sheet 2 of \_\_, sheet 3 of \_\_, etc."

(1) Information To Be Shown On Preliminary Plan.

(a) The preliminary plan shall be drawn at a scale of 1" = 50' or 1" = 100';

(b) Title block containing the name of the subdivision, municipality in which located, date, scale, address, and name of owner or subdivider, and name of individual preparing the plan;

(c) North arrow;

(d) Location map showing relation of proposed subdivision to adjoining properties, related road and highway system, municipality boundaries, and community facilities within at least ½ mile of the proposed subdivision;

(e) Tract map showing the relationship of the proposed development to the entire tract. Show all prior conveyances, including acreage, made from the parent tract since September 1992;

(f) Names of owners of all adjoining property and names of all abutting subdivisions;

(g) Existing and proposed topographic contours at vertical intervals of two (2) feet or five (5) feet and datum and bench marks to which contour elevations refer; contours at a two (2) foot interval may be required on level terrain or for intensive development projects. The Planning Commission may waive the contour requirement in low density developments involving no roads or utilities and where a site inspection provides adequate information for action on the plan.

(h) Soil types and soil boundaries (for more information contact the Union County Conservation District);

(i) The location of prominent topographic features such as streams, wetlands, drainage channels, floodplains, wooded areas and other pertinent features that may influence the design. The 100 year flood elevation shall be shown where available from the Township's Flood Insurance Study;

(j) Existing building, sewers, water mains, culverts, power transmission lines, oil and gas pipelines, fire hydrants, and other significant man-made features;

(k) All existing or recorded streets on or adjacent to the tract, including name or number, right-of-way width and width of pavement;

(l) Deep probe and soil percolation test sites, if on-lot sewage facilities are proposed;

(m) Total acreage, number of lots, average lot size, and existing zoning classification;

(n) Location and width of proposed streets, rights-of-way, and easements, proposed lot lines, and areas to be dedication to public use;

(o) Block for signatures of the chairperson and secretary of the Buffalo Township Planning Commission indicating approval of the plan (see Page 23-3-13);

(p) Preliminary plans shall include the full plan of the development, showing the location of all proposed streets, rights-of-way, easements, public areas including parks and playgrounds, proposed sewer and water facilities, proposed lot lines with bearings and dimensions, lot numbers and/or block numbers in consecutive order, and proposed building setback lines for each street;

(q) Certification and seal of a professional land surveyor to the effect that the survey and map are correct;

(r) Multi-family, commercial, and industrial land developments shall show building locations, driveways, internal streets, parking areas, loading areas, landscaped areas, outdoor recreation facilities, sidewalks and pathways, utilities, and storm water management facilities in addition to the above information;

(s) All areas, streets, facilities, etc. proposed to be dedicated for future public use, together with the conditions of such dedications or reservations shall be shown.

(2) Information To Be Submitted With The Preliminary Plan. The following information, data, and documents shall be submitted with the preliminary plan:

(a) Subdivision application form;

(b) Copies of proposed deed restrictions, if any;

(c) Tentative cross-sections and center-line profiles for each proposed street;

(d) Preliminary designs of proposed bridges or culverts;

(e) A sewage facilities plan and required documentation as specified in §415 of this Chapter;

(f) A water facilities plan and required documentation as specified in §416 of this Chapter;

(g) A storm water management plan in accord with §417 of this Chapter;

(h) Sketch of proposed street layout for the remainder of the tract where the preliminary plan covers only part of the subdivider's holdings;

(i) An indication from the Township Board of Supervisors or the Union County Communications Center that proposed street names do not duplicate any now in use;

(j) Estimated costs of required improvements;

(k) An erosion and sedimentation control plan (and permit, if required) in accord with Title 25, Chapter 102 of the rules and regulations of the Department of Environmental Resources, as amended. For more information contact the Union County Conservation District;

(l) If any portion of a development project is in a floodplain area, then documentation shall be submitted indicating compliance with pertinent laws and regulations of the Township and the Pennsylvania Department of Environmental Protection (DEP);

(m) If any alteration, excavation, or relocation of a watercourse is proposed, a copy of the DEP permit shall be submitted. For more information contact the Union County Conservation District;

(n) If a subdivision of 25 or more lots or a land development generating more than 200 vehicles per day is proposed, a natural features analysis shall be provided in accord with §421 of this Chapter;

(o) If a subdivision of 25 or more lots or a land development generating more than 200 vehicles per day is proposed, a Community Impact Analysis shall be provided in accord with §422 of this Chapter;

(p) When the land included in the proposed subdivision has a natural gas pipeline, a petroleum or petroleum products pipeline, or a power transmission line located thereon, the application shall be accompanied by a letter from the owner of such pipeline or transmission line stating the minimum setback distance requirements from such pipeline or transmission line.

**§307. Final Plan – Major Subdivision.** The subdivider or developer shall submit six (6) copies of the final plan and two (2) copies of other required materials to the Township

Secretary. The copies of the final plan shall be either black and white or blue and white prints with a sheet size which is no smaller than 18" x 24" and no larger than 24" x 36". If the final plan is drawn in two or more sections, a key map showing the location of the sections shall be placed on each sheet.

(1) Information To Be Shown On Final Plan.

(a) The final plan shall be drawn at a scale of 1" = 50' or 1" = 100';

(b) Title block containing the name of the subdivision, municipality in which located, name and address of the subdivider, date, and scale;

(c) Name and address and certification, with seal, of the registered professional engineer or surveyor preparing the final plan survey and map;

(d) North arrow;

(e) Tract map showing the relationship of the proposed development to the entire tract. Show all prior conveyances, including acreage, made from the parent tract since September 1992;

(f) Location map showing relation to tract to adjoining properties, related road and highway system, municipal boundaries, and community facilities within a minimum of ½ mile from the proposed subdivision;

(g) Existing and proposed contours at vertical intervals of five (5) feet or less and benchmark to which contour elevations refer. Contours at a two (2) foot interval may be required on level terrain or for intensive development projects. The Planning Commission may waive the contour requirement in low density developments involving no roads and utilities and where a site inspection provides adequate information for action on the plan;

(h) Names of the owners on all adjoining property and the names of all abutting subdivisions;

(i) The location of prominent topographic features such as streams, wetlands, drainage channels, floodplains, wooded areas and other pertinent features that may influence the design. The 100 year flood elevation shall be shown where available from the Township's Flood Insurance Study;

(j) Soil types and soil boundaries (for more information contact the Union County Conservation District);

(k) Existing buildings, sewers, water lines, and culverts, transmission lines, fire hydrants, and other significant man-made features;

(l) Deep probe and soil percolation test sites, if on-lot sewage facilities are proposed;

(m) All existing or recorded streets on or adjacent to the tract, including name or number, right-of-way width and width of pavement;

(n) Bearings to the nearest second and dimensions to the nearest 100th of a foot for existing and proposed boundaries, lot lines, streets, rights-of-way, easements, and any other areas to be dedicated to the public use. Also to be shown are street names, building setback lines, total acreage of the entire tract, total number of lots or dwelling units, a consecutive lot numbering system, zoning classification, and the area of each lot in square feet. All survey areas shall close with an error not exceeding one (1) foot in 10,000 feet;

(o) A notation that states that a PennDOT Highway Occupancy Permit is required prior to the construction of a driveway onto a state highway;

(p) All corrected and updated material from the preliminary plan;

(q) Affidavit or certificate of ownership with all appropriate signatures and dated prior to submission;

(r) Block for signatures of the chairperson and secretary of the Buffalo Township Planning Commission indicating approval of the plan (see Page 23-3-13);

(s) Location and material of all permanent monuments and lot markers.

(2) Information To Be Submitted With Final Plan.

(a) Subdivision application form if different from application previously submitted;

(b) Restrictions of all types which will run with the land and become covenants in the deeds of lots within the subdivision;

(c) All covenants running with the land governing the reservation and maintenance of dedicated or undedicated land or open space;

(d) Final cross-sections and center-line profiles for each proposed street;

(e) Final designs for proposed bridges and culverts;

(f) A sewage facilities plan and required documentation as specified in §415 of this Chapter;

(g) A water facilities plan and required documentation as specified in §416 of this Chapter;

(h) A storm water management plan in accord with §417 of this Chapter;

(i) All revised and corrected material from the preliminary plan;

(j) Copies of deeds of dedication of improvements to the Township;

(k) An erosion and sedimentation control plan (and permit, if required) in accord with Title 25, Chapter 102 of the rules and regulations of the Department of Environmental Protection, as amended. If the improvements have been installed, then a written verification shall be required from the Union County Conservation District that the erosion and sedimentation control measures have been implemented;

(l) If any portion of a development project is in a floodplain area, then documentation shall be submitted indicating compliance with pertinent laws and regulations of the Township and Pennsylvania Department of Environmental Protection;

(m) If any alteration or relocation of a watercourse is proposed, a copy of the DEP permit shall be submitted;

(n) If improvements are required in the development, then one of the following requirements shall be met;

(1) A written acknowledgment shall be obtained from the Township Supervisors or Township Engineer that the improvements have been inspected and installed in accord with the approved preliminary plan; or

(2) An improvements guarantee agreement shall be executed between the Planning Commission, Township Supervisors, the developer, and a financial guarantee agent. The improvements guarantee agreement shall be in a form acceptable to the Township. Bonds, an irrevocable bank letter of credit, or an escrow account are generally acceptable types of improvements guarantees. See §204.

(Ordinance No. 42, adopted July 6, 1998)

**BLOCK FOR SIGNATURES**

Blocks for signatures shall be provided on subdivision and land development plans, including:

APPROVED BY THE  
BUFFALO TOWNSHIP PLANNING COMMISSION

Date \_\_\_\_\_

Plan No. \_\_\_\_\_

Chairman \_\_\_\_\_

Secretary \_\_\_\_\_

## CHAPTER 22

### SUBDIVISION AND LAND DEVELOPMENT

#### Part 4

#### Subdivision Design and Construction Standards

##### **§401. Minimum Standards.**

(1) The standards outlined in this Part shall be applied by the Township in evaluating plans for proposed subdivisions. The standards outlined herein shall be considered to be minimum standards, and the Township may require more restrictive standards. Whenever municipal or other applicable regulations impose more restrictive standards, such other regulations shall control.

(2) The location of the subdivision shall conform to the Buffalo Township Comprehensive Plan, and the use of land in the subdivision shall conform to the Buffalo Township Zoning Ordinance.

**§402. General Standards.** The following requirements and guiding principles for subdivision and land development shall be observed by all developers.

(1) **Land Suitability.** Land subject to flooding and all land deemed by the Township to be uninhabitable because of other hazards to life, health, or property (such as improper drainage, steep slopes, rock formations or topography, or utility easements or rights-of-way), shall not be plotted for residential occupancy, nor for such other uses as may increase danger to health, life, or property, or aggravate the flood hazard; but such land within an area for which a subdivision plan is developed shall be set aside for such uses as will not be endangered by periods of occasional flooding or will not result in unsatisfactory living conditions.

(2) **Municipal Boundaries.** Lot lines shall, where possible, follow municipal boundary lines rather than cross them.

##### **§403. Street Classification System.**

(1) **Arterial Street.** A street serving a large volume of comparatively high speed and long distance traffic, including any streets classified as arterial streets in the Buffalo Township Comprehensive Plan.

(2) **Collector Street.** A street which, in addition to providing access to abutting properties, intercepts minor streets to provide a route to arterial streets. The collector streets



of Buffalo Township, as designated in the Buffalo Township Comprehensive Plan, include PA Routes 45 and 192.

(3) Minor Street. Streets within subdivisions and developments, including marginal access streets and cul-de-sac streets, and streets which serve rural areas, which are designed to afford primary access to abutting property.

**§404. Ownership and Maintenance of Streets.**

(1) The State Highway System includes all public streets and highways maintained by the Pennsylvania Department of Transportation.

(2) The Township Road Network includes all public streets and roads dedicated to the Township. A developer proposing dedication of streets or roads to the Township shall, as part of the proposed plan, submit road plans and specifications that meet or exceed the minimum standards and requirements of this Chapter and any applicable Township regulations, provided, however, that the Township will not accept the dedication of any street or road that terminates in a cul-de-sac or dead end.

Any plan submitted for approval that includes a street or road that terminates in a cul-de-sac or dead end shall include a statement that the street or road shall be private and shall be subject to the provisions of this Chapter dealing with private streets or roads.

(a) The offer of dedication of a street or road shall not be accepted by the Township until the street or road has been installed in accordance with the provisions of this Chapter and the Township regulations subject to the inspection of the same by the Township. Said offer of dedication shall be by a deed of dedication and the posting of a maintenance financial security as provided by the PA Municipalities Planning Code.

(Ordinance No. 18-3, adopted April 2, 2018)

(3) Private streets shall include all streets not dedicated or maintained as part of the State Highway System or the Township Road Network. Private streets, including internal streets serving mobile home parks, townhouse and multi family housing developments, commercial and industrial parks and recreational vehicle park and campground developments, may only be permitted under the following conditions:

(a) The plan shall show a notation regarding the private nature of the street and right-of-way;

(b) Private streets shall be constructed in accord with the **design** standards of §405 and the **construction** standards of §407.

(c) The subdivider shall provide for inclusion in the deed or lease a Maintenance and Use Agreement indicating maintenance responsibilities for the private street. Both the responsibilities of the buyer or lessee and the subdivider shall be indicated.

(d) In the event that the access to a proposed subdivision or development is along an existing private right-of-way, the subdivider shall furnish a Maintenance and Use Agreement for both the existing right-of-way users and the proposed users of the contemplated development. Such an agreement shall be signed by both existing and proposed right-of-way users. This agreement shall be recorded with the final plan and shall describe right-of-way width and location and maintenance responsibilities of all the parties involved.

**§405. Street Design Standards.**

(1) Minimum Street, Curb, and Sidewalk Design Standards. Minimum design standards are found in Table 4-1. Exceptions to the standards and details covering unique situations are included below. [See also **Figure 4-4** at the end of this Part]

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**TABLE 4-1  
MINIMUM STREET, CURB, AND SIDEWALK DESIGN STANDARDS<sup>1</sup>**

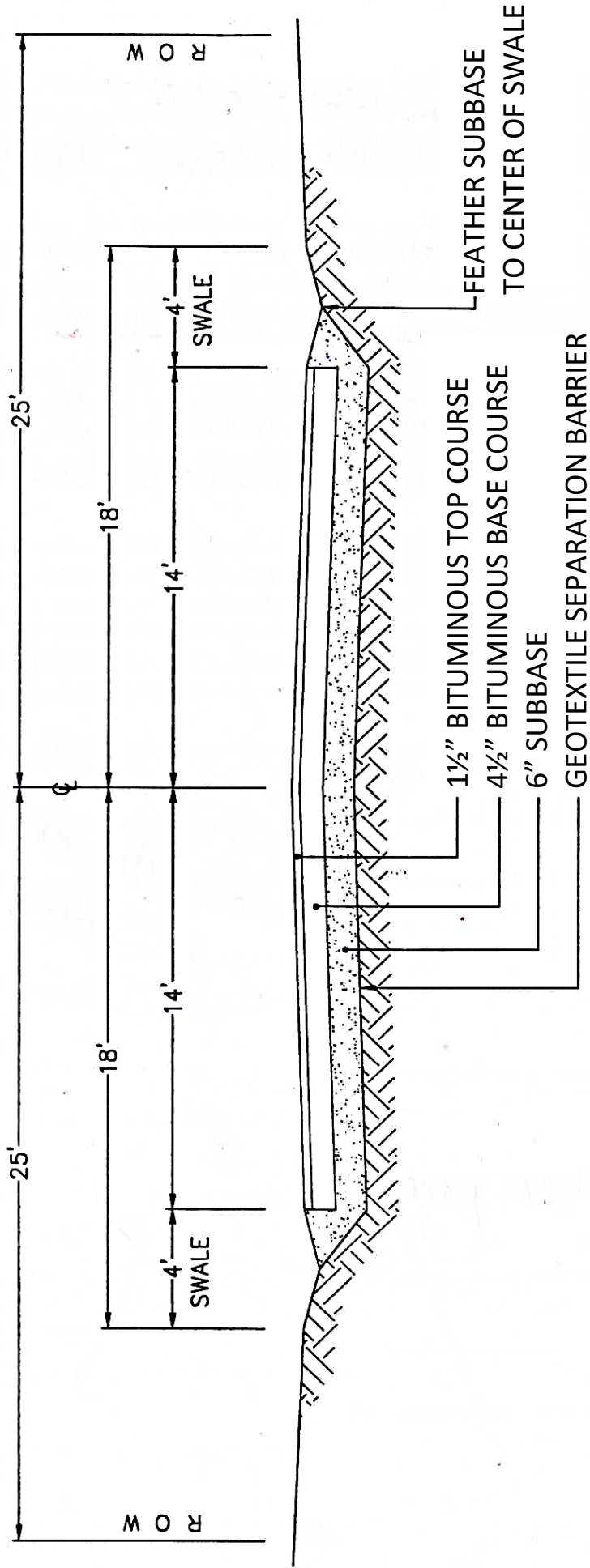
<u>Specification</u>	<u>Standard</u>
<b><u>MINOR STREET<sup>2</sup></u></b>	
Right-of-Way Width	50 ft.
Cartway Width	28 ft.
Cul-De-Sac Turn Around	
Right-Of-Way Radius	50 ft.
Cartway Radius	40 ft.
Grade: Minimum	0.5%
Maximum	12.0%
Sight Distance	200 ft. measured along the centerline
Centerline Radius for Horizontal Curves	150 ft.
Tangent Between Reverse Curves	None Required
Sidewalk Width	5 ft.
Curb Width	8 in. at base tapering along the cartway side to 7 in.
<b><u>COLLECTOR STREET</u></b>	
Right-of-Way Width	60 ft.
Cartway Width	24 ft. + 8 ft. shoulder each side
Grade: Minimum	0.5%
Maximum	7.0%
Sight Distance	400 ft. measured along the centerline
Centerline Radius for Horizontal Curves	300 ft.
Tangent Between Reverse Curves	100 ft.
Sidewalk Width	5 ft.
Curb Width	8 in. at base tapering along the cartway side to 7 in.
<b><u>RV PARK/CAMPGROUND STREET</u></b>	
Cartway Width	16 ft.

<sup>1</sup> The Township may require curbs, sidewalks, and increased cartway widths for higher density development and commercial development and/or for stormwater control measures.

<sup>2</sup> See Page 22-4-5 for illustration.

# MINOR STREET ROADWAY SECTION

N.T.S.



(2) Right-of-Way.

(a) Where a subdivision or development abuts or contains an existing street of inadequate right-of-way width, additional or future right-of-way width may be required in accord with Table 4-1. However, if the development abuts only one side of the road, the subdivider shall be required to provide only one-half of the additional right-of-way, if required.

(b) Where a subdivision or development abuts or contains an existing street or road on the state highway system, the Pennsylvania Department of Transportation shall make a recommendation concerning necessary additional right-of-way width of the state road and minimum building setback from the state road. Any additional right-of-way width required to correct existing problems or to allow necessary improvements shall be reserved on the plan, but dedication of this additional right-of-way will not be required for plan approval. Building setback lines shall be measured from this required ultimate street right-of-way line.

(c) Additional street right-of-way may be required by the Township for public safety and convenience, for acceleration or deceleration lanes into parking lots or streets, and in high density residential developments.

(3) Cul-De-Sac Streets [See **Figure 4-3** at the end of this Part].

(a) Cul-de-sac streets permanently designed as such shall be provided with a turnaround in accord with Table 4-1. They shall not exceed 1,200 feet in length or provide access to more than 20 dwelling units. In instances where the Township agrees to modify either of these requirements due to terrain conditions, an intermediate turnaround with a center island to guide traffic may be required.

(b) A temporary all weather turnaround shall be provided for all dead end streets that provide access to future development on adjacent tracts of land. This turnaround shall at a minimum be constructed in accord with the subbase and base specifications for a local street.

(c) Innovative alternatives to the standard circular turnaround may be permitted by the Township where equivalent area for a turnaround in accord with Table 4-1 is provided. The use of an innovative alternative may jeopardize the eligibility for PennDot Liquid Fuels Tax reimbursement for the cul-de-sac street.

(4) Street System Layout.

(a) Streets shall be laid out to conform as much as possible to the topography, to permit efficient drainage and utility systems, and to require the minimum number of street necessary to provide convenient and safe access to property.

(b) Minor streets shall be laid out to discourage through traffic, although provision for street connections into and from adjacent areas will generally be required.

(c) Alleys shall not be permitted in residential subdivisions.

(d) If the lots in a development are large enough for re-subdivision, or if a portion of the tract is not subdivided, adequate street right-of-way to permit further subdivision shall be provided as necessary.

(e) Where a subdivision or land development abuts a collector or arterial street, the Township may require an internal street system, marginal access street, rear service street, reverse frontage lots, or such other treatment as will provide protection for abutting properties, reduction in the number of intersections and driveways with the collector or arterial street, and separation of local and through traffic. Direct driveway access to SR 0045 and SR 0192 shall be prohibited.

(f) Proposed streets shall conform to the Official Map of the Township, if such a map has been adopted in accord with Article IV of Act No. 247 of 1968 as amended.

(5) Street Intersections.

(a) Minor and collector streets shall not intersect with collector and arterial streets at intervals of less than 800 feet as measured between their centerline.

(b) Streets entering opposite sides of another street shall be laid out either directly opposite one another or with a minimum offset of 150 feet as measured between their centerline.

(c) Intersections involving the junction of more than two streets shall be prohibited.

(d) Streets shall be laid out to intersect as nearly as possible at right angles. No minor street shall intersect another at an angle of less than sixty (60) degrees. This standard shall be increased to seventy-five (75) degrees for the intersection of a minor street with either a collector street or with a street on the State Highway System.

(e) Minimum curb radius at the intersection of two minor streets shall be at least twenty (20) feet; and minimum curve radius at an intersection of a minor street and a collector or arterial street shall be at least twenty-five (25) feet.

(f) Clear site triangles shall be maintained in accord with the schedule below for the different street classifications, and as measured along the centerline from the

point of intersection. No significant obstructions or planting higher than thirty (30) inches above the road surface or tree limbs lower than eight (8) feet shall be permitted within this area.

	<u>Arterial</u>	<u>Collector</u>	<u>Minor</u>
Arterial	150 feet	100 feet	100 feet
Collector	100 feet	75 feet	75 feet
Minor	100 feet	75 feet	75 feet

**(6) Street Grades and Alignments.**

(a) All streets shall be provided with a leveling area having a grade of four (4) percent or less for a distance of 25 feet measured from the edge of the shoulder or curb of the intersecting street.

(b) Vertical curves shall be required at changes of grade exceeding one (1) percent.

(c) Whenever street lines are deflected in excess of five (5) degrees, connection shall be made by horizontal curves.

(d) The grade of a street cross section measured from the crown shall be within the limits of 1/4 inch to 3/8 inch per foot. Shoulders, if required, shall have a cross-slope of 3/4 inch per foot.

**§406. Driveway Design Standards.**

(1) Proposed lots or land developments shall be laid out in relation to public and private streets so that safe driveway access can be provided in accord with Table 4-2. [See also **Figures 4-7 through 4-12** at the end of this Part]

(2) Plans for proposed lots or land developments requiring access to State Highway System shall contain a notice that a highway occupancy permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the “State Highway Law,” before driveway access to the state highway is permitted.

**§407. Street Construction Standards.**

(1) New Streets. Streets shall be built in accord with the subdivision plan approved by the Township. The construction standards of Table 4-3 shall govern unless the Township requires more stringent standards due to adverse soils or other conditions.

(2) Existing Private Streets. Existing private streets shall be upgraded to the standards of this Chapter (including Tables 4-1 and 4-3) when being utilized as access to a proposed subdivision or land development.

(3) Road Shoulders. Road shoulders, if required, shall be constructed of either 2A “subbase” or 2RC material in accord with PennDOT 408 specifications. This material shall be compacted to the depth of the road subbase, base and wearing surface combined and shall have a cross slope in accord with §405(6)(d).

**TABLE 4-2**

**DRIVEWAY DESIGN STANDARDS**

Standard	Driveway Type		
	Single Family Residential	Multi-Family Residential	Commercial/Industrial
Minimum Width	10 ft.	15 ft.	15 ft.
Maximum Width	20 ft.	35 ft.	35 ft.
Maximum Grade <sup>1</sup>	15%	12%	8%
Minimum Curb Radius <sup>2</sup>	10 ft.	15 ft.	15 ft.
Minimum Intervals <sup>3</sup>	40 ft.	40 ft.	40 ft.
Minimum Sight Distance <sup>4</sup>	150 ft.	200 ft.	300 ft.

<sup>1</sup> All driveways shall maintain the grade of the road shoulder and provide a leveling area with a grade of 5% or less for a 25 ft. distance measured from the curb or the outside edge of the shoulder. The driveway shall intersect the street at an angle of not less than 60 degrees.

<sup>2</sup> Where drop curbs are used for driveway openings, the minimum drop curb width for single family residential use shall be 20 feet. For multi-family and nonresidential uses the minimum width shall be 35 feet.

<sup>3</sup> The minimum interval for single family residential development shall apply only between an intersection and the first driveway removed from the intersection. In the case of multi-family and nonresidential driveways the minimum interval shall apply between all driveways and street intersections.

<sup>4</sup> The minimum sight distance shall be measured from the point of intersection of the driveway’s centerline and street right-of-way line to a point on the cartway centerline. No significant obstructions or plantings higher than 30 inches or tree limbs lower than eight (8) feet as measured from the road surface shall be permitted within this area.



**TABLE 4-3**

**STREET, CURB, AND SIDEWALK CONSTRUCTION STANDARDS<sup>123</sup>**

Street Type	Course <sup>4</sup>	Type of Material	Depth of Material <sup>5</sup>
Collector	Wearing Surface	ID-2A	3½"
	Base	BCBC or Crushed Aggregate BC	4" or 8"
	Subbase <sup>6</sup>	2A Subbase	6"
Minor Street	Wearing Surface	ID-2A	1½"
	Base	BCBC	4½"
	Subbase <sup>6</sup>	2A Subbase	6"
RV Park/ Campground	Wearing Surface	-	-
	Base	2A, 2RC	4"
	Subbase	Shale	6"
Sidewalks	Wearing Surface	Concrete/Brick/ID-2A	4"
	Base	Crushed Aggregate	4"
Curbs	Material	Concrete	18"

<sup>1</sup> All materials and their application shall conform with PennDOT Form 408 and Publication 70.

<sup>2</sup> See §407(3) for shoulder specification.

<sup>3</sup> Where poor soil conditions exist, additional subbase and base materials may be required.

<sup>4</sup> The subbase course shall extend the full width of the cartway and shoulder.

<sup>5</sup> All materials shall be compacted with a minimum of a ten ton vibratory roller.

<sup>6</sup> A Class 4 Geotextile (needle-punched non-woven fabric) in compliance with PennDOT Specifications Publication 408 shall be provided as a separation barrier between soil and the 2A subbase for the entire subbase width.

**§408. Sidewalks, Curbs, and Street Trees.**

(1) Sidewalks and/or curbs, if required, shall be constructed of portland cement concrete, equal to, or higher in quality, than Class A concrete, in accord with Table 4-3 and PennDOT Form 408 specifications, as amended. Sidewalks may also be constructed with a wearing surface of brick or ID-2A material. Compliance with the Township's Curb and Sidewalk Ordinance, if any, shall also be required.

(2) Sidewalks shall be installed in subdivisions where two-family dwellings, townhouses, or multiple family dwellings are planned, or where lot widths are less than eighty (80) feet or where the subdivision abuts areas which have existing sidewalks. Sidewalks may also be required to provide access to community facilities such as schools, shopping centers, or recreation areas if the Planning Commission deems that a hazard would exist without them.

(3) Whenever sidewalks are constructed or repaired, provisions shall be made to facilitate handicapped accessibility.

(4) No trees or shrubs shall be permitted in the street right-of-way.

**§409. Blocks.**

(1) Blocks shall be a maximum of 1,600 feet in length, although the Township may grant a waiver to this requirement in the event of unusual topographic conditions.

(2) Blocks shall have sufficient widths to provide for two (2) tiers of lots of appropriate depths. Exceptions to this prescribed block width shall be permitted in blocks adjacent to arterial or collector streets, railroads, or waterways.

(3) In large blocks with interior parks or playgrounds, in exceptionally long blocks where access to a school, shopping center, or to any other facility is necessary, or where cross streets are impractical or unnecessary, a crosswalk with a minimum right-of-way of twelve (12) feet with a minimum surfaced width of five (5) feet may be required by the Planning Commission.

**§410. Flag Lot.** A Flag Lot may be allowed where warranted by physical conditions of land form, relative isolation of the lot, existing lot pattern or unusual size or shape of parcels. A flag lot shall only be considered in accord with the Waiver or Modification procedures of this Chapter (§801) and in accord with the following criteria:

(1) The narrow strip of land known as the "flag pole" portion of the lot which provides the connection between the lot and the public street shall be a minimum of 20 ft. in width;

(2) The "flag pole" portion of the lot shall be platted with the lot;

(3) The lot area standards for the flag lot shall be the same as for the zoning district in which the lot is to be situated, except that the “flag pole” portion of the lot shall not be included for the purpose of calculating the minimum lot area;

(4) The “flag pole” access to the lot shall be improved to a mud free and passable condition based upon a minimum construction specification including: width – 12 ft.; prepare subgrade using – 6” of shale; subbase course – 4” of 2A or 2RC. The specification shall also be indicated on the subdivision plan for the flag lot. The “flag pole” shall not cross a live stream, ravine, ditch, or similar topographic feature without provision of an adequate structure or fill and culvert, according to standards established by the Township.

**§411. Lot Size and Building Setback Lines (Minimum Yards).** Minimum lot sizes and building setback lines (or minimum yards) for the Township are found in the Township Zoning Code. Dimensional requirements for special types of land development are also found in Parts 5 and 6 of this Chapter.

**§412. Monuments.**

(1) Monuments shall be solid steel, copper, or brass bars at least 30”x 1/2” diameter and shall be set at all newly established points where lines or lines and curves intersect. Survey caps and underground magnetic markers may also be utilized in conjunction with bars used for monuments.

(2) In subdivisions of 10 lots or greater, a minimum of two permanent reference monuments shall be established in the external boundary of the subdivision where the bar is set in concrete at least 6” x 6” x 30”.

(3) Subdivisions which are located within 1,500 ft. of a Union County GIS Monument shall be tied to that monument with bearings to the nearest second and dimensions to the nearest 100th of a foot.

**§413. Easements.**

(1) Utility Easements. The width and location of utility easements shall be as specified by the particular utility company. To the maximum extent possible, easements shall be centered on or located adjacent to side or rear property lines or adjacent to the street right-of-way in the front yard. If feasible, utility easements may also be located within the street right-of-way.

(2) Drainage Easements. Where a subdivision or land development is traversed by a watercourse, drainage way, channel, or stream, there shall be provided a drainage easement conforming substantially with the line of such watercourse, drainage way, channel, or stream

and of such width as will be adequate to preserve the unimpeded flow of natural drainage without damaging adjacent property.

**§414. Utilities.** Utilities including electric, telephone, and cable television shall be installed underground in accord with the PA Underground Utilities Act No. 287 of 1974. Underground utilities are not required for any of the following situations:

(1) For a residential subdivision of less than five (5) lots bordering an existing street which is presently served by overhead utility service;

(2) For service to a commercial or industrial development;

(3) For a project where a variance under Act 287 has been granted by the Pennsylvania Public Utility Commission.

**§415 Sewage Facilities.**

(1) **Sewage Disposal Method.** Subdivisions shall be connected to a public sewer system in accord with the requirements of the Township Municipal Authority and the Pennsylvania Department of Environmental Protection unless connection is not feasible. The Township may permit the following alternatives listed in order of preference:

(a) Connection to a private sewer system designed and constructed by the developer in accord with the requirements of the Pennsylvania Department of Environmental Protection.

(b) Utilization of on lot sewage disposal facilities in accord with the requirements of the Pennsylvania Department of Environmental Protection.

(2) **Sewage Planning Requirements.** The developer shall submit documentation with the preliminary plan application (if improvements will be installed prior to final plan approval) or with the final plan application (if a fiscal guarantee will be utilized) that verifies Township Municipal Authority or Township Sewage Enforcement Officer approval of the proposed sewage disposal method. Additional documentation shall be provided that verifies Pennsylvania Department of Environmental Protection approval or exemption from approval.

(a) **10 Lots or Less Utilizing On-Lot Facilities.** Copies of the approved sewage disposal permits for each lot shall be provided. As an alternative, disposal permits may not be required for every lot, provided that the developer shall submit a Pennsylvania Department of Environmental Protection Sewage Facilities Planning Module Component I for Minor Subdivision signed by the Sewage Enforcement Officer which states that the soils for the subdivision are generally suitable for on-lot facilities.

(b) More Than 10 Lots Utilizing On-Lot Facilities, Private Sewer System, or Sewer Extension of a Public Sewer System. A copy of the approved Pennsylvania Department of Environmental Protection Planning Module for a Revision or Supplement shall be provided.

(c) Subdivision Not Approved for On-Lot Sewage Disposal. The Township may elect to grant subdivision approval without approved on-lot sewage facilities provided the following notation is prominently affixed to the plan:

“Lot # \_\_\_\_ is not approved for on-lot sewage disposal. Subdivision plan approval does not guarantee that a permit for on-lot disposal can be obtained. No building or zoning permit for a structure or use requiring sewage facilities shall be issued by the Township for this lot until an on-lot sewage disposal permit has been obtained.”

(3) General Requirements.

(a) The Township may require the installation of capped sewers if the proposed subdivision or land development is located in an area which will be served by public sewers within five (5) years.

(b) If the proposed subdivision lies within one thousand (1,000) feet of an existing public sewer, the sewer must be extended to serve the subdivision at the expense of the developer.

**§416. Water Supply.**

(1) Public Water Supply. The subdivision or land development shall be connected to a public water supply company unless the developer provides documentation that such a connection is not feasible. The Township may require that the developer provide a cost feasibility study prepared by a licensed professional engineer or geologist as part of the documentation.

(2) On-Lot Water Supply. In the event that the water supply to a proposed subdivision or land development is proposed via individual on-lot wells and where known groundwater problems exist, the Township may require that the developer provide a feasibility study by a licensed professional engineer or hydrogeologist to evaluate the adequacy of water quality and quantity for the proposed development. Prior to subdivision plan approval, the developer shall demonstrate that adequate, safe, and reliable water supply exists for the proposed development in accord with the standards of the Safe Water Drinking Act.

(3) Documentation of Available Water Supply. If water is to be provided by means other than private wells owned and maintained by the individual owners of lots within the subdivision or development, applicants shall present evidence to the Township that the

subdivision or development is to be supplied by a certificated public utility, a bona fide cooperative association of lot owners, or by a municipal corporation, authority or utility. A copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement, or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable evidence.

(4) Fire Hydrants. Fire hydrants shall be installed as an integral part of any public or private water supply system and the placement, design and construction of such shall meet the specifications of the local fire company, the public water supplier and the municipality when applicable.

(Ordinance No. 20-4, adopted July 6, 2020)

**§417. Storm Water Management and Districts.** For the purpose of managing stormwater within Buffalo Township, the Municipality is divided into the following Stormwater Districts:

(1) Bull Run (Limestone Run) Stormwater District. All land development occurring within the Bull Run watershed within Buffalo Township shall comply with the requirements of the *Bull Run Stormwater Management Plan for the Township of Buffalo*.

(2) Buffalo Creek Stormwater District. All land development occurring within the Buffalo Creek watershed within Buffalo Township shall comply with the requirements of the *Buffalo Creek Stormwater Management Plan for the Township of Buffalo*, except that until such time the referenced plan (or ordinance) is adopted, the requirements of the General Stormwater District shall apply.

(3) General Stormwater District. All land development occurring outside of the Bull Run and Buffalo Creek Stormwater Districts shall comply with the following provisions:

(a) The management of storm water on the site, both during and upon the completion of construction, shall be accompanied in accordance with this section. These requirements may be waived by the Township when the project results in less than 20,000 sq. ft. of new impervious coverage. The design of any temporary or permanent facilities or structures and the utilization of a natural drainage system shall be in full compliance with this section and with the interpretations of the Township.

(b) Subdividers are urged to consider alternative solutions for storm water management and to select the most appropriate and economical system for their development project. Applicants are urged to consult with the Union County Conservation District and the Union County Planning Commission for guidance in preparing the storm water management plan.

(c) All storm water management facilities including detention basins, sewers, and culverts shall be designed by an individual qualified and/or experienced in their design. These qualifications should be listed on the front cover of the plan narrative.

(d) The anticipated peak rate of storm water runoff from the site during and after full development shall not exceed the peak rate of runoff from the site prior to development activities, measured in accordance with the standards and criteria of this section. This rule may be waived for locations within a watershed where retention of storm water would be harmful to the overall control of storm water in that watershed if the concurrence of the Union County Conservation District is obtained.

(e) Storm sewers, swales, culverts, bridges, and related facilities shall be provided to:

- (1) Permit the unimpeded flow of natural watercourses; and
- (2) Insure the drainage of all points along the line of streets; and
- (3) Intercept stormwater runoff along streets at reasonable intervals related to the extent and grade of the area drained, and to prevent the flooding of intersections and the undue concentration of storm water; and
- (4) Insure unrestricted flow of storm water under driveways, and at natural watercourses or drainage swales.

Consideration should be given to anticipated up slope development.

(f) The following criteria shall be utilized for computing runoff:

(1) The U.S. Department of Agriculture Soil-Cover Complex Method shall be utilized to compute runoff for the design of storm water runoff rate reduction facilities. The peak runoff rates and volumes shall be determined by using Chapter 2 of the Engineering Field Manual, August 1989 Edition, USDA, SCS, and by using Technical Release No. 55, Urban Hydrology for Small Watersheds, USDA, SCS, June 1986, as supplemented, amended and changed from time to time.

To compute design flows for the sizing of storm sewers, inlets, and swales, the Rational Method may be used in lieu of the Soil-Cover Complex Method. The Township may also permit the use of the Rational Method for calculation of runoff from sites of ten (10) acres or less. Any method approved by the Pennsylvania Department of Transportation or the Pennsylvania Department of Environmental Protection may be used to design the waterway areas of bridges.

(2) Where farm fields or disturbed earth is the existing natural condition, meadowland shall be used as the starting base for calculations instead of the natural condition.

(3) Storm frequencies for 2, 10, and 100 year storm events shall be evaluated, and no greater runoff rate shall be permitted after development than what existed prior to development for any of these events. Rainfall frequency data is available from the U.S. Department of Commerce, National Weather Service and the Department of Environmental Protection, Research Publication Number 70.

(g) When existing storm sewers or drainage swales are accessible, the subdivider may connect his storm water drainage system to the existing facilities provided that the Township approves the connection.

(h) Design Considerations.

(1) All storm sewers shall be constructed using PennDOT Form 408 specifications, as amended, unless otherwise dictated by the Township.

(2) Storm water roof drains shall not discharge into any municipal sanitary sewer line or over a sidewalk.

(3) The minimum pipe size shall have a waterway opening of 1.23 square feet (15" diameter or equivalent arch pipe).

(4) Inlets shall be placed at the curb line where a curbed section is installed. Inlets required for parallel or cross drainage without a curbed section shall be set at the centerline of the ditch.

(5) Structures shall be PennDOT Type M pre-cast concrete or cast-in-place Class A concrete. Brick or block structures shall not be permitted. Solid concrete block or brick may be incorporated into a structure only for grade adjustment of the casting.

(i) Bridges and culverts shall have ample waterway opening to carry expected flows, based on a minimum storm frequency of twenty-five (25) years. Bridge and culvert construction shall be in accordance with the Pennsylvania Department of Transportation specifications and shall meet the requirements of the Pennsylvania Department of Environmental Protection.

(j) Detention basins for storm water peak discharge storage shall comply with the following criteria:



(1) Basins shall be installed prior to any earthmoving or land disturbance which they will serve. The phasing of their construction shall be noted in a narrative and on the plan.

(2) Whenever a basin will be located in an area underlain by limestone, a geologic evaluation of the proposed location may be required to determine susceptibility to sinkhole formations. The design of all facilities over limestone formations shall include measures to prevent ground water contamination and, where necessary, sinkhole formation.

(3) Soils used for the construction of basins shall have low erodibility factors ("K factors").

(4) The minimum storage capacity for a detention basin shall be determined by routing the projected post-development 25 year 24 hour storm through the basin and releasing it at a rate not to exceed the before development 10 year 24 hour discharge.

(5) Energy dissipators and/or level spreaders shall be installed at points where pipes or drainage ways discharge to or from basins. Discharge from basins shall be into a natural waterway or drainage way.

(6) Exterior slopes of compacted soil shall not exceed one foot (1') vertical per three feet (3') horizontal and may be further reduced if the soil has unstable characteristics.

(7) Interior slopes of the basin shall not exceed one foot (1') vertical per three feet (3') horizontal except with the approval of the Township. Where concrete, stone, or brick walls are used for steeper interior slopes, the basin shall be fenced with a permanent wire fence at least forty-two inches (42") in height and a ramp of durable, non-slip materials for maintenance vehicles shall be provided for basin access.

(8) Outlet structures within basins which will control peak discharge flows and distribute the flows by pipes to discharge areas shall be constructed of concrete, polymer-coated steel or aluminum and shall have childproof, non-clogging trash racks over all design openings exceeding twelve (12") inches in diameter, except those openings used to carry perennial stream flows. Small outlet structures may be constructed of Schedule 40 PVC. Where spillways will be used to control peak discharges in excess of the ten (10) year storm, the control weirs shall be constructed of concrete of sufficient mass and structural stability to withstand the pressures of impounded waters and outlet velocities. Concrete outlet aprons shall be designed as level spreaders and shall extend at

a minimum to the toe of the basin slope. The incorporation of any large stone found on the site into the concrete apron to provide a more natural appearance is suggested. Construction shall comply with PennDOT Form 408 specifications.

(9) Inlet and outlet structures shall be located at maximum distance from each other. The Township may require a rock filter berm or rock-filled gabions between inlet and outlet areas when the distance is deemed insufficient for sediment trappings.

(10) Temporary and permanent grasses or stabilization measures shall be established on the sides of all earthen basins within fifteen (15) days of initial construction.

(11) Information and references regarding the design of detention ponds can be found in Soil Conservation Service Engineering Standard 378, "Pond", December 1981 as amended (contact Union County Conservation District for more information).

(k) Provisions shall be required to insure the maintenance of storm water management facilities. An agreement, suitable for recording, shall be entered into between the subdivider and the Township, specifying:

(1) The legal entity responsible for maintaining the storm water management system; and

(2) That the storm water management structures shall be maintained in proper working order.

**§418. Soil Erosion and Sediment Control.**

(1) In order to prevent accelerated erosion and resulting sedimentation, land disturbance activities shall be conducted only in conformity with the following principles and in concurrence with DEP's Erosion and Sediment Pollution Control Program Manual, available from the Union County Conservation District:

(a) There shall be no increase in discharge of sediment or other solid materials from the site as a result of storm water runoff; and

(b) Erosion and sedimentation devices such as temporary vegetative cover, mulch, temporary detention basins, diversion terraces, rock filter berms, or hay bales appropriate to the scale of operations shall be installed concurrent with earthmoving activities and whenever a situation is created which would contribute to increased erosion; and

(c) Earthmoving and the addition of fill shall be minimized where possible and practicable to preserve desirable natural features and the topography of the site. Changes in grade and topography and other earthmoving shall be in accordance with the storm water management plan prepared by the subdivider and approved by the Township; and

(d) Stripping of vegetation, regrading or other development shall be done in such a way that will minimize erosion; and

(e) Sediment in runoff water shall be trapped and removed to assure adequate capacity in the basins or traps.

(2) Applicants shall submit a narrative describing all proposed earthmoving and grading along with the proposed soil stabilization and site restoration plans.

Applicants shall also meet the requirements of Chapter 102 of Administrative Code, Title 25, as authorized by the Clean Streams Law, Act 222, as amended, by submitting a Soil Erosion and Sedimentation Control Plan, (required when disturbing 25 or more acres), to the Pennsylvania Department of Environmental Protection.

(3) The Soil Erosion and Sedimentation Control Plan, as required, must be prepared by a person trained and experienced in erosion and sedimentation control methods and techniques. It will be examined for comparison with standards using an erosion control handbook, soil survey, Department of Environmental Protection Erosion and Sediment Pollution Control Program Manual (available from the Union County Conservation District), and sound erosion control principles as the basis for acceptability.

**§419. Community Facilities.** In reviewing subdivision plans, the Planning Commission will consider the adequacy of existing or proposed community facilities to serve the additional dwelling units to be developed and may request the reservation or dedication of land for such facilities.

**§420. Floodplain Management.**

(1) Purpose. The purpose of this section is to comply with the requirements of the National Flood Insurance Program and the Pennsylvania Floodplain Management Act (Act 166 of 1978), and to minimize future damage from flooding in the Township.

(2) Plan Requirements.

(a) All subdivision and land development plans for property located within a designated floodplain area must show the location of the 100 year Floodplain

Boundary and the location of the Floodway, according to the most current National Flood Insurance Maps for the Township.

(b) Where detailed mapping indicating 100 year floodplain and floodway locations is not available, Flood Hazard Boundary Maps, or the best available elevation and floodplain information from other sources shall be used to determine the flood hazard area.

(c) Where applicable, and as required by the Pennsylvania Department of Community Affairs, a copy of a Special Permit Application shall be submitted for evaluation along with the subdivision and land development plan.

(3) Design Standards.

(a) The finished elevation of new streets shall be not more than one (1) foot below the 100 year flood elevation.

(b) New or replacement water and sanitary sewer facilities shall be located, designed, and constructed to minimize or eliminate flood damages and the infiltration of flood waters.

(c) No part of any on-site sewage system shall be located within any identified floodplain area, except in strict compliance with all state and local regulations for such system.

(d) All other utilities, such as gas, electrical, and telephone, shall be located and constructed to minimize the chance of impairment during a flood.

(e) Any new construction, development, use, activity, or proposed encroachment in the floodway which will cause an increase in flood heights shall be prohibited.

(f) In all floodplain areas, all new or substantially improved residential structures shall be elevated at least one and one half (1.5) feet above the 100 year flood elevation; and, all new or substantially improved non-residential structures shall be elevated to or above the 100 year flood elevation or flood proofed in accord with the flood proofing regulations of the Township (see Ordinance #10, adopted December 6, 1972, as amended December 4, 1974, April 10, 1977, December 7, 1977, and December 6, 1982, as amended).

**§421. Natural Features Analysis.**

(1) Purpose. The purpose of this section is to provide the applicant and the Township with information and data which will forecast the environmental impacts of a proposed large

subdivision or land development (see §306(2)(n)). A natural features analysis will be required for a subdivision of 25 or more lots or a land development generating more than 200 vehicle trips per day.

(2) Requirements.

(a) Hydrology. An analysis of natural drainage patterns and water resources shall be provided including streams, natural drainage swales, ponds or lakes, wetlands, floodplain areas, and permanent and seasonal high water tables throughout the site.

(b) Geology. An analysis of the characteristics of rock formations underlying the site shall be provided including defining aquifers (particularly those locally subject to pollution), shallow bedrock areas, and areas, in which rock formations are unstable.

(c) Soils. An analysis of the types of soils present in the site area shall be provided including delineation of prime agricultural soil areas, aquifer recharge soil areas, unstable soils, soils most susceptible to erosion, and soils suitable for residential, commercial, or industrial development. This analysis shall be based upon the Union County Soil Survey of the U.S. Soil Conservation Service.

(d) Topography. An analysis of the terrain in the site area shall be provided including mapping of elevation and delineation of slope areas in excess of twenty percent, between ten and twenty percent, and under ten percent.

(e) Vegetation. An analysis of tree and plant cover on the site, emphasizing the location of woodland and meadowland areas. Dominant tree and plant species shall be identified, and certification shall be made, that no vegetation on the site is classified as "Rare or Threatened" on the Pennsylvania Natural Diversity Index.

**§422. Community Impact Analysis.**

(1) Purpose. The purpose of this section is to provide the applicant and the Township with information and data which will forecast the community impacts of a proposed large subdivision or land development (see §306(2)(o)). A community impact analysis will be required for a subdivision of 25 or more lots or a land development generating more than 200 vehicles per day.

(2) Requirements.

(a) Fiscal. A comparison of costs for services to the municipality versus revenues estimated to be produced shall be submitted. The most recent municipal and authority budgets shall be the basis for this analysis.

(b) Traffic. An analysis of expected traffic patterns and volumes shall be submitted.

(c) Utilities. The applicant shall demonstrate that the appropriate providers of utility services (electrical power, water, sewer, refuse disposal) have certified that services can and will be provided to the site.

(d) Market Analysis. The applicant shall demonstrate that a sufficient market exists for the specific type of development proposed.

(Ordinance No. 42, adopted July 6, 1998)

# TYPICAL CUL-DE-SAC DETAIL

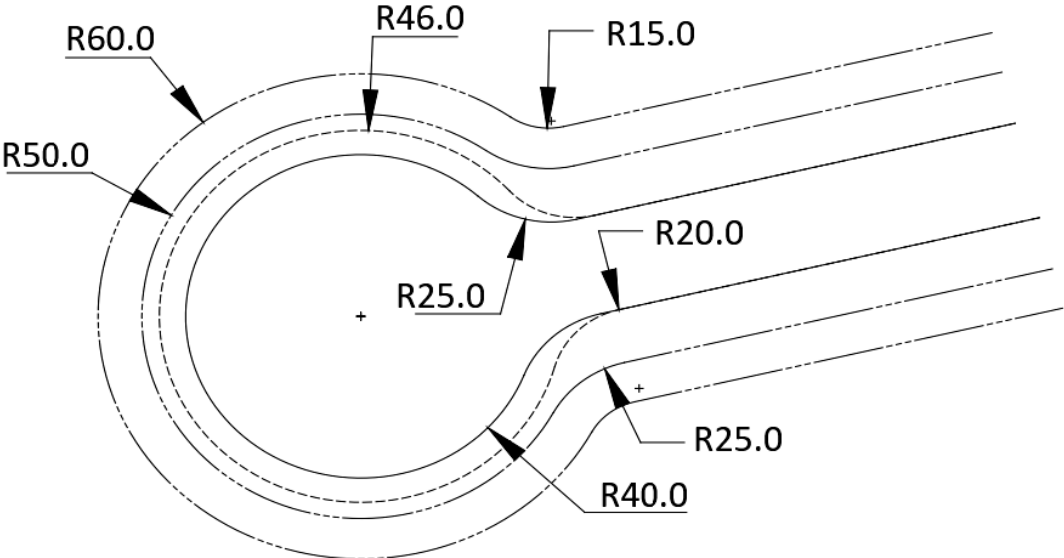
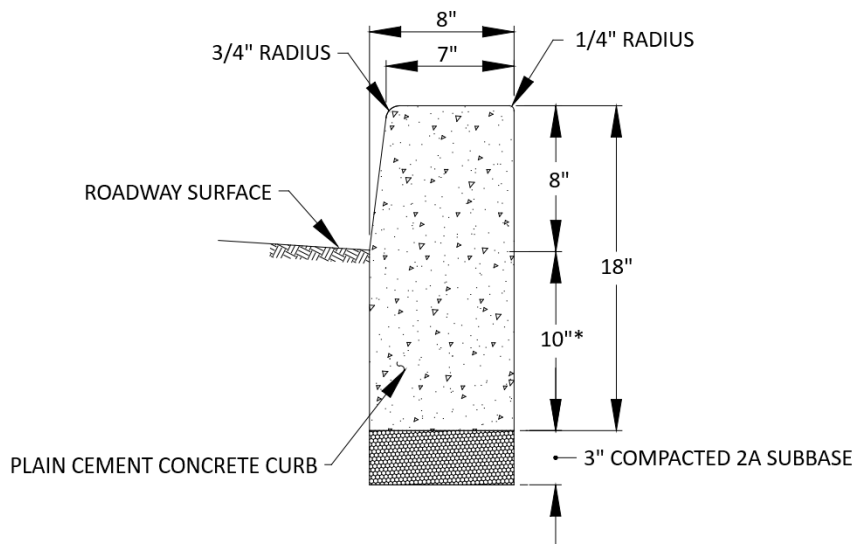


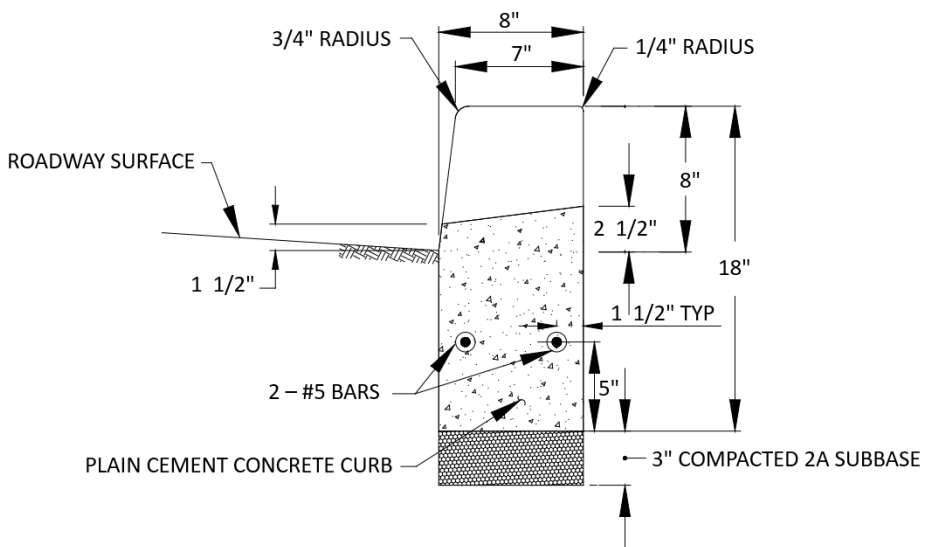
Figure 4-3

# CURBING DETAIL

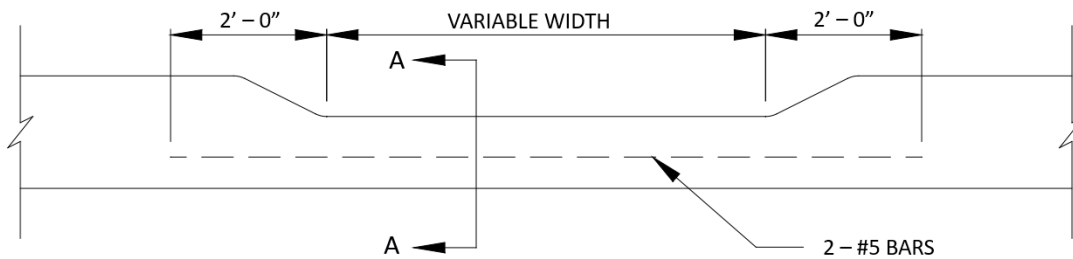


## CEMENT CONCRETE CURB DETAIL

NOT TO SCALE



## SECTION A-A



## PLAN

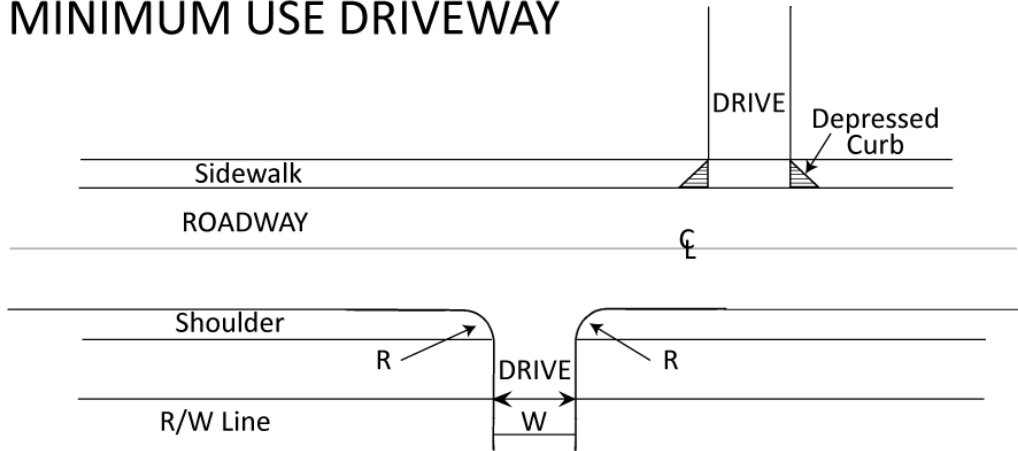
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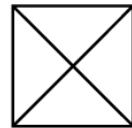
Figure 4-4



# MINIMUM USE DRIVEWAY



	SINGLE UNIT TRUCKS & PASSENGER CARS				BUSES & COMBINATION TRUCKS			
	ROADWAY SPEED				ROADWAY SPEED			
	< 45 MPH		45 MPH & GREATER		< 45 MPH		45 MPH & GREATER	
	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.
<b>W</b>	10'	20'	10'	20'	12'	15'	12'	20'
<b>R</b>	5'	15'	10'	25'	35'	50'	40'	55'



R = Radius

Figure 4-7

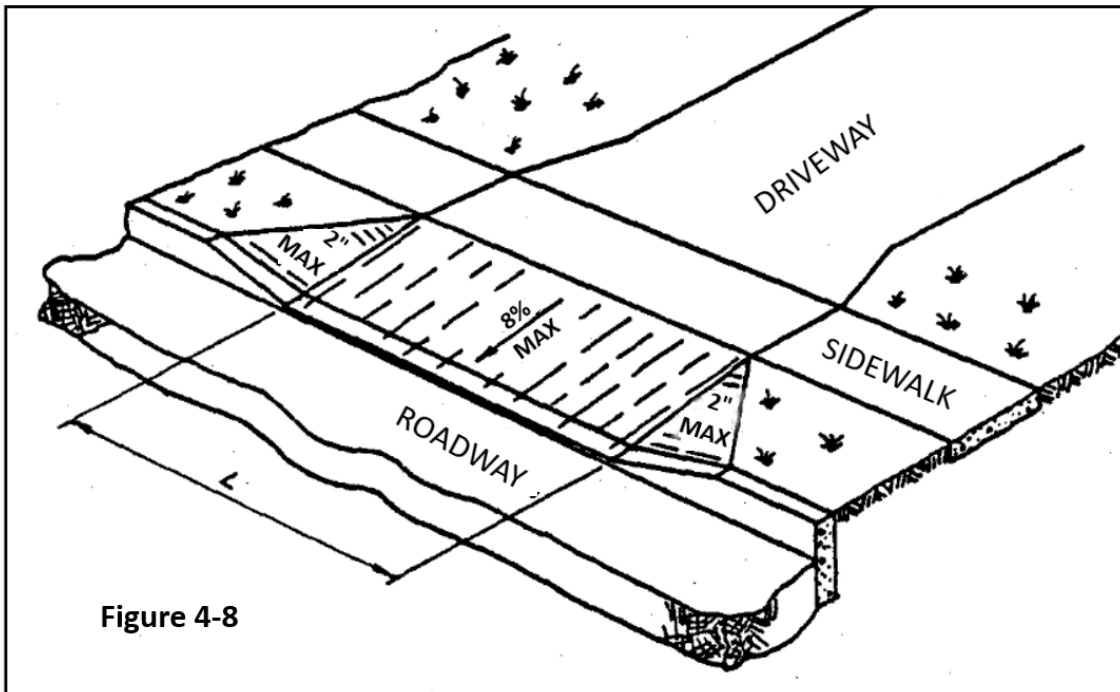
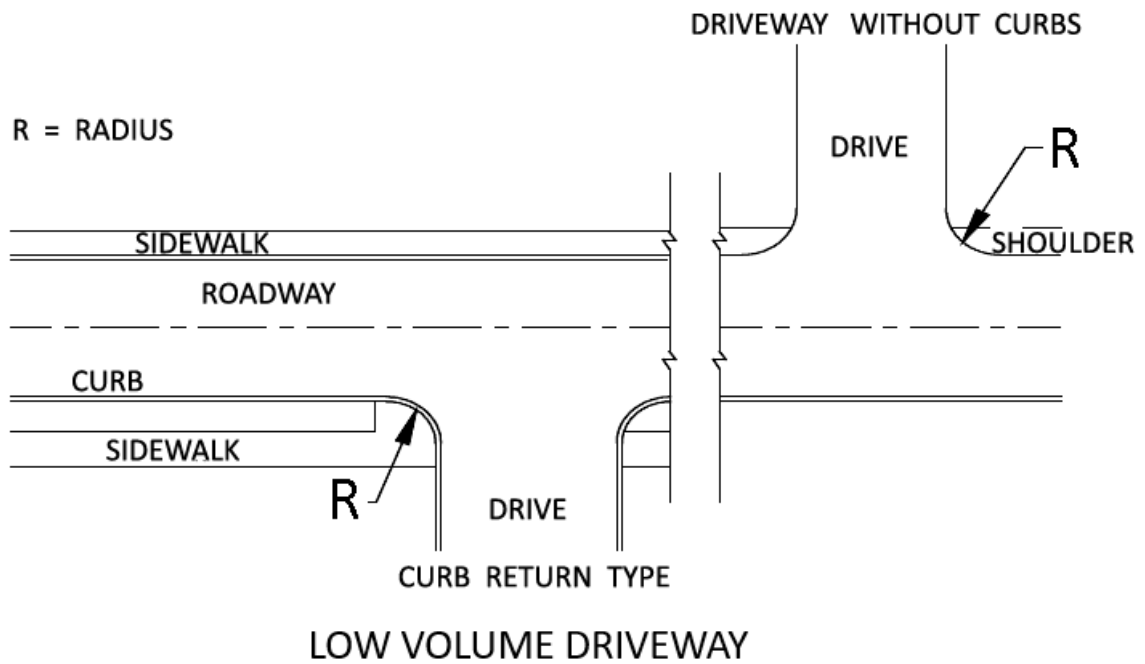


Figure 4-8

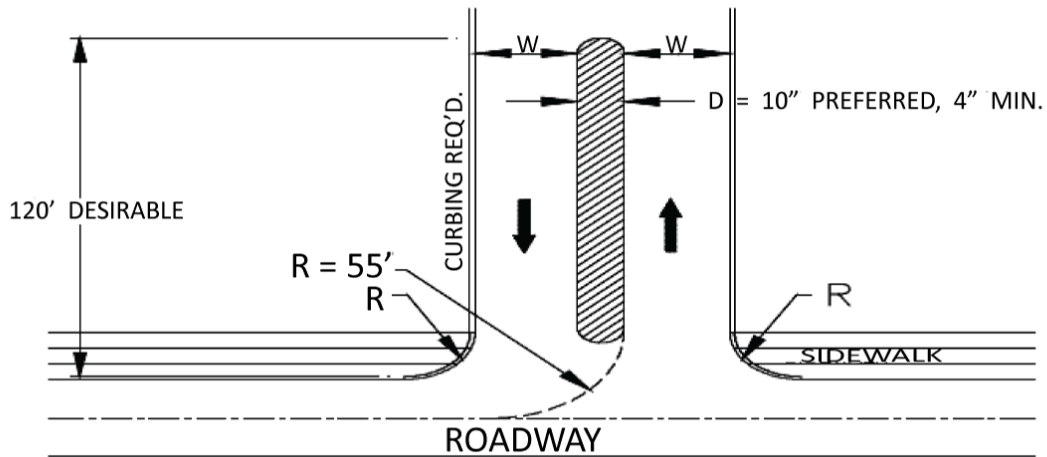
DESCRIPTION	SINGLE UNIT TRUCKS & PASSENGER CARS				BUSES AND COMBINATION TRUCKS			
	ROADWAY SPEED				ROADWAY SPEED			
	< 45 MPH		> 45 MPH		< 45 MPH		> 45 MPH	
	MIN.	MAX.	MIN.	MAX.	MIN.	MAX.	MIN.	MAX.
W – ONE WAY	10'	20'	12'	20'	12'	15'	12'	20'
W – TWO WAY	20'	24'	20'	24'	22'	24'	22'	24'
RADIUS (R)	10'	15'	15'	25'	35'	50'	45'	55'



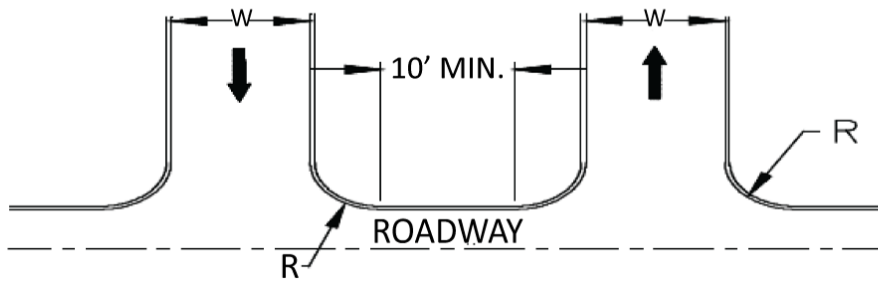
**Figure 4-9**

DESCRIPTION	SINGLE UNIT TRUCKS & PASSENGER CARS				BUSES AND COMBINATION TRUCKS			
	ROADWAY SPEED				ROADWAY SPEED			
	< 45 MPH		> 45 MPH		< 45 MPH		> 45 MPH	
	MIN.	MAX.	MIN.	MAX.	MIN.	MAX.	MIN.	MAX.
WIDTH (W)	14'	28'	14'	28'	14'	28'	14'	28'
RADIUS (R)	15'	30'	15'	25'	45'	55'	50'	55'

R = RADIUS

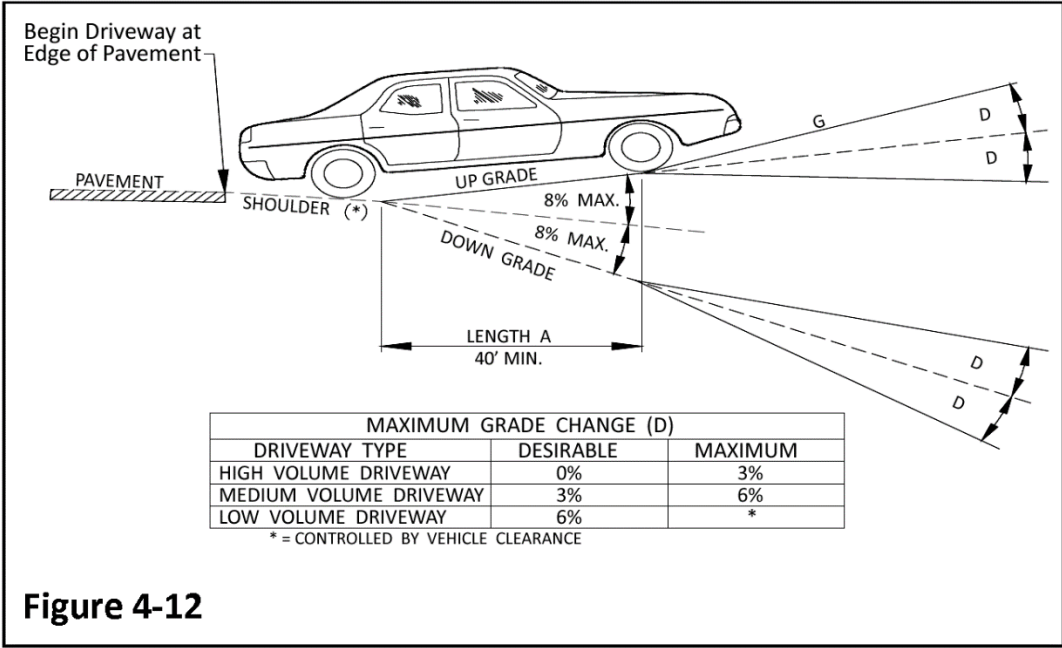
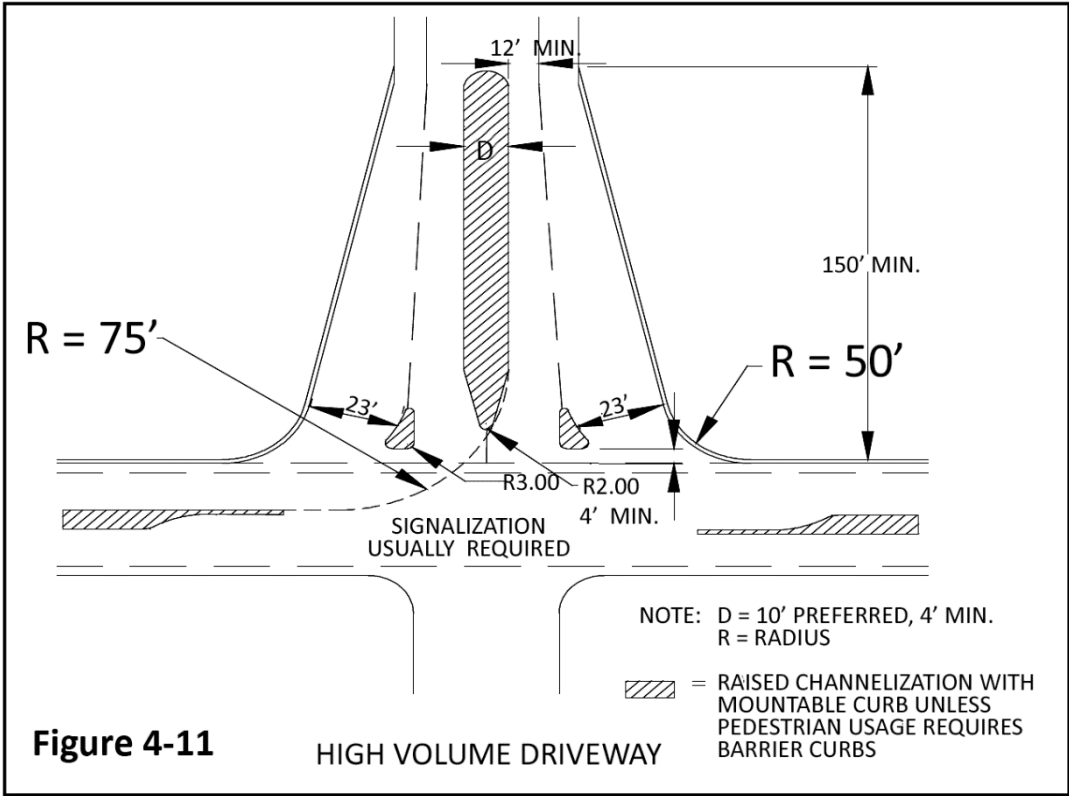


TWO WAY ENTRANCE WITH MEDIAN DIVIDER



TWO WAY ENTRANCE -- SEPARATED DRIVEWAYS  
MEDIUM VOLUME DRIVEWAY

**Figure 4-10**



**Figure 4-12**

**DRIVEWAY SLOPE CRITERIA**

1. The Shoulder Slope usually varies from 1/2"/FT (4%) to 3/4"/FT (6%). However, the Shoulder Slope should be maintained when constructing the driveway.
2. Vertical Curves shall be provided for grade changes exceeding a 1% Algebraic difference.
3. Grades (G) shall be limited to 15% for Minimum Use Driveways and from 8% for Low, Medium or High Volume Driveways.

## CHAPTER 22

### SUBDIVISION AND LAND DEVELOPMENT

#### Part 5

#### Mobile Home Parks

**§501. General Requirements.** Mobile Home Parks shall comply with all applicable requirements of the Township Zoning Code including district regulations and special exception criteria. Mobile Home Parks shall also comply with any other applicable codes of the Township and with the requirements of this Chapter and with this Part.

(1) Minimum Park Area. A mobile home park shall have a minimum gross area of ten (10) contiguous acres of land suitable for development.

(2) Lot Requirements.

(a) The maximum number of mobile home lots or spaces within a mobile home park shall not exceed seven (7) lots per acre of the total area of the mobile home park.

(b) The minimum lot size for mobile homes in a mobile home park shall be not less than five thousand five hundred (5,500) square feet. The minimum width of a mobile home lot shall be not less than fifty (50) feet, and the minimum length of a mobile home lot shall be not less than one hundred (100) feet or thirty (30) feet greater than the overall length of the mobile home to be located on such lot, whichever is greater.

(c) All mobile home lots shall abut a street of the mobile home park internal street system. Lots may be laid out at an angle to the street line, but in no case shall the frontage on each lot be less than forty-five (45) feet.

(3) Setbacks.

(a) All mobile homes, auxiliary park buildings, and other structures shall be located at least forty (40) feet from the mobile home park boundary lines and eighty (80) feet from public street rights-of-way.

(b) Mobile homes shall be located at least fifty (50) feet from any auxiliary park buildings and any repair, maintenance, or storage areas or buildings.

**§502. Plan Requirements.**

(1) Mobile home park plans shall be prepared in accordance with all the applicable plan procedures and requirements as specified for Major Land Development in Parts 2 and 3 of this Chapter.

(2) A notation shall be placed on the land development plan stating that the mobile home park owner shall be responsible for maintenance of all park facilities including roads, storm water management facilities, sewage and water facilities, and recreation/open space areas.

**§503. Required Site Improvements.**

(1) Utilities, Services, and Controls. Public or private community wide sewer and water facilities shall be provided for the mobile home park; individual on-lot facilities shall be unacceptable. Mobile home parks shall be served by utilities, facilities, and controls as specified in Part 4 of this Chapter including:

- (a) Utilities: §414;
- (b) Sewage Facilities: §415;
- (c) Water Supply: §416;
- (d) Storm Water Management: §417;
- (e) Soil Erosion and Sedimentation Control: §418; and
- (f) Floodplain Management: §420.

(2) Internal Street System. All lots and facilities within the mobile home park shall be served by an internal street system built in accord with the design and construction specifications for minor streets found in §405 and §407 of this Chapter.

(3) Parking Space. A minimum of two (2) auto parking spaces shall be provided for each mobile home lot within the mobile home park. These spaces shall be located within two hundred (200) feet of the mobile home lot that they are intended to serve and shall be treated in a manner approved by the Township which will effectively prevent soil erosion and the creation of dust during dry weather.

(4) Grading and Ground Cover. The ground surface in all parts of the mobile home park shall be graded to facilitate storm water drainage and shall be seeded for maintenance and erosion control.

(5) Mobile Home Pads. The mobile home pads shall be graded and compacted for durability and shall provide adequate support for the placement of the mobile home unit. Each unit shall be provided with an anchoring system designed to resist the natural forces of wind, floatation, or collapse. The minimum standards for anchoring shall be as found in the Buffalo Township Floodplain Ordinance #10 as amended, Section 4.C:

“Anchoring shall be over-the-top ties provided at each of the four corners of the mobile home with two additional ties per side at intermediate locations; mobile homes less than fifty feet long shall require only one additional tie per side; all over-the-top ties shall be attached to ground anchors; frame ties shall be provided at each corner of the home with five additional ties per side; all components of the anchoring system being capable of carrying a force of 4,800 pounds; and any additions to the mobile home shall be similarly anchored.”

(6) Recreation and Open Space. A minimum of five (5) percent of the gross area of the mobile home park or ten thousand (10,000) square feet of space, whichever is greater, shall be reserved for recreational space. This space shall not include rights-of-way, retention basins, or utility easements. Lands established for this purpose shall be usable in terms of size, shape, terrain, and soil conditions.

(7) Screening and Landscaping. Mobile home park developers are urged to incorporate landscaping improvements into their project design to enhance the livability and the visual impact of the park and the surrounding community. The minimum landscaping and screening improvements required for a Mobile Home Park are specified in the section on Screening and Landscaping in the township zoning code.

(Ordinance No. 42, adopted July 6, 1998)

## CHAPTER 22

### SUBDIVISION AND LAND DEVELOPMENT

#### Part 6

#### Land Development Requirements

##### **§601. Applicability.**

(1) The standards outlined in this Part shall be applied by the Township Planning Commission in evaluating Land Developments. These standards shall be considered minimum standards, and the Commission may impose more restrictive standards to address public safety concerns.

(2) A specialized type of subdivision, a land development requires approval of a site plan by the Township Planning Commission utilizing the same procedures required for the approval of a conventional subdivision. Generally, the site plan shall show the location of proposed buildings and all facilities included within the development for the common use of occupants or the general public.

(3) Facilities that shall be shown on the site plan include driveways, internal streets, parking areas, loading areas, landscaped areas, outdoor recreation facilities, sidewalks and pathways, utilities, and storm water management facilities.

(4) The detail and precision required in the preparation of the land development plan is dependent upon the type of land development, specifically whether it is a major or minor land development (see §201(2)).

(5) In addition, all other applicable standards of this Chapter and the Township Zoning Code not in conflict herewith shall apply unless otherwise noted in this Part. Approval of a land development plan by the Planning Commission does not absolve the developer from his responsibilities to meet such other requirements as may be applicable. A signed acknowledgement, with wording as prescribed by the Planning Commission, must be placed on the plan where such other requirements are applicable.

##### **§602. Multiple Family Dwelling and Townhouse Developments.**

###### **(1) Development Concept.**

(a) The developer shall submit with the land development plan a description of the type of housing proposed, indicating the number of dwelling units per structure and means of access.



(b) If the developer proposes to subdivide and convey individual dwelling units within the development, an exact legal description of the areas or dwelling units to be conveyed shall be provided.

(c) The developer shall submit with the land development or subdivision plan a proposal for the maintenance of all facilities which are shared by residents within the proposed development. If the developer proposes to subdivide and convey individual dwelling units within the development, an agreement which assigns maintenance responsibility for commonly used facilities shall be recorded with the subdivision plan and referenced in the deeds for all properties in the development.

(2) Streets, Parking, and Utilities.

(a) All internal streets within the development shall meet the design and construction specifications found in §405 and §407 of this Chapter.

(b) Access to public streets shall be limited to well defined entrance and exit lanes. They shall be separated by dividers or planting islands.

(c) Painted lines, arrows, and dividers shall be provided and maintained to control parking and internal circulation. Parking and service areas shall be separated from driving lanes.

(d) All developments of this type shall be connected to public sewer and water supply systems or provide private central sewerage and water supply systems certified by the Pennsylvania Department of Environmental Protection.

(e) A minimum of two (2) off-street parking spaces per dwelling unit within the development shall be provided within two hundred (200) feet of the dwelling unit intended to be served.

(3) Open Space Requirement. A minimum of five hundred (500) square feet of usable open space, exclusive of streets, parking areas, structures, and service areas, shall be provided for each dwelling unit within the development.

(4) Pedestrian Circulation.

(a) Pedestrian walkways shall be provided in order to promote safe pedestrian circulation throughout the development and to minimize conflicts between pedestrians and vehicles.

(b) Where possible, common open space areas and other residential service areas should be located at the interior of development sites to minimize the

necessity for pedestrians to cross streets and driveways. Such other safety precautions as deemed appropriate may be required by the Commission.

(5) Minimum Yards and Building Separations. The minimum distances between structures and street or property line shall be as established in the Zoning Ordinance for the Township.

**§603. Cluster Housing Developments (Cluster Subdivision).**

(1) Purpose. A Cluster Housing Development is an optional form of residential development which allows the developer more choices of housing types and enables him to develop lots smaller than otherwise specified in the municipal zoning ordinance, provided that the land saved is reserved for permanent common use, usually in the form of open space. A detailed explanation of the concept and the regulations for a Cluster Housing Development are found in the Buffalo Township Zoning Ordinance. This type of development shall be designed to achieve:

(a) A characteristic of design and site planning in which houses are grouped together on a tract of land and each cluster of homes is set off from others like it by an intervening space that helps give visual definition to each individual cluster; and

(b) The preservation and utilization of unusual and important physical features of undeveloped land that is held for the common recreational enjoyment of the adjacent residents or the township at large; and

(c) More efficient use of the land and of public facilities required to serve new residential developments.

(2) Development Standards. The following development standards shall be met in addition to the standards specified in the CLUSTER SUBDIVISION section of the Township Zoning Code:

(a) All internal streets and driveways (other than individual dwelling unit driveways) within the development shall meet the design and construction specifications found in §405 and §407 of this Chapter.

(b) Convenient off street parking spaces shall be provided within 200 feet of the dwelling unit served.

(c) Access to public streets shall be limited to well defined entrance and exit lanes.

(d) Painted lines, arrows, and dividers shall be provided and maintained to control parking and internal circulation. Parking and service areas shall be separated from driving lanes.

(e) Pedestrian Circulation.

(1) Pedestrian walkways shall be provided in order to promote safe pedestrian circulation throughout the development and to minimize conflicts between pedestrians and vehicles.

(2) Where possible, common open space areas and other residential service areas should be located at the interior of development sites to minimize the necessity for pedestrians to cross streets and driveways. Such other safety precautions as deemed appropriate may be required by the Commission.

**§604. Recreational Vehicle Park and Campground Developments.**

(1) General Standards. It shall be noted on the land development plan that:

(a) Recreational Vehicle Parks or Campgrounds are designed for intermittent recreational use, and that recreational vehicles used for full time residential occupancy shall not be permitted within the development except as provided in §605(1)(c);

(b) It shall be the responsibility of the park owner to maintain all park facilities, including internal roads, sewage disposal facilities, and areas designated for open space; and

(c) Up to a maximum of two (2) recreation vehicles may be utilized for permanent residences for staff or employees of the development provided that adequate utilities are provided for year around use.

(2) Development Standards.

(a) The maximum number of lots or camping spaces within each park or campground shall be no more than fifteen (15) per acre of the total area of the park or campground.

(b) The minimum size of each lot or camping space shall be not less than one thousand five hundred (1,500) square feet in area.

(c) A minimum of two (2) off street parking spaces shall be provided for each site or camping space within the development.

(d) All internal streets within the development shall have a minimum cartway of sixteen (16) feet.

(e) Developments designed to accommodate travel trailers or recreational vehicles shall be provided with individual sewer hookups at each site or with a community dump station for sewage disposal. Sewage disposal and water supply facilities shall be constructed in accord with the standards of the Department of Environmental Resources and §415 and §416 of this Chapter.

(f) Pedestrian pathways shall be provided in order to separate pedestrian and vehicular traffic.

### **§605. Commercial Land Developments.**

#### **(1) General Standards.**

(a) Commercial developments, including but not limited to shopping centers, stores, business uses, motels, and other similar types of development shall comply with the following standards and requirements as well as with all other applicable provisions of this Chapter and the Township Zoning Code not in conflict herewith.

(b) Utilities, services, and development controls shall be as specified in Part 4 of this Chapter including:

- (1) Utilities: §414
- (2) Sewage Facilities: §415
- (3) Water Supply: §416
- (4) Storm Water Management: §417
- (5) Soil Erosion & Sedimentation Control: §418
- (6) Floodplain Management: §420

(c) Commercial development areas shall be designed with consideration of site conditions to insure:

- (1) Desirable land utilization;
- (2) Convenient traffic circulation, emergency vehicle access, and parking;
- (3) Pedestrian safety;
- (4) Adequate service, delivery, and pickup areas; and
- (5) Coordination of development with adjacent parcels of land.

(2) Access and Circulation.

(a) Access to public streets shall be limited to well defined entrance and exit lanes. They shall be separated by dividers or planting islands.

(b) Painted lines, arrows, and dividers shall be provided and maintained to control parking and internal circulation. Customer parking and driving lanes shall be separated from delivery drives and loading areas.

(c) All parking areas, service drives, loading areas, driveways, and internal roadways shall be built in accord with the design and construction specifications for collector streets found in §415 and §417 of this Chapter.

(d) Pedestrian walkways shall be provided in order to promote safe pedestrian circulation throughout the development and to minimize conflicts between pedestrians and vehicles.

(3) Parking Area Requirements.

(a) One (1) parking space per three hundred (300) square feet of gross leasable commercial area shall be provided.

(b) To the greatest extent possible, parking aisles shall be designated at right angles to the stores.

(c) Parking area shall be set back from the street right-of-way lines and property boundaries a minimum distance of five (5) feet and a minimum of ten (10) feet from dwellings.

(d) The setback areas between the parking area and street right-of-way or property lines shall be maintained as a planting area.

(4) Screening and Landscaping. Commercial project developers are urged to incorporate landscaping improvements into their project design to enhance the visual impact of their project upon the surrounding community. Refer to the Township Zoning Code – Screening and Landscaping section for required applications for commercial development projects. All storage, service or unsightly areas within the development shall be adequately screened from any adjacent developments and streets.

## **§606. Industrial Land Developments.**

### **(1) General Standards.**

(a) Industrial developments, including industrial parks and buildings, shall comply with the following standards and requirements as well as with all other applicable provisions of this Chapter and the Township Zoning Code not in conflict herewith.

(b) Utilities, services, and development controls shall be as specified in Part 4 of this Chapter including:

- (1) Utilities: §414
- (2) Sewage Facilities: §415
- (3) Water Supply: §416
- (4) Storm Water Management: §417
- (5) Soil Erosion & Sedimentation Control: §418
- (6) Floodplain Management: §420

(c) Industrial development areas shall be designed with consideration of site conditions to insure:

- (1) Desirable land utilization;
- (2) Convenient traffic circulation, emergency vehicle access, loading and unloading facilities, and parking;
- (3) Pedestrian safety;
- (4) Adequate service, delivery, and pickup areas; and
- (5) Coordination of development with adjacent parcels of land.

(d) All proposed industrial development shall provide written approval from the Pennsylvania Department of Environmental Resources and the Township Municipal Authority of plans for adequate treatment and/or pretreatment of any industrial wastes generated within the development. Adequate air and water pollution controls shall be required within these developments. Performance bonds for provision of these controls may be required for approval.

### **(2) Access and Circulation.**

(a) Access to public streets shall be limited to well defined entrance and exit lanes. They shall be separated by dividers or planting islands.

(b) Painted lines, arrows, and dividers shall be provided and maintained to control parking and internal circulation. Employee parking and driving lanes shall be separated from delivery drives and loading areas.

(c) All parking areas, service drives, loading areas, driveways, and internal roadways shall be built according to the design and construction specifications for collector streets as specified in §405 and §407 of this Chapter.

(d) Pedestrian walkways shall be provided in order to promote safe pedestrian circulation throughout the development and to minimize conflicts between pedestrians and vehicles.

(3) Parking and Loading Area Requirements.

(a) Off-street parking shall be provided for all employees plus extra spaces for visitors in accord with Off-Street Parking and Loading standards of the township zoning ordinance.

(b) All loading and unloading areas and service areas of the development shall be provided off-street with access from internal roadways and shall be designed not to cause interruption to adjacent street traffic.

(c) Parking area shall be set back from the street right-of-way lines and property boundaries a minimum distance of five (5) feet and a minimum of ten (10) feet from dwellings.

(d) The setback areas between the parking area and street right-of-way or property lines shall be maintained as a planting area.

(4) Screening and Landscaping. Industrial project developers are urged to incorporate landscaping improvements into their project design to enhance the visual impact of their project upon the surrounding community. Refer to the Township Zoning Code – Screening and Landscaping section for required applications for industrial development projects. All storage, service or unsightly areas within the industrial development shall be adequately screened from any adjacent developments and streets.

**§607. Other Land Developments.** Plans for other types of land developments not specifically listed shall be prepared in accord with the Plan Requirements of Part 3 of this Chapter and shall also comply with all applicable Design and Construction Standards outlined in Part 4. All land development plans shall be submitted to the Planning Commission for review and approval pursuant to the procedures outlined in Part 2 of this Chapter.

(Ordinance No. 42, adopted July 6, 1998)

## CHAPTER 22

### SUBDIVISION AND LAND DEVELOPMENT

#### Part 7

#### Definitions

**§701. Definitions.** Except where specified in the following definitions, all words used in this Chapter shall carry their customary meanings. Words used in the present tense include the future; the singular shall include the plural, and the plural the singular; the word “building” shall include the word “structure”; the word “shall” is intended to be mandatory; and the word “person” includes a partnership or corporation as well as individual.

**ACCESSORY STRUCTURE** – A structure subordinate to, and located on the same lot as the principal building and serving a purpose customarily incidental to the use of the principal building.

**ACCESSORY STRUCTURE FOR TEMPORARY RESIDENCE** - A structure subordinate to and located on the same lot as the principal building that is placed on the side or rear yard of a family home for occupancy of a qualified occupant who is a member of the family occupying the principal residence. The structure offers autonomy for its occupant along with easy access to the host family who can provide assistance provided, however, that when the Accessory Structure for Temporary Residence is no longer occupied by a qualified occupant, said structure shall be removed or utilized for another permitted accessory use. (Ordinance No. 22-1, adopted January 3, 2022)

**ACCESSORY USE** – A use subordinate to and located on the same lot as the principal use and serving a purpose customarily incidental to the principal use.

**ADD-ON SUBDIVISION** – See Subdivision.

**AGRICULTURAL PURPOSES** – The use of more than ten (10) acres or land for the purpose of producing agricultural commodities which shall include but not be limited to: growing grains, fruits, vegetables, nursery plants, Christmas trees, or timber; raising poultry or livestock; producing agricultural commodities through greenhouse production.

**ANCHORING SYSTEM** – A system of tie-downs and anchors designed and installed on mobile home pads in accordance with the standards of Section 4.C. of the Buffalo Township Floodplain Management Ordinance #10 (as amended), to resist the floatation, collapse, and lateral movement of mobile homes.



**APPLICANT** – A landowner, developer, or subdivider, as hereinafter defined, who has filed an application for a subdivision, mobile home park, or land development including his heirs, successors, agents and assigns.

**BUILDING** – Any structure having a roof supported by columns or walls used for shelter, housing, or enclosure of persons, animals, or property.

**BUILDING, PRINCIPAL** – A building housing the main or principal use of the lot on which the building is located.

**BUILDING, ACCESSORY** – A building housing an incidental and subordinate use to the principal use of the lot on which the building is located.

**CAMPGROUND** – A tract or tracts of land, or any portion thereof, used for the purpose of providing two or more spaces for travel trailers or tents, with or without a fee charged for the leasing, renting or occupancy of such space.

**CARTWAY** – The surface of a street or alley available for vehicular traffic.

**CENTERLINE** – A line located exactly in the center of the width of the cartway, right-of-way, easement, access, road, or street.

**CLEAR SIGHT TRIANGLES** – An area of unobstructed vision at street intersections or street and driveway intersections defined by lines of sight between points at a given distance from the intersection of the street and/or driveway centerline.

**CLUSTER SUBDIVISION** – A large scale residential development of ten (10) acres or more, in which individual dwelling units or buildings are grouped together. Modifications or reduction of the minimum yard and lot size requirements of the Township Zoning Ordinance are permitted in exchange for an equivalent amount of land to be preserved for scenic, recreation, or conservation purposes. The overall dwelling unit density of the underlying district cannot be exceeded in this type of development.

**COUNTY PLANNING COMMISSION** – The Union County Planning Commission.

**COMMUNITY FACILITY** – A building or structure, or non-structural improvement such as an easement for utilities or storm water controls, jointly owned and/or maintained by property owners within a subdivision, or by a governmental agency, to provide a service to the public.

**CONDOMINIUM** – A building, a group of buildings, in which units are owned individually, and the structure, common areas and facilities are owned by all the owners on a proportional, undivided basis.

DEVELOPER – Any landowner, agent of such landowner or lessee with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development.

DEVELOPMENT – See definition of Land Development.

DRIVEWAY – A vehicular way for entrance and exit to a property and circulation within the property.

DROP CURB – A section of curbing which is lowered to the street pavement level to permit access into a property or properties.

DWELLING – Any structure, or portion thereof, which is designed or used for residential purposes. The term dwelling shall not be deemed to include motel, rooming house, tourist home, hotel, hospital, or nursing home.

DWELLING, MOBILE HOME – A single-family detached factory manufactured housing unit built on a chassis. A mobile home shall be constructed to remain a mobile home, subject to all regulations applying thereto, whether or not wheels, axles, hitch, or other appurtenances of mobility are removed and regardless of the nature of the foundation provided. This term does not include recreation vehicles or travel trailers.

DWELLING, MODULAR HOME – A structure intended for permanent occupancy as a dwelling consisting of prefabricated sections or components constructed according to nationally recognized building codes at another location and transported to the site for assembly, placement upon and attachment to a permanent foundation.

DWELLING, SINGLE FAMILY ATTACHED – See Townhouse.

DWELLING, SINGLE FAMILY DETACHED – A dwelling designed for and occupied by not more than one family and having no roof, wall, or floor in common with any other dwelling unit and having an additional lot with private yards on all four sides of the house.

DWELLING, TWO-FAMILY – Two dwelling units, each of which is attached side to side, or one above the other, each one sharing only one common wall or floor with the other. Each unit shall have individual access to the outside.

DWELLING, MULTIPLE FAMILY – a building designed for or containing two or more dwelling units, sharing access from a common hall, stair, or balcony.

EASEMENT – Authorization by a property owner for use by another of any designated part of his property for a specified purpose.

ENGINEER – A licensed engineer registered in the Commonwealth of Pennsylvania.

LOT, FLAG – A lot, the main use or building area of which does not abut a public street, but is connected thereto by a narrow strip of land which is part of the lot.

FLOOD – A general and temporary inundation of normally dry land areas.

FLOOD, ONE HUNDRED YEAR – A flood that, on the average, is likely to occur once every 100 years, or that has a one percent chance of occurring in any given year.

FLOOD FRINGE – That portion of the 100 year floodplain outside the floodway.

FLOODPLAIN – A relatively flat or low land area adjoining a stream, river, or watercourse, which is subject to partial or complete inundation. The boundary of this area shall coincide with the boundary of the 100 year flood as defined in the Township Floodplain Ordinance #10, as amended.

FLOODWAY – The channel of a river or other watercourse and the adjacent land areas required to carry and discharge a flood of a 100 year frequency without cumulatively increasing the water surface elevation more than one (1) foot at any point.

GOVERNING BODY – The Board of Township Supervisors, Township of Buffalo, County of Union, Commonwealth of Pennsylvania.

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

IMPROVEMENTS GUARANTEE AGREEMENT – A deposit consisting of cash, a bond, a binding letter of credit, escrow account, or negotiable securities **and an agreement** guaranteeing the developer will install the required improvements.

LAND DEVELOPMENT –

(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, leaseholds, condominiums, building groups or other features; or

(2) A subdivision of land.

LAND OWNER – The legal or beneficial owner or owners of land including the holder of an option or contract to purchase, a lessee if he is authorized under the lease to exercise the rights of the land owner, or any other person having a proprietary interest in land.

LEVELLING AREA – A safe stopping area at the intersection of streets or the intersection of a driveway and a street which is designed in accordance with the standards of this Chapter.

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

LOT AREA – The computed area contained within the lot lines exclusive of any street rights-of-way, but including the area of any easement.

LOT, CORNER – A lot abutting the intersection of two streets.

LOT DEPTH – The mean horizontal distance between the front and rear lot lines.

LOT, DOUBLE FRONTAGE – A lot with street frontage at both the front and the rear.

LOT, REVERSE FRONTAGE – A lot extending between and having frontage on a collector street and on a local or minor street, with vehicular access being provided solely from the local or minor street.

LOT, WIDTH – The width of the lot between side lot lines at the front building line as prescribed by the front yard regulations.

MAINTENANCE GUARANTEE – A deposit consisting of cash, a bond, a binding letter of credit, escrow account, or negotiable securities and an agreement insuring that the improvements have been properly installed (see §204(4)(b)).

MINOR SUBDIVISION – See Subdivision.

MOBILE HOME – See Dwelling, Mobile Home.

MOBILE HOME LOT – A parcel of land in a Mobile Home Park improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single Mobile Home, which is leased by the park owner to the occupants of the Mobile Home erected on the lot.

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

MONUMENT – As utilized in the context of these regulations, a monument shall designate survey reference points utilized in laying out a given development. Each monument shall be constructed and placed as detailed in these regulations (see §412).

MUNICIPALITY – The municipal corporation known as the Township of Buffalo, Union County, Pennsylvania.

PAVEMENT – A sub-base, base course, or surface course placed on a sub-grade to support traffic load.

PLAN – A map or plat of a subdivision or land development, whether sketch, preliminary or final (see Subdivision Plan).

PLANNING COMMISSION – The Planning Commission of Buffalo Township, Union County, Pennsylvania.

PLAT – See Plan.

RECREATION FACILITY – A place designed and equipped for the conduct of sports and leisure-time activities.

RECREATION FACILITY, COMMERCIAL – A profit or non-profit business in which amusement, play or other exercise is offered or sold. This use shall include the sale of products related to recreation. Commercial Recreation shall include but not be limited to theaters, go cart track, farm vacation homes, exercise centers, and/or recreations facilities operated as a profit or non-profit and open to the public for a fee.

RECREATION FACILITY, PERSONAL – A recreation facility provided as an accessory use on the same lot as the principal permitted use and designated to be used primarily by the occupants of the principal use and their guests.

RECREATION FACILITY, PUBLIC – A recreation facility open to the general public, and operated by a local government agency.

RECREATIONAL VEHICLE – A vehicular type of portable structure without permanent foundation, which can be towed, hauled, or driven and primarily designed as temporary living accommodation for recreational, camping and travel use and including but not limited to travel trailers, truck campers, camping trailers, and self-propelled motor homes.

RECREATIONAL VEHICLE PARK – Any site upon which two or more recreational vehicles are or are intended to be located.

RESIDUAL LOT – The lot or parcel created through subdivision which is the remaining portion of the parent tract. The residual property shall be considered as an integral part of the proposed subdivision and shall be required to meet the standards of this Chapter, where determined appropriate by the Township.

RIGHT-OF-WAY – That portion of land dedicated to the public for use as a street, drain, ditch, stream, utility easement or cross walk.

RIGHT-OF-WAY, FUTURE – The planned future width of an existing substandard right-of-way based on the criteria established by this Chapter, applicable Township plans, or PennDOT.

SCREEN PLANTING – A visual obstruction or suitable fence or wall at least six feet high or attractive, maintained shrubs or hedges a minimum of four feet high intended as a barrier to visibility, glare and noise between adjacent properties.

SETBACK – The horizontal distance between a structure and a street line or property line.

SEWERAGE SYSTEM – Facilities developed and approved in accordance with §415 of this Chapter for the disposal of sewage.

SEWERAGE SYSTEM, COMMUNITY (OR CENTRAL) – A sewer collection and treatment system which serves facilities on a community, area-wide, or regional basis. The facility company must be approved by and (or) licensed by the Pennsylvania Department of Environmental Resources.

SEWAGE SYSTEM, INDIVIDUAL – An on-lot sewage treatment system serving a single residence or user which must be approved by the Township Sewage Enforcement Officer and/or the Pennsylvania Department of Environmental Resources.

SHOPPING CENTER – A commercial land development.

SHOULDER – That portion of the roadway which is adjacent to the cartway and is provided for lateral support of the pavement and for emergency stopping.

SLOPE – The rise or fall of the land usually measured in percent slope. The percent slope is equal to the rise or fall in feet for a horizontal distance of 100 feet.

SMALL COTTAGE - Small, separate, manufactured, relocatable residences that are placed on the side or rear yard of a family home for occupancy of a qualified occupant who is a member of the family occupying the principal residence. The cottage offers autonomy for its occupant along with easy access to the host family who can provide assistance. When no longer occupied, the cottage is removed from the property. (Ordinance No. 22-1, adopted January 3, 2022)

STORMWATER MANAGEMENT PLAN – A plan for managing stormwater runoff from the proposed subdivision or land development, prepared by the developer in accordance with the standards of this Chapter (see §417).

STREET – A public or private right-of-way of the required width which affords the principal means of access for vehicles and pedestrians to abutting property. The term “street” shall include street, avenue, drive, circle, highway or any similar term except an alley.

ALLEY OR SERVICE DRIVE – A public or private way upon which no principal buildings front affording secondary means of access to abutting property.

STREET, ARTERIAL – A street serving a large volume of comparatively high speed and long distance traffic, including all streets classified as arterial streets in the Buffalo Township Comprehensive Plan.

STREET, COLLECTOR – A street which, in addition to providing access to abutting properties, intercepts minor streets to provide a route to arterial streets. Collector streets are so designated in the Buffalo Township Comprehensive Plan.

STREET, CUL-DE-SAC – A street intersecting another street at one end terminating at the other in a vehicular turn-around.

STREET, DEAD-END – A street with only a single outlet.

STREET, MARGINAL ACCESS – A street which is parallel and adjacent to arterial or collector streets and is intended to provide access to abutting properties and control intersections along collector or arterial streets.

STREET, MINOR – Streets within subdivisions and developments, including marginal access streets and cul-de-sac streets, which are designed to afford primary access to abutting property.

STREET, PUBLIC – All streets and rights-of-way open to public use and maintained by or dedicated to and accepted by the Township or PennDOT.

– All streets and rights-of-way not dedicated, accepted, and maintained as public streets.

STREET RIGHT-OF-WAY LINE – The closest edge of the right-of-way as required by this Chapter.

STREET SYSTEM – All of the public and private streets that make up the highway system of the Township.

STREET SYSTEM, TOWNSHIP – All public streets and rights-of-way maintained by Buffalo Township, including minor and collector streets.

STREET SYSTEM, STATE – All public streets and rights-of-way maintained by the Pennsylvania Department of Transportation, including minor, collector, arterial, and interstate highways.

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

SUBDIVIDER OR DEVELOPER – Any landowner, agent of such landowner or tenant with the permission of such landowner who makes or causes to be made a subdivision or a land development.

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 development: Provided, however that the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new streets or easements of access or any residential dwelling, shall be exempted.



As a further exception, the division of small portions of existing lots, tracts, or parcels of land being acquired by governmental units or public utilities for use in road improvements, utility lines, or utility structures may be exempt from the requirements of this Chapter as per P.U.C. regulations, state law, or federal law.

SUBDIVISION, ADD-ON – A subdivision which creates a lot which is to be added to an existing contiguous lot and where no new building lot or land development is proposed.

SUBDIVISION, MINOR – A subdivision of lots fronting on a public road and not involving the creation of any new streets.

SUBDIVISION, PLAN – A proposal to subdivide or develop one or more tracts of land. The plan shall include the proposed layout of the subdivision or land development and shall be accompanied by all other supplementary materials required by this Chapter when submitted for consideration.

PLAN, SKETCH – An informal plan, not necessarily to exact scale, indicating important features of the tract and its surroundings and the general layout of a proposed subdivision.

PLAN, PRELIMINARY – A tentative subdivision plan, in lesser detail than the final plan, indicating the approximate proposed layout of a subdivision as a basis for consideration prior to preparation of the final plan.

PLAN, FINAL – A complete and exact subdivision plan prepared for official recording following approval of the Buffalo Township Planning Commission.

SURVEYOR – A licensed professional land surveyor registered in Pennsylvania.

TOWNHOUSE – A single-family attached dwelling of three or more adjoining dwelling units, each of which is separated from the other by one or more unpierced firewalls from ground to roof, having individual outside access. Rows of attached townhouses shall not exceed eight dwelling units.

TOWNSHIP – Buffalo Township, Union County, Commonwealth of Pennsylvania.

WATERCOURSE – A permanent or intermittent stream, river, spring, brook, creek, channel, ditch, or swale for water whether natural or man-made.

WATER SUPPLY SYSTEM – A system for the collection, treatment, storage and distribution of potable water from the source of supply to the consumer. (Ordinance No. 20-4, adopted July 6, 2020)

WATER SUPPLY SYSTEM, PUBLIC OR COMMUNITY – A water collection, treatment and distribution system which serves facilities on a community, area-wide or regional basis in which water is collected and treated by means of a treatment plant that is designed, approved and permitted in accordance with the requirements of the PA DEP and from which treated water is then distributed to end users. Such systems shall include municipal and public treatment facilities, as well as those systems installed, owned and maintained by private developers. (Ordinance No. 20-4, adopted July 6, 2020)

(Ordinance No. 42, adopted July 6, 1998)

## CHAPTER 22

### SUBDIVISION AND LAND DEVELOPMENT

#### Part 8

#### Administration

**§801. Waivers or Modifications.** The Planning Commission may grant a waiver or modification to the minimum standards of the Subdivision and Land Development Ordinance when the literal compliance with mandatory provisions is shown to be unreasonable, to cause undue hardship, or when an alternative standard can be demonstrated to provide equal or better results. Furthermore, the Planning Commission may grant a modification of the requirements of one or more provisions if the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question, provided that such modifications will not be contrary to the public interest and that the purpose and intent of this Chapter is observed.

(1) **Procedures.**

(a) All requests for a waiver or modification shall be in writing and shall accompany the application for subdivision or land development. The request shall state the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of the Chapter involved and the minimum modification necessary.

(b) The Planning Commission shall keep a written record of all action on the modification request.

(c) In granting waivers and modifications, the Planning Commission may impose such conditions as will, in its judgment, encourage innovative design and secure substantially the objectives of the standards or requirements waived or modified.

**§802. Records.** The Planning Commission shall keep for the public record all plans upon which it takes action. The Planning Commission shall also keep a record of all decisions and actions related thereto.

**§803. Amendment.** The Buffalo Township Supervisors may, from time to time, revise, modify, and amend this Chapter by appropriate action taken at a scheduled public meeting, in accord with the applicable provisions of the Pennsylvania Municipalities Planning Code, as amended.

**§804. Required Fees.** The Board of Supervisors shall by Resolution establish the required subdivision plan application and review fees. All fees shall be payable to Buffalo Township.

(1) Subdivision Plan Application Fee. The purpose of the subdivision plan application fee shall be to cover a portion of the plan processing cost incurred by the township.

(2) Review fees. The Township shall charge review fees to cover the actual cost of retaining the municipal engineer or consultant to evaluate subdivision plans or to inspect required improvements.

(3) Disputed Review Fees.

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

(b) In the event that the municipality and the applicant cannot agree on the amount of review fees which are reasonable and necessary, then the applicant and the municipality shall follow the procedure for dispute resolution set forth in section 510(g) of Act 247 of 1968, as amended, the Pennsylvania Municipalities Planning Code.

**§805. Preventive Remedies.**

(1) In addition to other remedies, the Township may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations, to prevent unlawful construction, to recover damages and to prevent illegal occupancy of a building, structure, or premises. The description by metes and bounds in 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 Township may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of any ordinance adopted pursuant to Article V of Act 247 of 1968, as amended. 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.

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

#### **§806. Enforcement Remedies.**

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

(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 Township the right to commence any action for enforcement pursuant to this section.

(4) District justices shall have initial jurisdiction in proceedings brought under this section.

**§807. Adoption and Effective Date.** By Resolution 98-119 of the Board of Supervisors of Buffalo Township, Union County, Pennsylvania, Ordinance #42 is adopted this 6<sup>th</sup> day of July, 1998.

The Buffalo Township Subdivision and Land Development Ordinance shall become effective October 5, 1998. Final plans submitted prior to October 5, 1998, for which a preliminary plan had previously been approved, were governed by the Union County Subdivision and Land Development Ordinance adopted December 1, 1978, as amended.

**§808. Saving Provision.** The adoption of this Chapter shall not affect or prevent any pending or future prosecution of, or action to abate, any existing violation of the Union County Subdivision and Land Development Ordinance adopted December 1, 1978, as amended, if the action is in violation of the provisions of this Chapter.

(Ordinance No. 42, adopted July 6, 1998)