

Aleppo Township Subdivision and Land Development Ordinance

DRAFT FOR PUBLIC DISPLAY

JULY 31, 2023

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Article I. General Provisions

Section 101. Title

- A. Title. This Ordinance shall be known as the "Aleppo Township Subdivision and Land Development Ordinance." For purposes of the Code of Ordinances of Aleppo Township, Allegheny County, Pennsylvania, this Ordinance shall be known as the "Subdivision and Land Development Ordinance" and/or the "SALDO."

Section 102. Purpose

- A. This Ordinance is adopted for the following purposes:
 - 1. To provide for the harmonious and orderly development of the Township.
 - 2. To assure sites suitable for building purposes and human habitation.
 - 3. To promote the health, safety, and general welfare of Township residents.
 - 4. To coordinate the proposed development with existing development within the Township.
 - 5. To provide for the equitable processing of subdivision and land development plans by establishing uniform procedures and standards.
 - 6. To promote adequate open spaces, proper traffic flows, recreation, light and air, and proper distribution of population.

Section 103. Authority

- A. Enabling Authority/Adoption. The Township, in accordance with the Pennsylvania Municipalities Planning Code (MPC), Act 247 of 1968, as reenacted and amended by Act 170 of 1988, and as subsequently amended, 53 P.S. 10101 et seq. (MPC), enacts the following Ordinance to regulate the subdivision and development of land in the Township of Aleppo, Allegheny County.

Section 104. Applicability

- A. Hereafter, no activity covered by this Chapter shall be permitted, including but not limited to subdividing as defined herein, development of land as defined herein, or improvements to land as defined herein, except in strict accordance with the requirements and procedures of this Chapter.

Section 105. Interpretation and Relationship to Other Provisions

- A. Interpretation. The provisions set forth herein shall be held to be the minimum requirements necessary to meet the stated purpose as required in this Ordinance and the general purposes of the MPC, as amended.

- B. **Conflicting Provisions.** Whenever there is a difference between the minimum standards specified herein and those included in other Township ordinances and regulations, the more stringent requirements shall apply.
- C. **Conflict with Private Provisions.** If the requirements of this Ordinance are different from those contained within deed restrictions, covenants, or other private agreements, the requirements that are more restrictive or which impose higher standards shall govern, provided that the private provisions are otherwise lawful.

Section 106. Compliance Required

- A. Hereafter, no lot in a subdivision may be sold, no permit to erect any building upon land in a subdivision may be issued, no cuts, grading, or filling permitted and no street, walkway, curbs, gutters, streetlights, fire hydrants, shade trees, sanitary sewer, storm sewer, waterline, or other improvements as may be required herein shall be laid out, constructed, opened, or dedicated for public use or travel or for the common use of occupants of buildings abutting thereon, except in accordance with the provisions of this Chapter.

Section 107. Effect of Noncompliance

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

Section 108. Effect on Prior Applications or Approvals

- A. From the time an application for approval of a plat, whether preliminary or final, is duly filed as provided in this Chapter with the Planning Commission and while such application is pending approval or disapproval, no change or amendment in this Chapter or other governing ordinance or plan shall affect the decision on such application adversely to the applicant, and the applicant shall be entitled to a decision in accordance with the provisions of the governing ordinances or plans as they stood at the time the application was duly filed. In addition, when a preliminary application has been duly approved, the applicant shall be entitled to final approval in accordance with the terms of the approved preliminary application as hereinafter provided. However, when an application is properly and finally denied, then any subsequent application shall be subject to the intervening change in governing regulations.
- B. When an application for approval of a plat, whether preliminary or final, has been approved or approved subject to conditions acceptable to the applicant, no subsequent change or amendment in this Chapter or other governing ordinances or plans shall be applied to adversely affect the right of the applicant to commence and to complete any aspect of the approved development in accordance with the terms of such approval within five (5) years from such approval. The five-year period shall be counted from the date of the preliminary approval.

Section 109. Applicability of SALDO Provisions for Condominiums

- A. Any subdivision, merger, or consolidation of a condominium, as defined herein and per the Uniform Condominium Act, 68 Pa.C.S.A. § 3101 et seq. (as amended), shall be subject to the requirements of this Ordinance and any other applicable Township ordinances and shall be reviewed by the Township Planning Commission and approved by the Township Board of Commissioners.

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Article II. Definitions

Section 201. Interpretation

- A. Unless otherwise stated and for the purpose of this Ordinance, certain terms and words used herein shall be interpreted or defined as follows:
1. Words used in the present tense shall include the future tense.
 2. Words in the singular shall include the plural, and those in the plural shall include the singular.
 3. The words “should” and “may” are permissive. The words “shall” and “will” are mandatory and directive.
 4. The word “lot” includes the word “plot” or “parcel.”
 5. The words “person,” “subdivider,” and “owner” shall include a corporation, an unincorporated association, a partnership, or other legal entity as well as an individual.
 6. The word “structure” includes “building” and shall be construed as if followed by the phrase “or part thereof.”
 7. The word “watercourse” includes channels, creeks, ditches, dry runs, springs, and streams.
 8. The word "and" indicates that all connected items, conditions, provisions, or events shall apply.
 9. The word "or" indicates that the connected items, conditions, provisions, or events may apply singly or in any combination.
 10. The words "either" and “or” indicate that the connected items, conditions, provisions, or events may apply singly but not in any combination.
 11. The words “Municipal,” “Municipality,” and "Township" mean the Township of Aleppo, Allegheny County, Pennsylvania.
 12. The word "County" means the County of Allegheny, Pennsylvania.
 13. The word “used” or “occupied” as applied to any land or building shall be construed to include the words “intended, arranged, or designed to be used or occupied.”
 14. Unless otherwise specified, all distances shall be measured horizontally.
 15. Any use of the gender specific words (his, hers, him, her) shall imply both genders.

16. In case of any difference of meaning or implication between the text of this Ordinance and any caption, illustration, or table, the text shall control.

17. When a word or phrase is not specifically defined in this Chapter, or referenced in another Ordinance, then the common meaning of the word or phrase, or the definition contained in Webster's Dictionary, most current version, shall apply.

Section 202. Terms and Definitions

ACCESS DRIVE – A public or private thoroughfare that affords a means of access to an abutting property, parking area, or street and that has a width in accordance with the Township Construction Standards, Standard Details, but in no case shall be less than twenty (20) feet in width. An access drive shall not be considered a driveway.

ACCESSORY DWELLING UNIT – A residential accessory use that consists of creating living space for individuals which is attached to the principal structure via a breezeway or the like that is no longer than 30 feet and has its own bathroom facility and often includes its own kitchen area. Only one (1) accessory dwelling unit is allowed on any single lot in addition to the principal structure. Accessory dwelling units shall have a gross floor area of at least 400 square feet and shall comprise no more than 50% of the gross floor area of the principal structure on the lot that they are associated with and shall not exceed 1,200 square gross feet for the accessory unit.

AISLE – The portion of the parking lot devoted to providing immediate access to the parking stalls. The recommended aisle width is dependent of the parking angle.

ALLEY – A passageway open to public travel which affords generally a secondary means of vehicular access to abutting lots and is not intended for general traffic circulation.

AMUSEMENT PARK – An establishment developed primarily for entertainment purposes and offering rides and exhibitions for a fee. See definition of “land development.”

APPLICANT – A landowner or developer, as hereinafter defined, who has filed an application for development including his heirs, successors, and assigns.

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

AS BUILT PLANS – Plans, profiles, cross-sections, and construction details showing the exact final location, elevation, grade, size, and material used in the construction of all facilities installed, to the same scale as the approved construction drawings.

AVAILABLE SEWER – A municipal sewer is considered available if:

- A. Connection is recommended and/or required in the regulations of the Township or any municipal authority with jurisdiction by the Township;

- B. Connection is recommended and/or required by the regulations of the Pennsylvania Department of Environmental Protection (PA DEP) pursuant to the "Pennsylvania Sewage Facilities Act;" or
- C. An existing municipal sewer line, with sufficient capacity, is located within 1,000 feet of the nearest point of a subdivision or land development.

BASE FLOOD – The flood which has been selected to serve as the basis upon which the floodplain management provisions of this Ordinance have been prepared; for the purposes of this Ordinance, the 100-year flood.

BASE FLOOD ELEVATION – The 100-year flood elevation. within the approximated floodplain the base flood elevation shall be established as a point on the boundary of the approximate floodplain closest to the construction site in question.

BERM – A mound of soil, either natural or man-made, used to obstruct views.

BLOCK – A unit of land containing one or more lots, bounded by existing or proposed streets, waterways, railroads, public lands, or other barriers to contiguous development.

BOARD OF COMMISSIONERS – The Board of Commissioners of the Township of Aleppo, Allegheny County, Pennsylvania.

BUILDING – A roofed structure, whether or not enclosed by walls, to be used for shelter, enclosure, or the protection of persons, goods, materials, or animals.

BUILDING SETBACK LINE – The line within a property defining the minimum required distance between any building to be erected and the edge of any required adjacent right-of-way (front lot line).

CARTWAY (ROADWAY) – The paved area of a street or alley designed for vehicular traffic use. This does not include curbs, shoulders, or surface areas outside the lane(s) of travel.

CLEAR SIGHT TRIANGLE – An area of unobstructed vision at the intersection of two (2) streets or the intersection of a driveway with a street, measured at the height of a driver's eye, which is assumed to be three and three-fourths (3.75) feet above the road surface, between points at a given distance from the intersection of the center lines of the two (2) streets or of a street and driveway, as specified in this Chapter and the Zoning Ordinance, intended to allow the operators of vehicles approaching simultaneously to see each other in time to prevent a collision. Any obstruction that impedes line-of-sight should be removed upon notification from the Township. Further, a triangular area of unobstructed vision as defined by *PennDOT Publication # 70M: Guidelines for the Design of Local Roads and Streets*.

COMMON OPEN SPACE – A parcel or parcels of land or an area of water, or a combination of land and water within the development site, designed as an intended for the use or enjoyment by the public or residents of a development, not including streets, off-street parking areas, and areas set aside for public facilities. Stormwater

management facilities such as drainageways, swales, and stormwater basins shall not be considered eligible to meet common open space requirements.

COMPLETELY DRY SPACE – A space which will remain totally dry during flooding; the structure is designed and constructed to prevent the passage of water and water vapor.

COMPLETION BOND/FINANCIAL SECURITY – A bond in cash or any other type of financial security which may be accepted in lieu of certain improvements being made prior to approval and recording of a final plan, pursuant to §509 of the MPC, as amended. Financial security guarantees the satisfactory completion of the improvements to land in accordance with this Chapter.

CONDOMINIUM – Shall be used in accordance with the definition and concept set forth in the Uniform Condominium Act, 68 Pa.C.S.A. § 3101 et seq. (as amended). Real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners.

CONSERVATION DISTRICT – The Allegheny County Conservation District.

CONSTRUCTION – The construction, reconstruction, renovation, repair, extension, expansion, alteration, or relocation of a structure, including the placement of mobile homes.

CONSTRUCTION STANDARDS – The Township of Aleppo Standard Construction Details, as amended.

CONTOUR – A line which joins all points of equal elevation on the ground.

COUNTY – The County of Allegheny, Pennsylvania.

COUNTY PLANNING AGENCY – The Allegheny County Department of Economic Development, Planning Division.

CROSSWALK – A publicly or privately owned right-of-way for pedestrian use extending from a street into a block or across a block to another street.

CUL-DE-SAC – A dead-end street with a vehicular turnaround at the dead end.

CULVERT – Any structure not classified as a bridge and designed to convey a water course under a road or pedestrian walk. A culvert shall not be incorporated into a closed drainage system.

CURB – Concrete, bituminous concrete, or other improved boundary material usually marking the edge of a roadway, parking lot, or other paved area. See the Township Construction Standards.

CUT – Any of the following:

A. A cut

B. The difference in vertical elevation between a point on the surface of original

ground and a point of the final grade.

C. The material removed in excavation.

DEDICATION – The transfer of property interests from private to public ownership for a public purpose. The transfer may be of fee-simple interest or of a less than fee interest, including an easement.

DEED – A written instrument whereby an estate in real property is conveyed.

DETENTION BASIN – An impoundment designed to collect and detain stormwater runoff by temporarily storing the runoff and releasing it at a predetermined rate. Detention basins are designed to drain completely in a designed period after a rainfall event, and to become dry until the next rainfall event.

DETERMINATION – The final action by an officer, body, or agency charged with the administration of any land use ordinance or applications thereunder except the Governing Body; the Zoning Hearing Board (ZHB); the Planning Agency, only if and to the extent the Planning Agency is charged with final decision on preliminary or final plans under this Ordinance.

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

DEVELOPER'S AGREEMENT – The agreement between the Township and the applicant which is required for final approval of an application for development, and which shall state all conditions for development and shall establish the responsibilities of the parties to the agreement including financial security, sequencing, scheduling, and provision of public improvements required prior to release of guarantees.

DEVELOPMENT – See “Land Development” in this Section.

DEVELOPMENT PLAN – The provisions for development, including a plat of subdivision, all covenants relating to use, location, and bulk of buildings and other structures, intensity of use or density of development, streets, ways, and parking facilities, common open space, and public facilities. The phrase “provisions of the development plan” when used in this Ordinance shall mean the written and graphic materials referred to in this definition.

DRIVEWAY – A private area which provides vehicular access to a parking space, garage, dwelling, or other structure.

DRAINAGE – The removal of surface water or groundwater from land by drains, grading, or other means.

DRAINAGE CONVEYANCE FACILITY – A stormwater management facility designed to convey stormwater runoff and shall include streams, channels, swales, pipes, conduits, culverts, storm sewers, etc.

DRAINAGE EASEMENT – A right granted by a landowner to a grantee, allowing the use of private land for stormwater management, drainage, or conveyance purposes.

DRAINAGEWAY – Any natural or artificial watercourse, trench, ditch, pipe, swale, channel, or similar depression into which surface water flows.

EASEMENT – A grant of the specified use of a parcel of land to the public, a corporation, or a person.

ELECTRONIC NOTICE – Notice given by the Township through the Internet of the time and place of a public hearing and the particular nature of the matter to be considered at the hearing.

ENCROACHMENT – Any structure or activity which in any manner changes, expands, or diminishes the course, current, or cross-section of any watercourse, floodway, or body of water.

ENGINEER, PROFESSIONAL – A licensed professional engineer registered by the Commonwealth of Pennsylvania. See “Registered Professional” in this Section.

ENVIRONMENTALLY SENSITIVE AREAS – Lands, which because of their characteristics or locations, are limited with regard to development activities. Environmentally sensitive characteristics include but are not limited to steep slopes, floodplain areas, and wetlands.

EPA – The United States Environmental Protection Agency (EPA) or any agency successor thereto.

EROSION – The removal of surface materials by the action of natural elements.

EROSION AND SEDIMENTATION CONTROL PLAN – A narrative and set of plans developed to minimize accelerated erosion and prevent sedimentation damage. In accordance with the Pennsylvania Department of Environmental Protection (PA DEP) Erosion and Sediment Pollution Control Program Manual, these plans are prepared in conjunction with construction staging plans, detailing what erosion control measures must be in place at all times during various construction stages and phases.

ESCROW – A deed, a bond, money, or a piece of property delivered to a third person to be held by the third person and released to the grantor only upon the fulfillment of a condition. See also “Completion Bond/Financial Security” in this Section.

EXCAVATION – Any act by which earth, sand, gravel, rock, or any other similar material is dug into, cut, quarried, uncovered, removed, displaced, relocated, or bulldozed and shall include the conditions resulting therefrom.

FEMA – The Federal Emergency Management Agency (FEMA).

FILL – Any of the following:

A. Any act by which earth, sand, gravel, rock, or any other material is placed, pushed, dumped, pulled, transported, or moved to a new location above the natural surface of the ground or on top of the stripped surface and shall include the conditions resulting therefrom.

B. The difference in elevation between a point on the original ground and a

designated point of higher elevation on the final grade.

C. The material used to make fill.

D. The term “fill” is also to be used in accordance with the definition set forth in Chapter 208, Grading and Excavation, of the Code of the Township of Aleppo.

FLOODPLAIN – As defined by the Aleppo Township Floodplain Management Ordinance (Chapter 200).

FLOODPLAIN MANAGEMENT ORDINANCE (FMO) – The Aleppo Township Floodplain Management Ordinance (Chapter 200).

FOOTCANDLE – A unit of light density incident on a plane (assumed to be horizontal unless otherwise specified), measurable with an illuminance meter (also known as a light meter).

FORM 408 – Pennsylvania Department of Transportation (PennDOT) Form 408, latest publications and bulletins, Commonwealth of Pennsylvania, Specification Publication #408.

GEOTECHNICAL ENGINEER – A professional engineer licensed as such by the Commonwealth of Pennsylvania who has training and experience in geotechnical engineering.

GLARE – Excessive brightness in the field of view that is sufficiently greater than that to which the eyes are adapted, to cause annoyance or loss in visual performance and visibility so as to jeopardize health, safety, or welfare.

GOVERNING BODY – The Board of Commissioners of Aleppo Township.

GRADE – The inclination of the land's surface from the horizontal, as it exists or as rendered by cut and/or fill activities. Road grade refers to the rate of rise and fall of a road surface, measured along the center line of the cartway.

GRADING ORDINANCE – The Grading Ordinance of Aleppo Township, Chapter 208 of the Township Code of Ordinances.

GRADING PLAN – A plan prepared by a registered professional which depicts all existing and proposed ground features as described by materials, grades, contours, and topography.

GROUND COVER – A planting of low-growing plants that in time forms a dense mat covering the surface of the land, preventing soil from being blown or washed away.

GUTTER – A shallow drainage channel made of concrete or similar construction materials. Gutters are typically set along a curb or the pavement edge of a road for purposes of catching and carrying runoff water.

HEARING – See “Public Hearing” in this Section.

IMPROVEMENTS TO LAND – Physical changes to land, including but not limited to any of the following: streets, gutters, culverts, sidewalks, storm sewers, water drainage

facilities, utilities (gas, electric, telephone services), water system, fire hydrants, sanitary sewers, septic tanks, street signs, streetlights, and including cuts and/or fills.

TYPES OF IMPROVEMENTS:

IMPROVEMENTS, OFF-SITE – Public improvements which are not on-site improvements and that serve the need of more than one (1) development.

IMPROVEMENTS, ON-SITE – All improvements constructed on an applicant’s property, or the improvements constructed on the abutting property, necessary for the ingress and/or egress to the applicant’s property and required to be constructed by the applicant pursuant to regulations within this Ordinance.

IMPROVEMENTS, PRIVATE – A street, sidewalk, walkway, gutter, curb, sewer, water line, driveway, parking area, streetlight, street sign, or related facility to be operated and maintained by a private entity, and which must comply with this Ordinance and shall be in accordance with the Township’s Construction Standards.

IMPROVEMENTS, PUBLIC – A street, sidewalk, walkway, gutter, curb, sewer, water line, streetlight, street sign, or related facility to be dedicated to or maintained by the Township and which must comply with this Ordinance and shall be in accordance with the Township’s Construction Standards.

LAND DEVELOPMENT – Any of the following activities:

- A. The improvement of one (1) lot or two (2) or more contiguous lots, tracts, or parcels of land for any purpose involving:
 - 1. A group of two (2) or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or
 - 2. The division or allocation of land or space, whether initially or cumulatively, between or among two (2) or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups, or other features.
- B. A subdivision of land.
- C. Land development excludes and shall not include:
 - 1. The conversion of an existing single-family detached dwelling or single-family semi-detached dwelling into not more than three (3) residential units, unless such units are intended to be a condominium.
 - 2. The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building.

3. The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For purposes of this Subsection, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved.

LANDOWNER – The legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land.

LANDSCAPE ARCHITECT – A landscape architect registered by the Commonwealth of Pennsylvania. See "Registered Professional."

LANDSCAPE PLAN – A plan prepared by a registered professional identifying proposed landscape features, materials, and vegetation. The requirements of a landscape plan are identified in this Ordinance.

LAND USE ORDINANCES – Any ordinance or map adopted pursuant to the authority granted in Articles IV, V, VI and VII of the MPC.

LATERAL – Pipes for utilities connecting individual buildings to larger pipes, mains, trunks, or interceptors that typically are located in street ROWs.

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

LOT AREA – The total area within the boundary of the lot excluding any areas contained in a public street ROW.

LOT COVERAGE – The percentage of the area of a lot covered by all principal and accessory structures.

LOT LINE TYPES – See the definitions provided in the Township Zoning Ordinance, as amended. Lot lines include front, side, and rear.

LOT LINE REVISION or REDIVISION – See "Subdivision, Lot Line Revision" in this Section.

LOT OF RECORD – A lot described in a deed, or shown on a plan of lots, which has been recorded with the Allegheny County Department of Real Estate.

LOT TYPES – See the definition and diagram provided in the Township Zoning Ordinance, as amended. Lot types include corner lots, interior lots, and through/double frontage lots.

MAILED NOTICE – Notice given by a municipality by first class mail of the time and place of a public hearing and the particular nature of the matter to be considered at the hearing.

MAIN – The principal artery of a continuous piping system to which branches may be connected.

MAINTENANCE – The upkeep necessary for efficient operation of physical properties.

MAINTENANCE GUARANTEE – A guarantee of facilities, improvements, or work to ensure the correction of any failures of any improvements required pursuant to this Ordinance.

MARKER – A metal pipe or pin of at least one-half-inch diameter (preferred 3/4 inch or 7/8 inch) and at least 24 inches in length (preferred 30 inches to 36 inches).

MEDIAN – A portion of a divided roadway separating lanes of traffic proceeding in opposite directions.

MEDIATION – A voluntary negotiating process in which parties in a dispute mutually select a neutral mediator to assist them in jointly exploring and settling their differences, culminating in a written agreement which the parties themselves create and consider acceptable.

MINOR SUBDIVISION – See “Subdivision” in this Section.

MOBILE HOME – See “Dwelling Types” in the Township’s Zoning Ordinance, as amended.

MOBILE HOME PARK – A lot or series of lots, usually under single ownership, which has been planned to contain and improved for the placement of two (2) or more mobile home lots in which each lot has been planned and improved for the placement of one (1) mobile home for non-transient use

MONUMENT – A stone or concrete monument with a flat top at least four inches in diameter or square, containing a copper or brass dowel (plug), and at least 24 inches in length (preferred 30 inches to 36 inches). The bottom, sides or radius shall be at least two inches greater than the top, to minimize movements caused by frost.

MODIFICATION – A change granted to an applicant/developer by the Board of Commissioners to the minimum standards of this Ordinance and in accordance with §512.1 of the MPC. Said change may be granted only when the literal compliance with mandatory provisions of this Ordinance is demonstrated by the developer to be unreasonable, to cause undue hardship, or when an alternative standard can be demonstrated to provide equal or better results.

MUNICIPAL AUTHORITY – A body politic and corporate created pursuant to the act of May 2, 1945 (P.L.382, No.164), known as the “Municipality Authorities Act of 1945.”

MUNICIPALITY – The Township of Aleppo, Allegheny County, Pennsylvania.

MUNICIPALITIES PLANNING CODE (MPC) – Act of 1968, P.L. 805, No. 247, as reenacted and amended (53 P.S. §10101 et seq.).

NON-CONFORMING LOT – A lot, the area or dimension of which was lawful prior to the adoption or subsequent amendments of the Township's first Zoning Ordinance, but which fails to conform to the requirements of the Zoning District in which it is located by reasons of such adoption or amendment.

NON-CONFORMING BUILDING STRUCTURE – A structure or part of a structure not complying in its design with the applicable provisions of the Township's first Zoning Ordinance or subsequent amendments, where such structure lawfully existed prior to the application of this Chapter or amendments to its location by reason of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs.

NON-CONFORMING USE – A use of a building or use of land lawfully existing on the effective date of the Township's first Zoning Ordinance or subsequent amendments thereto which does not completely conform to the use regulations for the Zoning District in which it is located.

OBSTRUCTION – Any wall, dam, 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 designated floodplain district:

- A. Which may impede, retard, or change the directions of the flow of water, either in itself or by catching or collecting debris carried by such water; or,
- B. Is placed where the flow of the water might carry the same downstream to the damage of life and property.

OPEN SPACE – See “Common Open Space” in this Section.

OWNER – See “Landowner” in this Section.

PA DEP – Pennsylvania Department of Environmental Protection.

PARCEL – See “Lot” in this Section.

PARKING SPACE – A portion of a parking area, surface, or garage, designed for the parking of one motor vehicle in accordance with the requirements of this Ordinance.

PAVING – The application of such material as will produce a dust-free, all-weather, hard surface. Concrete or bituminous surfaces consistent with the Township Construction Standards. “Paving” shall not include tar and chip and other similar practices.

PERSONS – Individuals, corporations, companies, associations, joint stock companies, firms, partnerships, limited liability companies, corporations, and other entities established pursuant to statutes of the Commonwealth of Pennsylvania; provided that person does not include, or apply to, the Township or to any department or agency of the Township.

PLANNING AGENCY, COUNTY – Allegheny County Economic Development, Planning Division.

PLANNING COMMISSION – The Planning Commission of Aleppo Township.

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

PLAT, FINAL – A complete and exact map or plan of subdivision or land development (including all required supplementary data), prepared for official recording as required by statute, defining property rights as well as proposed streets and other improvements.

PLAT, PRELIMINARY – A tentative map or plan of subdivision or land development (including all required supplementary data), in lesser detail than a final plat, showing approximate proposed street and lot layout as a basis for consideration prior to preparation of a final plat. Said plat shall be prepared by an engineer or surveyor registered in the Commonwealth of Pennsylvania.

PROFESSIONAL CONSULTANTS – Persons who provide expert or professional advice, including, but not limited to, architects, attorneys, certified public accountants, engineers, geologists, land surveyors, landscape architects, or planners.

PUBLIC – Owned, operated, or controlled by a government agency (Federal, State, County, or local).

PUBLIC HEARING – A formal meeting open to the general public held pursuant to proper public notice by the Board of Commissioners of Aleppo Township or planning agency, intended to inform and obtain public comment prior to taking action in accordance with this Chapter.

PUBLIC IMPROVEMENTS – See Improvements in this Section.

PUBLIC MEETING – A forum held pursuant to notice under the Act of July 3, 1986 (P.L. 388, No. 84), known as the "Sunshine Act."

PUBLIC NOTICE – A notice published once each week for two (2) successive weeks in a newspaper of general circulation in the Township. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than seven (7) days from the date of the hearing.

REGISTERED PROFESSIONAL – An individual licensed in the Commonwealth of Pennsylvania to perform services or activities required by provisions of this Ordinance and qualified by training and experience to perform the specific services and/or activities with technical competence.

REPORT – Any letter, review, memorandum, compilation, or similar writing made by any body, board, officer, or consultant other than a solicitor to any other body, board, officer, or consultant for the purpose of assisting the recipient of such report in the rendering of any decision or determination. All reports shall be deemed recommendatory and advisory only and shall not be binding upon the recipient, board, officer, body, or agency. Any report used, received, or considered by the body, board, officer, or agency rendering a determination or decision shall be made available for inspection to the applicant and all other parties to any proceeding upon request, and copies thereof shall be provided at cost of reproduction.

RETENTION POND/WASTEWATER PIT – Open pit lined with water-tight material used for the storage of gas drilling wastewater, produced "briny" water, or the flow back of fracking fluids.

RIGHT-OF-WAY (ROW) – A strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation and intended to be occupied or occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary or storm sewer, and other similar uses. A ROW grants a parcel/lot interest to the grantee and no permanent structure may be erected therein.

RUNOFF – The surface water discharge or rate of discharge of a given area or watershed after a fall of rain or snow that does not enter the soil but runs off the surface of the land.

SANITARY SEWAGE DISPOSAL SYSTEM, ON-SITE – Any structure designed to biochemically treat sanitary sewage within the boundaries of an individual lot or tract of lots, as permitted by PA DEP.

SANITARY SEWAGE DISPOSAL SYSTEM, PRIVATE – A sanitary sewage collection system, managed and operated under private auspices, in which sewage is carried from individual lots by a system of pipes to a central treatment and disposal plant, generally serving a neighborhood area.

SANITARY SEWAGE DISPOSAL SYSTEM, PUBLIC – A sanitary sewage collection system, managed and operated by a public authority, in which sewage is carried from individual lots by a system of pipes to a central treatment and disposal plant.

SEDIMENTATION – A deposit of soil that has been transported from its site of origin by water, ice, wind, gravity, or other natural means as a product of erosion.

SEPTIC TANK – A covered watertight settling tank in which raw sewage is biochemically changed into solid, liquid, and gaseous states to facilitate further treatment and final disposal.

SIGHT TRIANGLE – See "Clear Sight Triangle" in this Section.

SIGN – See the definition provided in the Township's Zoning Ordinance, as amended.

SITE – The original tract of land which exists prior to any subdivision activity, and which is the subject of an application for development.

SITE AREA – The total area of all lots, open space, and other features contained within the boundaries of a site. The total site area is determined by a survey prepared by a registered surveyor. The total site area may include multiple parcels. Also see "Lot Area" in this Section.

SITE LAYOUT PLAN or SITE PLAN – Preliminary or final plans for subdivision and/or land development applications which are prepared by a registered professional licensed to practice in the Commonwealth of Pennsylvania. The site plan shall be prepared in accordance with the requirements and the design standards of this Ordinance. See "Plan, Final" and "Plan, Preliminary." Preliminary or final site plans are distinct from the "final plat" for recording.

SKETCH PLAN – A draft plan of a proposed subdivision or other development outlining general, rather than detailed, development intentions and describing the basic parameters of a major development proposal, rather than giving full engineering details.

SLOPE – The face of an embankment or cut section or any ground whose surface makes an angle with the plane of the horizon. Slope is expressed in a percentage based upon vertical difference in feet/100 feet of horizontal distance.

SOIL PERCOLATION TEST – A test designed to determine the ability of ground to absorb water and used to determine the suitability of a soil for drainage or for the use of an on-site sewage disposal system. Percolation tests shall conform to the guidelines established by a Pennsylvania Licensed Sewage Enforcement Officer (SEO).

SOIL STABILITATION – The chemical or structural treatment of a mass of soil to increase or maintain its stability or otherwise to improve its engineering properties.

STEEP SLOPE – Any portion of any lot which has a natural or finished slope in excess of 25% shall be considered a steep slope and shall be subject to these regulations, except that high walls remaining from mineral removal activities shall be exempt from these regulations. Slope is calculated based upon contours at intervals of not more than five (5) feet where the slope is greater than ten percent (10%) and at intervals of not more than two (2) feet where the slope is ten percent (10%) or less.

STREET – All land between ROW lines, whether public or private, and whether improved or unimproved, which is intended to accommodate vehicular traffic, including an avenue, drive, boulevard, highway road, freeway, parkway, lane, viaduct, or other vehicular way. The term shall not include the word “Driveway.”

TYPES OF STREETS:

ARTERIAL – A higher capacity public street that serves large volumes of high speed and long-distance traffic.

COLLECTOR – A public street which, in addition to providing access to abutting lots, intercepts local streets and provides a route for carrying considerable volumes of local traffic to community facilities and arterial roads.

LOCAL – A two-laned roadway which functions to give access to individual land parcels.

TOWNSHIP – A street adopted as a public street by the Township or having become a Township street as legally determined.

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

TYPES OF SUBVISIONS:

SUBDIVISION, MAJOR – Any subdivision not classified as a minor subdivision; or is proposing the subdivision or development of three (3) or more lots; or involves a planned development, any new street, or the extension of a utility or other Township facility.

SUBDIVISION, MINOR – A subdivision of land that involves no more than two (2) lots, provided that such subdivision does not involve a planned development, any new street, or the extension of a utility or other Township facility.

LOT CONSOLIDATION – The consolidation of two (2) or more lots into a smaller number of lots.

REVERSE SUBDIVISION – The consolidation of two (2) or more previously subdivided lots into a smaller number of lots.

SUBDIVISION, LOT LINE REVISION – A subdivision that only involves the revision or adjustments of lot lines on previously recorded lots of record either for the purpose of transferring land between multiple property owners or consolidating existing lots, but in no instance creating additional new lots.

SUBSTANTIALLY COMPLETED – Where, in the judgment of the Township Engineer, at least 90% (based on the cost of the required Improvements for which financial security was posted pursuant to Article V of this Ordinance) of those improvements required as a condition for final approval have been completed in accordance with the approved plan, so that the project will be able to be used, occupied or operated for its intended use.

SURVEY – A precise legal description of a lot and the graphic delineation of precise lot boundaries; lot dimensions and areas; all easements and public and private ROWs; and north point and graphic scale, affecting the lot, prepared by a professional land surveyor licensed and registered in the Commonwealth of Pennsylvania.

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

SWALE – A low-lying stretch of land which gathers or carries surface water runoff.

TOWNSHIP – The Township of Aleppo, Allegheny County, Pennsylvania.

TRAFFIC IMPACT STUDY – A study, provided in letter or report format and prepared by a professional engineer, which provides a review of existing conditions and the effects of a proposed development or land use on site access and circulation as well as new trips on roadways and intersections.

TREE PRESERVATON PLAN – A map or site plan which illustrates the general layout of proposed buildings, structures, driveways, and on-site areas on a lot or tract of land, along with the design of landscaped areas, including detail of the location, species, and trunk circumference of all legacy trees which are to be retained or removed, trees which are to be planted as replacement trees, and trees which are to retain on-site for mitigation purposes.

UTILITY SYSTEMS – Within the terms of this Chapter, utility systems shall be defined as gas, electric, telephone, cable TV, and/or any such service regulated by the Pennsylvania Public Utility Commission (PUC).

WAIVER – A relinquishment of a minimum standard granted to an applicant/developer by the Township Board of Commissioners in accordance with §512.1 of the MPC and provided for by this Ordinance.

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

WATER DISTRIBUTION SYSTEM, ON-SITE – A system for supplying and distributing water to a single dwelling or other building from a source located on the same lot.

YARD – See the definitions provided in the Township Zoning Ordinance, as amended.

ZONING MAP – The Official Zoning Map delineating the Zoning Districts of Aleppo Township, Allegheny County, Pennsylvania, together with all amendments subsequently adopted.

ZONING OFFICER – The designated official or authorized representative appointed by the Board of Commissioners whose duty it shall be to administer this Ordinance and as identified in §614 of the Pennsylvania MPC, Act 247 of 1968, as amended by Act 170 of 1998 (53 P.S. §10101 et seq., as may be amended from time to time).

ZONING ORDINANCE – The Aleppo Township Zoning Ordinance, Ordinance No. 400, as amended. This Chapter of the Township Code of Ordinances.

ZONING AND OCCUPANCY PERMIT – A permit issued by the Zoning Officer which is required by the Township Zoning Ordinance and/or this Ordinance prior to: the commencement of a use; the construction, reconstruction, alteration, remodeling, enlargement, movement, occupancy, or use of a building, structure, or lot; the change in use of a building, structure, or lot; any change to, or enlargement or extension of a nonconforming use; and/or the construction, reconstruction, alteration, or movement of a retaining wall.

Article III. Application Procedures and Modifications

Section 301. Purpose and General Requirements

- A. The purpose of this Article is to specify the procedures for review and approval of proposed subdivisions and land developments. The three (3) types of approval include:
 - 1. Minor Subdivision Approval
 - 2. Major Subdivision and/or Land Development Preliminary Approval
 - 3. Major Subdivision and/or Land Development Final Approval
- B. Where improvements are proposed which meet the definition of a “land development,” then subdivision approval shall precede approval of such land development which shall be subject to all applicable provisions of the Subdivision and Land Development Ordinance.
- C. Applicants can apply for preliminary and final approval at the same time, subject to the discretion of the Township Board of Commissioners.
- D. The review of an application for completeness shall not constitute a waiver of any deficiencies, irregularities, or required items not submitted.
- E. All fees for application processing, staff, and engineering review shall be paid at the time the application is submitted. The application shall be judged incomplete until all such fees, escrow deposits, and guarantees are certified as paid. The Township Fee Schedule, as may be amended from time to time, is available at Municipal Building.
- F. All applications shall demonstrate conformance with the design standard requirements of this Ordinance.
- G. After the official filing of an application and while a decision is pending, no change in any zoning, subdivision, or other governing ordinance or plan shall affect the decision on the application adversely to the applicant; and the applicant shall be entitled to a decision in accordance with the provisions of the governing ordinances and plans on the official filing date.
- H. The Township Manager shall forward all applications for subdivision and land development to the Allegheny County Planning Commission for review and report. Such application may include a fee, if required by the Allegheny County Planning Commission, in an amount sufficient to cover the cost of the review and report. The Township shall not approve any such application until the Allegheny County Planning Commission report has been received or until the expiration of 30 days from the date the application was forwarded to the County.

Section 302. Preapplication Conference

- A. Prior to filing an application for preliminary approval, applicants are strongly encouraged to submit a sketch plan of the proposed subdivision or development for review and discussion with the Planning Commission at a preapplication conference. The preapplication conference with the Planning Commission is voluntary, and no formal application or fee is required.
- B. Any materials submitted for a preapplication conference shall not be considered an application for preliminary or final review. These opportunities are afforded to the developer to obtain information and guidance before entering into binding commitments or incurring substantial expenses for plan preparation.
- C. The applicant shall notify the Township at least five calendar days prior to the regular meeting of the Planning Commission regarding his/her desire to attend a preapplication conference with the Planning Commission.
- D. Sufficient information shall be provided on the sketch plan to clearly indicate the character and extent of the proposed subdivision or land development and its relationship to existing natural features and public facilities within the area in which the land is situated. Such submission should include a map establishing the location of the proposed plat and a plan showing any existing or proposed streets, property lines, building sites, utilities, natural features, including topographic contours and any other significant elements within the proposed subdivision or land development. Such plans are not required to be engineered drawings but shall be drawn to scale. The preparation of a sketch plan shall not constitute the filing of an application for approval of a plat.

Section 303. Minor Subdivision Approval

- A. Types of Minor Subdivisions. The following procedures are all considered to be Minor Subdivisions.
 - 1. Lot Line Revisions.
 - 2. Lot Consolidations.
 - 3. Reverse Subdivisions.
 - 4. A subdivision of a parcel of land into two (2) or fewer lots.
- B. Applicability. The following procedure shall be used for all minor subdivision applications that fulfill the following requirements:
 - 1. A subdivision of a parcel into two (2) lots, a lot line revision, a reverse subdivision, or lot consolidation.
 - 2. The subdivision does not involve a planned development.

3. The subdivision does not involve any new public or private streets, or the extension of a utility, or other public improvements.
- C. Where a lot or tract has been previously subdivided to create two (2) or more lots, and such subdivision or subdivisions have been recorded, all subsequent subdivisions of the residual remaining tract of land shall be reviewed as a major subdivision and be subject to all applicable provisions of the Subdivision and Land Development Ordinance.
 - D. Minor Subdivision Submission Requirements. Applications for minor subdivisions shall be exempt from preliminary approval and final submittal requirements and may be approved by the Township if they are submitted in compliance with the recording provisions set forth in §309.
 - E. Minor Lot Line Adjustments Submission Requirements. Applications for lot line adjustments and survey corrections shall be exempt from both preliminary approval and final submittal requirements.
 - F. Submission Requirements. Minor subdivision applications shall submit all of the following materials:
 1. One application form.
 2. One letter of transmittal, identifying the proposed activity and the purpose for the development.
 3. A minimum of 10 copies of the preliminary plan, not including one additional copy for each municipality within 1/2 mile of the site, if applicable.
 4. An electronic copy of the application and any supporting documentation.
 5. Filing fee (see schedule available at Township office). The fee shall be submitted in the form of a check or money order payable to the Township of Aleppo.
 - G. Where applicable, a copy of the decision granting approval of any zoning variance, conditional use or special exception as required, including all conditions imposed. Procedures. Applications for minor subdivision shall follow the procedures listed below and shall only require final approval of the application:
 1. An application for approval shall be filed with the Zoning Officer, on forms as prescribed by the Township, at least 15 days prior to the regular meeting of the Township Planning Commission.
 2. Upon receipt of an application, the Zoning Officer shall review the application for completeness.

- a. The Township shall review the application to determine whether all materials as required by §303(F) and any other relevant Township Ordinances have been submitted by the applicant.
 - b. Incomplete applications shall be returned to the applicant with a letter detailing the required items not submitted.
 - c. The review of completeness shall not include a technical review of the submitted material.
3. The official filing date for complete minor subdivision approval applications shall be the date of the next regular Township Planning Commission meeting following the date of receipt and payment of the applicable filing fee, provided that should the said next regular meeting occur more than 30 days following the filing of the application for development, the official filing date shall be the 30th day following the day the complete application for development is filed.
4. The Zoning Officer shall forward complete applications to the Township Engineer and Township Planning Commission for review.
5. Upon receipt of the complete application, the Township Engineer shall review the plans for conformance with the provisions of this Ordinance. The Township Engineer shall submit a report and recommendation on the application to the Township.
6. The Township Planning Commission shall make a written recommendation to the Township Board of Commissioners. Such recommendation shall include a recommendation for approval, approval with conditions, or disapproval of the application for preliminary approval. The Township Planning Commission shall also provide the reasons for its recommendation and in the case of a recommendation for disapproval, shall cite the specific requirements of the SALDO, Zoning Ordinance, or other applicable Township codes and/or ordinances which have not been met.
7. The Township Board of Commissioners shall render its decision and communicate it not later than 90 days following the official filling date.
8. Actions. Taking into consideration the recommendations of the Planning Commission, Township Engineer, and the County Planning Agency, the Township Board of Commissioners shall take one of the following actions:
 - a. Approve the application.
 - b. Approve the application with conditions. An application may be granted preliminary approval subject to specific conditions related to the provisions of the SALDO and/or Zoning Ordinances. These conditions shall be included in the written communication to the applicant. In addition, such written communication shall include

notification that unless the applicant agrees to the conditions, then the application is denied in accordance with this Ordinance.

- c. Deny the application on the basis that it does not comply with specific standards and regulations set forth in this Ordinance.
9. Failure of the Township Board of Commissioners to render a decision and communicate it to the applicant within the time and in the manner required by law shall be deemed a preliminary approval of the application in terms as presented unless the applicant has agreed in writing to an extension of time.
- a. Time Extension. If the Township Board of Commissioners and applicant mutually agree to additional time to consider the application for approval, the applicant shall be requested to waive the 90-day time limitation established by law and grant the Township Board of Commissioners an additional review period.
10. Notice of Decision. The decision of the Township Board of Commissioners shall be in writing and shall be communicated to the applicant personally or mailed to him/her at his/her last known address not later than fifteen (15) days following the decision.

Section 304. Major Subdivisions and/or Land Development Preliminary Approval

- A. Applicability. The following procedure shall be used for all major subdivision or land development applications that fulfill the following requirements:
 - 1. The subdivision is not classified as a minor subdivision or is proposing the subdivision of three (3) or more lots.
 - 2. The proposed site improvements qualify as land development, as defined herein.
- B. Submission Requirements: Major subdivision and/or land development applications shall submit all of the following materials:
 - 1. One application form.
 - 2. One letter of transmittal, identifying the proposed activity and the purpose for the development.
 - 3. A minimum of 10 copies of the preliminary plan, not including one additional copy for each municipality within 1/2 mile of the site, if applicable.
 - 4. An electronic copy of the application and any supporting documentation.
 - 5. Filing fee (see schedule available at Township office). The fee shall be submitted in the form of a check or money order payable to the Township of Aleppo.

- C. Procedures. Applications for preliminary approval of major subdivision and/or land development shall follow the procedures listed below:
1. An application for preliminary approval shall be filed with the Zoning Officer on forms as prescribed by the Township, at least 15 days prior to the regular meeting of the Township Planning Commission.
 2. As needed, the applicant may need to submit the application to the Pennsylvania Department of Environmental Protection, Pennsylvania Department of Transportation, and the Allegheny County Conservation District.
 3. Upon receipt of an application, the Zoning Officer shall review the application for completeness.
 - a. The Township shall review the application to determine whether all materials as required by §304(B) of this Ordinance and any other relevant Township Ordinances have been submitted by the applicant.
 - b. Incomplete applications shall be returned to the applicant with a letter detailing the required items not submitted.
 - c. The review of completeness shall not include a technical review of the submitted material.
 4. The official filing date for complete preliminary approval applications shall be the date of the next regular Township Planning Commission meeting following the date of receipt and payment of the applicable filing fee, provided that should the said next regular meeting occur more than 30 days following the filing of the application for development, the official filing date shall be the 30th day following the day the complete application for development is filed.
 5. The Zoning Officer shall forward complete applications to the Township Engineer and Township Planning Commission for review.
 6. Upon receipt of the complete application, the Township Engineer shall review the plans for conformance with the provisions of this Ordinance. The Township Engineer shall submit a report and recommendation on the application to the Township.
 7. The Township Planning Commission shall make a written recommendation to the Township Board of Commissioners. Such recommendation shall include a recommendation for approval, approval with conditions, or disapproval of the application for preliminary approval. The Township Planning Commission shall also provide the reasons for its recommendation and in the case of a recommendation for disapproval, shall cite the specific requirements of the SALDO, Zoning Ordinance, or other applicable Township codes and/or ordinances which have not been met.

8. Public Hearing. Before acting on any application, the Township Board of Commissioners may, or if required, hold a public hearing after public notice.
 9. The Township Board of Commissioners shall render its decision and communicate it not later than 90 days following the official filing date.
 10. Actions. Taking into consideration the recommendations of the Township Planning Commission, Township Engineer, and the County Planning Agency, the Township Board of Commissioners shall take one (1) of the following actions:
 - a. Approve the preliminary application.
 - b. Approve the preliminary application with conditions. An application may be granted preliminary approval subject to specific conditions related to the provisions of the SALDO and/or Zoning Ordinances. These conditions shall be included in the written communication to the applicant. In addition, such written communication shall include notification that unless the applicant agrees to the conditions, then the application is denied in accordance with this Ordinance.
 - c. Deny the preliminary application on the basis that it does not comply with specific standards and regulations set forth in this Ordinance.
 11. Failure of the Township Board of Commissioners to render a decision and communicate it to the applicant within the time and in the manner required by law shall be deemed a preliminary approval of the application in terms as presented unless the applicant has agreed in writing to an extension of time.
 - a. Time Extension. If the Township Board of Commissioners and applicant mutually agree to additional time to consider the application for preliminary approval, the applicant shall be requested to waive the 90-day time limitation established by law, and grant the Township Board of Commissioners an additional review period.
 12. Notice of Decision. The decision of the Township Board of Commissioners shall be in writing and shall be communicated to the applicant personally or mailed to him/her at his/her last known address not later than fifteen (15) days following the decision.
- D. Within 14 days of the granting of preliminary approval with conditions by the Township Board of Commissioners, the applicant shall notify the Township in writing of his or her acceptance or rejection of the conditions of approval. If the applicant does not so notify the Township within 14 days of approval, the preliminary approval shall automatically be rescinded without written notice to the applicant.
- E. Expiration of Preliminary Plan Approval. Preliminary plan approval shall expire after five (5) years in accordance with §508(4)(ii) of the MPC, as amended.

- F. When an application for preliminary approval has been duly approved, the applicant shall be entitled to final approval in accordance with the terms of the approved preliminary application and the terms of §305 of this Ordinance. The final plat must comply with the preliminary plan as well as conditions under which the preliminary plan was approved.

Section 305. Major Subdivisions and/or Land Development Final Approval

- A. Applicability: The following procedures shall be used for all major subdivision or land development applications if the following criteria apply:
 - 1. The major subdivision or land development has previously received preliminary approval from the Township Board of Commissioners.
- B. Submission Requirements. Final approval applications shall submit all of the following materials.
 - 1. One application form.
 - 2. One letter of transmittal, identifying the proposed activity and the purpose for the development.
 - 3. A minimum of 10 copies of the preliminary plan, not including one additional copy for each municipality within 1/2 mile of the site, if applicable.
 - 4. An electronic copy of the application and any supporting documentation.
 - 5. Filing fee (see schedule available at Township office). The fee shall be submitted in the form of a check or money order payable to the Township of Aleppo.
 - 6. Two copies of all reports, notifications, and certifications not provided on the preliminary plan.
 - 7. Where applicable, a copy of the decision granting approval of any zoning variance, conditional use, or special exception, as required, including all conditions imposed.
 - 8. At the time of the final submission, the applicant shall inform the Township in writing their intentions regarding the completion of the public improvements.
- C. Procedures. Applications for final approval of major subdivision and/or land development shall follow the procedures listed below:
 - 1. An application for final approval shall be filed with the Zoning Officer, on forms as prescribed by the Township, at least 15 days prior to the regular meeting of the Township Planning Commission.
 - 2. Upon receipt of an application, the Zoning Officer shall review the application for completeness.

- a. The Township shall review the application to determine whether all materials as required by §305(B) of this Ordinance and any other relevant Township ordinances have been submitted by the applicant.
 - b. Incomplete applications shall be returned to the applicant with a letter detailing the required items not submitted.
 - c. The review of completeness shall not include a technical review of the submitted material.
3. The official filing date for complete final approval applications shall be the date of the next regular Township Planning Commission meeting following the date of receipt and payment of the applicable filing fee, provided that should the said next regular meeting occur more than 30 days following the filing of the application for development, the official filing date shall be the 30th day following the day the complete application for development is filed.
4. The Zoning Officer shall forward complete applications to the Township Engineer and Township Planning Commission for review.
5. Upon receipt of the application, the Township Engineer shall review the plans for conformance with the provisions of this Ordinance. The Township Engineer shall submit a report and recommendation to the Township.
6. The Township Planning Commission shall make a written recommendation to the Township Board of Commissioners. Such recommendation shall include a recommendation for approval, approval with conditions, or disapproval of the application. The Township Planning Commission shall also provide the reasons for its recommendation and in the case of a recommendation for disapproval, shall cite the specific requirements of the SALDO, Zoning Ordinance, or other applicable codes which have not been met.
7. Public Hearing. Before acting on any application, the Township Board of Commissioners may hold a public hearing after public notice, however a public hearing is not required.
8. The Township Board of Commissioners shall render its decision and communicate it not later than 90 days following the official filling date.
9. Actions. Taking into consideration the recommendations of the Township Planning Commission, Township Engineer, and the County Planning Agency, the Township Board of Commissioners shall take one (1) of the following actions:
 - a. Approve the final application.
 - b. Approve the Final Application with Conditions. An application may be granted preliminary approval subject to specific conditions as related to the provisions of the SALDO and/or Zoning Ordinances. These

conditions shall be included in the written communication to the applicant. In addition, such written communication shall include notification that unless the applicant agrees to the conditions, then the application is denied in accordance with this Ordinance.

- c. Deny the final application on the basis that it does not comply with specific standards and regulations set forth in this Ordinance.

10. Failure of the Township Board of Commissioners to render a decision and communicate it to the applicant within the time and in the manner required by law shall be deemed a final approval of the application in terms as presented unless the applicant has agreed in writing to an extension of time.

- a. Time Extension. If the Township Board of Commissioners and applicant mutually agree to additional time to consider the application for final approval, the applicant shall be requested to waive the 90-day time limitation established by law and grant the Township Board of Commissioners an additional review period.

11. Notice of Decision. The decision of the Township Board of Commissioners shall be in writing and shall be communicated to the applicant personally or mailed to him/her at his/her last known address not later than fifteen (15) days following the decision.

- D. Within 30 days of the granting of final approval with conditions by the Township Board of Commissioners, the applicant shall notify the Township in writing of his or her acceptance or rejection of the conditions of approval. If the applicant does not so notify the Township within 30 days of approval, the preliminary approval shall automatically be rescinded without written notice to the applicant.
- E. No final approval shall be granted unless all required fees and deposits have been paid.
- F. The Township Board of Commissioners at its discretion may approve plans conditionally upon receipt of permits of other agencies including, but not limited to applicable Federal, State, County, and Township permits.
- G. Developer's Agreement. As a condition of final approval, the Township Board of Commissioners shall require that the applicant execute a development agreement with the Township, in a form acceptable to the Township Solicitor. Such developer's agreement shall contain provisions that are reasonably required to guarantee compliance with the conditions of approval, if any, and to guarantee the proper installation of on-site and off-site improvements related to the subdivision or land development. Said development agreement shall be executed; the required financial security shall be posted or the required public improvements shall be completed; and all required fees shall be paid before the Township Board of Commissioners shall approve and sign the final plat for recording purposes.

- H. Stormwater Maintenance Agreement. As a condition of final approval, the Township Board of Commissioners shall require that the applicant execute a stormwater maintenance agreement, if applicable to the project, in a form acceptable to the Township Solicitor. Such stormwater agreement shall contain provisions that are reasonably required to guarantee compliance with the conditions of approval, if any, and to guarantee the proper installation of on-site and off-site improvements related to stormwater management. Said agreement shall be executed; the required financial security shall be posted or the required public improvements shall be completed; and all required fees shall be paid before the Township Board of Commissioners shall approve and sign the final plat for recording purposes.
- I. Expiration of Final Approval. Final plan approval shall expire after five (5) years of being granted by the Township Board of Commissioners, unless a written extension is requested by the applicant and granted by the Township Board of Commissioners. Any request for extension shall be submitted in writing to the Township Board of Commissioners at least 30 days prior to any prevailing expiration date. Extensions may be granted for one (1) or more six (6) month periods upon a finding by the Township Board of Commissioners that such extension is warranted.

Section 306. Approval of Phased Subdivision and Land Development Applications

- A. Where a subdivision or land development is projected to be completed in stages over a period of years, the applicant may submit an application(s) for final approval by phase or stage of development, subject to such requirements or guarantees for public improvements in future phases or stages of development as are essential for the protection of the public welfare and any existing or proposed section or phase of the plan.
- B. All sections or future phases must conform to the preliminary application as previously approved by the Township. Any phase that contains substantive changes in the number of lots or buildings proposed or in the layout of the lots, buildings, or streets previously approved in the preliminary application and does not comply with the application for preliminary approval will require a complete resubmission of the preliminary application in accordance with §304 of this Ordinance.
- C. Where the applicant has submitted an application for preliminary approval calling for the installation of improvements over a period of more than five (5) years, a schedule shall be submitted detailing deadlines within which applications for final plan approval are intended to be filed. The applicant shall update the final plan submission schedule on an annual basis. Any modification to the original schedule shall be subject to the approval of the Township Board of Commissioners.

Section 307. Combined Preliminary and Final Plan Approval

- A. Provided that all requirements of §304 and §305 of this Ordinance are met, an applicant may request simultaneous preliminary and final approval of any

subdivision or land development application with the exception of phased subdivisions and/or land developments.

- B. All phases must conform to the preliminary plan application as previously approved by the Township. Any phase that contains substantive changes in the number of lots, location of lots, buildings or streets previously approved in the preliminary plan will require complete resubmission of the preliminary application in accordance with this Ordinance.
- C. Each phase, except for the last phase, shall contain a minimum of 25% of the total number of dwelling units as depicted on the preliminary plan, unless the Township approves a lesser percentage for one or more of the phases.

Section 308. Recording of Final Plat

- A. No final plat shall be finally approved unless:
 - 1. The improvements as required by this Ordinance have been installed in accordance with the standards set forth in Article VII.
 - 2. In lieu of the completion of any public improvements, as a condition for the approval of a final plat, the applicant shall provide, for deposit with the Township, a financial security, pursuant to Article VI of this Ordinance.
- B. Upon approval of a final plat by the Township Board of Commissioners, the developer shall, within 90 days of such final approval or within 90 days after the date of delivery of an approved plat signed by the Township Board of Commissioners, following completion of conditions imposed for such approval, whichever is later, record such plat with the Allegheny County Division of Real Estate in accordance with §513 of the MPC, 53 P.S. §10513, as amended.
- C. Inspection and Engineering Fees. Upon approval of a final plat by the Township Board of Commissioners, the developer shall provide inspection and engineering fees according to Township fee resolution as updated time-to-time (the fee schedule is available at the Municipal Building). These fees may be established as outlined in the MPC, 53 P.S. §10513, as amended.
- D. Upon recording of the final plat in the office of the Allegheny County Recorder of Deeds, the developer shall deliver to the Township the following:
 - 1. One (1) digital PDF copy (in a Township-compatible format) as recorded and certified by the Allegheny County Recorder of Deeds.
- E. The final plat shall be recorded with the Allegheny County Recorder of Deeds prior to the sale of any lots or property that is the subject of the final plat.
- F. Until final acceptance and dedication by ordinance has been duly enacted, no property or other public improvements shown on the final plat shall be deemed a part of the public improvements of the Township but on the contrary, the same shall be

deemed to be private streets, parks, or public improvements until and unless the same have been accepted in accordance with law. No public improvement shall be accepted by the Township unless completed in accordance with Township Codes and Ordinances.

Section 309. Waiver or Modification Application and Approval Procedure

- A. Waiver and Modification Application Requirements. Any request for a waiver or modification of a provision of this Ordinance shall be submitted in writing as part of an application for preliminary or final plan approval. All requests for modification shall be signed by the applicant. The written request shall include:
 - 1. The specific Section of this Ordinance which is requested to be waived or modified.
 - 2. The justification for the waiver or modification, stating in full the grounds and facts of unreasonableness or hardship on which the request is based and shall discuss the minimum modification necessary.
 - 3. Provisions proposed as an alternate to the requirements.
- B. Waiver or Modification Application Procedure.
 - 1. A request for a waiver shall be filed with the Zoning Officer, in the form of a letter, as part of an application for preliminary or final plan approval and at least 15 days prior to the regular meeting of the Township Planning Commission. The application shall not be considered complete and properly filed unless or until all items required by §309(A) above, have been received by the filing date.
 - 2. The Zoning Officer shall review the application to determine whether all materials required by §309(A) above and any other relevant Township Ordinances have been submitted by the applicant.
 - 3. The Zoning Officer shall submit one (1) copy of the application and any materials submitted therewith to the following entities for review: the Township Engineer; each member of the Township Board of Commissioners and Township Planning Commission; and any other appropriate Township personnel or professional consultant.
 - 4. Any revisions, supplements, or amendments to an administratively complete application shall be filed with the Zoning Officer at least fourteen (14) calendar days prior to the date of the Township Planning Commission meeting in order to be considered at that meeting, or at least fourteen (14) calendar days prior to the date of the Township Board of Commissioners meeting in order to be considered at that meeting.
- C. The Township Engineer shall review the application documents to determine compliance with this Ordinance, any other applicable Township regulations, and

sound engineering practices. The Township Engineer shall prepare a written report of their findings and recommendations, to the Township Board of Commissioners, 30 days from the official filling date.

- D. Township Board of Commissioners Action. The Township Board of Commissioners may approve a waiver or modification application if the applicant demonstrates the following:
 - 1. The literal enforcement of the subject Section(s) of this Ordinance will exact undue hardship because of peculiar conditions pertaining to the land in question.
 - 2. The waiver or modification of the subject Section(s) of this Ordinance will not be contrary to the public interest.
 - 3. The purpose and intent of this Ordinance is observed.
 - 4. An alternative proposal will allow for equal or better results and represents the minimum modification necessary.
- E. In approving a waiver or modification application, the Township Board of Commissioners may, in its sole discretion, impose such reasonable conditions as it deems necessary to secure the objectives and purposes of this Ordinance and to protect the public interest. When a waiver is granted with conditions, a statement of the approved waiver, including the imposed conditions, shall be provided on the final plan.
- F. A letter indicating approval, approval with conditions or disapproval shall be in writing and shall be mailed to the applicant's last known address.
- G. Modifications or waivers considered by the Township Board of Commissioners under this Section shall relate only to the provisions of this Ordinance. All requests for variances of any aspect of the Zoning Ordinance, shall remain within the sole jurisdiction of the ZHB.
- H. All modifications and waivers shall be listed on the cover sheet of the approved plan set.

Article IV. Design Standards

Section 401. Purpose

- A. This Article sets forth the following land subdivision principles, standards, and requirements, which shall be applied by the Planning Commission in evaluating the plans for proposed subdivisions and shall be the minimum requirements.
- B. Construction Standards for the requirements set forth in this Article are provided for in Appendix A of this Ordinance.

Section 402. General Requirements

- A. All plans shall be prepared in compliance with any applicable municipal ordinance, including Chapter 400, Zoning, in effect, and in compliance with any requirement imposed by any local, state, or federal entity exercising valid regulatory authority.
- B. When other local regulations or state or federal statutes impose more restrictive standards and requirements than those contained herein, the more restrictive standards shall be observed.
- C. The standards and requirements contained in this Article shall apply as minimum design standards for subdivisions and/or land developments in the Township. The Township may require additional standards in unique situations to promote the purposes of this Ordinance as specified in §102.
- D. Any application fee for development shall conform to the standards set forth in this Article, unless a modification is granted under the provisions of this Ordinance.

Section 403. Land Requirements

- A. Land shall be subdivided only for the purposes for which the subdivision has been approved or proposed.
- B. Preservation of natural features. A subdivider or developer shall make every effort to preserve shade trees, other salient natural features, keep cut-fill operations to a minimum, and ensure conformity with topography so as to create the least erosion potential and adequately handle the volume and velocity of surface water runoff. Whenever possible, the applicant shall preserve trees, scenic points, historic spots and other community assets and landmarks. All subdivisions over five acres in size shall include a comprehensive environmental analysis prepared by a qualified environmental engineer. Such environmental analysis shall include:
 - 1. A description of the project.
 - 2. A map indicating:
 - a. Limits of the following slope areas:

- i. Zero percent to 15%.
 - ii. Sixteen percent to 25%.
 - iii. Over 25%.
 - b. All natural watercourses and wetlands.
 - c. Undermined areas with less than 100 feet overburden.
 - d. Landslide-prone areas.
 3. An assessment of the impact of the proposed development on those items identified in Subsection A(2) above.
 4. A list of steps proposed to mitigate environmental damage to the site during construction.
 5. Evidence that the analysis was completed by a qualified environmental engineer.
- C. Subsidence. Land subject to subsidence or underground fires shall either be made safe for the purpose for which it is to be used, or such land shall be set aside for uses which shall not endanger life or property or further aggravate or increase the existing menace.
- D. Flood-prone areas. Portions of land which are poorly drained or subject to periodic flooding shall not be developed or subdivided for residential occupancy or for any uses which may involve danger to health, safety, and the general welfare of the community. (Refer to Chapter 200, Floodplain Management.)
- E. Grading, excavating, and filling. No change shall be made in the contour of the land, and no grading, excavating, removal or destruction of the topsoil, trees or other vegetative cover of the land shall be commenced, unless approved in the preliminary and final plat and, where applicable, reviewed and approved by the Allegheny County Conservation District. Such approval shall be based on a plan for minimizing erosion and sedimentation, controls for excessive slope areas, grading regulations, and storm drainage regulations in this chapter and Chapter 208, Grading and Excavation, and as may be required by applicable regulations of the Pennsylvania Department of Environmental Protection or other regulatory agencies having jurisdiction thereof.
- F. Land subject to hazards of life, health, and safety shall not be subdivided until such hazards have been reviewed or corrected.
- G. All portions of a tract being subdivided or developed shall be taken up in lots, streets, public lands, or other proposed uses so that remnants and landlocked areas shall be served.

Section 404. Blocks and Lots

A. Blocks.

1. The length, width, and shape of blocks shall be determined with regard to:
 - a. Provision of adequate sites for type of building proposed.
 - b. Topography.
 - c. Requirements for safe and convenient vehicular and pedestrian circulation and access.
 - d. Street intersection requirements as outlined in §406.
 - e. Bulk requirements as stipulated in the Township Zoning Ordinance.
2. Blocks shall have a maximum length of 1,600 feet and, as far as practicable, a minimum length of 500 feet. In design of blocks longer than 800 feet, special consideration should be given to the requirements for satisfactory fire protection.
 - a. In the design of blocks (fronting on local streets) longer than 1,000 feet, special consideration shall be given to the requirements of satisfactory fire protection. Where practicable, blocks along arterial and collector streets shall not be less than 1,000 feet long.
 - b. Residential blocks, including those for garden apartment, condominium, or townhouse developments, shall be of sufficient depth to accommodate two tiers of lots, except:
 - i. Where reverse frontage lots are required along a major traffic street.
 - ii. Where prevented by the size, topographical conditions, or other inherent conditions of property, in which case the Aleppo Township Planning Commission may approve a single tier of lots.
 - c. Blocks in commercial and industrial areas may vary from the elements of design detailed above, if required by the nature of the use. Any subdivision of land or land development in the commercial or industrial districts shall take into consideration the feasibility of creating marginal or feeder roads to minimize intersections with major roads. In all cases, however, adequate provisions shall be made for off-street parking and loading areas as well as for traffic circulation and parking for employees and customers.

3. No remnants of land shall exist after subdividing; all portions of a plan shall be incorporated into existing or proposed lots unless special usage is applied as part of a land development proposal.

B. Lots.

1. Every lot shall abut on a public street with the exception of suitably designed residential courts or other planned developments having acceptable means of access provided by private streets.
2. Lots fronting directly on existing or proposed arterial streets or collector streets shall be avoided. Access to such lots shall be limited to the provisions of §408.
3. Through lots shall be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation.
4. Lots for nonresidential uses shall be of such size and shape as may be suitable for their prospective use and to provide sufficient space for off-street parking and loading, and water supply and sanitary sewage disposal (if either or both are to be provided by individual on-lot facilities).
5. Building setback lines on lots and parcels. Building lines of lots or parcels from street rights-of-way (public or private) shall not be less than those required by the appropriate zoning classification under Chapter 400, Zoning, as amended, for the zoning district in which they are located.
6. Lots shall be laid out and graded to provide positive drainage away from buildings and water wells.
7. The lot arrangement and design shall be such that all lots will provide satisfactory and desirable building sites, properly related to topography and the character of surrounding development.
8. Lot numbers or lettered parcels shall be assigned and approved prior to filing the final subdivision and/or land development plat.

Section 405. Streets

A. General Street Standards

1. In general, all streets shall be aligned with existing streets and shall compose a convenient system to insure circulation of vehicular and pedestrian traffic.
2. New streets shall be logically related to existing and planned streets, to topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the sites to be served by such streets.

3. All streets intended for public use shall be paved to full cartway width. In all cases, paving materials and workmanship shall conform to any and all applicable Township standards, including all Pennsylvania Department of Transportation Standards adopted by the Township. The proposed street system shall extend existing or recorded streets at the same width, but in no case at less than the required minimum width and be so located as to allow proper development of surrounding properties.
4. Where abutting land is undeveloped, new subdivisions shall make provision for the extension of streets into such abutting undeveloped land by continuing the rights-of-way of proposed streets to the boundaries of the site being subdivided.
5. New half or partial streets will not be permitted. Wherever a parcel to be subdivided borders an existing half (or partial) street, the remaining portion of the street shall be secured and platted within the new subdivision.
6. Dead-end streets shall be prohibited, unless provided with a permanent or temporary cul-de-sac turnaround as specified in §405 (G).
7. Where streets continue into abutting municipalities, evidence of compatibility of design, particularly with regard to street widths, shall be submitted. The applicant shall coordinate such design with both municipalities to avoid abrupt changes in cartway width or in public improvements provided.
8. Where a land development abuts an arterial street or a collector street, the land development shall minimize the number of points of access.
9. Areas shall be reserved for future street usage in conjunction with the development of adjacent tracts. A sketch plan and/or other information may be required to demonstrate the feasibility of future expansion of the street system. Streets within the reserved areas shall be constructed to the full standards of this ordinance, including extensions of underground utilities, unless a waiver is granted. If a waiver to construct the cartway is granted, these areas shall be reserved for street improvements to be provided by the developer of the adjacent tract.
10. No fences, hedges, shrubbery, walls, plantings, or similar obstructions that obscure visibility shall be located within the street right-of-way.
11. The extension of existing streets which are presently constructed with a cartway different from current Township standards shall be provided with a transition area, the design of which is subject to Township approval.
12. As a minimum, all new streets shall be graded to the right-of-way line. All cut and fill banks shall not exceed a maximum of three to one (3:1) slope.

13. Streets, collector driveways, and parking compounds shall be designed to preclude or minimize the need for a guide rail. The Township may, however, require a guide rail to be placed for protection on embankments when a barrier is indicated, as warranted in Design Manual Part 2, Highway Design, by PennDOT, as amended, or where otherwise deemed necessary.
14. Streets that are extensions of or obviously in alignment with existing streets shall bear the names of the existing streets. Subdivision plans and road plans creating new streets shall provide proof of the following in a form acceptable to the Township Engineer and Township Manager, prior to final plan approval:
15. On-street parking. Where on-street parking is permitted, a parking lane at least eight (8) feet wide shall be added to one or both sides of the required pavement. The parking lane or lanes shall be paved to the satisfaction of Township Engineer.
16. When any land development project requires construction within an existing or proposed street right-of-way and requires a roadway opening to install any below grade utility and/or stormwater facility, the contractor shall repair the roadway consistent with the Township's Construction Standards.
17. The final wearing course of any proposed street shall not be installed until a commercial or industrial land development project is substantially complete. In the case of residential land development projects, the final wearing course shall not be installed until ninety percent (90%) of all residential units are complete including any future phases of the development that would require access across the roadway surface.
18. All catch basin inlets located in a proposed street shall be set flush with the initial wearing course elevation and shall be operational throughout all construction phases. The contractor shall install inlet grate risers at the time the final wearing course is installed.

B. Street and Right-of-Way Width

1. Minimum street right-of-way and cartway (pavement from curb face to curb face) widths shall be as follows:

TABLE IV-1. MINIMUM STREET RIGHT-OF-WAY AND CARTWAY WIDTHS

C. Street Type	D. Minimum Required Width	E. Feet
F. Collector	G. Right-of-way	H. 50
	I. Cartway	J. 24
K. Minor or Local	L. Right-of-way	M. 50
	N. Cartway	O. 20
P. Permanent cul-de-sac	Q. Right-of-way (radius)	R. 50
	S. Cartway (radius)	T. 40
U. Split street (having a median with a separate lane of traffic for each direction)	V. Right-of-way	W. 70
	X. Cartways (each)	Y. 16

2. Additional right-of-way and cartway widths may be required by the Planning Commission for various reasons, including but not limited to:
 - a. The type of land development;
 - b. Public safety and convenience;
 - c. Allowance for anticipated traffic volume;
 - d. The size of vehicles frequenting the development;
 - e. Parking lanes; and
 - f. The loading of school buses or other public transportation.

C. Street grades.

1. There shall be a minimum center-line grade of 2%.
 2. Center-line grades shall not exceed the following:
 - a. Minor street: 10%.
 - b. Connector street: 8%.
 - c. Collector street: 8%.
 - d. All street intersections: 4%.
 3. Grades shall be designed for maximum visibility.
- D. Horizontal curves. Proper sight distance must be provided with respect to horizontal alignment. Measured along the center line five feet above grade, horizontal curves shall be provided to permit the following minimum sight distances:
1. Minor streets: 100 feet.
 2. Collector and connector streets: 200 feet.
- E. Vertical curves. Proper sight distance must be provided with respect to vertical alignment. Measured along the center line five feet above minimum sight distances:
1. Minor streets: 100 feet.
 2. Collector and connector streets: 200 feet.
- F. Alleys. Alleys shall be prohibited in all new land developments.
- G. Cul-de-sacs and temporary dead-end streets.
1. Cul-de-sac streets, permanently designed as such, shall not exceed 500 feet in length. The center-line grade on a cul-de-sac street shall not exceed 8%.
 2. Dead-end streets shall be prohibited except for future access to an adjoining property or because of authorized stage development. Such streets shall be provided with a temporary, all-weather turnaround, within the subdivision or development, and the use of such turnaround shall be guaranteed to the public until such time as the street is extended. The outer paving radius shall be 20 feet. Temporary dead-end streets shall not exceed 1,000 feet in length.
- H. Street names.
1. Proposed streets which are obviously in alignment with others already existing and named shall bear the names of the existing streets.
 2. In no case shall the name of a proposed street duplicate or be phonetically similar to an existing street name in either the Township or the postal district in which located. The subdivider or developer shall submit the proposed street

names to the Township at the time the preliminary discussions are held and prior to filing a preliminary plat.

Section 406. Intersections

- A. Where a proposed street intersects an existing Township road, the proposed street shall be designed to prevent any runoff from entering the Township right-of-way.
- B. At street intersections, there shall be a level area on the proposed street within which no grade shall exceed a maximum of eight percent (8%) for a minimum distance of 100 feet (measured from the intersection of the center lines of the streets).
- C. Street name signs shall be installed at all intersections, and their design shall be approved by the Township and meet PennDOT standards. All signing shall identify both intersecting streets. Regulatory signs shall be installed at all locations identified by a traffic circulation study prepared by the developer. Standard traffic signs shall be approved by the Township, meet PennDOT standards, and shall be supplied and installed in accordance with Township regulations.
- D. Intersections involving the junction of more than two (2) streets are prohibited.
- E. The minimum distance between the center line of intersections shall be
 - 1. 1000 feet for any intersection involving an arterial street;
 - 2. 600 feet for any intersection involving a collector street;
 - 3. 250 feet for any intersection involving a local or private street;
 - 4. Or, as otherwise specified by PennDOT publication number 70M.
- F. Right angle intersections shall be used.
- G. The cartway edge at street intersections shall be rounded by a tangential arc with a minimum radius of:
 - 1. Thirty-five (35) feet for local streets, private lanes, or alleys; and
 - 2. Fifty (50) feet for intersections involving arterial and collector streets.
- H. The right-of-way radii at intersections shall be substantially concentric with the edge of the cartway. The Township may require larger radii based on the largest design vehicle using the intersection.
- I. All streets intersecting a state highway shall be subject to the approval of PennDOT.
- J. There shall be provided and maintained at all intersections a clear sight triangle. Clear sight triangles shall be indicated on all plans. No building or other obstruction that would obscure the vision of a motorist shall be permitted within these areas.

- K. Proper safe stopping sight distance shall be provided with respect to both horizontal and vertical road alignments at all intersections. Sight distance at street intersections shall be calculated based on PennDOT Pub. 70, as amended, and approved by the Township Engineer.

Section 407. Private Streets

- A. A private street is limited to providing access to no more than six (6) abutting lots that are utilized for single-family detached dwellings and/or agricultural operations.
- B. Private streets shall meet all the design standards for local streets as required by this Ordinance.
- C. Private streets shall not interfere with the normal traffic movement or be inconsistent with the design, maintenance, and drainage of the accessing street.
- D. Private streets shall include stormwater management facilities when required by the Township's Stormwater Management Ordinance.
- E. The minimum street grade permitted for private streets shall be one- and one-half percent (1.5%).
- F. The maximum street grade permitted for private streets shall be twelve percent (12%).
- G. A private street must be clearly labeled on the recording plat as a private street. The Township shall have no express or potential liability to maintain the private street or accept dedication of the private street.
- H. Applications which propose a private street shall include an access and maintenance agreement, in a form acceptable to the Township, which shall be recorded with the Recorder of Deeds as part of the final plan. Reference to this recorded access and maintenance agreement shall be provided in the deeds of the lots having use of the private street. This access and maintenance agreement shall establish the conditions under which the private street will be constructed and maintained.
- I. A note to this affect, similar to the following note, shall be affixed to the recording plan in a manner acceptable to the Township: "Private Street restriction. The private street shown on this plan is strictly limited to providing access to no more than six (6) abutting residential lots and/or agricultural operations."

Section 408. Street Access

- A. All points of access to a street shall be so located, designed, and constructed as to provide an acceptable sight distance, as determined by the Township Engineer.
- B. All lots shall be provided with direct access to a public or private right-of-way.
 - 1. Direct access to a public or private right-of-way shall not be provided through adjacent lots which otherwise would require an easement.

Section 409. Sidewalks, Crosswalks, and Trails

A. Sidewalks.

1. Paved sidewalks shall be provided in the vicinity of schools, along heavily traveled streets, and any other locations where the Planning Commission recommends them for public safety.
2. All land developments shall provide sidewalks in areas of anticipated pedestrian use, as determined by the Township.
3. Any subdivision and/or land developments that involve ten (10) or more residential lots shall provide sidewalks.

B. Crosswalks.

1. Crosswalks may be required between streets whenever necessary to facilitate pedestrian circulation and to give access to community facilities, such as parks, playgrounds, or schools.
2. Such crosswalks have a right-of-way width of not less than 10 feet and have a paved walk five feet in width.

C. Sidewalks and crosswalks shall have a minimum gradient of 1% and maximum gradient of 10%. Handicapped access, ramp gradients, railing requirements, and treatment of pavement surfacing shall comply with applicable requirements of the Pennsylvania Department of Labor and Industry.

D. Trails. If a developer chooses to install trails within a proposed development, the trail shall be designed and constructed based on the following requirements:

1. Trails shall be constructed in accordance with the Township Construction Standard Details.
2. Trails shall link internal common open space areas, nearby neighborhoods, parks, community facilities and elsewhere as recommended by the Planning Commission and approved by the Board of Commissioners.

E. Maintenance. Maintenance of all proposed sidewalks and/or trails shall be the responsibility of the adjacent property owner or homeowners' association which represents the property owners in the development. Appropriate language shall be placed on the recorded plat indicating this maintenance responsibility.

Section 410. Road Construction Specifications

A. Stakeout. In order to assure the Township and/or its Engineer that the road is being paved in the center of the right-of-way and in accordance with all grades that may have heretofore been approved, the contractor, developer and/or road builder must present an affidavit, signed by a licensed Pennsylvania surveyor, that he has established the recorded and/or legal right-of-way on the ground by a survey on the

ground and has set construction stakes to the desired construction offset distance at points along the road not exceeding fifty-foot intervals and has established reference elevation on said stakes to effect the construction of the road in accordance with all plans that have been previously approved.

B. 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. If the topography of the ground does not permit the grading of the entire right-of-way, the finished graded area must slope from the right-of-way line toward the paving, to the satisfaction of the Township Engineer or other designated Township officials. When filling operations are required, all topsoil must be removed and the surface roughed up or scarified in order to assure a good bond between the filled ground and virgin ground. (If the lateral slope upon which the fill is to be made is deemed too steep for scarifying to make bond, then the virgin ground must first be benched and the fill placed upon the benches.) Drainage for any springs, wet areas, existing streams, or wet weather gullies encountered while preparing for filling operations must be approved by Aleppo Township before filling can be commenced. Fills must be built up with six-inch layers of suitable rock-free, nonfrozen material, each layer being well compacted with an approved sheep's foot ten-ton roller or equivalent approved by Aleppo Township, and well crowned and drained to prevent soaking and spongy areas. Where fill materials are necessary to establish uniform grades, compacting shall be required to 95% density and shall be so certified by a qualified soils technician. No paving shall be placed in any fill area until at least two months have elapsed since the filling operation was completed. A slope of two horizontal to one vertical foot beyond the right-of-way line in cut or fill shall be required as the maximum slope, except for extraordinary situations approved by Aleppo Township.
2. Street cross sections for all streets shall be in accordance with the standards established by Aleppo Township or elsewhere herein. All details of the cross section, crowns, curb, pavement, subgrade, and roadside ditches shall conform to the designated cross section. (State approval shall also be obtained where necessary.)
3. The subgrade shall be well rolled with an approved three-wheel, ten-ton minimum roller, crowned in conformance with the finished surface crown, and must be perfectly smooth, free of spongy areas as well as drained with approved subgrade drains and/or bleeders, the bleeders draining into approved dry wells (constructed at a minimum distance of three feet from the edge of paving), lateral drains, storm sewers or drop inlets. In all cases, the flow lines of the aforementioned dry wells, lateral drains, storm sewers and drop inlets must be at least 18 inches to three feet below the lowest part of the subgrade. All drainage must be constructed and in operation before any fine

grading, berm construction or filling is commenced. The width of the subgrade shall include the area to be paved, plus the area of any curbs, berms, or sidewalks.

C. Berms. Where required, built-up, rolled berms shall be constructed along each edge paving using suitable and approved material (which shall not include red dog or ashes) with a minimum width of three feet and sloping toward the paving at a minimum slope of two inches per foot, using the top of the curb for the start of the upward slope. The berm shall be constructed before the curb or base is constructed and simultaneously with the fine grading of the subgrade.

D. Subbase.

1. Where required, the developer shall place a six-inch compacted subbase consisting of aggregate which shall meet the PennDOT Publication 408 specifications, placed and spread evenly and extensively rolled in place with a three-wheel, ten-ton roller while maintaining the crown.
2. Where conditions warrant, subsurface drainage systems shall be installed. Generally, this will mean that subsurface drainage must be installed in the high side of any cut, unless approved otherwise.
3. Where conditions warrant, a geotextile shall be installed for the separation of subgrade and subbase aggregate. Geotextiles shall meet the PennDOT Publication 408 specifications for "Furnishing and Installing Geotextiles."

E. Base course.

1. The developer shall construct a base course in accordance with either of the following alternatives, the Township reserving the right to specify either alternative and/or to modify either alternative:
 - a. A stone base, properly drained, at least eight inches thick, placed in two layers, each approximately four inches thick, the material to be in accordance with the specifications of the Pennsylvania Department of Transportation, Form 408. (This base must be used under any concrete paving.)
 - b. An ID-2 asphaltic concrete base course (black base), properly placed and compacted to a minimum thickness of 5 1/2 inches, the material and installation to be in accordance with the specifications of the Pennsylvania Department of Transportation, Form 408.
2. The developer shall install said base before any excavation or construction of dwelling units or building units is undertaken.

F. Binder course. Where the use of the stone base has been selected and approved, the developer shall place ID-2 asphaltic concrete binder course material and properly compact to a minimum thickness of two inches.

G. Curbing.

1. Curbing, unless otherwise specified by the Township, shall be required for all streets laid out and constructed in accordance herewith. All curbing shall be a compacted-wedge type, 24 inches wide and six inches high, unless otherwise specified and approved.
2. The base course portion under the wedge-type curb must be installed at the time of the base course installation and must extend a minimum of six inches beyond the back of the curb.
3. The curb shall be constructed before the wearing surface is placed using either ID-2 asphaltic concrete base material or ID-2 asphaltic concrete binder material, depending on the overall design of the road, and shall be machine spread and machine rolled, all materials to be prepared in a plant approved by the Pennsylvania Department of Transportation. All mixing, handling, and laying must conform with Pennsylvania Department of Transportation Specifications, Form 408.
4. The curb must be properly barricaded and protected from any traffic or vehicles of any kind until it has been thoroughly set up and all voids on the grass plot side have been completely backfilled, the backfill being placed with proper and approved tamping equipment in maximum four-inch layers. No traffic or vehicles of any kind will be permitted to pass over this curb except through driveway approaches.

H. Design standards.

1. Wearing course.
 - a. After placing the ID-2 asphaltic concrete base course 5 1/2 inches or the ID-2 asphaltic concrete binder course two inches, the developer shall place ID-2 wearing surface course material over the entire base or binder course (including curbs) and properly compact to a minimum thickness of 1 1/2 inches.
 - b. After home and other construction is 90% complete, the developer shall place ID-2 wearing surface course material over the entire wearing surface (including curbs) and properly compact to a minimum thickness of one inch.
 - c. All materials shall be placed and compacted using approved spreaders and rollers in compliance with Pennsylvania Department of Transportation Form 408.

Section 411. Road Construction Restrictions and Standards

- A. Road construction such as filling, berming, subgrade, fine-grade construction, base construction, or surface construction cannot be commenced before May 15 and must

be completed before October 15 of the same year, unless special permission is granted by the Board of Commissioners otherwise. (It is assumed that the weather conditions between these dates will be ideal for road construction; however, if adverse weather conditions occur between these dates, the contractor or builder must abide by the judgment of the Township Commissioners, their agents, or assigns, in regard to permissible construction weather conditions.)

B. Testing and repair.

1. Prior to acceptance by the Township, all roads shall be core bored, at locations to be determined by the Township Engineer, by a reputable firm certified to do such work. All cores shall be tested for compliance with all applicable paving regulations and shall include, as a minimum, standard test for thickness, material gradation and compaction, and the Township shall be furnished with three copies of a written report setting forth the test results. All costs associated therewith are to be paid by the developer or subdivider.
2. All paving must be in complete compliance with Pennsylvania Department of Transportation Form 408, and the Township may subject the finished road to any additional testing set forth therein.
3. All roads shall have a smooth, uniform, finished surface, and the developer shall replace or resurface any areas which do not meet the testing requirements or do not have a smooth, uniform appearance due to patches, spalling, poorly butted joints, etc., regardless of the results of any tests. Any replacement or resurfacing shall be made in a neat, workmanlike manner, extending the entire width of the road at right angles to the center line, the extent of the replacement or resurfacing to be determined by the Township Engineer.

C. Acceptance of streets.

1. Prior to acceptance of any streets and after all road construction has been completed, the developer and/or contractor, under the direct guidance of a licensed Pennsylvania surveyor, must install concrete monuments with a minimum size of four inches in diameter, four inches square and three feet long, the center being marked with a one-half-inch minimum brass wire or bar plug, at all intersections and points of curvature in order to amply mark the right-of-way before the construction of the road can be considered as complete and fully prepared for the Township to accept the maintenance responsibilities.
2. The developer shall be required to furnish the Township with a maintenance bond prior to the acceptance of any streets by the Township. Such bonding, with a corporate surety company approved by the Board of Commissioners, shall be in the amount of 15% of the construction value and shall be for a period of 18 months commencing with the date of acceptance of said streets by the Township and shall specifically protect the Township from defects of

inferior materials and workmanship or damage caused by the developer, subdivider and those employed by or under contract to him. If it is necessary that the contractor must violate the weight limit of eight tons (which will be in effect simultaneously with the date of acceptance), he will be required to give the Township a two-year maintenance bond in the amount of 100% of the construction cost, commencing on the date that the violation of the weight limit ceases. In no event can the contractor violate the weight limit without the express approval of the Township and, if approved, not before the aforementioned two-year maintenance bond has been obtained and is in effect.

D. Monuments.

1. All streets shall be monumented, and monument locations shall be shown on the recorded plat. All angle points in the boundary of any subdivision shall be monumented. All lot corners and angle points shall be located by iron pins. All monuments and iron pins shall be placed by a licensed Pennsylvania surveyor so that the scored (by an indented cross in the top of the monument) point shall coincide exactly with the point of intersection of the lines being monumented.
2. Monuments and iron pins shall be set so their top is level with the finished grade of the surrounding area.
3. Construction details shall be as shown in Exhibit No. 3.1

Section 412. Utilities and Easements

- A. Easements with a minimum width of twenty (20) feet (or as otherwise required) shall be provided for all stormwater facilities, drainage structures, swales, sanitary sewers, and other utilities. In the case of multiple standards or overlapping easements, the wider standards shall apply from the outside edge of the proposed utilities.
 1. Shared utility easements shall be a minimum of thirty (30) feet wide.
- B. To the fullest extent possible, easements shall be located adjacent to rear lot lines or side lot lines.
- C. Nothing shall be placed, planted, set, or put within the area of an easement that would adversely affect the function of the easement or conflict with the easement agreement. This requirement shall be noted on the final plan and shall be included in all deeds for lots which contain an easement.
- D. Where a site is traversed by a watercourse, there shall be provided a drainage easement or right-of-way conforming substantially with the line of such watercourse and of such width as will be adequate to preserve natural or man-made drainage, or as required by the Township Stormwater Ordinance.
- E. Pedestrian easements shall have a minimum width of ten (10) feet.

1. The applicant shall provide a method of physically delineating pedestrian easements across private lots. Such method may include shrubbery, trees, markers, or other method acceptable to the Township Commissioners.

Section 413. Water Supply Systems

- A. The water supply system for the subdivision or land development shall meet the design standards and requirements of all public boards or bodies having jurisdiction.
- B. If a private water supply is permitted, it must comply with the standards and requirements of the county and the Commonwealth of Pennsylvania.
- C. If a private water supply is permitted, individual private wells shall be located at least 25 feet from the property lines and shall not be located within the floor plan of any building and also shall maintain the minimum horizontal isolation distances specified 25 Pa. Code § 73.13, "Standards for Sewage Disposal Facilities."

Section 414. Sanitary Sewage Facilities

- A. No application for preliminary approval of a plan of subdivision or land development shall be approved unless a complete sewage facilities planning module, as required for the proposed development, has been submitted to the Township.
- B. No final plat shall be approved or recorded until the plans and specifications for sanitary sewage facilities have been approved and permits issued, as required by the Pennsylvania Department of Environmental Protection.
- C. All sanitary sewage facilities for the subdivision or land development shall be constructed in accordance with the design standards and requirements of all public boards or bodies having jurisdiction.
- D. When a community sanitary sewerage facility is proposed to serve a development, a point of connection to the sanitary sewer shall be provided for each lot. Sanitary sewers shall also be extended to the perimeter of the subdivision or land development to allow service to adjacent properties.

Section 415. Emergency Access

- A. All major subdivisions and land developments shall provide plans to the Township Police Chief and Volunteer Fire Chief for recommendation and comment. The applicant shall demonstrate:
 1. Adequate access for emergency vehicles and emergency responders; and
 2. Adequate fire hydrant locations in subdivision and land developments where public water is being provided.

Section 416. Fire Hydrants

- A. In all plans where public water is provided, fire hydrants shall be installed at accessible appropriate locations to give adequate fire protection as outlined by the National Board of Fire Underwriters.

Section 417. Monuments and Markers

- A. Monuments.
 - 1. Permanent reference monuments shall be located at the surrounding boundary corners of all subdivisions.
 - 2. Permanent reference monuments shall be accurately placed along at least one (1) side of each street at the beginning and end of all curves and at all angles.
- B. Markers.
 - 1. Markers shall be set at all lot corners and at the points where lot lines intersect curves and/or other property lines.
 - 2. All lot corners shall be located with solid metal pins of at least five-eighth inch ($\frac{5}{8}$ ") diameter with a minimum length of thirty (30) inches.
- C. All monuments and markers shall be placed by a registered engineer or surveyor so that the scored or marked point shall coincide exactly with the point of intersection of the lines being monumented or marked.
- D. The monuments and pins as required shall be shown on the final recorded plat and the "as-built" plans with the distance between them and with sufficient curve data plainly marked.

Section 418. Stormwater Management and Floodplain Controls

- A. All stormwater management, collection, conveyance, erosion control and floodplain considerations shall be accomplished in accordance with the provisions of the Township Stormwater Management Ordinance, as amended.
- B. Floodplain areas shall be established and preserved as provided by the Township Floodplain Management Ordinance, as amended.

Section 419. Vegetation

- A. Conservation. Development shall be planned so as to minimize the removal of existing trees, shrubs, and ground cover and to minimize the amount of land covered by impervious surfaces.
- B. Noise control. Street trees along local and collector streets in residential areas may be required as a buffer.

- C. Screening. Wherever natural screening is being planted to meet the screening requirements of the Township Zoning Ordinance, Chapter 400, at the time of planting. Furthermore, subdivision and land development plans shall provide for such screening as follows:
 - 1. Where nonresidential uses abut residential uses.
 - 2. Where residential uses abut any railroad right-of-way or arterial highway.
 - 3. Along the perimeter of any outdoor storage area, common utility yard or outdoor equipment area in multiple-residential developments.
 - 4. Elsewhere, as deemed necessary by the Planning Commission and the Board of Commissioners.
- D. Windbreaks. The use of planting rows to serve as windbreaks to control the drifting of snow across public and private roadways may be required.

Section 420. Street Trees

- A. Deciduous street trees may be provided in all land development projects which include new streets.
- B. General Requirements.
 - 1. Street trees and plant materials, shall not, at maturity, obstruct overhead utilities, traffic control signals and signs, street intersections or driveway entrances.
 - 2. Street trees shall be selected to minimize future maintenance costs, including but not limited to, pruning, tree removal and sidewalk repair.
 - 3. Street trees shall be located so as to not interfere with underground utilities or stormwater management facilities.
 - 4. Street trees shall be adaptable to the specific planting areas to achieve the design objective of the plan.
- C. Location.
 - 1. Street trees shall be located outside of the right-of-way and/or any easements.
 - 2. At intersections, trees shall be located not closer than thirty (30) feet from the intersection of the curb.
- D. Size.
 - 1. Tree caliper at the time of planting, as measured four (4) feet above ground level, shall be no less than:
 - 2. Two (2) inches in residential areas.

3. Two and one-half (2 ½) inches in nonresidential areas.
 4. Street trees shall have a canopy of thirty (30) to fifty (50) feet spread at maturity.
 5. No bushes or shrubs exceeding 30 inches in height, or at such lesser height when ground elevations would obstruct the clear sight of motorists, shall be permitted within any required clear sight triangle or within 10 feet of the right-of-way line abutting any access drive.
- E. The following trees shall not be planted as street trees:
1. Poplars: all varieties.
 2. Willows: all varieties.
 3. Aspen: all varieties.
 4. Common black locust.

Section 421. Street Lights

- A. A streetlighting system shall be installed in all developments involving multifamily dwellings and at all intersections with existing Township streets/roads. Streetlights may also be required where a hazard exists as determined by the Board of Commissioners. The location and design of light fixtures shall be as approved by the Board of Commissioners. The Board of Commissioners may require that any new streets and/or intersections are provided with street lighting.
1. Where required, the applicant shall install, at the applicant's expense, street lighting serviced by underground conduits in accordance with a plan approved by the Township Engineer.
 2. When street lighting is required, the cost of maintenance shall be the responsibility of a homeowners' association or other approved entity.
- B. Street lighting shall be installed as per the lighting plan approved by the Board of Commissioners.
- C. The spacing of street lights shall be based on a photometric plan that demonstrates adequate lighting is provided at grade.
- D. The maximum height of street lights shall not exceed the maximum height permitted in the Zoning District or twenty-five (25) feet, whichever is less.
- E. The shielding of lighting shall provide proper lighting without hazard to drivers or nuisance to residents.
- F. Style, type, shielding and manufacturer of street lighting shall be subject to the approval of the Board of Commissioners.

Article V. Stormwater Management

Section 501. General Requirements

- A. The Township of Aleppo's stormwater management standards, site plan requirements, application procedures, and operation and maintenance standards can be found in the Township's Stormwater Management Ordinance, Ordinance No. 2018-07, as amended.

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Article VI. Financial Security

Section 601. Completion of Improvements or Financial Security

- A. No plan shall be given final approval by the Board of Commissioners unless the public improvements required by this Ordinance have been installed in accordance with the standards set forth in Articles IV and VII of this Ordinance.
- B. In lieu of the completion of any improvements(s) required prior to, and as a condition for, final approval, the applicant shall deliver to the Township a financial security in the amount of 110% of the cost to complete all improvements required by this Ordinance.

Section 602. Financial Security

- A. The amount of the financial security required shall be based upon an estimate of the cost of completion of the required improvement(s).
 - 1. The amount of the financial security shall be sufficient to cover the costs of public improvements and common amenities including, but not limited to, roads, stormwater detention and/or retention basins, and other related drainage facilities, recreational facilities, open space improvements, landscaping, and buffers or screen plantings which may be required in accordance with §509(a) of the MPC.
 - 2. The amount of financial security to be posted for the completion of the public improvements shall be equal to 110 percent of the cost of completion estimated as of 90 days following the date scheduled for completion by the applicant. The amount of the financial security shall be based on a cost estimate submitted by the applicant and prepared by a registered professional engineer licensed in Pennsylvania. The cost estimate shall be certified as being “a fair and reasonable estimate” of the cost of public improvements.
 - 3. The cost estimate shall be sealed by a Professional Engineer.
 - 4. The Township Engineer shall review the proposed cost estimate and make a recommendation to the Township Manager or appointed representative as to acceptance and may provide an alternate estimate if deemed unacceptable.
 - 5. The amount of the financial security may be adjusted annually in accordance with §509(f) of the MPC.
- B. If the applicant and the Township cannot agree upon a cost estimate, then the estimate shall be recalculated and recertified by another registered professional engineer chosen mutually by the applicant and the Township. The estimate by the third engineer shall be deemed as the final estimate.
 - 1. If a third engineer is selected, the fees for services shall be evenly divided between the applicant and the Township.

Section 603. Approval Resolution

- A. At the request of the applicant and in order to facilitate financing, the Township shall furnish the applicant with a signed copy of a resolution indicating approval of the applicant's final plat contingent upon the obtaining of a satisfactory financial security. The final plat shall not be signed by the Board of Commissioners and other Township officials until a satisfactory financial security is presented. The resolution of contingent approval shall expire and be deemed to be revoked if the financial security is not presented within 90 days, unless a written extension is granted by the Board of Commissioners in accordance §509(b) of the MPC.

Section 604. Partial Release from Improvement Guarantee

- A. As the work of installing the required improvements proceeds, the applicant may request the Township to release or authorize the release, from time-to-time, of such portions of the financial security necessary for payment to the contractor or contractors performing the work.
- B. Any such requests must be in writing and describe the portion of the work that has been completed in accordance with the approved plat and the amount of security requested to be released.
- C. The Township shall have 45 days from receipt of such request to have the Township Engineer certify in writing to the Township that such portion of the work upon the improvements has been completed in accordance with the approved plat. Upon such certification the Township shall authorize release by the bonding company or lending institution of an amount as estimated by the Township Engineer fairly representing the value of the improvements completed, or if the Township fails to act within said 45-day period the release of funds shall be deemed approved. Notwithstanding anything to the contrary, the Township may, prior to final release at the time of completion and certification by its appointed Engineer, require retention of ten percent (10%) of the estimated cost of improvements.
- D. If any portion of the said improvement(s) shall not be approved, or shall be rejected by the Township, the applicant shall proceed to complete the same and, upon completion, the same procedure of notification as identified above shall be followed.
- E. The applicant shall reimburse the Township for the reasonable and necessary fees based upon a schedule established by ordinance or resolution. Such fees shall be those customarily paid for engineering or consulting work performed in the Township.

Section 605. Final Release from Improvement Guarantee

- A. When the applicant has completed all of the necessary and appropriate improvements, he/she shall notify the Township, in writing, by certified or registered mail, of the completion of said improvements, and shall also send a copy to the Township Engineer. The Township shall, within ten (10) days after receipt of such

notice, direct the Township Engineer to inspect all of the installed improvements. See Article VII of this Ordinance with regards to the final inspection procedures.

- B. Within 30 days of authorization by the Board of Commissioners, the Township Engineer shall file a report, in writing, of the result of the inspection. A copy shall also be forwarded to the applicant by certified or registered mail. The report shall detail the improvements and shall indicate approval or rejection, in whole, or in part of the improvement(s). Rejection, in whole, or in part of the improvement(s) shall contain a statement of reasons for such recommendation.
- C. The Township shall notify the applicant within fifteen (15) days of receipt of the engineer's recommendation, in writing, by certified or registered mail, of the action by the Board of Commissioners.
- D. If any portion of the said improvement(s) shall not be approved, or shall be rejected by the Township, the applicant shall proceed to complete the same and, upon completion, the same procedure of notification as identified above shall be followed.
- E. The applicant shall reimburse the Township for the reasonable and necessary fees based upon a schedule established by ordinance or resolution. Such fees shall be those customarily paid for engineering or consulting work performed in the Township.
- F. Billing, Reimbursements, and Disputes. See MPC §510, as amended.

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Article VII. Required Improvements and Inspections

Section 701. General Requirements

- A. No improvements shall be installed, or work begun, unless the following has been accomplished:
 - 1. All necessary plans, profiles and specifications for the improvements have been submitted to, and approved by, the Township.
 - 2. The completion bond/financial security has been provided.
 - 3. A fully executed developer's agreement has been submitted and signed.
 - 4. All required and applicable permits have been obtained.
- B. The developer shall notify the Township at least 48 hours prior to beginning any installation of public improvements in an approved plan.

Section 702. Required Improvements

- A. The following improvements, as shown on the recorded plan, shall be provided by the developer in accordance with the details and/or specifications cited in Article IV of this Ordinance:
 - 1. Cartway paving
 - 2. Curbs
 - 3. Sidewalks and crosswalks
 - 4. Monuments
 - 5. Street signs
 - 6. Sanitary sewage disposal
 - 7. Water supply and fire hydrants
 - 8. Stormwater management facilities
 - 9. Erosion and sedimentation control measures
 - 10. Street trees
 - 11. Streetlights
 - 12. Power lines (under and overhead electrical)
 - 13. Natural gas lines
 - 14. Right-of-way and roadway boundaries

15. Easements

16. Secondary access (for larger developments)

Section 703. Inspections

- A. Once the installation of improvements has been approved, while work is in progress, the developer shall notify the Township, at least 72 hours in advance, prior to the time that the following required progress inspections are warranted.
 - 1. Inspection of subgrade of streets prior to laying of base.
 - 2. Inspection of base prior to final paving of streets.
 - 3. Inspection of installed water lines, sanitary sewer lines, storm sewers, and drainage facilities before they are covered.
- B. The inspector shall prepare a written report of all inspections, with a copy being submitted to the Township for its files.
- C. The inspection of sanitary sewer installations shall be in accordance with the procedures of the applicable sanitary authority, with a copy of any notices or reports being submitted to the Township.
- D. When it is evident that any street in a partially completed plan of lots may be extensively used by construction vehicles hauling building materials and equipment, and where such street, if completed, may be damaged during the course of construction of houses on lots abutting the right-of-way within which the street is centered, the Township shall require the developer to complete 80% of the dwelling units prior to the final paving of the street or otherwise be responsible for damage through the posting of an additional bond, including, but not limited to, streets and other required improvements.

Section 704. Notice of Completion

- A. When the developer has completed the required public improvements in a plan, the developer shall notify the Township, in writing, by certified or registered mail. Within 10 days of the receipt of the notification, the Board of Commissioners shall authorize the Township Engineer to inspect the public improvements in the plan to determine compliance with the design standards specified in Article IV of this Ordinance.

Section 705. Final Inspection

- A. Upon authorization by the Board of Commissioners, the Township Engineer shall perform a final inspection of the public improvements. The procedures and timing of such inspection, notifications, and action shall follow that identified in Article VII of this Ordinance.

Section 706. Acceptance of Improvements

- A. Every street, sewer, drainage facility, or other required improvement shown on the recorded plan shall remain as a private improvement, and the Township shall have no responsibility with respect to maintenance, repair, or replacement until such time as the improvement has been offered for dedication to the Township, and the improvement(s) have been inspected, approved, and accepted by resolution or ordinance.

- B. No public improvement(s) required by this Ordinance shall be accepted by ordinance or resolution of the Board of Commissioners unless, prior thereto, the following shall be submitted to the Township:
 - 1. A dedication of the installed improvements in a form acceptable to the Township.
 - 2. Two sets of as-built plans. The as-built plans and profiles shall indicate all public improvements as constructed and shall show the top and invert elevations for all manholes, inlets, and sewer structures; the distance between all manholes, inlets, and sewer structures; wye ("y") locations on all sanitary sewers; and significant changes to the street profiles as approved.
 - 3. A certificate or notification by the Township Engineer or other person designated by the Township that the improvements have been constructed in accordance with the standards established by this Ordinance and any other applicable Township ordinances and standards.
 - 4. The results of core boring tests for composition and thickness of paving, prepared by a qualified testing firm. The location and size of the borings shall be in accordance with PennDOT Form 48, or as determined by the Township Engineer.
 - 5. A maintenance guarantee which shall be for a period of 18 months and an amount of 15% of the original construction cost of installation of the public improvement(s), as provided for in §509(k) of the MPC.

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Article VIII. Amendments, Validity, and Repealer

Section 801. Amendment Procedures

- A. The Township Board of Commissioners may, from time-to-time, amend, supplement, change, modify, or repeal this Ordinance by proceeding in accordance with the MPC.
- B. Referral to the Planning Commission.
 - 1) All proposed amendments before adoption shall be referred to the Township Planning Commission at least 30 days prior to the public hearing, for recommendation and report, which shall be advisory.
- C. Referral to the County Planning Agency.
 - 1) All proposed amendments shall be referred to the Allegheny County Economic Development, Planning Division at least 30 days prior to the public hearing, for recommendation and comment.
 - 2) As per §304(b) of the MPC, the Township Board of Commissioners may not take any action on a proposed amendment until comments are received from the Allegheny County Planning Division, or the required review period has passed.

Section 802. Validity

- A. Separability: Any Section, Subsection, or other provision of this Ordinance that is declared to be invalid by a court of competent jurisdiction shall not affect the validity of any other part of this Ordinance or the Ordinance as a whole.

Section 803. Repealer

- A. Any prior Township ordinances or regulations or parts thereof conflicting with the provisions of this Ordinance are hereby repealed.

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Article IX. Administration, Fees, Permitting, and Enforcement

Section 901. General Administration

- A. All provisions of this Ordinance shall be administered by the Board of Commissioners or their officially designated representatives. All matters relating to this Ordinance shall be submitted to the Township Manager and/or Zoning Officer who will handle the matter in accordance with current municipal policies, procedures, and guidelines established by the Board of Commissioners.

Section 902. Fees and Costs

- A. All applications submitted for the review and approval of plans of subdivision and plans of land development prepared in preliminary or final form shall be accompanied by an administrative review fee and a deposit in accordance with a schedule of fees and charges established, or to be established, and adopted by resolution of the Board of Commissioners to defray, or to help defray, any cost that may be incurred by the Township and its professional consultants in viewing and inspecting the site of the subdivision or land development, and reviewing the application, data, and the plans submitted relative to the same.
 - 1. A deposit shall be made at the time of the application for preliminary and final subdivision or land development approval, with the Township of Aleppo in order to cover the costs of engineering review and inspection of proposed improvements, legal fees, and other consultants' fees whose services are required in order to provide a comprehensive review of the subdivision or land development application.
 - 2. An administrative fee, as established by resolution of the Board of Commissioners, and fees as charged to the Township for activities related to the subdivision or land development application shall be deducted from the deposit as invoices are received.
 - 3. A full accounting of all expenses incurred during the review and approval of a subdivision or land development application, whether preliminary or final, shall be kept by the Township Manager and made available to the applicant.
 - 4. Upon completion of all improvements to the satisfaction of the Township Engineer, and upon a full and complete release of all sureties posted relative to the improvements proposed, the remaining balance of the deposit shall be returned to the applicant upon receipt of a written request to do so.
 - 5. The schedule of fees may be amended from time to time by Board of Commissioners.
- B. The schedule of fees and charges establishes or to be established may vary, and be regulated in accordance with the scope and complexity of the plan of subdivision and land development project, such as:

1. Number of parcels or lots in a plan;
 2. Intensity of land development plans submitted;
 3. Accuracy of utility development plans;
 4. Applicants' plan of construction and development of the land, structures, and facilities thereon, and appurtenant thereto; and
 5. Number of times that a plan is submitted or resubmitted for review and request is made for approval of the same.
- C. Where a plan of subdivision or land development for any reason has been rejected by the Township Planning Commission and/or Board of Commissioners, the applicant when resubmitting plans and application for review and approval of the same shall be required to pay a fee as set forth in the Township's schedule of fees and charges for such submittals.
- D. All administrative fees shall be made payable to the Township of Aleppo. All administrative fees deducted from the original deposit are nonrefundable, and the approval or rejection for any reason of any plan of subdivision or land development will not be reason or cause for the return of any fee so charged.
- E. The applicant shall reimburse the Township of Aleppo for all costs associated with the review and approval, or denial, of an application for subdivision or land development approval which exceeds the amount of the original deposit.

Section 903. Public Hearings

- A. Before acting on an application for approval, the Board of Commissioners, or Planning Commission, may hold a public hearing, pursuant to public notice, as defined by this Ordinance.

Section 904. Certificates and Approvals

- A. The format and wording of certificates and approvals to appear on the final plan proposed for recording shall conform to the requirements of the Allegheny County Subdivision and Land Development Ordinance, as amended.

Section 905. Permits

- A. No lot in a subdivision shall be sold, no permit to erect, alter or repair any building upon land in a subdivision or development shall be issued, and no building shall be erected in a subdivision or development, until a final plan has been approved by the Township and properly recorded, and until required improvements have been constructed or their construction guaranteed.

Section 906. Disputes

- A. Users should be aware that the following Section is a summary of requirements of the MPC – Act of 1968, P.L. 805, No. 247, as reenacted and amended, and should refer to the MPC for the complete requirements under Pennsylvania Law.

- B. In the event that the applicant disputes the amount of any such review fee, the applicant shall, within 45 days of the billing date or the notice of withdrawal by the Township of an amount held in escrow, notify the Township and their consultant that the fees are disputed. In such case, the Township shall not delay or disapprove a subdivision or land development due to the applicant's request regarding disputed fees. The applicant shall within 30 days after the transmittal date of a bill for inspection services or 45 days of the date of transmittal of a final bill for inspection services, notify the Township and their professional consultant that the fees are disputed. The fee dispute process established in the MPC generally includes the following steps:
 - 1. In the event that the Township and the applicant cannot agree on the amount of any review fees which are reasonable and necessary, then the Township and applicant shall jointly by mutual agreement, appoint another professional consultant serving as arbitrator to examine the disputed review fees and make a determination as to the amount thereof which are fair and reasonable within 50 days.
 - 2. Appropriate payments or reimbursements shall be made within 60 days following the decision by the arbitrator.
 - 3. If the Township and applicant cannot agree on an independent professional consultant to serve as arbitrator within twenty (20) days of the billing date, then upon application of either party, the President Judge of the Court of Common Pleas of the judicial district in which the municipality is located shall appoint an engineer who shall be neither the Township Engineer or any professional engineer who has been retained by, or performed services for the Township or applicant within the preceding five (5) years.
 - 4. The fee of the appointed arbitrator shall be paid by the applicant if the amount of payment required in the decision is equal to or greater than the original bill. If the amount of payment is less than the original bill by \$5,000 or more, the arbitrator may require part of full payment from the applicant or professional consultant. In all other cases, the consultant and Township should each pay one-half (0.5) of the fees of the professional engineer.

Section 907. Enforcement

- A. Users should be aware that the following Section is a summary of requirements of the MPC – Act of 1968, P.L. 805, No. 247, as reenacted and amended, and should refer to the MPC for the complete requirements under Pennsylvania Law.

B. Preventative Remedies.

1. In addition to other remedies, the Township may institute and maintain appropriate actions by law or in equity to restrain, to correct or abate violations, to prevent unlawful construction, to recover damages, and to prevent illegal occupancy of a building.
2. The Township may refuse to issue any permit or grant any approval necessary to further improve any real property which has been developed or has resulted from a subdivision in violation to this Ordinance. As an additional condition for the issuance of any permit or approval, the Township may require compliance with the conditions that would have been applicable to the property at which time the applicant acquired it. This authority to deny such a permit or approval shall apply to any applicant as described in §515.1(b) of the MPC.

C. Civil Enforcement Remedies.

1. Any person, partnership, or corporation who or which has violated the provisions of this SALDO shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than \$500 plus all court costs, including the reasonable attorney fees incurred by the Township as a result thereof.
2. No judgment shall commence or be imposed, levied, or be payable until the date of the determination of a violation by the District Justice.
3. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure.
4. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership, or corporation violating the Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one (1) such violation until the fifth day following the date of the determination of a violation by the District Justice and thereafter each day that a violation continues shall constitute a separate violation.
5. All fines collected for such violations shall be paid to the Township.
6. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this Section.

Section 908. Remedies to Effect Completion of Public Improvements

- A. In the event that any improvements which may be required have not been installed as provided in this Ordinance or in accordance with the approved final plat, the

Township shall pursue remedies provided for in §511 of the MPC, 53 P.S. §10511, as amended.

Section 909. Appeals

- A. Any person aggrieved by a decision of the Township concerning an application of approval of a subdivision of land development may appeal the decision in accordance with the procedures specified in Articles X-A of the MPC.

Section 910. Notice to School District

- A. As per §508.1 of the MPC, as amended, each month the Township shall notify in writing the superintendent of the school district in which a plan for a residential development was finally approved by the Township during the preceding month. The notice shall include, but not be limited to, the location of the development, the number and types of units to be included in the development, and the expected construction schedule of the development.

Section 911. Liability for Township Roads

- A. Where any road, public or private, in the Township, including the paved area, gutters, utilities and the right-of-way, is damaged in any manner whatsoever, the person or persons directly responsible for said damage, the subcontractor and/or general contractor for whom said persons or his superiors work, or with whom they contracted, shall be severely and jointly liable for any and all damage to said Township roads, and shall repair said damage within ninety (90) days of any written notification by the Township.
- B. All repairs shall meet Township standards and shall be subject to Township inspection.