

**SUBDIVISION AND  
LAND DEVELOPMENT  
ORDINANCE**

TOWNSHIP OF WATERFORD

ORDINANCE 7/11/1972

CHAPTER 22

SUBDIVISION AND LAND DEVELOPMENT

Part 1

Subdivisions

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Part 1  
Subdivisions

§101. Title. These regulations shall be known and cited as the "WATERFORD TOWNSHIP Subdivision Regulations". (Ord. 7/11/1972, Art. I)

§102. Purpose of Regulations. These regulations are adopted for the following purposes:

1. To assist the orderly, efficient and intergrated development of the Township.
2. To promote the health, safety, morals and general welfare of the residents of the Township.
3. To secure equitable handling of all subdivision plans by providing uniform procedures and standards.

(Ord. 7/11/1972, Art. I)

§103. Definitions. Unless otherwise expressly stated, the following terms shall, for the purpose of these regulations, have the meaning indicated: Words in the singular include the plural, and words in the plural include the singular. The word "person" includes a corporation, unincorporated association and a partnership as well as an individual. The word "building" shall be construed as if followed by the words "or part thereof". The words "shall" and "will" are mandatory; and the word "may" is permissive.

ALLEY - a permanent service way providing secondary means of access to abutting lands.

APPROVING AUTHORITY - the Board of Township Supervisors, or any person or body designated by it to act for it under the provisions of this Ordinance; provided final approval shall always be exercised by the Board.

BLOCK - property abutting on one side of a street, and lying between the two nearest intersecting or intercepting street and railroad right-of-way, waterway, unsubdivided area or other definite barrier.

BOARD - the Waterford Township Board of Supervisors.

BUILDING - any structure, or part thereof, affixed to the land.

BUILDING SET-BACKLINE - the line nearest the front of a lot establishing the minimum open space to be provided between the front line of buildings and structures and the front lot line.

CARTWAY - the surface of a street or alley available for vehicular traffic.

COMMISSION OR PLANNING COMMISSION - Waterford Township Planning Commission.

CORNER LOT - a lot, abutting two or more existing or proposed street rights-of-way at their intersection, on which the front yard building line for all streets must be observed.

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LAND DEVELOPMENT -

1. the improvement of one lot or more contiguous lots, tracts of parcels of land for any purpose involving (a) a group of two (2) or more buildings, or (b) the division or allocation of land or space between or amount two (2) or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.

2. a subdivision of land.

LOT - a portion of subdivision, or other parcel of land intended as a unit for transfer of ownership or for development. In determining the size of a lot, no part of a right-of-way, street, cross-walk or easement may be included.

LOT DEPTH - the mean horizontal distance between the front and rear lines of a lot.

LOT DOUBLE FRONTAGE - a lot, the generally opposite ends of which both abut on streets.

LOT WIDTH - the mean horizontal distance between side property lines of a lot.

OBSTRUCTION - any wall, dam, wharf, embankment, levee, dike, pile abutment, projection, excavation, channel, rectification, culvert, building, fence, stockpile, refuse, fill, structure or matter in, along, across or projecting into any channel, watercourse or flood-prone area, which may impede, retard or change the direction of the flow of water either in itself or by catching or collecting debris carried by such water or is placed where the flow of the water might carry the same downstream to the damage of life and property.

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

PLAN, SKETCH - an informal plan not necessarily to scale indicating existing features of a tract and its surroundings and general layout of the proposed subdivision.

PLAN, PRELIMINARY - a tentative plan indicating layout of a subdivision prepared by the subdivider for submission to the Supervisors for its consideration.

PLAN, FINAL - a complete and exact subdivision plan prepared for official recording as required by statute.

PLAT - a map or chart indicating the subdivision or redivision of land, intended to be filed for record.

PUBLIC GROUNDS - Parks, playgrounds and other public areas, and sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities.

PUBLIC SEWER & WATER - shall include municipal systems, mobile home park systems or Planned Residential Developments and other systems that service two (2) or more dwelling units and/or lots of record, such as private, group, association or project systems.

REVERSE FRONTAGE LOT - a lot extending between and having frontage on an arterial street and a minor street, and with vehicular access solely from the latter.

RIGHT-OF-WAY - and dedicated and publicly owned for use as a street, alley or crosswalk.

SEDIMENTATION - the process by which mineral or organic matter is accumulated or deposited by moving wind, water or gravity. Once this matter is deposited (or remains suspended in water), it is usually referred to as "sediment".

STREET - a right-of-way which affords the principal means of access to abutting property. A street may be designated as a highway, thoroughfare, parkway, boulevard, road, avenue, lane, drive, place or other appropriate name. A street may also be identified according to type of use as follows:

1. MAJOR STREETS - those streets used primarily to serve large volumes of traffic.

A. ARTERIAL STREETS - those serving large volumes of comparatively high-speed and long distance traffic, and including highways of the Pennsylvania State Transportation Department where applicable.

B. COLLECTOR STREETS - those, which in addition to giving access to abutting properties, intercept minor streets and provide routes carrying considerable volumes of traffic to community facilities and to other major traffic streets.

2. MINOR STREETS - those streets used primarily to provide access to abutting properties.

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

B. MARGINAL ACCESS STREETS - a street parallel and adjacent to major traffic streets, providing access to abutting properties and control of intersections with major traffic streets.

SUBDIVIDER - any person who undertakes the subdivision of land as defined herein. The subdivider may be the owner or the authorized agent of the owner of the land to be subdivided.

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

1. Any development of a parcel of land, (for example, as a shopping center, an industrial park or a multiple dwelling project), which involves installation of streets and/or alleys may not be dedicated immediately for purposes of conveyance, transfer or sale.

2. Resubdivision and, as appropriate in these Regulations, the process of subdividing land and the land subdivided.

3. The division of any part, parcel or area of land into two (2) or more lots irrespective of the length of time which may elapse prior to the time the second lot or area is created and became existent.

SUBDIVISION, MAJOR - any subdivision which is not a minor subdivision.

SUBDIVISION, MINOR - a subdivision having ten (10) lots or less and which has all lots fronting on an existing street, and which does not include or require new sanitary sewer main extensions, or the dedication of streets or alleys.

SUPERVISORS - the Board of Supervisors of the Township.

SURVEYOR - a professional surveyor licensed as such in the Commonwealth of Pennsylvania.

SWALE - a low lying stretch of land which gathers or carries surface water runoff, but which is mowable and not a ditch.

TEMPORARY TURN-AROUND - a temporary circular turn-around at the end of a road which terminates at the subdivision bordering undeveloped land.

TOWNSHIP - the Township of Waterford, Erie County, Pennsylvania.

TOWNSHIP ENGINEER - the Waterford Township Engineer or a private engineer contracted by the Township.

UTILITY PLAN - a plan to show all existing and proposed fire hydrants, water and sewer lines, and street lighting.

WATERCOURSE - a permanent stream's intermittent stream, river, brook, creek or a channel, drain or ditch for water, whether natural or man-made.

(Ord. 7/11/1972, Art. III)

§104. Subdivision Plats Required. Hereafter, it shall be unlawful to sell, agree to sell, transfer, lease or otherwise convey any lot, parcel or tract in a subdivision unless and until a subdivision plat is approved and recorded in accordance with the provision hereof; and it shall be unlawful to construct, or commence the construction of, any building or perform any grading or excavating in a subdivision unless and until a subdivision plat is approved and recorded in accordance with the provisions thereof. (Ord. 7/11/1972, Art. IV)

§105. Procedures for Submission of Plats

1. Advisory Meeting. Prior to filing an application for approval of preliminary plat, a subdivider may meet with the Township Engineer to discuss his proposal. This step does not require any fee or formal application. The purpose is to afford the subdivider advice and assistance in order to save time and money, suggest professional assistance if needed, and answer any questions the subdivider may have in regard to filing applications or other items required.

2. Resubdivision and, as appropriate in these Regulations, the process of subdividing land and the land subdivided.

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subdivision in relation to public health standards. In cases where the subdivision fronts on an existing or proposed State Highway or has proposed streets entering on such highways, the Township Engineer may submit the plans to the Pennsylvania Department of Transportation for review.

(2) The Township Engineer will review the plan to determine if it meets the standards as set forth in these Regulations. The Township Engineer may also discuss the plan with appropriate officials of the municipality in which the subdivision is located.

(3) With twenty (20) calendar days after receipt of comments from the Waterford Township Planning Commission and the Erie County Department of Planning, the Approving Authority shall notify in writing, the subdivider or his agent, the action taken, specifying what changes or additions, if any, will be required prior to review of the final plan.

(4) Any modifications of the preliminary plan required by the Approving Authority as prerequisites to approval shall be noted on four (4) copies of the preliminary plan.

(5) Approval of the preliminary plan shall constitute approval of the subdivision as to the character and intensity of development, the arrangement and approximate dimensions of streets, lots and other planned features, but shall not authorize sale of lots.

#### C. In The Case Of

(1) The subdivision of an unplotted or unrecorded lot which abuts a street of sufficient widths into two (2) or more lots, the subdivider shall present to the Approving Authority a certified survey plan prepared by a registered engineer or surveyor showing the proposed division of the lot. Such survey shall conform to the provisions of §107(3)(B) and §108(1), and shall be subject to approval or rejection by the Board whose decision shall be final. Such plan shall not otherwise be subject to the provisions of these regulations.

(2) The resubdivision of an entire recorded Subdivision or more than one (1) block thereof, for the purpose of recording, in which no change in location on any street is made, the subdivider shall present to the Board of Supervisors a plan prepared on tracing cloth by a registered engineer or surveyor showing the proposed resubdivision with necessary certificates required for approval and recording. Such plans of lots shall conform to the provisions of §107(3)(B), and §108(1) of these regulations and shall be subject to approval or rejection by the Board whose decision shall be final. Such plan shall be recorded and filed as required in §105(3)(C)(1) and shall not otherwise be subject to the provisions of these regulations.

(3) The subdivision of a lot or several lots located in one (1) block of a recorded subdivision into parcels of a different size than shown on the recorded plot, the subdivider shall conform to the provisions of §107(3)(B) of these regulations but shall not otherwise be subject to its provisions.

3. Final Plan

A. Submission of Final Plan

(1) After the subdivider has received official notification that the preliminary plan has been approved and what changes, if any, must be made if the plan is to proceed to consideration as a final plan, he has one (1) year in which to submit a final plan. If he does not do so within a twelve (12) month period, the approval of the preliminary plan shall become null and void, unless an extension of time is requested by the subdivider in writing, and is granted in writing, by the Board before the expiration date.

(2) It is not necessary for the whole plan that received preliminary approval to be submitted as a final plan. The final plan may be submitted in sections, each covering a portion of the entire proposed subdivision shown on the preliminary plan. In the case where development is projected over a period of years, final plats by section or stages of development subject to such requirements or guarantees as to improvements in future sections or stages of development as it finds essential for the protection of any finally approved section of the development.

(3) When the Supervisors grant an extension of time for the submission of final plan the Board shall do one of two (2) things when the final plan is submitted: (a) make a finding that the conditions on which its approval of the preliminary plan was based have not changed substantially, or (b) require changes in the plan, prior to final approval, that will reflect any substantial changes on the site of the subdivision or in its surroundings, that have taken place since the grant of preliminary approval.

(4) Four (4) black on white or blue on white prints of the final subdivision plan and two (2) copies of all other required information shall be submitted by the subdivider. A copy of the final plan and a copy of other required information shall concurrently be submitted to the appropriate officials.

(5) For consideration at the next regular meeting of the Planning Commission the final plan shall be filed with the Approving Authority not less than ten (10) calendar days in advance of such meeting date. (See §106(2) for final plan specifications.)

(6) The Supervisors shall take action and report within ninety (90) calendar days from the date of the submission of the final plan.

(7) Otherwise such plan shall be deemed to have been approved and the certificate of the Township Engineer as to the date of submission of the final plan for approval to the Supervisors and the failure of said Board to report action thereon within ninety (90) calendar days shall be issued on demand of the subdivider or his agent and shall be sufficient, in lieu of the

written endorsement of the Supervisors. The grounds of modification or of disapproval of any final plan submitted to the Board shall be stated on the records of the Supervisors and may include the refusal or failure of the subdivider to furnish such documents as the Board may require pursuant to these regulations, or to comply with such provisions of the following subsection as the Supervisors may have required as prerequisites to the approval of the final plan.

B. Improvements

(1) The subdivider shall agree to complete such improvements listed in §108.

(2) No plan shall receive final approval by the Supervisors unless the subdivider shall have provided a one (1) year guarantee of all improvements made in the proposed right-of-ways against any and all defects resulting from inferior workmanship or materials. The guarantee shall be in the form of a Bond in the amount of one hundred percent (100%) of the estimated cost of the improvements. This bond to be in effect for a period of one (1) year from the time of final completion of the improvements.

(3) No plan shall receive final plan approval by the Supervisors unless the subdivider shall have completed all such improvements and the standards required by these regulations or shall have filed with the Board a performance bond in favor of the Township or other assurance acceptable to the Supervisors and/or Township Engineer.

(a) Where the performance bond or other performance assurance has been made to the Township and satisfactory evidence of such presentation is furnished to the Supervisors, the Board will not require duplicate action as compliance with these Regulations.

(b) The Board shall require a performance bond or other performance assurance to guarantee the proper installation and construction of the following required improvements:

1) The bond, certified check or other securities shall specify the time for the completion of the required improvements. Such time shall be satisfactory to the Board. When the improvements have been completed and approved by the Supervisors the guarantee shall be released and returned. When a portion of the required improvements has been completed and approved by the Board, a portion of the bond, moneys or other security commensurate with the cost of the improvement may be released and returned.

2) In the event that cash or its equivalent is deposited as an improvement guarantee, it shall be held in an escrow fund.

3) The Supervisors may require their Township Engineer to check the final construction plans for correctness and to inspect the construction of improvements. If the Board decides that the subdivider pay for the engineering inspection the subdivider shall, prior to the approval of the final plan, agree to pay for any such checking and inspection.

4) Upon completion of the improvements in accordance with the specifications of this Part, the subdivider shall take the final steps to dedicate the improvements and have the same accepted by the Township.

C. Approval and Recording of Final Plan

(1) After completion of these procedures and upon approval of a final plan by the Supervisors, the Township Engineer shall notify, in writing, the subdivider or his agent of such action. The subdivider shall then proceed to have the proper signatures placed on one (1) final plan, which shall be either ink or tracing cloth, or transparent reproduction of the original plan with black line on cloth or stable plastic base film. The plan shall then be presented to the Township Engineer for the necessary signatures of municipal officials. The plan shall then be immediately recorded, but in no case shall the plan be recorded after ninety (90) days from the date of the original approval by the Township Supervisors. The subdivider shall provide the Township Engineers with the original or a reproduction tracing for record purposes. Should the subdivider fail to record the final plan within such a period, the approval of the Supervisors shall be null and void, unless an extension of time is requested by the subdivider in writing and is granted in writing by the Supervisors before the expiration date. The final plan shall be filed with the County Recorder of Deeds before proceeding with the sale of lots or construction of buildings.

(2) Recording the final plan after the approval of the Supervisors shall have the effect of an irrevocable offer to dedicate all streets and other public ways to public use, and to dedicate or reserve all park reservations and school sites and other public areas to public use, unless reserved by the subdivider as hereinafter provided. The approval of the Board shall not impose any duty upon the Township concerning maintenance or improvements of any dedicated streets, parks, areas or portion of same until the proper authorities of the Township shall have made actual appropriation of the same by ordinance or resolution, or by entry, use or improvement.

(3) The subdivider may place a notation on the final plan to the effect that there is no offer of dedication to the public of certain designated public areas, or (in unusual circumstances) streets or alleys, in which event the title to such areas, shall remain with the owner, and the Township authorities shall assume no responsibility for improvement or maintenance thereof, which fact shall also be noted on the final plan.

§106. Specifications for Plans and Plats

## 1. Preliminary Plan

A. The subdivider shall supply four (4) copies of the preliminary plan and four (4) copies of other required materials along with a written application and a fee of \$50.00 + \$15.00 per lot to the Approving Authority. The copies of the preliminary plan shall be black on white or blue on white prints. The sheet size shall be eighteen inches (18") by twenty-four inches (24") in size, with the signatures in dense black ink, preferably black Indian ink.

B. The preliminary plan shall be at a scale of the tract or of his authorized agent, if any, and of the subdivider.

(1) Proposed name of subdivision.

(2) Name and address of the owner of the tract or of his authorized agent, if any, and of the subdivider.

(3) Date, north point, graphic scale and proposed elevations or rear lot lines.

(4) Total acreage of the tract and number of lots.

(5) Street patterns, showing the names (which, when not extension of existing streets, shall not duplicate other names of streets in the county) and widths of rights-of-way of streets, and widths of easements for alleys and approximate grades of streets.

(6) Layout of lots, showing dimensions and numbers.

(7) Building setback or front yard lines.

(8) Parcels of land proposed to be dedicated or reserved for schools, parks, playgrounds or other public, semi-public or community purposes.

(9) Where the preliminary plan submitted covers only a part of the subdivider's entire holdings, a sketch of the prospective future street system of the unsubmitted part shall be furnished; the street system of the submitted part will be considered in the light of adjustments and connections with future streets in the part not submitted.

C. Four (4) copies of a site map shall be included as part of the preliminary plan and shall be at a scale of 50 or 100 feet to the inch and shall show:

(1) Contours at vertical intervals of two feet (2') for land with average natural slope of four percent (4%) or less, and at vertical intervals of five feet (5') for more steeply sloping land and location of Bench Mark and datum used. The Township Engineer may relieve the subdivider of this requirement if, on application by him, setting forth his reasons, the Engineer is of the opinion that contours are not necessary in order to administer these regulations properly in connection with the subdivision. In making such application the subdivider shall withhold submission of his preliminary plat until the Approving Authority has taken action on the application.

(2) Tract boundary lines showing dimensions, bearings and corners.

(3) Terrain features, wooded areas, buildings and other natural or artificial features which would affect the plan of the subdivision.

(4) Streets and right-of-way on or adjoining the site, including dedicated widths, roadway widths, approximately gradients, types and widths of pavements, curbs, sidewalks and other pertinent data.

(5) Easements: locations, widths and purposes.

(6) Utilities, including sanitary and storm sewers, other drainage facilities; waterlines; gas mains; electric utilities and other facilities. Size of capacity of each should be shown and the location of or distance to such existing utility indicated.

(7) Existing plotting of adjacent land within five hundred feet (500') of the proposed subdivision and other conditions on the adjacent land including; approximate direction and gradient of ground slope, including embankments or retaining walls; character and location of buildings, railroads, power lines, gas lines, towers and other nearby nonresidential land uses or adverse influences; and owners of adjacent land.

(8) Areas subject to periodic overflow of flood or storm waters.

(9) Other features of conditions which would affect the subdivision favorably or adversely.

## 2. Final Plan

A. The final plans which are to be submitted to the Supervisors for approval and subsequent recording shall either be drawn in India ink or tracing cloth or be a transparent reproduction of the final plan with black line on cloth or stable plastic base film. The final plans shall be at a scale of either fifty (50) or one hundred (100) feet to the inch. The sheet size shall be eighteen (18) by twenty-four (24) inches in size.

If the final plans are drawn in two (2) or more sections, it shall be accompanied by a key map showing the location of the several sections. Plans of one (1) lot subdivisions on 8-1/2 x 11 with plats for recording along with the deed may be approved by the Board.

B. The final plat shall show:

(1) Name of the subdivision.

(2) Name and address of the owner and subdivider.

(3) North point, graphic scale and date.

(4) Block and lot numbers (in consecutive order), dimensions, minimum area and total number of lots; acreage of entire development; density and use of land.

(5) Source of title to the land of the subdivision and to all adjoining lots as shown by the books of the County Recorder of Deeds.

(6) A location map of the subdivision at a minimum scale of 2,000 feet to the inch, showing the relation of the property to adjoining property and to all streets, roads and municipal boundaries existing within 1,000 feet of any part of the property proposed to be subdivided.

(7) Lot lines with accurate bearings and distances. Distances to be to the nearest hundredth of a foot.

(8) Pedestrian ways.

(9) Accurate dimensions of existing public land and of any property to be dedicated or reserved for public, semi-public or community use; all areas to which title is reserved by owner.

(10) Accurate boundary lines, with dimensions and bearings, which provide a survey of the tract, closing with an error of not more than one foot in five thousand feet.

(11) Accurate distances and directions to the nearest established street corners of official monuments. Reference corners shall be accurately described on the plan.

(12) Accurate locations of all existing and recorded streets intersecting the boundaries of the tract.

(13) Complete curve data for all curves included in the plan, including radius, delta angle, tangent, arc and chord.

(14) Street lines with accurate dimensions in feet and hundredths of feet, with bearings of such street lines.

(15) Street names.

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

(17) Easements for utilities and any limitations on such easements.

(18) Setback lines not less than the minimum, as fixed by the Township Zoning Ordinance, or any other setback lines established by these regulations, or by public authority, or those specified in the deed restrictions, whichever are greater.

(19) The following certificates, shall be shown on the plan:

(a) Certification by a registered professional engineer or registered land surveyor to the effect that the survey and plan are correct. (See §110)

(b) Certification for approval by the Supervisors.

(c) A statement duly acknowledged before an officer to take acknowledgement of deeds and signed by the owner or owners of the property, to the effect that the subdivision shown on the final plan is the act and deed of the owner,

that he (subdivider) is the owner of the property shown on the survey and plan, and that he desires the same to be recorded as such.

(d) Review by the Waterford Township Planning Commission.

(e) Review by the Erie County Department of Planning.

C. The final plan and four (4) copies shall be accompanied by the following material:

(1) Four (4) copies of the final profiles, cross-sections and specifications for street improvements, and sanitary and storm sewerage, and water distribution systems shall be shown on one or more separate sheets.

(2) Four (4) copies of the restrictions of all types which will run with the land and become covenants in the deeds of lots.

(3) Certificate of dedication of streets and other public property.

(4) Such certificates of approval by proper authorities of the State as may have been required by the Supervisors, including certificates approving the water supply system and sanitary sewer system of the subdivision.

(5) One of the following for guaranteeing improvements:

(a) Certificate that all improvements required by this and all other ordinances or resolutions have been installed.

(b) A surety bond accompanied by the Articles of Agreement (See Article X), certified check, cash or other security satisfactory to the Board of Supervisors in an amount determined by the Board of Supervisors to be sufficient to complete the improvements and installations in compliance with these regulations.

(6) The final plan sheet shall be eighteen (18) by twenty-four (24) inches in size.

(7) Letter concerning Zoning, if required.

(8) Bond to provide a one (1) year guarantee of all improvements made within the Right-of-Way.

(9) Attorney's certificate.

(10) Letter from engineer or surveyor that all monuments are in place or cash deposit in lieu thereof. (See §108(1)(E)).

(Ord. 7/11/1972, Art. VI)

§107. Development Standards. The preliminary plat of the subdivision shall substantially conform to the following principles and standards of design. However, the standards and requirements of these regulations may be modified by the Supervisors in the case of a plan for a development of over ten (10) acres in size. Such a modified plan must meet the spirit and intent of these regulations as well as conform to any unit plan requirements of the Township zoning ordinance in force.



## 1. General Standards

A. No land shall be subdivided for residential, commercial, industrial or public use unless (1) adequate access to the land over streets or thoroughfares exists or will be provided by the subdivider, or (2) such land is not considered by the Township Engineer and Supervisors to be unsuitable for such use by reason of flooding or improper drainage, objectionable earth and rock formation, topography or any other feature harmful to the health and safety of possible residents and the community as a whole.

B. The Supervisors shall not approve any plat unless all streets shown thereof shall be of the required width and grade, and shall be so located as to accommodate the the probable volume of traffic thereon, afford adequate light and air, facilitate fire protection, provide access of fire fighting equipment to buildings, and provide a coordinated system of streets conforming to the Township's plan of streets. A subdivision abutting, and having its access upon a public street of insufficient width, shall not be approved by the Supervisors. In the case of subdivisions for commercial, industrial and public purposes, no driveway giving access upon a major street shall be located closer than 500 feet along the same side of such major street, to any other driveway, public or private street in the same or another subdivision.

C. Public Areas. The developer shall consider reserved areas for public use where required, or where topography may preclude use for property development. Reserve areas, however, which shall make any area unprofitable for regular or special assessments or which may revert to untended nuisance areas will not be approved.

The Department may require that area for parks and playgrounds (of a size not to exceed ten percent (10%) of the land area to be subdivided) be dedicated to the municipality for recreation purposes. The Municipality, however, shall retain the right to accept or decline such dedication. The proposal to dedicate recreation areas in any proposed subdivision shall be compared with similar existing dedications in adjoining tracts or subdivisions in order to provide usable recreation areas where required without imposing hardships on the developer.

D. Existing Natural Areas. In wooded areas, floodplains, wetlands, areas having slopes of fifteen percent (15%) or greater or where other natural conditions exist in such a manner that development would be hazardous to the safety of life and property or would cause permanent ecologic instability, the Township may require that the developer preserve as much of the original natural conditions as is economically feasible and ecologically practicable and may limit the amount of grading and excavating to the minimum improvement standards included herein.

### E. Flood Plains

(1) Identification of Flood Plains: For the purpose of this Chapter, the area considered to be flood-prone within the Township of Waterford shall be those areas identified as being

subject to the one hundred (100) year flood by the most recent HUD Federal Insurance Administration Publication. The provisions of this section are applicable only to the land included in such one hundred (100) year floodplain.

(2) Municipal Liability: The grant of a permit or approval of a plan for any proposed subdivision and/or land development to be located within any designated floodplain district shall not constitute a representation, guarantee or warranty of any kind by the municipality or employee thereof of the practicability or safety of the plan.

(3) Preliminary Plan Requirements: The following information shall be required as part of the Preliminary Plan, where preliminary plan is required, and shall be prepared by a registered Engineer or Surveyor and shall be in addition to the requirements of this Chapter:

(a) Name of Engineer, Surveyor or other qualified person responsible for providing the information required in this Section.

(b) The location of the proposed subdivision and/or land development with respect to any designated floodplain district, including information on, but not limited to, the one hundred (100) year flood elevation, boundaries of the floodplain districts, fills, flood or erosion protective facilities, and areas subject to control plans, where required, shall also accompany the preliminary plan along with the comments and suggestions from the Soil Conservation Service.

(4) Final Plan Requirements: The following information shall be required as part of the Final Plan and shall be prepared by a registered Engineer or Surveyor, in addition to the requirements of this Chapter.

(a) All information required for the submission of the Preliminary Plan and incorporating changes requested by the Township, if any.

(b) A map showing the location and elevation of all proposed buildings, except the setback lines on residential subdivisions may be considered as establishing building locations, unless the Township requests more accurate information.

Submission of the Final Plan shall also be accompanied by all required permits and related documentation from the PA Department of Environmental Resources, and any other Commonwealth agency, the Federal Government, and/or local municipality where any alteration or relocation of a stream or watercourse is proposed. In addition, documentation shall be submitted indicating that all affected adjacent municipalities have been notified of the proposed alteration or relocation. The Department of Community Affairs, and the Federal Insurance Administrator shall also be notified whenever any such activity is proposed.

(5) Design Standards and Improvements in Designated Flood Plain Districts:

General:

(a) Where not prohibited by this or any other law or ordinance, land located in any designated floodplain district may be platted for development subject to restrictions imposed by Federal, State and/or local regulations, and the regulations in this Chapter.

(b) No subdivision and/or land development, or part thereof, shall be approved if the proposed development and/or improvements will individually or collectively with other development in the same floodplain, increase the one hundred (100) year flood elevation more than one foot (1') at any point.

(c) Building sites for residences or any other type of dwelling or accommodation, and accessory uses shall not be permitted in any floodway area. Sites for these uses may be permitted outside the floodway area if the sites or dwelling units are elevated up to or above the one hundred (100) year flood elevation. If fill is used to raise the elevation of a site, the fill area shall extend out laterally for a distance of at least fifteen feet (15') but not exceeding twenty-five feet (25') beyond the limits of the proposed structures and shall be at a minimum elevation at or above the one hundred (100) year flood elevation.

(d) Building sites for structures or buildings which are for nonresidential uses shall not be permitted in any floodway area. Such sites for structures or buildings outside the floodway shall be permitted if elevated to or above the one hundred (100) year flood elevation. However, the governing body may allow the subdivision and/or development of areas or sites for commercial and industrial uses at an elevation below the one hundred (100) year flood elevation if the developer otherwise protects the area to that height or assures that the buildings or structures will be floodproofed at least up to that height. All protection and floodproofing shall meet the Township's approval.

(e) If the Township determines that only a part of the proposed plat can be safely developed, it shall limit development to that part and shall require that development proceed consistent with that determination.

(f) When a developer does not intend to develop the plat himself and the township determines that additional controls are required to insure safe development, it may require the developer to impose appropriate deed restrictions on the land. Such deed restrictions shall be shown and recorded on the plat, and shall become a part of all conveyances, whether by deed or lease.

(g) Placement of buildings and structures and fill (if applicable) shall be designed, located and constructed so as to offer the minimum obstruction to the flow of water and shall be designed to have a minimum effect upon the flow and height of flood water.

(6) Excavation and Grading:

(a) Where any excavation or grading is proposed or where any existing trees, shrubs or other vegetative cover will be removed, the developer shall consult the Soil Conservation Service representative concerning plans for erosion and sediment control and to also obtain a report on the soil characteristics of the site so that a determination can be made as to the type and degree of development the site may accommodate. Before undertaking any excavation or grading, the developer shall obtain such permits as are required by the municipality.

(b) The following minimum standards shall apply for all construction proposed to be undertaken within any identified flood-prone areas, except that where fill is used on the outside edge of the flood-fringe area, and such fill is installed in accordance with this section to an elevation higher than the one hundred (100) year flood elevation, and where such fill is a continuous projection of existing land grades outside the one hundred (100) year flood area.

(c) If fill is used it shall:

1) Extend laterally at least fifteen feet (15') beyond the building line from all points.

2) Consist of soil or small rock materials only. Sanitary landfills shall not be permitted.

3) Be compacted to provide the necessary permeability and resistance to erosion, scouring or settling.

4) Be no steeper than one (1) vertical to two (2) horizontal, unless substantiated data, justifying steeper slopes, are submitted to and approved by the Building Permit Officer.

5) Be used to the extent to which it does not adversely affect adjacent properties.

(7) Drainage Facilities:

(a) Storm drainage facilities shall be designed to convey the flow of surface waters without damage to persons or property. The system shall insure drainage at all points along streets, and provide positive drainage away from buildings and on-site waste disposal sites.

(b) Drainage plans shall be subject to the approval of the Township. The Township may require a primarily underground system to accommodate frequent floods and a secondary surface system to accommodate larger, less frequent floods. Drainage plans shall be consistent with local and regional drainage plans. The facilities shall be designed to prevent the discharge of excess runoff onto adjacent properties.

(8) Streets: The finished elevation of proposed streets shall not be more than one foot (1') below the one hundred (100) year flood elevation. The Township may require that the one hundred (100) year flood elevation be shown on all profiles and elevations of streets to determine compliance with the requirement. Drainage openings and pipe sizes shall be sufficient to discharge flows in accordance with accepted good engineering practice.

(9) Sewer facilities: All sanitary sewer systems located in any designated floodplain district, whether public or private, shall be floodproofed up to the one hundred (100) year flood elevation, except that where floodplains have been filled to the one hundred (100) year flood level or higher, such floodproofing shall not be required.

(a) The Township shall prohibit installation of sewage disposal facilities requiring soil absorption systems where such systems will not function due to high ground water, flooding or unsuitable soil characteristics.

(b) The Township may prescribe adequate methods for waste disposal. If a sanitary sewer system is located on or near the proposed subdivision and/or land development, the Township shall require the developer to provide sewage facilities to connect to this system where practical, and shall prescribe the procedure to be followed by the developer in connection to the system.

(10) Water Facilities: All water systems located in any designated floodplain districts, whether public or private, shall be floodplain proofed up to the one hundred (100) year flood elevation, except that where the floodplain has been filled to an elevation above the one hundred (100) year flood, such floodproofing shall not be required. If there is an existing public water supply system on or near the subdivision the Township shall require the developer to connect to this system where practical, shall prescribe the procedures to be followed by the developer in connecting to the system.

(11) Other Public Utilities and Facilities: All other public and/or private utilities and facilities including gas and electric shall be elevated or floodproofed up to the one hundred (100) year flood elevation.

## 2. Streets

### A. Street System

(1) Minor streets in a new development shall be so laid out as to discourage through traffic. However, the provision for the extension and continuation of major streets into and from adjoining areas is required. Where a subdivision abuts or contains an existing or proposed major traffic street, the Supervisors may require marginal access streets, reverse frontage lots or such treatment as will provide protection for abutting properties, reduction in the number of intersections with the major traffic street, and separation of local and through traffic.

(2) Where a subdivision borders on or contains a railroad right-of-way or limited access to highway right-of-way, the Supervisors may require a street approximately parallel to and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land, as for park purposes in residential districts, or for commercial or industrial purposes in appropriate zoning districts. Such distances shall also be determined with due regard for the requirements of approach grades and future grade separations.

(3) If the lots in the development are large enough for resubdivision, or if a portion of the tract is not subdivided, suitable access and street openings for such an eventuality shall be provided.

(4) Dead-end or cul-de-sac streets in general shall not exceed five hundred feet in length unless topography or other reasons justify a greater distance and must be provided with a paved turnaround with a minimum diameter of one hundred feet (100) to the outside curb and of one hundred and twenty feet (120) to the legal right-of-way.

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

(6) Street jogs with centerline offsets of less than two hundred feet (200) shall be avoided.

### B. Street Alignment

(1) The minimum radius at the center line for curves on arterial streets shall be five hundred feet, for collector streets three hundred feet (300), and for minor streets it shall be one hundred and fifty feet (150).

(2) Except for minor streets, there shall be a tangent of at least one hundred feet (100) between reverse curves.

(3) Proper sight distance shall be provided with respect to both horizontal and vertical alignment. Measured along the center line, five feet above grade, this should be four hundred feet (400) for arterial streets, two hundred feet (200) for collector streets and one hundred feet (100) for minor streets.

(4) Proper sight lines shall be maintained at all intersections of streets. Measured along the center line, there shall be a clear sight triangle of seventy-five feet (150 feet for arterial streets) from the point of intersection; this shall be indicated on all plans. No building or obstruction shall be permitted in this area.

#### C. Street Grades

(1) There shall be in general a minimum grade of at least one percent (1%) on all streets; a maximum grade of five percent (5%) on arterial and collector streets and nine percent (9%) on minor streets.

(2) Vertical curves shall be used in changes of grade exceeding one percent (1%) and shall be designed for maximum visibility. Intersections shall be approached on all sides by leveling areas. Where the grade exceeds seven percent (7%), such leveling areas shall have a minimum length of fifty feet (50) (measured from the intersection of the center line), within which no grade shall exceed a maximum of four percent (4%).

#### D. Street Widths

(1) Minimum street right-of-way and cartway widths shall be as follows:

STREET TYPE - Arterial - Right-of-way, 100 ft.; Collector, 80 ft.; Minor Marginal Cul-de-sac, 50 FT; Turn Around Access of Cul-de-sac 120 ft. diameter.

Arterial - Cartway, 48 ft. plus 12 ft. median strip; Collector, 42 ft.; Minor Marginal Cul-de-sac, 30 ft.; Turn Around Access of Cul-de-sac 100 ft. diameter to outside curb.

(2) Provision for additional street width (right-of-way) may be required by the Supervisors in specific cases for:

(a) Public safety and convenience.

(b) Parking in commercial and industrial areas and in areas of high density residential development.

(c) Widening existing streets (right-of-way) where the width does not meet with requirements of preceding paragraphs.

#### E. Street Intersections

(1) Multiple intersections involving the junction of more than two (2) streets shall be avoided whenever possible, but where they are unavoidable, such intersections shall be designed with extreme care for both vehicular and pedestrian safety and must have the recommendation and acceptance of the Township Engineer and the Supervisors.

(2) Right angle intersections shall be used whenever practicable. When minor streets intersect collector or arterial streets, the angle of intersections of the street center lines shall not be less than sixty (60) degrees.

(3) Street curb intersections shall be rounded by a tangential arc with a minimum radius of twenty feet (20) for minor streets and thirty feet (30) for intersections including collector or arterial streets. Radius corners or diagonal cutoffs shall be provided on the property lines substantially concentric with, or parallel to, the chord of the curb radius corners.

F. Other Requirements

(1) The dedication of half streets at the perimeter of a new subdivision is prohibited. If circumstances render this impracticable adequate provision for the concurrent dedication of the remaining half of the street must be furnished by the subdivider. Where there exists a half street in an adjoining subdivision, the remaining half shall be provided by the proposed development.

(2) When the subdivision adjoins unsubdivided acreage, new streets shall be provided through to the boundary lines of the development with temporary easements for turnarounds or, at the discretion of the Supervisors the entire width of the right-of-way may be paved for a distance of seventy-five feet (75) from the boundary line.

(3) Streets that are extensions, or obviously in alignment with existing named streets shall bear the names of the existing streets. All streets names shall be subject to the approval of the Township authority and the Commission.

(4) Blocks subdivided into lots shall be two (2) lot depths in width, except along a major thoroughfare which fronts on an interior street.

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3. G. PROCEDURE FOR OBTAINING APPROVAL OF PUBLIC RIGHT-OF-WAY/  
PRIVATE ROADS.  
Blocks and Lots

A. Blocks

(1) All blocks in a subdivision shall not exceed sixteen hundred feet (1600). Where it is necessary for blocks to exceed this length, paved pedestrian ways with a minimum right-of-way of twelve feet (12) may be required near the center of the block.

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

(3) The block layout in industrial areas shall be governed by the most efficient arrangement of space for present and future expansion, with due regard for worker and customer access and parking.



B. Lots

(1) Every lot shall be provided with access adequate for the use of public safety vehicles and other public and private purposes and shall be served by a public street system, improved in accordance with this Chapter and connected to the general street system.

(2) Side lines of lots shall be approximately right angles to straight streets and on radial lines on curved streets. Some variation from this rule is permissible, but pointed or very irregular lots shall not be permitted unless it is clearly evident that such variation shall improve the overall neighborhood design.

(3) The minimum lot frontages, building setback lines and areas shall be in conformity with the Waterford Township Zoning Ordinance.

(4) Double frontage and reverse frontage lots, shall not be permitted except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least ten feet (10), and across which there shall be no right of access, shall be provided along the line of lots abutting such a traffic artery or other disadvantageous use.

(5) The depth of lots shall be not less than one (1) nor more than three (3) times their width.

C. Easements and Alleys

(1) When easements are required for utilities, they shall be a minimum of twelve feet (12) wide and shall, to the fullest extent possible, be centered on or be adjacent to rear or side lot lines.

(2) All natural gas lines shall be installed in compliance with the ASA Code B 31.8-1958, as amended. The minimum distance from a natural gas line to a dwelling unit need only be such distance if any, as required by the applicable transmission or distributing company. In general, there shall be a minimum distance of one hundred feet (100), measured in the shortest distance, between each proposed dwelling unit and the center line of any petroleum or petroleum products transmission line which may traverse the subdivision. This requirement may be waived or reduced where topographic conditions decrease the hazards involved, or where it would cause undue hardship in the efficient layout of the subdivision.

(3) Where a subdivision 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 widths as will be adequate to preserve the unimpeded flow of natural drainage, or for the purpose of widening, deepening, relocating, improving or protecting such drainage facilities or for the

purpose of installing a storm sewer. Where, in the opinion of the Approving Authorities, open flow of the existing watercourse, drainage way, channel or stream is acceptable, the depth of the lots backing on said watercourse, drainage way, channel or stream shall be increased to provide the minimum required usable land area per lot. The watercourse drainage way, channel or stream shall be piped for a minimum distance of three hundred feet (300) on either side of centerline of any street intersected by said watercourse, drainage way, channel or stream.

(4) Alleys are prohibited in developments of detached or semi-detached houses; they may be permitted in other types of residential development. In commercial or industrial districts without offstreet loading areas, alleys with a minimum width of twenty-two feet (22) shall be required. Where such alleys dead-end, they shall be provided with a paved turnaround as determined adequate by the Township Engineer and the Commission.

(Ord. 7/11/1972, Art. VII)

#### §108. Required Improvements

##### 1. Monuments and Markers

A. Double Monuments shall be used at all monument points. The lower Monument, a 1/3 in. Iron or Steel bar in 6 inch by 6 inch by 6 inch concrete shall be set with the top 36 inches below finished grade. The upper Monument, a 6 inch by 6 inch by 24 inch concrete shaft marked on top with a dowel shall be set with the top at finished grade. Markers shall consist of iron or steel bars at least 18 inches long, and not less than 3/4 inch in diameter.

B. Monuments and markers shall be placed so that the scored or marked point shall coincide exactly with the intersection or lines to be marked, and shall be set so that the top of the monuments or marker is level with the surface of the surrounding ground.

C. Monuments shall be set:

(1) At the intersection of all lines forming angles in the boundary of the subdivision;

(2) At the intersection of all street lines.

D. Markers shall be set:

(1) At the beginning and ending all curves along street property lines.

(2) At all points where lot lines intersect curves either front or rear.

(3) At all angles in property lines of lots.

(4) At all other lot corners.

E. Any monuments or markers that are removed shall be replaced by a registered engineer or surveyor at the expense of the person removing them. Where grading conditions or other circumstances

prohibit the placing of lot or street monuments at the time of submission of the Final Plan, a cash deposit will be made with the Township in an amount to be determined, normally as follows:

\$50.00 each for concrete monuments.

\$20.00 each for the first four iron pipe monuments.

\$10.00 each for iron pipe monuments over four.

Should it be apparent that due to topography or other conditions the cost of setting such monuments will be abnormal, adjustments will be made to cover each case. Should the installation of monuments not be completed within three (3) months after the completion date of the subdivision by the subdivider, the Supervisors may cause such installation to be completed and pay therefor from the cash deposits.

## 2. Streets, Sub-Grade, Sub-Drains, Pavement and Curbs

### A. Grading

(1) All streets shall be graded to the full width of the right-of-way and the adjacent side slopes graded to blend with the natural lay of the land, or in accordance with the cross-section presented, to the satisfaction of the Township Engineer. Where fill material is necessary to establish uniform grades, compacting shall be required in accordance with the standards established by the Township. A slope of two horizontal to one vertical beyond the right-of-way line in cut or fill, shall ordinarily be required.

(2) Street cross-sections for minor and collector streets shall be in accordance with the standards established by the Township. Where alternatives are available, the Board of Supervisors may designate the cross-sections to be used on the advice of the Township Engineer. All details of the cross-section, crowns, curb, pavement, subgrade, sub-drains and roadside ditches, shall conform to the designated cross-section. Arterial street cross-sections shall be as designated by the Township Engineer and approved by the Board of Supervisors. (State approval required where necessary.)

(3) Grade stakes shall be placed on each side of the street at maximum intervals of fifty feet (50) and so located as to remain in place until the completion and approval of the bituminous base course.

Grade stakes removed prior to the completion of the bituminous base course shall be replaced before any further work is done on the street.

### B. The Sub-Grade

(1) Description. The bottom of the excavation and/or the top of embankment between the outer limits of the base course, or sub-base is considered sub-grade and shall conform to specified line, grades and cross-sections. Mainly the area that is prepared to receive the placement of the base course, or sub-base is defined as sub-grade.

(2) Materials and Sub-Grade Classifications. The sub-grade and sub-grade material can be classified as good, fair and poor. Good - This class includes granular materials such as sand, sandy gravel with less than ten percent (10%) a No. 200 mesh sieve. This type material can be compacted to produce a firm layer and have a minimum D.D.R. value of 12. Fair - This class includes soils which have a satisfactory performance record from the standpoint of freezing and thawing. These are primarily sandy, gravelly or non-plastic clay loam soils with a C.D.R. value ranging from 5 to 12. Poor - This class includes all soils which have a poor performance record from the standpoint of freezing and thawing. These are primarily soft plastic clay or silty materials where the clay or silt content is more than fifty percent (50%) with a C.D.R. value ranging from 2/5 to 5.

(3) Construction Methods

(a) The sub-grade shall be shaped to true lines and elevations and shall have a minimum width of the width of the pavement plus two feet (2). Adequate drainage facilities shall be installed to provide for the disposition of underground seepage and the percolation of surface water. The sub-grade shall be thoroughly compacted by power rollers with a minimum weight of ten (10) tons to insure satisfactory densification and stabilization. It shall be compacted at optimum moisture content. The finish surface shall be uniformly shaped to facilitate drainage and any irregularities from theoretical grade be corrected prior to placing the sub-base.

(b) If the material encountered in the normal excavation has a C.D.R. value of less than 2/5 and is not of proper quality to develop the required stability and provide for adequate drainage, other material shall be installed. This material shall meet the requirements of sub-grade material, preferably a granular character, and installed to a depth of at least twelve inches (12). It should then be brought to a firm and thoroughly compacted surface as mentioned in the above paragraph.

(c) Prior to placing the sub-base, the engineer shall inspect the sub-grade area. From visual inspection he will designate where sub-drains shall be installed. If any unstable areas are found the materials shall be removed and replaced with suitable material and thoroughly compacted.

(d) Such suitable areas shall be excavated and undercut to the required depth for accommodating the placing of sufficient granular or other suitable sub-grade material.

(e) The prepared sub-grade shall be protected by the contractor to prevent undue rutting from trucks or other equipment and if such damage does occur, the sub-grade shall be reshaped and compacted prior to placing the sub-base material.

(4) The Sidewalk Area. The sidewalk area shall be graded out to proper grade and section.

C. Sub-Drains Under Pavement

(1) General

(a) Sub-drain shall be laid along the entire length of all streets at a location to be determined in each case by the Township Engineer. Blind or side drains at intervals as required by the Township Engineer shall be installed leading into the main sub-drain. The required interval for side drains shall be related to ground water conditions but in no case shall this interval be greater than one hundred feet (100). If conditions require, six inch (6) pipe shall be installed in the side drains. Blind or side drains shall extend to the curb lines.

(b) In parts of the Township where the natural ground is a well drained gravel, sub-drain requirements may be relaxed. Deviation from the sub-drain requirements will be considered upon written request and each case considered separately.

(2) In general, the sub-drain shall be built as follows:

(a) After the sub-grade has been shaped, the sub-drain will be installed.

(b) The trench for the sub-drain will be a minimum of fifteen inches (15) wide and be dug to a minimum depth of thirty inches (30) below the bottom of the sub-base.

(c) A layer of 2-B stone to a depth of three inches (3) will be placed in the bottom of the trench and six inch (6) corrugated metal pipe laid in the center of the trench.

(d) The entire trench to the top of the sub-grade will be filled with 2-B stone.

(e) Care must be taken to assure that the stone in the sub or side drain remains clean and in good contact with the stone or gravel in the sub-base.

(f) Sub-drains shall generally empty into storm sewer catch basins or manholes and shall enter at or above the spring line of the main storm sewer line at that location. The specified depth of sub-drain may have to be modified at and near such catch basins and manholes but will be brought to specified depths as quickly as practicable.

D. The Pavement

(1) The Sub-Base

(a) All utilities, including water, gas, sanitary sewers, storm sewers, buried conduits of any kind or any other structures or lines shall be placed prior to the laying of the sub-base.

(b) The sub-base shall be made of approved gravel or stone and shall have a minimum thickness of any point of six inches (6) when compacted.

(c) The sub-base shall be thoroughly compacted and shaped to the proper grade and cross-section to receive the bituminous base course.

(d) In certain areas of the Township, the natural materials in place are of such a nature as to allow for a reduction in the amount of the sub-base required. Upon written request, the Township Engineer will make an inspection of the natural material and will give written authorization of such reduction of it is determined that such reduction is justified.

(2) The Bituminous Base Course

(a) All excavation in the area of the pavement and for a distance of four feet (4) out from the edge of the pavement shall have been completed a minimum of ninety (90) days prior to the placing of the bituminous base course.

(b) The bituminous base course shall follow, be made up and be laid in accordance with the following specifications:

Specifications of the Department of Transportation, Commonwealth of Pennsylvania, Form 408 dated 1970, as amended, Section 305, "Bituminous Concrete Base Course".

(c) The bituminous base course shall be laid to a minimum thickness when compacted as follows:

- 1) For local, residential streets, three inches (3).
- 2) For industrial, business and arterial streets, five inches (5).

(d) The bituminous base course must be inspected and approved prior to the laying of the bituminous binder course.

(3) The Bituminous Binder Course

(a) A bituminous tack coat as specified in Department of Transportation, Commonwealth of Pennsylvania, Form 408, dated 1970, as amended, Section 460, will be required in all cases where the bituminous base course has been in place for a period in excess of ninety-six (96) hours prior to the placing of the bituminous binder course or in any case where the use of such tack coat is determined to be necessary.

(b) The bituminous binder course shall follow, be made up of and be laid in accordance with the following specifications.

Specifications of the Department of Transportation, Commonwealth of Pennsylvania, Form 408, dated 1970, as amended.

1) Section 401, "Plant Mix Pavements - General"

2) Section 420, "Bituminous Surface Course 1D-2A"

(c) The bituminous binder course shall be laid to a minimum thickness of two inches (2) when compacted.

(d) Special note is made of 401.3(f) Form 408, "Condition of Existing Surface and Structures". The bituminous base course must be thoroughly cleaned and all defects remedied prior to the laying of the bituminous binder course.

(4) The Bituminous Wearing Course. The bituminous wearing course shall follow, be made up on and be laid in accordance with the following specifications:

(a) For industrial, business and arterial streets, follow specifications of the Department of Transportation, Commonwealth of Pennsylvania, Form 408 dated 1970, as amended, Section 420, "Bituminous Surface Course 1D-2A".

(b) For local residential streets, follow specifications of the Commonwealth of Pennsylvania, Form 408 dated 1970, as amended, Section 422, "Bituminous Surface Course FJ-1A".

(c) The bituminous wearing course shall be laid to a minimum thickness when compacted of one inch (1).

(5) Pavement of Higher Grade. Should it be desired to install a pavement of a higher grade than covered by these Specifications, such higher grade of work will be considered upon receipt of plans and specifications to cover such work. The plans and specifications shall be approved prior to the installation of such work.

(6) Curbing

(a) Concrete curbs shall be required in subdivisions and shall be constructed according to the specifications of The Pennsylvania Department of Transportation, Section 630, Form 408 dated 1970, as amended, and shall be built in accordance with dimensions as established by the Supervisors of Waterford Township.

(b) Grade stakes shall be placed on each side of the curb line at maximum intervals of twenty-five feet (25) and so located as to remain in place until the completion and approval of the curbs.

(c) The space behind the curb shall be filled and graded to drain to the street at a slope of 3/8 inch per foot.

### 3. Sidewalks

#### A. General

(1) Sidewalks shall be provided when considered necessary by the Commission and approved by the Board of Supervisors for the protection of the public or wherever it is determined that the potential volume of pedestrian traffic or safety consideration requires.

(2) Sidewalks shall be provided on all newly established streets or where streets of a proposed subdivision are extensions of existing streets having sidewalks on one or both sides.

(3) Sidewalks will be normally required on both sides of the street except that the Board of Supervisors may authorize sidewalks on one side only on U-shaped streets, cul-de-sacs or where character of use does not require pedestrian access on both sides of the street.

(4) The minimum width for sidewalks shall be four feet (4), but the Board of Supervisors may require a greater width in the vicinity of shopping centers, schools and recreation facilities, or where similar intensive urban uses exist.

(5) Sidewalks, where prohibited, shall be within the rights-of-way and in residential areas, where conditions permit, one foot (1) from the edge thereof. Sidewalks should line up with adequate walks in adjoining subdivisions.

#### B. Materials

(1) All walks shall consist of four and one-half to six percent air entrained portland cement concrete made up with a five and one-half bag mix with a maximum of five gallons of water per sack of cement. Minimum compression strength shall be 1800 pounds after 7 days and 3,000 pounds after 28 days.

(2) The cement shall conform to the current specifications for Portland Cement A.S.T.M. designation C-175 for types 1A or 111A. Types 1 or 111 of same specifications with air entraining mixtures which comply with A.S.T.M. designation C-260 may be used with the Township Engineers approval.

(3) Both fine and course aggregates used shall conform to A.S.T.M. Specifications C-33. The Township will accept all aggregates as approved by the Pennsylvania Department of Transportation for their intended use without test, however, the contractor shall submit a report from a reputable testing laboratory, made at the contractor's cost, showing any other aggregate used stating that it conforms to A.S.T.M. Specifications C-33.

(4) Sub-base and fill material may be gravel, crushed stone or cinders as approved by the Township Engineer.

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



(6) The forms shall be of straight material, so placed as to conform to the proper grade and shall be of straight-grained lumber of at least one and five eights inches (1-5/8) in thickness or of steel of equal strength and suitable for form use. The Township Engineer may upon inspection at any time condemn the use of either wood or steel forms, if in his opinion they are unfit for use as sidewalk forms. Flexible strips of approved type may be used on curves and shall be held rigidly to line and grade with properly placed stakes or braces. In no case shall forms be less than three and five-eights inches (3-5/8) in depth and in all cases the ground shall be undercut to provide a full four inch (4) concrete slab thickness.

### C. Preparation

(1) Excavation shall be done to a depth as necessary below the finished grade as established under these specifications or as necessary to clear the area of vegetation or other objectionable material, and a backfill of at least four inches (4) of sub-base material shall be placed and compacted under all areas to be covered with concrete. Sub-base material shall be included unless specifically deleted by the Township Engineer.

(2) In all cases where the surface of the ground is below the finished surface of the sidewalk, it will be necessary for the contractor to make a tamped earth fill on either side of the walk, bringing the fill flush with the top of the walk for a distance of one foot (1) from either side, the fill to have a slope of the original surface not to be less than three to one (3 to 1).

(3) In all cases where the surface of the ground is above the finished surface of the sidewalk, it will be necessary for the contractor to continue his excavation a distance of at least one foot (1) on either side of the walk, at the finished grade of the walk, and then continue his cut to the original ground surface with a sideslope of at least two to one (2 to 1), or as directed by the Township Engineer.

(4) All castings, such as manhole tops, grates for areas, water and gas stops, etc., shall be adjusted by the contractor to set even with the surface of the finished walk.

(5) Forms shall be set so as to allow for square vertical edge and a thickness of a full four inches (4) in walking areas and a minimum six inch (6) walk in driveway areas and also to allow for a slope of the walk towards the curb which shall under regular conditions be 3/8 of an inch per foot.

(6) The contractor shall adjust the grade at street corners so as to conform as nearly as possible to the curb grades on each street. In case of a great difference between the grade of two (2) walks at a street corner, the Township Engineer shall be notified and he will give direction as to the extent the surface of each walk may be warped to meet at the same grade at the corner.

(7) Expansion joints shall be placed at all points where the proposed walk meets existing walks, curbs, driveways, catch basins, utility castings, etc., as well as at any point where the walk changes in direction forty-five degrees (45°) or more. In no case shall the distance between expansion joints be greater than 100 lineal feet. Expansion joints shall be placed to the full width of the walk and to separate the proposed walk completely from utility castings, curbs, etc.

#### D. Depositing Concrete

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

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

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

(4) The walk shall be cut into square slabs not exceeding fifty (50) square feet in area by cutting the slab or by use of forms. Cuts shall be continuous and shall be cut to a depth of at least one-third (1/3) of the slab thickness. The cuts shall be made straight across the center lengthwise, in all walks over eight feet (8) wide and straight across in all widths of walks. After the initial cut the concrete shall be finished as later specified and final cuts shall be made with a trowel on line of previous cuts to at least one-third (1/3) of the slab thickness, and the cuts creased and outer edge rounded with finishing tool having one-half inch (1/2) radius. Line for all cuts must be marked on forms before cuts are made. Where division plates are used the surface edges of each slab shall be rounded to a one-half inch (1/2) radius before removal of division plates.

(5) After the concrete has been brought to the established grade by means of a strike-board, it shall be worked to give a medium tough surface. In no case shall dry cement or a mixture of dry cement and sand be sprinkled on the surface to absorb moisture or to hasten hardening. The surface shall be floated

with a wooden float only, producing an even gritty finish. On wide sidewalks the finish may be done with two (2) applications of a canvas belt, not less than six inches (6) wide, and two feet (2) longer than the width of the sidewalks. For the first application, the belt shall be drawn across the surface with vigorous strokes at least twelve inches (12) long, and moved ahead very slightly with each stroke. The second application shall be given immediately after the water glaze or sheen disappears. The stroke of the belt shall be not more than four inches (4) but the longitudinal motion shall be greater than during the first application. No other method shall be used unless approved by the Township Engineer prior to the installation.

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

(7) Concrete walks shall be protected from rain storms by a tarpaulin or by a covering of wet paper and sand, and protected during the hot weather, after setting for a few hours by being covered with sand and wet every day for three days. A chemical curing agent, as approved by the Township Engineer, may be used in place of wet sand. A barricade of at least three feet (3) in height shall be placed around the walk to protect it while setting.

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

#### E. Testing

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

(2) A discrepancy of ten percent (10%) of the requirements shall be cause for complete replacement, however, any discrepancy shall, and will, at the Township Engineer's option, be cause for replacement.

#### 4. Sewers

A. In areas having a public sewer system, which is, in the judgement of the Supervisors reasonably accessible to the subdivision and available for connection thereto, the subdivider shall provide the subdivision with a complete sewer system to be connected to the public sanitary sewer system.

B. In an area not having a public system, or within an area having a public sewer system which is not reasonably accessible to the subdivision, the subdivision shall be provided with one of the following methods of sewage disposal:

(1) A complete sanitary sewer system to convey the sewage to a treatment plant, to be provided in accordance with the requirements of the Pennsylvania Department of Environmental Resources, with adequate provision for the maintenance of such plant.

(2) When the subdivision consists of fewer than twenty-five (25) lots, a private sewage disposal system on individual lots, consisting of septic tanks and tile absorption fields when laid out in accordance with minimum standards approved by the DER or the County Department of Health. An inspection and approval of each private sewage disposal system shall be obtained from the DER or the County Department of Health.

C. In areas not presently served by public sewers but in which they are to be installed within a reasonable time, in the opinion of the Supervisors based on studies of the area, the Supervisors shall require that capped sewer mains and house connections be installed in addition to the required on-site facilities.

D. The plans for the installation of a sanitary sewer system shall be prepared for the subdivision and approved by the engineer in charge of the applicable sewerage system to which it will be connected, the Erie County Department of Health and the Pennsylvania Department of Environmental Resources. The engineer of the sewerage system shall inspect the sewer line before it is covered over. Upon completion of the sanitary sewer installation one (1) copy of each of the plans for such system as built shall be filed with the Supervisors and the Erie County Department of Health.

E. The minimum diameter of any gravity sewer pipe main shall be eight inches (8) and any lateral four inches (4). Six inch (6) gravity mains and grinder type pressure systems may be permitted for certain installations when approved by the DER or the Erie County Department of Health. Storm sewers shall not be connected with sanitary sewers.

#### 5. Water

A. The subdivider shall provide the subdivision with a complete water main supply system which shall be connected to a municipal water supply, or with a community water supply system approved by the engineer of the applicable water utility company, Erie County Department of Health and the Pennsylvania Department of Environmental Resources with satisfactory provision for the maintenance thereof; except that, when such municipal or community water supply system is not available the subdivider may either provide individual wells or a private water system for a subdivision of fewer than fifty (50) lots, but must provide a public or semi-public water system for a subdivision of fifty (50) lots or more, such public or semi-public water system to be approved by the DER or the Erie County Department of Health.

B. The plans for the installation of the mains of a water supply system shall be prepared for the subdivision with the cooperation of the applicable water utility company and approved by its engineer. Upon the completion of the water supply system, one (1) copy of the

plans for such system as built shall be filed with the Supervisors and the Erie County Department of Health and the municipality.

C. In §108(4)(A) and §108(5)(A), the phrase "the subdivider shall provide" shall be interpreted to mean that the subdivider shall install the facility referred to, or, whenever a private sewage disposal system on an individual water supply is to be provided, that the subdivider shall be required to install, prior to the sale of any lot or parcel in the subdivision, the facilities referred to in these paragraphs.

D. Street mains shall be no less than six inch (6) diameter and shall have valves located at all street intersections.

E. Fire hydrants shall be provided as an integral part of any public water supply system where the system is adequate for fire service. Fire hydrants shall be provided where required and shall be located no more than 1,200 feet apart; and within six hundred feet (600), but no closer than thirty-five feet (35), from any structure. Where the system is not adequate to supply fire service, the mains shall be sized, and tees with valves shall be provided, in such manner that fire hydrants can be added in the future in accordance with the above requirements, when improved service becomes available.

6. Off Street Parking. Offstreet parking spaces shall be provided in accordance with the specifications in Section 305, of Waterford Township Zoning Ordinance.

7. Storm Drainage

A. Storm sewers, culverts and related installations shall be provided: To permit the unimpeded flow of natural water courses; to ensure the drainage of all low points along the line of streets; to intercept storm water run-off along streets at intervals reasonably related to the extent and grade of the area drained.

B. The subdivider shall construct a sanitary sewer system and provide lateral connections for each lot where a public sanitary sewer main is available at the plat boundary or within a reasonable distance thereto (within one thousand feet (1,000) of the subdivision).

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

D. Storm sewers shall have a minimum diameter of fifteen inches (15) and a minimum grade of one-half of one percent (1/2 of 1%). Lesser grades may be permitted when substantiated with calculations which prove that cleaning velocities will be maintained.

E. Manholes shall normally be spaced at three hundred feet (300) maximum spacing where pipe sizes of twenty-four inches (24) or less are used, and not over four hundred feet (400) where larger sizes are installed. Inlets may, if approved by the Department of Municipality be substituted for manholes.

F. In the design of outlets of underground facilities that will abut another property, the approval in writing of adjoining affected owners shall be secured by the developer.

8. Street Signs. Street names shall be placed at all intersections. Their design shall be approved by the Supervisors.

9. Filing Plans and Profiles. Upon completion, plans and profiles of the improvements in a subdivision as constructed shall be filed with the Township.

10. Lighting. Where, in the opinion of the Approving Authority, street lighting is deemed necessary in the public interest, the subdivider shall petition for the installation of street lighting in the proposed subdivision. The erection and maintenance of such lighting shall be governed by regulations as provided in the Second Class Township Code.

11. Erosion Control. It shall be a requirement of all major subdivisions that the subdivider shall have a Soil Erosion and Sedimentation Control Plan and/or prepared in accordance with current state law (Erosion and Sedimentation Control, Chapter 102, Pennsylvania Rules and Regulations, as amended), reviewed by the Soil Conservation District and approved by the Erie County Department of Health and/or the Township prior to application. The Township may also require a like plan for any minor subdivision.

The plan shall be fully implemented during the construction of the development.

(Ord. 7/11/1972, Art. VIII)

§109. Administration

1. Modification

A. The provisions of these regulations are the minimum standards for the protection of the public welfare. The Township Board of Supervisors reserves the right to modify or to extend same as may be necessary in the public interest.

B. If any mandatory provision of these regulations are shown by the applicant to the satisfaction of the Board, at a scheduled meeting, to be unreasonable to cause unique and undue hardship as they apply to his proposed subdivision, the Board shall grant a variance in writing to such mandatory provisions, so that substantial justice may be done and the public interest secured, provided that such variation will not have the effect of nullifying the intent and purposes of these regulations.

C. In granting variances and modifications, the Board may impose such conditions as will, in its judgement, secure substantially the objectives of the standards or requirements so varied or modified.

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

3. Amendment. The Board may, from time to time, revise, modify and amend these regulations in accordance with established procedures for second class townships and by appropriate action taken at a scheduled public meeting.

4. Validity and Penalties

A. Should any section, subsection or provision of these regulations be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the regulations as a whole, or of any other part thereof.

B. Penalties - Any person, partnership or corporation who or which being the owner or agent of the owner of any lot, tract or parcel of land shall lay out, construct, open or dedicate any street, sanitary sewer, storm sewer, water main or other improvements for public use, travel or other purposes or for the common use of occupants of buildings abutting thereon, or who sells, transfers or agrees or enters into an agreement to sell any land in a subdivision or land development or otherwise, or erect any building thereon, unless and until a final plat has been prepared in full compliance with the provisions of this Chapter and of the regulations adopted hereunder and has been recorded as provided herein, shall be guilty of a misdemeanor, and upon conviction thereof, such person or the members of such partnership, or the officers of such corporation, or the agent of any of them, responsible for such violation to pay a fine of not more than three hundred dollars (\$300.00); and/or to imprisonment for a term not to exceed ninety (90) days.

(Ord. 7/11/1972, Art. IX; as amended by (Ord. 111887

§110. Plat Certificates and Forms

1. General. In accordance with the requirements as set forth in this Part, the undersigned applicant hereby applied for the approval of certain roads, drainage facilities and/or subdivision of lands and hereby sets forth the following:

A. Attached to this application and made a part hereof is a copy of plan made up in accordance with this Part.

B. Applicant hereby sets forth in detail the character of the improvements to be made on the property shown on said plan as follows:

(1) Applicant agrees to open, lay out and improve road to construct all of the improvements, including drainage facilities upon the property shown on said plan.

(2) Applicant agrees to enter into contract in writing, prepared by the Township Solicitor, to install, erect and construct the aforesaid improvements.

(3) Applicant agrees to furnish a certificate of a reputable attorney admitted to practice in the Courts of Erie County, Pennsylvania.

(4) Applicant shall furnish a bond under such conditions and form with surety as shall be approved by the Township Supervisors, to guarantee the completion of the required improvements as set forth in this Part.

(5) Applicant hereby deposits the fee as set forth in this Part.

(6) Applicant shall bear all costs of inspection, and shall deposit with the Township Treasurer such sum as the Township Supervisors shall determine to guarantee payment of such costs.

(7) Applicant agrees in all respects to comply with the terms of this Chapter.

(8) Applicant shall furnish a bond to provide a one (1) year guarantee of all improvements made within the right-of-way.

\_\_\_\_\_ 19 \_\_\_\_\_.  
Applicant

2. Attorney's Certificate. To accompany Form for approval of plans for Land Improvement, Waterford Township, Erie County, Pennsylvania.

I certify that \_\_\_\_\_ is/are the owner(s) of a good marketable title to property known as \_\_\_\_\_ by (a. Conveyance recorded) (b. Will registered) in Erie County (Deed) (Will) Book \_\_\_\_\_ who died \_\_\_\_\_. See Erie County Proceedings Docket \_\_\_\_\_ Page \_\_\_\_\_.

The aforesaid property is free of all mortgages, judgments, liens, easements, contracts, agreements or other encumbrances except as noted below (if not so state).

\_\_\_\_\_  
Attorney-at-law

3. Surveyor's and Engineer's Certificate

"I, \_\_\_\_\_, hereby certify that I am a registred Land Surveyor, or registered Engineer in compliance with the laws of the Commonwealth of Pennsylvania; that this plat correctly represents a survey completed by me on \_\_\_\_\_ 19 \_\_\_\_; that all the monuments shown thereon actually exist; and that their location, size, type and material are accurately shown."

4. Articles of Agreement

This AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_, BETWEEN THE TOWNSHIP OF WATERFORD, ERIE COUNTY, PENNSYLVANIA, (hereinafter call "Township") and \_\_\_\_\_, (hereinafter called "Owner").

WHEREAS, Owner has filed Application with Township for approval of a certain Plan for development of certain land situated in the Township of Waterford, County of Erie and State of Pennsylvania, to be known as \_\_\_\_\_



A true and correct copy of said Plan, consisting of \_\_\_\_\_ sheets, is attached hereto and made a part hereof and marked (Exhibit A"; and

WHEREAS, pursuant to provisions of this Part, the Board of Township Supervisors have required as a condition of their approval that certain construction work be done by Owner as herein set forth and that Owner furnish a Bond to Township to insure completion of the required work.

NOW, THEREFORE, it is agreed between the parties hereto, and each of the parties intends to be legally bound hereby as follows:

(1) Owner will construct all roads shown on said Plan and provide adequate drainage therefor in accordance with the Plans and in compliance with standard specifications heretofore adopted by the Board of Township Supervisors.

(2) Owner will construct drainage facilities in addition to proper drainage of roads shown on said Plan, as follows:

(3) Owner will make the following improvements required by the Township as a condition to its approval:

(4) All work in connection with construction of said improvements shall be subject to inspection from time to time by the Township Engineer or such person as the Board of Township Supervisors shall designate; and all of said work shall be completed to the satisfaction of the said Engineer, or other persons, in accordance with the Plan and Specifications.

(5) The entire work on said improvements shall be completed not later than \_\_\_\_\_ 19\_\_\_\_; provided, however, that by the mutual, written agreement between the Township, the Owner and the Surety on the Owner's Bond taken in connection herewith, said time of performance may be extended. Work of construction on said improvements shall begin not later than \_\_\_\_\_.

(6) Owner shall tender to Township a good and sufficient Bond in the sum of \_\_\_\_\_ Dollars, with surety to be approved that the Owner will fully perform his agreement and that said improvements shall be completed within the time for completion specified therein.

(7) When all of the work set forth in this Agreement to be done by Owner shall be fully performed by him, and the Township Engineer or other duly authorized person, shall issued his final certificate that said work has been completed in accordance with the Ordinance of the Township, the Township will accept dedication of such roads, drainage facilities and other improvements as shown roads on said Plan and as set forth herein, if at the time dedication shall be offered title of Owner shall be clear and satisfactory to the Township.

(8) It is agreed between the parties hereto that this Agreement shall be binding on the parties hereto, and each of them, their heirs, Executors, Administrators, successors and assigns.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

TOWNSHIP OF WATERFORD

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SUPERVISORS

ATTEST:

TOWNSHIP SECRETARY

5. Other Forms

STATE OF PENNSYLVANIA, :  
SS.

COUNTY OF ERIE,

On this, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me, a Notary Public, the undersigned officer, personally appeared \_\_\_\_\_ known to me (or satisfactorily proven) to be the person whose name subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

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

\_\_\_\_\_

6. Bond

KNOWN ALL MEN BY THESE PRESENTS, That we, \_\_\_\_\_ hereinafter referred to as the Obligor; and \_\_\_\_\_ as Surety, are held and firmly bound unto THE TOWNSHIP OF WATERFORD, ERIE COUNTY, PENNSYLVANIA, in the sum of \_\_\_\_\_ Dollars, lawful money of the United States of America, to which payment well and truly to be made, we, and each of us, do bind and obligate ourselves, our heirs, Executors, Administrators, successors and assigns, jointly and severally, firmly by these Presents.

SEALED WITH our seals and dated this \_\_\_\_\_ day of \_\_\_\_\_  
19\_\_\_\_\_.

WHEREAS, above bounded obligor has entered into a certain agreement with Township, of Waterford, Erie County, Pennsylvania, dated \_\_\_\_\_ 19\_\_\_\_, in which obligor agrees to do certain work of construction of improvements in a Subdivision made by him known as \_\_\_\_\_

\_\_\_\_\_ which said Agreement is attached hereto and made a part hereof.

NOW THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, That if the obligor shall well and truly perform each and every act required by the terms of said agreement, in compliance therewith, then this Obligation shall be null and void, otherwise it shall be and remain in full force and virtue.

IN WITNESS WHEREOF, the parties have caused these Presents to be duly executed the day and year first above written.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

WITNESS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Ord. 7/11/1972, Art. X)

G. Procedure for obtaining approval of public right-of-ways/private roads

(1) If the owners of land within Waterford Township wish to subdivide their property and because of financial constraints are unable to meet the subdivision requirements relative to the construction and development of the public roads within said subdivision, said owners may petition the Supervisors of Waterford Township and request that the Township accept and approve their subdivision without compliance with all of the street and/or road provisions of the Waterford Township Subdivision and Land Development Ordinance. In such a case, said owner shall submit a written request to Waterford Township to establish a public right-of-way/private road agreement.

(2) The owners will initially provide and submit with the beforementioned written request a sketch plan of the proposed subdivision or land development.

(3) The sketch plan of the proposed subdivision will show the location of the public right-of-way/private road and where the private roads will intersect with a public right-of-way/public road.

(4) All public right-of-way/private roads will exit onto a public road system.

(5) Prior to the acceptance and approval of the proposed public right-of-way/private road within the petitioner's subdivision, the same shall be sent to the Waterford Township Planning Commission and the Waterford Township Engineer for their recommendations and/or suggestions.

(6) In addition to the written requests for approval of a public right-of-way/private road in the proposed subdivision, the petitioner must submit all papers and

documents required under the Waterford Township Subdivision and Land Development Ordinance and Zoning Ordinance and must meet all other state and local rules, ordinances and regulations except as the Waterford Township Subdivision and Land Development Ordinance regulations are modified herein.

(7) Prior to Waterford Township's acceptance of the request for a public right-of-way/private road, the request, along with all appropriate accompanying documents, shall be submitted by petitioner to the Erie County Department of Planning for recommendations and/or suggestions.

(8) The owners acknowledge that even if the request for a public right-of-way/private road is approved by Waterford Township, they must still abide by all other requirements of the Waterford Township Subdivision and Land Development Ordinance and other applicable ordinances as well as state rules, regulations and procedures except as modified herein.

(9) The owners acknowledge that they will be obligated to execute and record an agreement entitled "Contract, Covenant, Restrictions, Condition and Stipulation Running with the Land," binding not only the developer/owner of the subdivision, but also the subsequent owners of the lots within the proposed subdivision. A copy of said agreement which is on file at the Waterford Township Municipal Building will be provided to the owner for his review and approval.

(10) The owner acknowledges that as a condition precedent to the development of any lot pursuant to his proposed subdivision, all lots and subdivision roads shall be completed in accordance with the Waterford Township Subdivision and Land Development Ordinance, except as hereinbefore modified:

Section 107--Development Standards.

1. General Standards. No changes or exceptions.
2. Streets.
  - A. Street Systems. No changes or exceptions.
  - B. Street Alignment. No changes or exceptions.
  - C. Street Grades. No changes or exceptions.
  - D. Street Widths. The cartpath width is modified from 30 feet to 24 feet (20 foot gravel surface plus 2 foot shoulders on each side).
  - E. Street Intersections. No changes or exceptions.
  - F. Other Requirements. No changes or exceptions.
3. Blocks and Lots. No changes or exceptions.

Section 108--Required Improvements.

1. Monuments and Markers. No changes or exceptions.
2. Streets, Subgrade, Subdrains, Pavement and Curbs.

- A. Grading. Street cross section may be modified to 24 feet.
- B. Subgrade. No changes or exceptions.
- C. Subdrain. The Township waives the requirement for subdrains for private roads.
- D. Pavement. Requires sub-base of 6 inch depth.

(11) These procedures may be modified, amended or changed upon motion of the Waterford Township Supervisors.

(12) On approval of the petition, petitioner developer may subdivide and develop his land in accordance with this procedure and in accordance with the agreements executed by Petitioner with the Township.

(13) Prior to acceptance of Petitioners private road system by the Township, the developer and the then lot owners shall be required at their own and sole expense to bring the roads, streets, drains, etc., up to the then standards established by Waterford Township for the construction of public roads.