

**ARTICLE VI
PLANNED RESIDENTIAL DEVELOPMENT**

Section 601. Definitions and Statement of Purpose.

Planned Residential Development: A planned residential development is defined as an area of land not less than 20 acres in size controlled by a landowner, to be developed as a single entity for a number of dwelling units, the development plan for which does not correspond in lot size, bulk, use, density, intensity, type of dwelling, lot coverage and required open space to the regulations established in any one zoning district under the provisions of this Ordinance. A Planned Residential Development shall not include mobile home parks.

A. Specific purposes of the Planned Residential Development regulations are:

1. The provisions of this Article are enacted in order that the purposes of this Ordinance be furthered in an era of increasing urbanization and of growing demand for housing of all types and design.

2. To insure that the provisions of this Ordinance, which are primarily concerned with the uniform treatment of dwelling type, bulk, density and open space within the zoning district, shall not be applied to the improvement of land by other than lot by lot development in a manner which would distort the objectives of this Ordinance.

3. To encourage innovations in residential development and renewal so that the growing demand for housing and services may be met by greater variety in type, design and layout of dwellings and structures and by the conservation and more efficient use of open space ancillary to said dwellings and structures so greater opportunities for better housing and recreation may extend to all citizens and residents of the Township.

4. To encourage a more efficient use of land and of public services and to reflect changes in the technology of land development so that economies secured may endure to the benefit of those who need homes and for other uses.

5. To encourage more flexible land development which will respect and conserve natural resources such as streams,

lakes, flood plains, wetlands, wooded areas, steeply sloped areas, areas of unusual beauty and significant natural habitats.

6. To provide a procedure which can relate the type, design and layout of residential to the particular site and the particular demand for housing existing at the time of development, in a manner consistent with the preservation of the property values within existing residential and nonresidential areas and to assure that the increased flexibility of regulations over land development authorized hereby is carried out pursuant to sound, expeditious and fair administration standards and procedures as shall encourage the disposition of proposals for land development without delay.

7. To insure that common open spaces shall be owned and maintained by the lot and/or building area owners through individual shares in an owner's association, one share for each lot, building area or unit.

8. To insure that the increased flexibility of regulations over land development authorized herein is carried out under such administrative standards and procedures as shall encourage the disposition of proposals for land development without undue delay.

Section 602. Effect.

No Planned Residential Development of any tract or parcel of land shall be made, no street, sanitary sewer, storm sewer, water main or other improvements in connection therewith shall be laid out, constructed, opened or dedicated for public use or travel, or for the common use of the occupants of buildings abutting thereon, except in accordance with the provisions of these regulations.

Section 603. Application.

These regulations shall apply to all Planned Residential Developments located within the limits of Pocono Township, which are submitted after the effective date of these regulations and also to all Planned Residential Developments approved by and/or pending approval before the Township in full accordance with the following:

A. Effect of Regulation Amendments - No amendments to this Ordinance, the Pocono Township Planned Residential

Regulations or any other governing ordinance or plan shall affect the decision on previously submitted applications.

1. When an application has been duly tentatively approved the Applicant shall be entitled to a final review and approval or denial in accordance with the terms of the tentative approval.

2. If an application is properly and finally rejected or denied, any subsequent application shall be subject to these amended regulations and to any intervening change in any governing regulation, ordinance, or plan.

Section 604. Approval by Sections.

In the case of a development plan calling for the installation of improvements beyond the five (5) year period, a schedule shall be filed by the landowner with the development plan delineating all proposed sections as well as deadlines within which applications for final approval of each section are intended to be filed. Yearly updating of the schedule shall be completed by the landowner on or before the anniversary of the tentative plan approval until final approval of the final section has been granted. Any modifications in the aforesaid schedule shall be subject to approval of the Board of Supervisors of Pocono Township.

Section 605. Time Limits for Completion by Sections.

Provided the landowner has not defaulted with regard to or violated any of the conditions of the tentative plan approval, including compliance with landowner's aforesaid schedule of submission of final plans, then the protections afforded by substantially completing the improvements depicted upon the final development plan within the said five (5) years shall apply. For any section or sections, in which the required improvements have not been substantially completed within the five (5) year period, the aforesaid protections shall apply for an additional term or terms of three (3) years from the date of final plan approval for each section.

A. Failure to Meet Schedule - Failure of the landowner to adhere to the aforesaid schedule of submission of final plans for the various sections, shall subject any such sections to any and all changes in these regulations, this Ordinance, Planned Residential Regulations, and any other ordinances or plans enacted by the Township subsequent to the date of the initial

Planned Residential Development plan submission and no development or further development shall take place on the property included in the development plan until after the property is reclassified by enactment of an amendment to this Ordinance.

Section 606. Development in Phases.

Development plans for a Planned Residential Development may be submitted in phases in accordance with the following:

A. Tentative Approval - The locations and approximate submittal dates for each phase shall be clearly set forth on the plan submitted for tentative approval.

1. The said phasing plan may be changed at any time prior to the date of any phase by submitting and receiving an approval from the Board of Supervisors on a plan setting forth a new phasing schedule.

B. First Phase Minimum - A minimum of twenty (20) percent of the total number of residential lots and/or dwelling units in the Planned Residential Development shall be included in the first phase.

1. A lesser percentage may be allowed by the Township upon submission of a modification request setting forth proof that the requested percentage will not affect the development as a whole.

2. The Township may set additional specified conditions if they deem them necessary or advisable.

C. Phase Completion - The second and subsequent phases must be completed consistent with the development phasing plan and must be of such size and location that they constitute economically sound units of development.

1. In no instance shall the second and subsequent phases, except for the last phase, contain less than fifteen (15%) percent of the dwelling units of the total development plan.

2. Gross residential density may be varied from phase to phase provided that the average gross residential densities of all phases do not exceed the permitted average

gross residential density for the entire Planned Residential Development as set forth by Pocono Township.

Section 607. Driveway access to a Highway under the jurisdiction of the Pennsylvania Department of Transportation.

No plan which will require driveway access to a highway under the jurisdiction of the Pennsylvania Department of Transportation shall be finally approved unless the plan contains a notice stating such.

A. Highway Occupancy Permit - The following notice shall be on the plan: "A highway occupancy permit is required pursuant to Section 420 of the Act of June 1, 1945 (P. L. 1242, No. 428), known as the State Highway Law, before driveway access to a state highway is permitted".

1. When a development will require a Highway Occupancy Permit, the developer shall submit evidence to the Township that such permit has been obtained.

B. Township Liability - Pocono Township shall not be held liable for damages to persons or property arising out of the issuance or denial of a highway occupancy permit by the Pennsylvania Department of Transportation.

C. Landowners Signature - The landowner's signature on the plan review application shall be deemed an acknowledgment and acceptance of this section.

Section 608. Modifications.

The standards, regulations and/or requirements of these regulations may be modified, either increasing or decreasing the said standards, regulations and/or requirements, by the Board of Supervisors, where such modifications achieve substantially the objectives of this section of this Ordinance, provided that the said modifications will not unduly tax the fiscal service obligations of the future residents and which are further protected by such covenants or other legal provisions as will assure conformity to and achievement of the Planned Residential Development plan in the following cases:

A. Energy - When the use of renewable energy systems and energy conserving building design are proposed.

B. Environment - When unusual topography or other environmentally sensitive areas are involved.

C. Planning - When in the opinion of the Board of Supervisors the said modification will encourage and promote flexibility, economy and ingenuity in the layout and design of the said Planned Residential Development in accordance with modern and evolving principles of site planning and design.

D. Conformation - When modifications have been permitted, the Planned Residential Development shall still conform fully with all of the remaining regulations and requirements of this section.

Section 609. General Requirements.

A. Planned Residential Developments shall be permitted by conditional use in the R-2, RD and C zoning districts.

B. The Planned Residential Development shall consist of either single-family, two-family or multifamily dwellings, or a combination thereof, and such accessory uses as may be allowed in the section of this Ordinance which covers the proposed development, provided that the land use density within the Planned Residential Development shall be regulated by the following general standards:

1. For tracts containing 50 acres or more with a DEP-approved sewage treatment plant capable of being integrated into a municipal or public sewage disposal system and central water the maximum gross residential density shall not exceed three (3) units per acre.

2. For all other qualifying tracts the maximum gross residential density shall not exceed one (1) unit per acre.

C. The percentage of the Planned Residential Development site which is to be covered by buildings, roads, parking areas and other impermeable cover shall not exceed thirty-three (33%) percent of the total site area.

D. The percentage of the Planned Residential Development site to be devoted to common open space shall not be less than twenty-five (25%) percent of the total site area.

E. Adequate, safe and convenient pedestrian and vehicular circulation facilities, including roadways, driveways, off-

street parking and loading, sidewalks, malls and landscape areas, to serve the development shall be provided.

F. Paving and drainage facilities shall be designed to adequately handle storm water and to prevent erosion and the formation of dust.

G. Signs and lighting devices shall be properly arranged to avoid conflicts with residential uses.

H. The orientation of buildings shall provide adequate light, air and open space and shall conform with the following:

1. Buildings containing multiple dwelling units shall be so arranged as to avoid undue exposure to concentrated loading or parking facilities and shall be so arranged as to preserve visual and audible privacy between adjacent buildings.

2. A building group may not be so arranged that a temporary or permanently inhabited building is inaccessible by emergency vehicles.

I. All areas devoted to the utility purposes such as garage, storage areas, common washing or drying facilities and other such areas shall be adequately screened.

J. Approved storm drainage, water supply and distribution and sanitary sewage collection and treatment facilities will be provided.

K. No proposed buildings shall be constructed within 75 feet of any tract boundary line or any existing road right-of-way.

L. Height regulations shall conform to the original underlying zoning district in which the development is to be located.

M. Any proposed planned residential development shall require submission of an impact analysis, which shall include an environmental impact study and a community impact study. The community impact study shall include a market study, traffic impact analysis, service impact and analysis of compatibility with local ordinances and plans. The proposed planned residential development shall also satisfy any other requirements set forth by the Supervisors, after submission of the tentative plan, to ensure that the health, safety and

general welfare of the adjoining property owners and citizens of Pocono Township are protected to the fullest extent.

Section 610. Application Procedures.

The following procedural steps outline the process for approval of a PRD application. Requirements for the content of the application documents are described in subsequent sections of this Ordinance.

A. Sketch Plan Procedure

1. The landowner *may* submit a Sketch Plan to the Township Board of Supervisors for preliminary discussion of intent.

2. The Board of Supervisors will discuss the Sketch Plan at a public meeting with the landowner.

3. The submission of a Sketch Plan is optional only, does not constitute a formal submission, shall not be deemed the beginning of the time period for review as prescribed by law or these regulations, and the review of the Sketch Plan by the Board of Supervisors shall not bind the Township to approve or accept any aspect of the complete Application for Tentative or Final Approval when and if submitted.

B. Application Procedure for Tentative Approval

1. Fifteen (15) complete copies of an Application for Tentative Approval for a Planned Residential Development shall be submitted by the landowner to the Township. The landowner shall also submit a filing fee to the Township in an amount specified on the fee schedule of the Township. No plan shall be considered as properly filed until such time as the filing fee is submitted to the Township.

2. The complete application for Tentative Approval shall consist of the following:

- a. Application form
- b. Site plans, architectural plans, site data
- c. Draft of covenants, easement agreements, conditions and restrictions.

d. Supporting Information

e. Filing fee

3. The complete copies of the Application for Tentative Approval will be distributed by the Township to the appropriate agencies and individuals.

4. Within sixty (60) days after the Township receives both a complete Application for Tentative Approval of a Planned Residential Development and the required filing fee, a public hearing shall be held by the Board of Supervisors, which shall be advertised and conducted in the manner prescribed herein.

5. Public Notice shall be published once each week for two (2) successive weeks in a newspaper of general circulation in Pocono Township.

a. The first publication shall be not more than thirty (30) days and the second publication shall not be less than seven (7) days prior to the date of the public hearing.

b. Such notice shall state the time, date and place of the hearing and the particular location and nature of the proposed development.

6. A letter from the Township with the date of the public hearing along with a copy of the "Public Notice" and a cover letter shall be forwarded to the Applicant by United States Certified Mail Return Receipt Requested within thirty (30) days of the official submission.

7. The Zoning Officer shall conspicuously post notice of said public hearing at points deemed sufficient by the municipality along the tract to notify potentially interested citizens. Such public notice shall be posted at least seven (7) days prior to the date of the said public hearing.

8. The public hearing shall be conducted in accordance with Article IX of the MPC.

a. The Board of Supervisors may continue the public hearings from time to time, provided however, that in any event, the public hearing or hearings shall be concluded within sixty (60) days after the date of the first public hearing.

9. The Board of Supervisors shall, within sixty (60) days following the conclusion of the public hearing as provided above or within one hundred eighty (180) days after the filing of the application, whichever first occurs, by official written communication to the applicant either:

a. Grant tentative approval of the development plan as submitted;

b. Grant tentative approval subject to specified conditions not included in the development plan as submitted; or,

c. Deny tentative approval of the development plan.

Failure to so act within said period shall be deemed to be a grant of tentative approval of the development plan as submitted.

10. The grant or denial of tentative approval by official written communication shall include not only conclusions but also findings of fact related to the specific proposal and shall set forth the reasons for the grant, with or without conditions, or for the denial. The written communication shall set forth with particularity in what respects the development plan would or would not be in the public interest including but not limited to findings of fact and conclusions on the following:

a. The extent to which the development plan departs from zoning and subdivision regulations otherwise applicable to the property including but not limited to density, bulk and use, and the reasons why such departures are, or are not deemed to be in the public interest;

b. The respects in which the development plan is or is not consistent with the Comprehensive Plan for the development of the Township;

c. The purpose, location and amount of the common open space, the reliability of the proposals for maintenance and conservation of common open space, and the adequacy or inadequacy of the amount and purpose of the common open space as related to the proposed density and type of residential development;

d. The physical design of the development plan and the manner in which the design does, or does not, make adequate provisions for public services, provide adequate control over vehicular traffic, and further the amenities of light and air, recreation and visual enjoyment;

e. The relationship, beneficial or adverse, of the proposed Planned residential development to the neighborhood in which it is proposed to be established; and

f. In the case of a development plan which proposes development over a period of years, the sufficiency of terms and conditions intended to protect the interests of the public and of the residents of the Planned residential development in the integrity of the development plan;

11. In the event a development plan is granted tentative approval with or without conditions, the Board of Supervisors may set forth in the official written communication the time within which an Application for Final Approval of the development plan shall be filed, or, in the case of a development plan which provided for development over a period of years, the periods of time within which Applications for Final Approval of each part thereof shall be filed. Except upon the consent of the landowner, the time so established between grant of tentative approval and Application for Final Approval shall not be less than three (3) months and in the case of developments over a period of years, the time between Applications for Final Approval of each part of the plan shall not be less than twelve (12) months.

12. The official written communication shall be mailed to the landowner. Where tentative approval has been granted, it shall be deemed an amendment to the Zoning Map, effective upon final approval, and shall be noted on the Zoning Map.

13. In the event the Planned residential development is granted tentative plan approval subject to conditions, the landowner may, within thirty (30) days after receiving a copy of the official written communication from the Township Board of Supervisors notify the Township Board of Supervisors of his refusal to accept all required conditions, in which case the Township Board of Supervisors shall be deemed to have denied tentative approval of the development plan. In the event the landowner does not, within thirty (30) days, notify the Board of Supervisors of his refusal to accept all said conditions,

tentative approval of the development plan along with any conditions shall stand as granted.

14. Tentative approval of a development plan shall not qualify a plan of the Planned residential development for recording nor authorize construction or the issuance of any Zoning and/or Building permits. A development plan which has been given tentative approval as submitted, or which has been given tentative approval with conditions which have been accepted by the landowner (provided the landowner has not defaulted or violated any of the conditions of the tentative approval), shall not be modified or revoked or otherwise impaired by action of the Township pending Application for Final Approval, without the consent of the landowner, provided an Application or Applications for Final Approval is filed or, in the case of development over a period of years, provided applications are filed, within the periods of time specified in the official written communication granting tentative approval.

15. In the event a development plan is given tentative approval and thereafter, but prior to final approval, the landowner shall elect to abandon the development plan and shall so notify the Board of Supervisors in writing, or in the event the landowner shall fail to file application of applications for final approval within the required period of time or times, as the case may be, the tentative approval shall be deemed to be revoked and all the portion of the area included in the development plan for which final approval has not been given shall be subject to those Ordinances otherwise applicable thereto as they may be amended from time to time, and the same shall be noted on the Zoning Map and in the records of the Township Secretary.

C. Application for Final Approval

1. An application for Final Approval may be for all the land included in the development plan, or for a section of the development plan as delineated in the tentative approval.

2. Fifteen (15) complete copies of an Application for Final Approval shall be submitted by the landowner to the Township within the time specified by the official written communication granting tentative approval. The landowner shall also submit a filing fee to the Township in an amount specified on the fee schedule adopted from time to time by resolution of the Supervisors. No plan shall be granted final approval until

such time as the filing fee is properly submitted to the Township.

3. Each copy of the Application for Final Approval shall consist of the following:

a. All materials and information required for submission for the Application for Tentative Approval;

b. All additional or revised materials required by the official written communication granting tentative approval;

c. All improvement agreements and security for construction of all improvements that may be required by the Board of Supervisors.

4. The complete copies of the Application for Final Approval will be distributed by the Township to the appropriate agencies and individuals.

5. In the event an Application for Final Approval has been filed as required by this Article and the official written communication granting tentative approval, the Township Board of Supervisors, within forty-five (45) days after the Township receives the Application, shall grant the development plan final approval.

6. A public hearing on an Application for Final Approval shall not be required provided the development plan submitted for final approval is determined to be consistent with this Article and the official written communication granting tentative approval.

7. In the event the development plan as submitted contains substantial variations from the development plan given tentative approval, the Township Board of Supervisors may refuse to grant final approval, and within forty-five (45) days from the filing of the Application for Final Approval, shall so advise the landowner in writing of its refusal, setting forth in the notice the reasons why one or more of the variations are not in the public interest.

8. In the event an Application for Final Approval is denied approval, the landowner may either;

a. Re-file his Application for Final Approval without the variations objected to; or,

b. File a written request with the Township Board of Supervisors that it hold a public hearing on his Application for Final Approval. In which case, the Township Board of Supervisors shall consider the plan at its next regular public meeting. Should the Board of Supervisors elect to hold a special hearing, advertising requirements shall be in accordance with Article IX of the MPC.

If the landowner wishes to take either action, he may do so at any time within which he is entitled to apply for final approval, or within thirty (30) additional days if the time for applying for final approval shall have already passed at the time when the landowner was advised that the development plan was not in substantial compliance. In the event the landowner shall fail to take either of these alternate actions within the required time, he shall be deemed to have abandoned the development plan.

9. Any public hearing on an Application for Final Approval granted by the Township Board of Supervisors shall be held pursuant to public notice within thirty (30) days after request for the hearing is made by the landowner, and the hearing shall be conducted in the manner prescribed herein for public hearings on Applications for Tentative Approval.

10. The Township Board of Supervisors, within thirty (30) days following the conclusion of the public hearings, shall by official written communication, either:

a. Grant the development plan final approval;
or

b. Deny the development plan final approval.

11 The grant or denial of final approval of the development plan shall, in cases arising under this section, be in the form and contain the findings required for an Application for Tentative Approval set forth herein.

D. Recording of Plan

1. A development plan which has been granted final approval shall be certified without delay by the Township Board of Supervisors as being approved; provided, however, no

development plan shall be certified unless security to secure the completion of improvements in accordance with Article V of the MPC has been posted.

2. Within ninety (90) days after certification by the Board of Supervisors of final approval of the development plan, the plan shall be filed of record by the landowner in the Office of the Recorder of Deeds of Monroe County.

3. Recording of the development plan after final approval of the Township Board of Supervisors shall have the effect of an irrevocable offer to dedicate to the public use, all streets and other public ways shown thereon unless reserved by the landowner as hereinafter provided. The approval of the Township Board of Supervisors shall not impose any duty upon the Township concerning maintenance or improvement of any such dedicated streets, or public uses, until the Township has accepted the same by ordinance or resolution.

4. No sale of lots or buildings, leasehold agreements, or construction of any buildings or development of any nature shall be permitted prior to recording of the approved development plan. The Zoning Officer shall not issue a Permit unless the application for the permit is accompanied by a certificate of recording issued by the Recorder of Deeds. After evidence of recording has been presented to the Zoning Officer, the development plan shall be placed upon the Zoning Map of the Township.

5. In the event a development plan or section thereof is given final approval and thereafter the landowner shall abandon the plan or section thereof and shall notify the Township Board of Supervisors in writing; or the landowner shall fail to commence and carry out the Planned Residential Development in accordance with the time provisions stated in Section 508 of the MPC, no development or further development shall take place on the property included in the development plan until after the property is reclassified by enactment of an amendment to this Ordinance in the manner prescribed for such amendments in Article VI of the Pennsylvania Municipalities Planning Code.

E. Construction, Dedication and Maintenance of Improvements

1. After the landowner obtains the required permits in accordance with this Ordinance, other applicable Township ordinances and other approvals from any applicable authorities, he may proceed with construction of the Planned Development.

2. The Township shall inspect the improvements that are subject to the Township's jurisdiction, which are installed as part of the Planned residential development in accordance with the provisions of Article V of the Pennsylvania Municipalities Planning Code.

3. The Township shall release financial security, which has been posted to secure the completion of improvements in accordance with the requirements of Article V of the Pennsylvania Municipalities Planning Code.

4. All required improvements that have been offered for dedication shall be deemed to be private until such time as the improvements have been completely constructed and are accepted by the Township.

Section 611. Approval Requirements.

A. Sketch Plan Requirements

1. The sketch plan may be an approximate drawing but should be drawn to scale.

2. The sketch plan shall contain at least the following information but need not necessarily show precise dimensions.

a. The location, size and topography (Monroe County GIS minimum) of the site and the nature of the landowner's interest in the land proposed to be developed.

b. The type and intensity of land use to be allocated to various parts of the site as well as the number of dwelling units.

c. If required, the general location and size of the common open space and the form of organization proposed to own and maintain the common open space.

d. The use and approximated location, height and bulk of buildings and other structures.

e. A written statement of a qualified professional concerning the feasibility of proposals for sewerage, water supply, and storm water management, but not to include drawings.

f. The substance of protective covenants, grants or easements or other restrictions intended to be imposed upon the land, or the use of the land, buildings and other structures including proposed easements or grants for public utilities.

g. The provisions to be made for parking of vehicles, and the location, width and general alignment of streets and public ways.

h. The required modifications in the Township regulations, which would otherwise be applicable to the subject property.

i. In the case of development plans that call for execution over a period of years, an approximate schedule within which Applications for Final Approval of all sections of the Planned Development may be expected to be filed.

j. The approximate tract boundary, north point, names of adjoining property owners, name and location of all abutting streets and utilities, and the location of any significant topographical and physical features.

B. Requirements for Tentative Approval

An Application for tentative approval shall be filed as specified below. A fee shall be required at the time of submission in accordance with the Township fee schedule.

1. A plan indicating the location, size, topography, and vegetative cover of the site and the nature of the landowner's interest in the land proposed to be developed.

2. A site plan and other drawings showing the overall density, impervious surface ratio, and open space ratio, and the density of the land use to be allocated to various portions of the site to be developed, the location and size of

the common open space, the use, approximate height, bulk, and location of buildings and other information including building elevations, planting plan schedule, provisions for parking vehicles, and location and width of streets and public ways.

3. Such drawings and documents as are required to establish the feasibility of proposals for water supply and the disposal of sanitary wastes and storm water, the substance of covenants, grants, easements or other restrictions proposed to be imposed upon the use of the land, buildings and structures including easements or grants for public utilities.

4. If water is to be provided by means other than by private wells owned and maintained by the individual owners of lots within the PRD, evidence shall be presented that the planned residential development is to be supplied by a certificated public utility, a bona fide cooperative association of lot owners, or by a municipal corporation, authority or utility. A copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement, or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable evidence. If only an application for a Certificate of Public Convenience from the Pennsylvania Public Utility Commission is provided, tentative approval shall be conditioned upon the applicant obtaining a Certificate of Public Convenience.

Such application shall at a minimum contain the following:

5. Application Form. The "Application for Approval of a Planned Development", supplied by the Township, shall be completed by the landowner or his agent.

6. Site Plans. Each map, plan and drawing shall be prepared by a professional engineer, surveyor, landscape architect or architect registered in the Commonwealth of Pennsylvania, who shall place his seal and signature on all applicable plans, maps, and drawings.

Site plans shall be drawn on sheets having a sheet size of twenty-four (24) inches by thirty-six (36) inches and shall be at a scale of ten (10) feet, twenty (20) feet, thirty (30) feet, forty (40) feet, fifty (50) feet, sixty (60) feet or one hundred (100) feet to the inch. Master site plans may be drawn at any legible scale or sheet size. The landowner

should utilize the scale and plan format that presents the most readable plans. Site plans may consist of multiple sheets a key map showing the relationship of each sheet to the overall site plan is placed on all of the multiple sheets. Site plans shall show:

- a. The project name or identifying title.
- b. The name and address of the landowner of the tract, the developer, and the firm that prepared the plans.
- c. The plan date, and the dates of all plan revisions.
- d. A north arrow, a graphic scale, and a written scale.
- e. The entire tract boundary with bearings and distances.
- f. A location map, for the purpose of locating the site to be developed, at a minimum scale of two thousand (2,000) feet to the inch, showing the relation of the tract to adjoining property and to all major roads, municipal boundaries and streams existing within one thousand (1,000) feet of any part of the property proposed to be developed.
- g. The plotting of all existing adjacent land uses and lot lines within two hundred (200) feet of the proposed development including historic sites, and other significant natural or man-made features.
- h. The names of all immediately adjacent landowners and the P.I.N. of adjacent properties including those across any adjoining roads.
- i. Topographic information and identification of steep slopes differentiating between slopes from 15% to 20% and then all slopes greater than 20%. The extent of existing tree masses shall also be clearly shown.
- j. The delineation of one hundred (100) year floodplain as per the most recent Pocono Township FEMA Flood Insurance Study.

k. The delineation of all soil types as indicated by the USDA Soil Conservation Service Soil Survey of Monroe County.

l. The plotting of all existing landmarks within the proposed development including the location of all existing streets, buildings, easements, rights of way, sanitary sewers, water mains, storm drainage structures, and watercourses.

m. A list of site data including but not limited to the following:

- (1) Total acreage of the tract.
- (2) Zoning district.
- (3) Proposed use of the land.
- (4) Proposed gross area of the development.
- (5) Proposed gross residential density.
- (6) Proposed number of dwelling units and building type.
- (7) Acreage and percentage of common open space.
- (8) Proposed number of parking spaces.

n. The approximate proposed location and dimensions of all proposed streets, access drives, parking areas and pedestrian circulation systems.

o. The proposed location of block or lot lines with approximate dimensions and areas.

p. The approximate radius and arc dimensions for all lot line and street line curves.

q. The typical size of all lots in square feet and acreage.

r. Notation indicating which existing structure on the tract is to be retained or removed.

s. The proposed location of building setback lines from all streets, and the distances between buildings and adjacent tract boundaries and lot lines.

t. The proposed location, size and use of all common open space areas and recreation facilities where applicable.

u. The proposed areas to be dedicated to the Township with approximate acreage of all areas and widths of all rights-of-way.

v. A proposed phasing plan of the development, which shall include the proposed time within which applications for final approval of all sections are intended to be filed.

w. Plans shall include information depicting typical roadway cross-sections, lighting and planting.

x. Architectural concept drawings, photographs or pictures that demonstrate the architectural guidelines are to be submitted of each proposed structure type to demonstrate the vision of the Planned residential development.

y. Urban design concept diagrams that graphically depict the planning principles expressed in this Ordinance as such have been applied in the development plan. The diagrams may be prepared at any appropriate scale and should illustrate the planning relationships of the common areas and streetscape to residential areas, sites for public and semi-public uses, community clubs and facilities, internal and peripheral open space, vistas and focal points, interconnections with the existing street and sidewalk system, buffers areas, and similar features of the plan.

7. Supporting Information. This report shall contain the following information:

a. A statement of development justification setting forth the reasons why, in the developer's opinion, a Planned Residential Development would be in the public interest and would be consistent with the Comprehensive Plan for the development of the Township and shall contain the following:

(1) An evaluation of the impact of the proposed development upon the drainage and aquifer systems including exhibits depicting existing streams, ponds, lakes,

wetlands, ground water recharge areas, flood plains and areas of permanent or seasonal high water tables and proposed modifications or alterations to such features or areas.

(2) An evaluation of the suitability of the soils present throughout the site for various components of community development, as applicable for the proposed development, including sewage effluent disposal, sewage lagoons, home site locations with basements, lawns and landscaping, streets and parking lots.

(3) A compilation and analysis relative to the effect of the proposed Planned Residential Development with respect to the impact upon existing and proposed public facilities, utilities and roadway systems. This includes a compilation and analysis of the costs to the Township and the projected revenue in comparison with the existing conditions and anticipated conditions if the development is created by conventional methods.

(a) The report shall address the Comprehensive Plan, the Sewage Feasibility Plan and any other official plans or studies of the Township, and shall indicate areas of departure from and areas of compatibility with such official plans.

(4) A community impact analysis relative to the effect of the Planned Residential Development upon the Township setting forth the following:

(a) A comparison of costs to the Township versus the revenue to the Township produced by the development.

(b) Market analysis data that estimates potential market demand for various types of housing in the area of the proposed development.

(5) A statement or schedule setting forth the modifications/deviations from the Township land use regulations otherwise applicable to the subject property.

b. Present zoning of the tract and adjacent properties.

c. A written statement describing the natural features of the tract including, but not limited to, an analysis

of the hydrology, geology, soils, topography, and vegetation and such plans as are necessary to illustrate the existing features.

d. A listing of all proposed dwelling unit types, approximate square footage figures per unit, number of bedrooms, and structure types; a listing of all non-residential structures with approximate square footage figures.

e. A description of the use and improvement of common open space throughout the tract, and the means by which the landowner will guarantee its continuity and maintenance.

f. The plotting of all existing landmarks within the proposed development including the location of all existing streets, buildings, easements, rights of way, sanitary sewers, water mains, storm drainage structures, and watercourses.

g. The ratio of vehicle parking spaces to dwelling units proposed.

h. A statement describing proposed lighting, sewerage, water, electric, gas, telephone, cable television and refuse removal.

i. A master utility plan including such drawings and documents as are required to establish the feasibility of proposals for water supply and the disposal of sanitary wastes, the substance of covenants, grants or other restrictions proposed to be imposed upon the use of the land, buildings and structures including easements or grants for public utilities to include, where applicable, the following:

(1) Appropriate sewer authority: An acknowledgment of intent to provide service to the planned residential development and approval of the proposed points of connection and general location of mains and service laterals. Requirements for improvements to existing infrastructure and terms and conditions for easements shall be determined.

(2) Appropriate water authority or company: An acknowledgment of intent to provide public water service to the planned residential development and approval of the proposed points of connection and general location of mains and service laterals. Requirements for improvements to off-site infrastructure and terms and conditions for easements shall be determined.

j. A master traffic impact study in accordance with such traffic impact study regulations as are set forth in the Township Subdivision and Land Development Ordinance, or incorporated by reference at time of application. A master plan of proposed on and off-site traffic improvements which is coordinated with the project phasing plan shall be prepared and submitted as part of the study.

k. A master storm water management plan and report which demonstrates the overall storm water management concept for the project. Preliminary design of proposed major facilities and off-site improvements shall be described in sufficient detail to ascertain their feasibility and general compliance with applicable standards. Design standards shall be in accordance with The Pocono Township Stormwater Management Ordinance.

l. A master landscape planting plan depicting the principal landscape plantings i.e.: buffers, street trees, natural areas or specimens to be preserved or augmented.

C. Requirements for Final Approval

1. All parts of the Application for Tentative Approval shall be submitted. All maps, plans, drawings, and written material shall be revised according to the official written communication granting tentative approval. Revisions shall be noted and dated on all exhibits.

2. All additional maps, plans, drawings, agreements, approvals and other items required by the official written communication granting tentative approval shall be submitted.

3. The site plans shall include the following:

a. Source of title to the land of the Planned residential development as shown by the records of the Monroe County Recorder of Deeds.

b. Lot lines with accurate bearings and distances; distances to be to the nearest hundredth of a foot and proposed survey monumentation.

c. Acreage of all lots.

d. Accurate dimensions and bearings and distances of any property to be dedicated or reserved for

public, semi-public, or community use, including street centerlines and street rights of way lines.

e. Accurate tract boundary lines with dimensions and bearings closing with an error of not more than one (1) foot in ten thousand (10,000) feet.

f. Accurate distance to the intersection of the centerlines of the nearest established street intersection or official monument.

g. Complete curve data for all lot line, tract boundary line, street centerline and street right of way line curves within the development. Curve data shall include radius, arc, tangent, angle of deflection, and chord bearing and distance.

h. Certification, with seal, by a registered professional to the effect that the plan is correct.

i. A certificate, duly acknowledged before an officer authorized to take acknowledgement of deeds and signed by the landowner of the property, to the effect that the Planned Residential Development shown on the final plan is the act and deed of the landowner, that he is the owner of the property shown on the survey and plans, and that he desires the same to be recorded as such.

j. Certification of the offer of dedication of applicable required improvements.

k. A certificate for approval by the Township Supervisors.

l. A certificate to accommodate the recording information.

m. Certification with seal, by a registered professional permitted to design storm drainage facilities within the Commonwealth of Pennsylvania that the storm drainage facilities designed are in conformance with the Township Regulations.

n. A notation describing any public uses, streets, drives or common open spaces which are not to be offered for dedication to the public, in which event the title to such areas shall remain with the landowner, and the Township

shall assume no responsibility for improvements or maintenance thereof.

4. A lighting plan with the location and size of all street, parking compound, recreational and open space lighting fixtures whether free-standing or affixed to buildings, including the delineation of isolux lighting lines at increments of 0.2, 0.5 and 1.0 foot-candles for each fixture, as applicable, and construction details, manufacturers specifications, elevations, materials and colors for each type of lighting fixture proposed.

5. A planting plan for the development, except for single-family detached and semi-detached lots to be sold to individual owners. The planting plan shall include the identification and location of the following information.

a. All pertinent information regarding the general site layout, existing man-made and natural features on the tract, proposed grading, existing vegetation to be retained and other conditions affecting proposed landscaping.

b. Proposed plantings, including shade trees, designated by symbols appropriately scaled to represent the sizes of such at time of planting. Planting beds shall be shown by a clearly delineated border outline. Identification of all proposed plantings shall be numerically quantified and keyed to the planting schedule by the first letters of each plants botanical name.

c. Planting schedule shall be provided for all proposed plantings, including botanical and common plant names, identification key, total quantity, size (height, width and caliper) at time of planting based on American Association of Nurserymen increments and minimum size of maintenance after a three (3) year growth period.

d. Details and specifications for all proposed plantings, top soiling, seeding and mulching, including notes regarding special maintenance requirements temporarily during the period of establishment, or permanently, and the limits of any such special maintenance areas.

e. Proposed buffering, screening, walls and fences, including construction details, cross sections, elevations, manufacturer's specifications materials and colors for same.

f. Proposed walkways, paths, common open space and recreation areas and facilities, ponds, common mail boxes, solid waste and recycling storage facilities. Construction details, cross-sections, elevations, manufacturer's specifications, materials and colors for all of the above items where applicable.

6. A signage plan for the development, including construction details, elevations, signage message or content, materials and colors for each type of sign proposed.

7. Profile drawings shall be submitted for all streets, storms sewers, water mains and sanitary sewer mains. Generally, the drawings shall be at a scale of fifty (50) feet to the inch horizontally and ten (10) feet to the inch vertically. Existing and proposed grades shall be shown on each drawing.

8. Cross-sections, details and specifications shall be submitted for all improvements including streets, parking lots, curbs, sidewalks, bikeways, recreation facilities, play equipment, lighting, planting, sanitary sewer facilities, water mains and sediment and erosion control facilities.

9. Urban design concept diagrams that graphically depict the planning principles expressed in this Ordinance as such have been applied in the development plan. The diagrams may be prepared at any appropriate scale and should illustrate the planning relationships of the common areas and streetscapes to residential areas, sites for public and semi-public uses, community clubs and facilities, internal and peripheral open space, vistas and focal points, interconnections with the existing street and sidewalk system, buffers areas, and similar features of the plan.

10. Declaration of Covenants, Grants of Easements, Conditions, and Restrictions

a. All deeds for conveyance of property within the Planned Development shall bind the purchasers to the Declaration of Covenants, Grants of Easement, Conditions, and Restrictions and shall state the requirement of mandatory membership for all owners in the development in the owners association, if such an association is to be created for the ownership, administration and maintenance of the common open space.

b. Copies of any other restrictions that will run with the land and will become covenants in the deeds of the lots shall be submitted.

11. An agreement shall be entered into between the Township and the landowner to cover in detail the improvements required to be constructed as a condition of acceptance of a Planned Residential Development which specify time limits for the completion of required improvements. The items to be covered by the agreement shall include, but not necessarily be limited to, the construction of streets, storm drainage facilities, sanitary sewers, water lines, street signs, survey markers and monumentation, sidewalks, curbs, off-street parking, street lights, street trees, fire protection, and common open space improvements.

12. Financial security shall be calculated and posted to secure the completion of improvements in accordance with the requirements of Article V of the Pennsylvania Municipalities Planning Code and the Township Planned Residential regulations. The financial security shall be released as construction progresses in accordance with the procedure set forth in Article V of the Pennsylvania Municipalities Planning Code. Upon completion of the improvements and acceptance of dedication by the Township of any improvements, the landowner shall post financial security to secure the structural integrity and functioning of the improvements, which have been accepted by the Township in accordance with the requirements of Article V of the Pennsylvania Municipalities Planning Code.

13. The proposed location, width, and purpose of all easements.

14. A grading plan of the development.

15. A clearing and vegetation protection plan showing and identifying the location of all area of the tract to be cleared, all areas of soil disturbance, all areas of topsoil stockpiling during the period of development, all existing vegetation to be retained, details for the methods of vegetation protection during the period of development.

16. Pennsylvania Department of Transportation: highway occupancy permits.

17. Monroe County Soil Conservation District: approval of soil erosion and sediment control plans.

18. Pennsylvania Department of Environmental Protection: sewer and water approval; erosion and sediment control approval (earth moving).

19. Electric company: approval of the location of all electric power lines and easements, if applicable.

20. Gas company: approval of location of all gas lines and easements, if applicable.

21. Appropriate utility and transmission companies: approval of development around rights of way and easements.

22. Appropriate railroad company: approval of any proposed grade crossings, utility crossings, rail extensions or alterations.

23. Local postmaster: approval of street names.

24. Updated traffic impact study pertaining to the phase to be constructed, if applicable.

Section 612. PRD Common Open Space.

A. Twenty-five percent (25%) of the total site area of the PRD shall be allocated to and shall remain common open space. Common open space within the Flood Plain District shall be included within the required common open space; however, the provisions of that district shall apply. Common open space shall be deed restricted to prohibit future subdivision or development, except for recreational or golf course uses that may be permitted with the approval of the Pocono Township Supervisors. Golf courses shall be allowed in the common open space of a planned residential development only if (1) limited to use by the property owners/residents or (2) if the golf course area is not counted toward the minimum required common open space. The common open space shall be provided in the form of internal open space and peripheral open space.

B. Internal open spaces (*Ill. 1 & 2*) shall contain a minimum area of 500 square feet and shall be of a distinct geometric shape (generally rectilinear or square) appropriate for use as a public space. Internal open spaces shall function as traditional urban public space i.e.: park, monumental, public gathering or visual. Internal open spaces shall in general be the focus or be spatially enclosed by the buildings that front on the area or front upon the streets bounding the area.

C. Common open space, particularly peripheral open space areas, containing existing attractive or unique natural features, such as streams, creeks, ponds, floodplains, wetlands, woodlands, specimen trees and other areas of matures vegetation worthy of preservation may be left unimproved and natural state. As a general principle, the preservation of undeveloped open space in its natural state or as existing farms is encouraged. To the greatest extent possible, common open space shall include all environmentally sensitive areas, including areas with slopes greater than twenty percent (20%), 100-year floodplains, wetlands, areas of seasonally high water, and other such critical areas. Existing man-made features, such as farmsteads, may be preserved through incorporation in common open space.

D. Peripheral open space (*Ill. 2*) areas may be used for public and semipublic recreation purposes with the approval of the Township Supervisors.

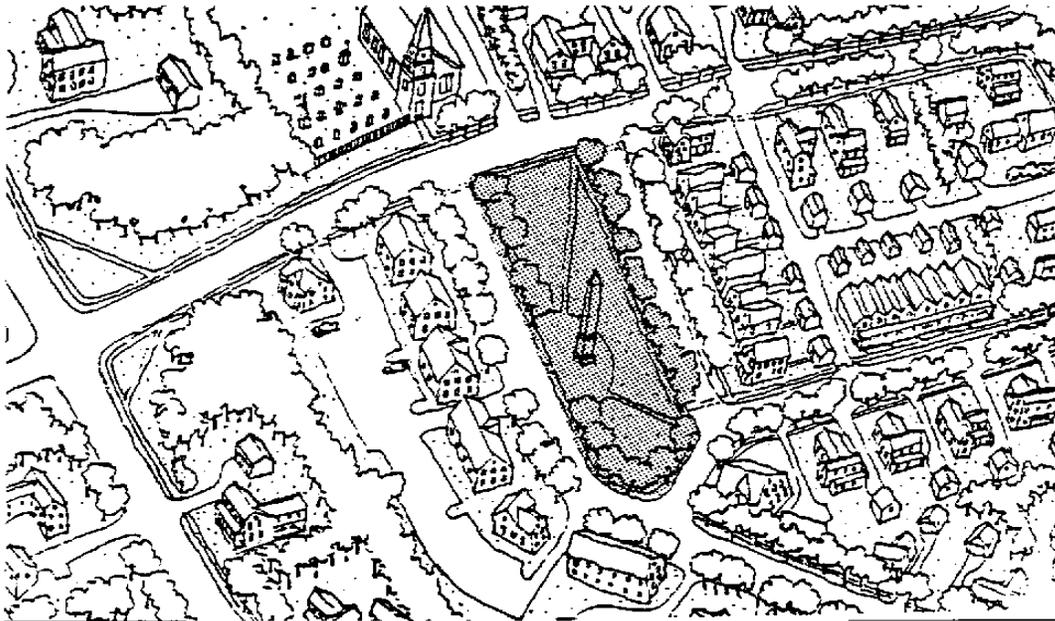


Illustration 1 - Community green surrounded by neighborhood development.

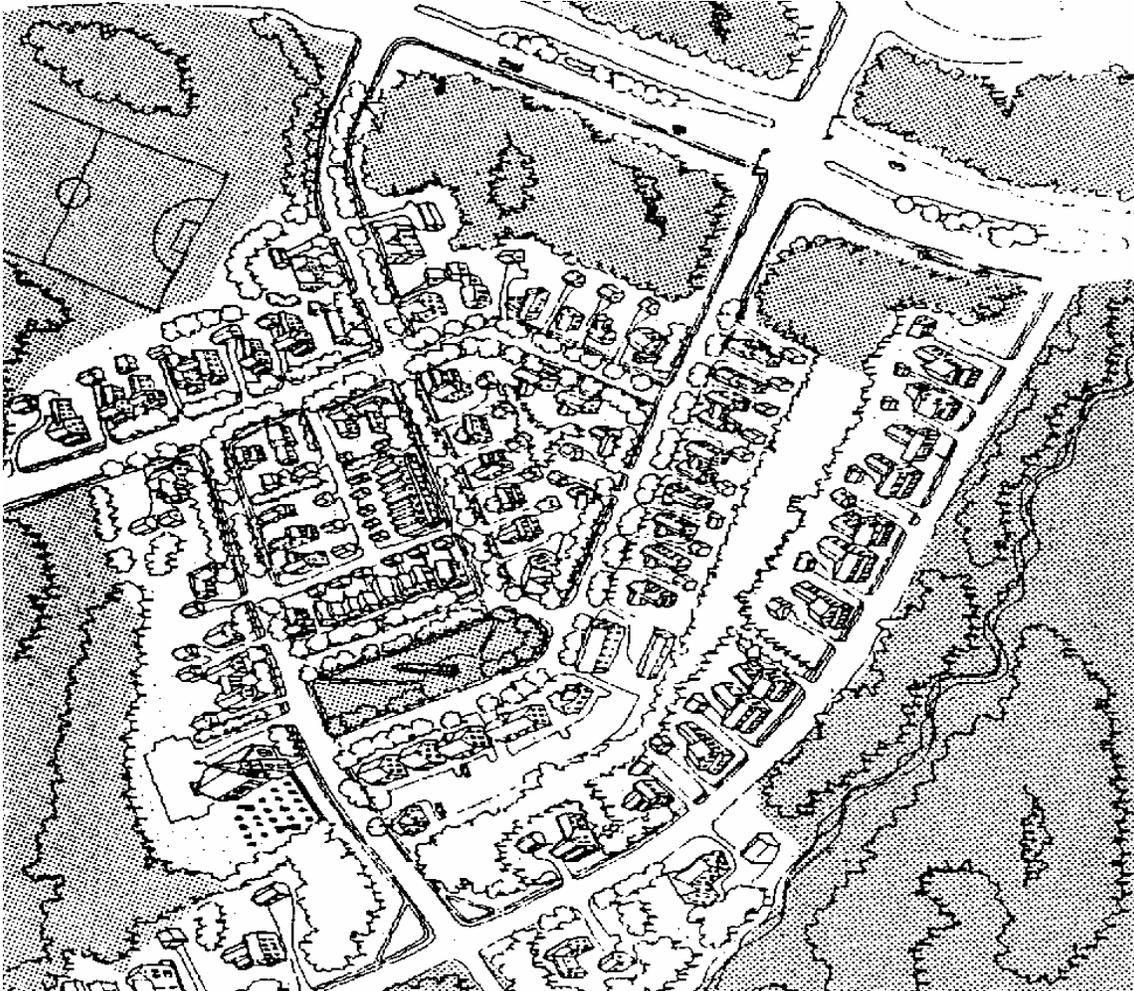


Illustration 2 - Neighborhood development focused on central internal open space (community green) and surrounded by peripheral open space.

E. Recreational facilities shall be required to serve the anticipated needs of the residents of the PRD, taking into account the anticipated characteristics and demographic profile of the developments' population, the recreational facilities available in neighboring developments, and the relevant provisions regarding recreational facilities contained in the Comprehensive Plan.

Cemeteries may be permitted in both internal and peripheral open space areas with the approval of the Township Supervisors.

The buildings, structures, and improvements permitted in the common open space shall be appropriate to the authorized uses and shall conserve and enhance the amenities of the common open space with regard to its topography and unimproved condition.

F. The Phasing Plan of the PRD shall coordinate the improvement of the common open space with the construction of dwellings. At no time in the development of various phases of the PRD may the total area of common open space in the phases developed be less than twenty-five percent (25%) of the gross area of the developed lands unless additional areas to produce the required percentage are permanently reserved as common open space on the remaining land of the total development. The location or size of this reserved common open space on remaining land may be altered or changed upon the approval and recording of the development plan of an additional phase of development.

G. The ownership, administration and maintenance of common open space shall be arranged to be in accordance with one or more of the following:

H. The Township may accept dedication of common open spaces, or any interest therein, for public use and maintenance, for no consideration to be paid by the Township. The Township shall have no duty to maintain or improve the dedicated common open space unless and until it has been accepted by formal action of the Township. This provision does not preclude future plan modification by the developer.

I. The landowner may establish a property owners' association made up of the owners of property in the Planned Residential Development, for the purpose of owning, administering and maintaining common open space; provided however, the association shall not be dissolved nor shall it dispose of the common open space by sale or otherwise (except to an organization conceived and established to own, administer and maintain common open space approved by the Township) without first offering the common open space for dedication to the Township. The property owners' association shall be empowered to levy and collect assessments from the property owners of the PRD to cover replacements, working capital, operating expenses, insurance against casualty and liability, and contingencies.

J. The landowner may establish a deed or deeds of trust, approved by the Township Supervisors, for the purpose of owning, administering and maintaining common open space, with the Trustee empowered to levy and collect assessments from the property owners of the PRD to cover replacements, working capital, operating expenses, insurance against casualty and liability, and contingencies.

K. With permission of the Township, and with appropriate deed restrictions in favor of the Township and in language acceptable to the Township Solicitor, the developer may transfer

the fee simple title in the common open space or a portion thereof to a private, nonprofit organization among whose purposes is the conservation of open space land and/or natural resources; provided that:

1. The organization is acceptable to the Township and is a bona fide conservation organization with a perpetual existence;

2. The conveyance contains appropriate provisions for proper retransfer or reverser in the event that the organization becomes unable to continue to carry out its functions, and

3. A maintenance agreement acceptable to the Township is entered into by the developer, organization and Township.

L. In the event that the organization established to own and maintain common open space, or any successor organization, shall at any time after the establishment of the PRD fail to maintain the common open space in reasonable order and condition in accordance with the development plan, the Township may serve written notice upon such organization or upon the residents of the PRD setting forth the manner in which the organization has failed to maintain the common open space in reasonable condition, and said notice shall include a demand that such deficiencies of maintenance be corrected within thirty (30) days thereof, and shall state the date and place of a hearing thereon which shall be held within fourteen (14) days of the notice. At such hearing the Township may modify the terms of the original notice as to the deficiencies and may give an extension of time within which they shall be corrected. If the deficiencies set forth in the original notice or in the modifications thereof shall not be corrected within said thirty (30) days or any extension thereof, the Township, in order to preserve the taxable values of the property within the PRD and to prevent the common open space from becoming a public nuisance, may enter upon the common open space and maintain the same for a period of one (1) year. Said maintenance by the Township, shall not constitute a taking of said common open space, nor vest in the public any rights to use the same. Before the expiration of said year, the Township shall, upon its initiative or upon the request of the organization theretofore responsible for the maintenance of the common open space, call a public hearing upon notice to such organization, or to the residents of the PRD, to be held by the Township, at which hearing such organization or the residents of the PRD shall show cause why such maintenance by the Township, shall not, at the option of the Township, continue for a succeeding year. If the Township shall determine

that such organization is ready and able to maintain the common open space in reasonable condition, the Township shall cease to maintain said open space at the end of said year. If the Township shall determine that such organization is not ready and able to maintain said common open space in a reasonable condition, the Township may, in its discretion, continue to maintain said common open space during the next succeeding decision of the Township shall be subject to appeal to court in such manner, and within the same time limitation as is provided for zoning appeals by the Pennsylvania Municipalities Planning Code, as amended or supplemented. The cost of maintenance of such common open space by the Township shall be assessed ratably against the properties within the planned residential development that have a right of enjoyment of the common open space, and shall become a lien on said properties. The Township, at the time of entering upon said common open space for the purpose of maintenance shall file a notice of lien in the office of the Prothonotary of Monroe County, Pennsylvania, upon the properties affected by the lien within the Planned Residential Development.

Section 613. Procedure for Installation or Guarantee of Required Improvements.

A. Improvements to be Provided by Applicant

In all cases the Applicant shall be responsible for the installation of all required and Promised Improvements in the manner specified below.

The Engineer or the Township's designee shall make such inspections of the required improvements, at such intervals, as may be reasonably necessary to assure compliance with the provisions of this Ordinance. The reasonable cost of such inspections shall be borne by the Applicant. The required improvements and the design standards for constructing them are set forth in the Pocono Township Subdivision and Land Development Ordinance.

"Promised improvements" are those which are not required under The Pocono Township Subdivision and Land Development Ordinance but which are shown, or by reasonable inference appear, on the Final Plan.

B. Method of Providing Improvement

No Planned Residential Development plan shall receive final approval by the Board of Supervisors unless the streets shown on the plan have been improved to a mud-free and permanently passable condition. As used herein, the phrase "mud-free and permanently passable condition" shall refer to the street design standards and the street construction standards of The Pocono Township Subdivision and Land Development Ordinance; provided, however, that phrase shall not refer to the obligation under The Pocono Township Subdivision and Land Development Ordinance to install surface course road paving.

No Planned Residential Development Plan shall receive final approval unless the streets shown on the plan have been improved to a "mud-free" and permanently passable condition", as that phrase is used above, or unless the Applicant by contract and plan notation agrees not to sell, transfer or convey any lot or plot nor seek any building permit until the roads are improved in accordance with the applicable provisions of this Ordinance. In the event an Applicant seeks Final Plan Approval without having begun the road improvements, the Applicant shall thereafter submit to the Township detailed plans and specifications for the construction of roads and drainage thereof before commencing any road work.

Nor shall any Planned Residential Development receive final approval unless all other required improvements (including the surface course road paving) and Promised Improvements have been installed to the satisfaction of the Supervisors or their authorized designee; provided, however, in lieu of completion of the improvements mentioned in the preceding clause of this sentence, the Supervisors will accept an irrevocable letter of credit from a Federal or Commonwealth chartered lending institution authorized to do business in the Commonwealth of Pennsylvania or other financial security acceptable to the Supervisors (hereafter referred to as Performance Guarantee) accompanied by a signed Development Agreement in form satisfactory to the Supervisors.

Where submission of a Planned Residential Development by sections or stages has been approved, the Supervisors may require construction of, or guarantee of, improvements in future sections or stages before granting final approval to the plan under consideration, if such future improvements are essential for the protection of the stage or section under consideration.

1. Performance Guarantee

The Performance Guarantee for completion of required improvements and Promised Improvements shall meet the following requirements:

a. The amount of the financial security to be posted for the completion of all required and Promised Improvements shall be equal to 110% of the cost of completion estimated as of 90 days following the date scheduled for completion by the Applicant. Annually, the Township may adjust the amount of the financial security by comparing actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the 90th day after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment; the Township may require the Applicant to post additional security in order to assure that the financial security equals said 110%. The amount of financial security required shall be based upon an estimate of the cost of completion of the required and Promised Improvements, submitted by the Applicant and prepared by a professional engineer licensed as such in the Commonwealth, and certified by such engineer to be a fair and reasonable estimate of such cost. The Board of Supervisors, upon the recommendation of the Engineer, may refuse to accept such estimate for good cause shown. If the Applicant and the Board of Supervisors are unable to agree upon an estimate, then the estimate shall be recalculated and re-certified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the Board of Supervisors and the Applicant. The estimate certified by the third engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third engineer is so chosen, fees for the services of said engineer shall be paid equally by the Township and the Applicant; and

b. It shall provide for, and secure to the public, the completion of the improvements within one year of the date fixed on the Final Plan for completion of such improvements; and

c. The obligation shall be in favor of, and enforceable by, the Board of Supervisors of Pocono Township and the ultimate grantees, lessees or licensees of the Applicant or Developer; and

d. The guarantee shall be secured by the credit of any of the following: the irrevocable letter of credit of a Federally or Commonwealth chartered lending institution authorized to do business in the Commonwealth of Pennsylvania; a lending or escrow account in such a lending institution; or other financial security acceptable to the Board of Supervisors.

The precise form of the security acceptable as a Performance Guarantee will depend upon what improvements have not been completed when the Final Plan is submitted; their anticipated cost; whether they are required or Promised Improvements; and the Supervisors evaluation of the financial risk of non-performance.

2. Development Agreement

All Applicants proposing any Planned Residential Development requiring the installation of improvements as required herein or Promised, shall be required to enter into a legally binding Development Agreement with the Township of Pocono guaranteeing the installation of the improvements in accordance with all Township requirements prior to final approval of the Planned Residential Development. The Development Agreement (a form of which may be obtained from the Township) shall be in a form suitable for execution by the Board of Supervisors and it shall consist of the following, where applicable:

a. The construction depicted upon the plan in itemized format.

b. Construction of streets with related curbs, street signs, drainage facilities and related improvements.

c. Installation of utility lines.

d. Dedication of streets, transfer of water and sewer lines and easements. In the event public water or sewer lines are offered for transfer to the Township or a municipal authority, there shall be no charge, cost, or payment of any nature imposed upon the Township or municipal authority. In the event streets are offered for dedication to the Township, the Applicant shall bear all costs of the Township's inspections before acceptance of the offer of dedication and all costs of document preparation and recording. The Township will only consider offers of dedication of streets or roads during the period of April 15th to October 15th of each calendar year.

e. Prevention of erosion, sedimentation and water damage to the subject and adjacent properties.

f. Developer's responsibilities for damage to other property.

g. A work schedule setting forth the beginning and ending date, and such other details as the Township deems fit and appropriate for the improvements covered by the Development Agreement.

h. The estimated cost of the improvements not yet completed, including a detailed breakdown in a form acceptable to the Board of Supervisors, and the amount of the Performance Guarantee.

i. In the event of the dedication of any improvements, security, in the form of a maintenance bond or escrow deposit, for the repair or reconstruction of improvements which are found by the Engineer to be defective within eighteen (18) months from the date of acceptance of dedication, shall be included together with provisions for disbursement thereof. (See The Pocono Township Subdivision and Land Development Ordinance).

j. Where improvements are intended to be offered for dedication to the Township, prior to the final release of any performance guarantee the Applicant shall provide the Township with one (1) mylar and two (2) prints of "AS BUILT" plans prepared and certified by a professional engineer showing the following:

(1) Actual location of all concrete monuments, which were set at all, angle breaks, points of curvature and tangents around the perimeter of the total tract. When the outside perimeter of a tract falls within or along an existing road right-of-way, then the right-of-way of that roadway shall be monumented at the above reference points.

(2) Actual location of all iron pins or drill holes in curbs for all individual lot lines.

(3) Actual cul-de-sac radius.

(4) Actual location of cartway centerline versus right-of-way centerline.

(5) Actual location of floodplain by elevation and dimension from property line.

(6) Actual location and cross section of swales and accompanying easements.

(7) Actual horizontal and vertical location of storm water management facilities, including type and size of storm drainage pipes, and water and sanitary sewer distribution facilities.

k. Remedy provisions for violation of the Development Agreement.

l. Provisions requiring that Developer shall secure or maintain public liability insurance for the duration of the installation/construction of the improvements. A copy or other evidence of coverage acceptable to the Township shall be submitted to the Township.

m. An indemnification and hold harmless provision to protect the Township from liability.

n. Following construction the Applicant shall provide the Township with a certified statement prepared by a professional engineer licensed in the Commonwealth of Pennsylvania to the effect that the sanitary sewers, sewage treatment facilities, storm water management facilities and water supply and distributing facilities comply with the approved plans and have been constructed in accordance with all applicable rules and regulations.

o. The Applicant shall be responsible for all reasonable engineering and legal costs and expenses for inspections, consultations, and preparation of agreements, to the extent that such costs and expenses exceed the monies paid by the Applicant in accordance with the Pocono Township standard fee schedule.

The Planned Residential Development shall not receive final approval by the Board of Supervisors prior to the execution of the Development Agreement, and the delivery of the Performance Guarantee.

C. Method of Approving Required Improvements

1. The Applicant shall notify the Township Board of Supervisors in writing, with a copy thereof to the Engineer, by certified or registered mail, that the required improvements have been made. Within ten (10) days of receiving this notice, the Board of Supervisors shall direct the Engineer to inspect all of the aforesaid improvements. The Engineer shall make his inspection and file a report with the Board of Supervisors and mail a copy of the same by certified or registered mail to the Applicant within thirty (30) days after receipt by the Engineer of the aforesaid direction to the Engineer from the Board of Supervisors; said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part, and if said improvements, or any portion thereof, shall not be approved or shall be rejected by the Engineer, said report shall contain a statement of the reasons for such non-approval or rejection.

2. Where appropriate, the Township may require that periodic inspections be made of the aforesaid improvements, in which case the Developer's failure to comply with that schedule of inspections shall be grounds for disapproval. The Developer shall notify the Township of the progress of construction to enable the Engineer to make such inspections.

3. The Board of Supervisors shall consider the Engineer's report and notify the Applicant within fifteen (15) days of receipt of said Engineer's report, in writing, by certified or registered mail, of the action of the Board of Supervisors with relation thereto. If any portion of said improvements shall not be approved or shall be rejected by the Board of Supervisors, the Applicant shall proceed to complete the same, and, upon completion, the same procedure of notification, as outlined herein, shall be followed. Nothing herein, however, shall be construed in limitation of the Applicant's right to contest or question by legal proceedings or otherwise, any determination of the Board of Supervisors or the Engineer.

4. The Applicant shall reimburse the Township for the reasonable and necessary expenses incurred for the inspection of improvements. Such reimbursement shall be based upon a schedule established by ordinance or resolution of the Board of Supervisors.

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

b. If, within twenty (20) days from the date of billing, the Township and the Applicant cannot agree on the amount of expenses which are reasonable and necessary, then the Applicant and Township shall jointly, by mutual agreement, appoint another professional engineer licensed as such in the Commonwealth of Pennsylvania to review the said expenses and make a determination as to the amount thereof which is reasonable and necessary.

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

d. In the event that the Township and the Applicant cannot agree upon the professional engineer to be appointed within twenty (20) days of the billing date, then, upon application of either party, the President Judge of the Court of Common Pleas of Monroe County, Pennsylvania, shall appoint such engineer, who, in that case, shall be neither the Engineer nor any professional engineer who has been retained by, or performed services for, the Township or the Applicant within the preceding five (5) years.

e. The fee of the appointed professional engineer for determining the reasonable and necessary expenses shall be paid by the Applicant if the amount of payment required in the decision is equal to or greater than the original bill. If the amount of payment required in the decision is less than the original bill by One Thousand and 00/100 (\$1,000.00) Dollars or more, the Township shall pay the fee of the professional engineer, but otherwise, the Township and the Applicant shall each pay one-half of the fee of the appointed professional engineer.

D. Maintenance Bond - Where the Supervisors accept dedication of all or some of the required or Promised improvements following completion, the Supervisors may require the posting of financial security to secure structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the Final Plan for a term not to exceed eighteen (18) months from the date of acceptance of dedication. Said financial security shall be of the same type as otherwise required in this Ordinance with regard to installation of such improvements, and the amount of the financial security shall not exceed fifteen (15%) percent of the actual cost of installation of said improvements.

E. Remedies to Effect Completion of Improvements - In the event that any improvements have not been installed as provided in this Ordinance, or in accord with the approved Final Plan, the Board of Supervisors may enforce any security by appropriate legal and equitable remedies. If the proceeds of such security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the Board of Supervisors may, at its option, install part of such improvements in all or part of the Planned Residential Development and may institute appropriate legal or equitable action to recover the monies necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the Applicant, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other Township purpose.

Section 614. Design Standards and Required & Promised Improvements.

A. Application

The design standards and requirements outlined in this Article shall be applied by the Supervisors in evaluating plans for all proposed Planned Residential Developments.

B. Natural and Historic Feature Preservation

The Supervisors shall, at their discretion, require that the design and development of all Planned Residential Developments shall preserve insofar as possible, all natural, scenic and historic features, which will add attractiveness by providing parks, adequate open space for recreation, light and air by proper distribution of population thereby creating

conditions favorable to the health, safety, morals and general welfare of the citizens and for the harmonious development of the Township. Some of these features are the natural terrain and natural drainage, large trees or groves, water courses and falls, historic areas and structures, exceptional scenic views and landmarks, and other community assets. Land subject to hazardous conditions such as open quarries, unconsolidated fill, floods, excessive erosion, precipices, and water supply which does not meet adequacy requirements or U.S. Public Health Service Standards, shall not be developed until the hazards have been eliminated or overcome by the proposed development.

1. Soil Protection - If required by regulations of the Department of Environmental Protection, an Applicant shall submit, as part of the application for Final Approval, an "Erosion and Sedimentation Control Plan" prepared by a person trained and experienced in erosion and sedimentation control methods and techniques as provided for under Title 25 Rules and Regulations, Chapter 102, issued by the Department of Environmental Protection. Such plans shall be submitted by the Applicant to the Monroe County Soil and Water Conservation District for review and recommendation of the District directors. Two copies of the "Erosion and Sedimentation Control Plan" with any required approval or permit by the appropriate agency shall be submitted to the Township Supervisors with the application for Final Approval. Regardless of the requirements of the Department of Environmental Protection, if the Planned Residential Development will require excavation or fill, the Applicant shall be required to submit an Erosion and Sedimentation Control Plan prepared by a person trained and experienced in erosion and sedimentation control methods and techniques.

C. Water Supply and Sewage Disposal Requirements

All Planned Residential Developments shall be served with an adequate water supply and sewage system, either on-lot, public, or private central systems. All such systems shall be acceptable to the Pennsylvania Department of Environmental Protection and the Board of Supervisors. All residential Lots shall contain a suitable area for an on-lot sewage disposal system or be served by an approved central sewage disposal system.

All suppliers of non-municipally owned water and/or sewer services shall be organized in such fashion as to fall within the jurisdiction of the Pennsylvania Public Utility Commission or the Applicant shall provide for operation and

continuity of services in a manner which is acceptable to the Board of Supervisors. In the event any such central water and/or central sewer system is transferred to the Township or a municipal authority, neither the Applicant nor the Applicant's assignee shall be entitled to receive compensation or payment therefore, and in no event shall the Township or municipal authority be obligated to accept such system by virtue of the terms of this Ordinance.

One copy of all correspondence, supporting documentation, applications for permits, and certificates for operation submitted to the Department of Environmental Protection and/or Pennsylvania Public Utility Commission for the right to provide such services shall be forwarded to the Township as a part of the public record. One copy of the permit and/or certificate of convenience issued by DEP and the PUC authorizing such services shall be forwarded upon receipt to the Township as a part of the public record.

Plans and specifications for central water and/or sewage systems (i.e. extension of an existing or new proposed utility) shall be prepared by a registered professional engineer well versed in the design of such systems and duly licensed to practice within the Commonwealth of Pennsylvania. A minimum of four (4) complete sets of preliminary plans for such systems shall be submitted to the Supervisors with the Application for Tentative approval. A minimum of four (4) complete sets of approved plans and specifications shall be submitted to the Supervisors with the Application for Final Approval.

Four (4) copies of a completed Planning Module for Land Development shall be submitted concurrent with, or prior to application for Final approval. DEP approval of the module and any required Township Official Sewerage Facilities Plan revision or supplement will be required prior to Final Approval.

1. Public or Private Central Water System

Developers shall provide connection to a public water system where such system is available. Proposed central water systems shall meet the applicable development procedures and requirements of the Pocono Township Subdivision and Land Development Ordinance prior to final approval of any section of the Planned Residential Development relying upon such system.

2. Central Sewers

Developers shall provide sewer connections to a public sewer system if such system is available within one hundred (100') feet of the property/developments borders.

If a county plan, regional plan, municipal plan or subdivision requirement indicates that construction of sanitary sewers will serve the site within approximately five (5) years, then capped sewers shall be required. When public sanitary sewer systems may not be available within ten (10) years, then a central sewage treatment and disposal system (commonly called a package treatment plant) or a central subsurface disposal system shall be installed by the Developer.

Central sewers are required for all developments where the Board of Supervisors determines upon review of competent data and information that on-site soil conditions are unsuitable for on-lot subsurface disposal systems.

Design standards, materials, and specifications shall be as outlined in the current Pennsylvania Department of Environmental Protection Sewerage Manual, Publication No. 1, supplements thereto and all other requirements either Federal or State necessary to secure the requisite permit from such agencies.

D. Storm Water Drainage

The Applicant shall furnish six (6) copies of a Storm Water Drainage Plan and associated calculations to the Supervisors for review and analysis. Said plan shall comply with the Pocono Township Storm Water Management and Earth Disturbance Ordinance and shall also meet the Commonwealth of Pennsylvania Title 25, Chapter 102, Department of Environmental Protection requirements for an Erosion and Sedimentation Control Plan and any current Act 167 Watershed Study in effect at the time of Final Plan Submittal. The Supervisors shall submit one copy of the Storm Water Drainage Plan to the Engineer for review and comment. Following are additional storm water drainage planning requirements.

1. Lots shall be laid out and graded to prevent cross lot drainage and to provide positive drainage away from proposed Building Areas. Natural drainage courses shall be maintained. (See The Pocono Township Subdivision and Land Development Ordinance). The drainage easements may be incorporated into a Lot or established separately and apart there from. To minimize sheet flow of storm water across Lots located on the lower side of roads or Streets, and to divert flow away from Building Areas, the cross section of the Street as constructed shall provide for parallel ditches or swales or curbing on the lower side which shall discharge only at drainage easements.

2. The existing points of natural drainage discharge onto adjacent property shall not be altered nor shall the rate of water runoff be increased because of development without the written approval of all affected landowners.

3. No storm water runoff or natural drainage water shall be so diverted as to overload existing drainage systems, or create flooding or the need for additional drainage structures on other private properties or public lands, without complete approval of provisions being made by the Developer for properly handling such conditions, including water runoff impoundments, if necessary.

4. Storm drainage facilities should be designed not only to handle the anticipated peak discharge from the property being subdivided, but also the runoff that occurs from all the property at a higher elevation in the same watershed in its current state of development.

5. Where a Planned Residential Development is traversed by a watercourse there shall be provided a drainage easement conforming substantially to the line of such watercourse of such width as will be adequate to preserve the unimpeded flow of natural drainage.

6. Drainage structures that are located on state highway rights-of-way shall be approved by the Pennsylvania Department of Transportation, and a letter from that office indicating such approval shall be directed to the Township Supervisors prior to final approval.

7. All Streets shall be so designed as to provide for the discharge of surface water from their right-of-way.

8. All proposed surface drainage structures shall be included on the drainage plan of the tentative plan submittal. All final storm water management design must be included in the Final Plan submittal for any particular phase.

9. Interceptors for storm water runoff along Streets shall be so spaced and so designed to intercept eighty percent (80%) of the peak runoff from the design storm.

10. Drainage plans shall include all appropriate designs, details and dimensions necessary to clearly explain proposed construction materials and elevations.

11. Whenever storm drains are required by the Board of Supervisors, such storm sewer system shall be separate from the sanitary sewer system. Storm drains or storm sewer facilities may be required in any development situation where the Board of Supervisors determine that surface drainage facilities are inadequate to prevent excessive erosion and lot or road maintenance problems.

12. Description of an ownership and maintenance program, in a recordable form, that clearly sets forth the ownership and maintenance responsibilities for all temporary and permanent storm water management facilities, including the following:

a. Description of the method and extent of the maintenance requirements.

b. When maintained by a private entity, identification of an individual, corporation, association, or other entity responsible for ownership and maintenance.

c. When maintained by a private entity, a copy of the legally binding document which provides that the Township shall have the right to:

(1) Inspect the facilities at any time.

(2) Require the private entity to take corrective measures and assign the private entity reasonable time periods for any necessary action.

(3) Authorize maintenance to be done and lien the cost of the work against the properties of the private entity responsible for maintenance.

d. Establishment of suitable easements for access to storm drain (storm sewer) facilities.

This document shall be recorded by the Township in the Monroe County Recorder of Deeds Office upon issuance of a permit.

e. Drainage easements shall be provided adjacent to street rights-of-way as indicated and required by the drainage plans.

f. Drainage easements a minimum of ten (10) feet in width shall be provided along Side and Rear Lot Lines. Such easements shall immediately adjoin such Lot Lines.

g. Storm facilities not located within a public right-of-way or private road right-of-way or as stated in item "e" and "f" above shall be centered within an easement having a minimum width of eighteen (18) feet plus the top width of a swale or outside diameter of a pipe, or 20 feet, whichever is greater.

h. Appropriate easements to enclose and permit access to all detention and retention facilities shall be provided.

E. Streets

1. Access to Proposed Planned Residential Developments

All proposed Planned Residential Developments shall have adequate access to the public highway system. Existing private roads providing access to proposed Planned Residential Developments shall have adequate right-of-way width and be adequately designed and constructed to provide safe and convenient access to the proposed Planned Residential Development. The Board of Supervisors, upon review and report and recommendation of the Engineer, shall determine the adequacy of such existing private access roads and may require such improvements as they find necessary to provide safe and convenient access to the proposed Planned Residential Subdivision prior to Final Plan Approval, or may disapprove the submitted plans if such existing private roads cannot be improved to provide safe and convenient access.

2. Streets and Topography

Proposed Streets shall be adjusted to the contour of the land so as to produce useable and accessible Lots and Streets of reasonable gradient. Proposed Streets serving Planned Residential Subdivisions utilizing central sewage facilities or in areas of the Township in which public sewerage systems are proposed shall, to the greatest extent possible, be located such that gravity sewers can be utilized and the necessity of pumping stations minimized.

3. Street Continuations

a. Rights-of-way of proposed Streets shall be extended to exterior property lines to ultimately provide access to adjoining lands. They shall be designed in conformance with the design requirements of a street, and the contiguous parcels must contain proper setbacks and sight distances.

b. The area within the future right-of-way shall be included within the deeds to the abutting lots with an easement in favor of the Township and land owners of the land into which the future right-of-way will extend to permit the use of the future right-of-way for public street purposes should the adjoining lands be developed. Reserved rights-of-way are permitted only when they will be no longer than the depth of one (1) lot will, and will not be the primary means of access to any lot or dwelling unit. For lengths longer than one (1) lot a fully constructed stub street and temporary cul-de-sac are required.

c. The landowners of the lots in which the future right-of-way is included shall have the duty to maintain the area included within the future right-of-way and this duty shall be indicated in a note on the Final Plan and in all deeds to such lots. However, the landowners of the lots in which the future right-of-way is included shall have no obligation concerning the improvement of such future right-of-way for street purposes.

d. Wherever there exists a dedicated or platted portion of a Street or Alley along a boundary of the tract being subdivided or developed the remainder of said Street or Alley to the required width shall be platted within the proposed development where this would not adversely affect the proposed Planned Residential Development. Where the Planned Residential Development abuts or contains an existing municipal or private

street of inadequate right-of-way width, additional right-of-way width in conformance with The Pocono Township Subdivision and Land Development Ordinance, "Design Standards for Streets", shall be required in the case of land abutting a municipal street, or additional setback and easement for right-of-way shall be provided in the case of land abutting private streets. The extension of existing streets or alleys 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 review and recommendation by the Engineer and approval by the Supervisors.

4. Intersections

The centerlines of Streets shall intersect as nearly at right angles as possible. Intersections of more than two Streets at one point shall be prohibited. Where Streets intersect other Streets, offsets shall not be created. The minimum offset or distance between center-lines of parallel or approximately parallel Streets intersecting a cross Street from opposite directions shall be 150 feet for Minor and Local Access Streets, 400 feet for Collector and Connector Streets and 800 feet for Arterial Streets. (See The Pocono Township Subdivision and Land Development Ordinance).

At intersections of Streets and/or Alleys the property line shall be rounded by arcs with radii of not less than 25 feet. For Streets other than Minor and Local Access Streets, the Township may require a larger radius.

Minimum safe sight distance in accordance with the requirements of The Pocono Township Subdivision and Land Development Ordinance shall be provided at all intersections.

5. Arterial and Connector Street Frontage

Where a Planned Residential Development abuts or contains an existing or proposed major traffic Street or a railroad, the Board of Supervisors may require Marginal Access Streets, rear service Alleys, Reverse Frontage Lots or such other treatment as will provide protection for abutting properties, reduction in the number of intersections with the major Street, and separation of local and through traffic (See The Pocono Township Subdivision and Land Development Ordinance). The required buffer strips may be provided by establishing an easement on Lots or may be established separately and apart there from.

6. Street Right-of-way and Travelway Widths

Minimum Street right-of-way widths, measured from the Lot Lines and minimum pavement widths shall be as required by The Pocono Township Subdivision and Land Development Ordinance.

7. Easements

Easements shall be provided adjacent to Street rights-of-way as follows:

a. Drainage easements shall be provided as indicated and required by the drainage plans.

b. Slope easements shall be provided as indicated by the required cuts and fills.

c. Utility easements a minimum of ten (10) feet in width shall be provided.

8. Curbs, Gutters and/or Drainage Swales

Curbs and gutters and/or drainage swales shall be provided when they are needed to facilitate proper drainage.

9. Street Alignment

a. Streets shall be so laid out that there will be unobstructed sight distances along the centerlines thereof. Minimum horizontal sight distances shall be as set forth in The Pocono Township Subdivision and Land Development Ordinance, measured from a point 3.75 feet above the road surface to a point six (6) inches above the road surface.

b. Between reversed curves on Arterial Streets, a tangent of not less than two hundred (200) feet shall be provided; on Connector and Collector Streets such a tangent shall be not less than one hundred (100) feet.

10. Street Grades

a. Center-line grades shall not exceed the grades set forth in The Pocono Township Subdivision and Land Development Ordinance.

b. Vertical curves shall be used at changes of grade exceeding one (1%) percent and shall be designed in accordance with American Association of State Highway Transportation Officials (AASHTO), as revised.

c. A leveling area for all Street intersections shall be provided as follows:

(1) The tangent grade of the through Street at the point of intersection of the centerlines of the two Streets shall not exceed eight (8%) percent. Crest and sag vertical curves shall be provided in accordance with Section "b" of this subparagraph. The point of vertical curvature or tangency shall not be within the connecting Street right-of-way.

(2) The tangent grade of the connecting Street(s) shall not exceed four (4%) percent within the right-of-way lines of the through Street. Crest or sag vertical curves shall be provided in accordance with Section "b" of this subparagraph. The point of vertical curvature or tangency shall not be within the through Street right-of-way.

d. The maximum grade across the turnaround in a cul-de-sac shall not exceed four (4%) percent.

e. To provide for adequate drainage, the minimum grade of any paved Street gutter shall be not less than one-half (1/2) of one (1%) percent and one (1%) percent being the acceptable minimum centerline grade of any Street.

11. Clear Sight Triangle

At an intersection, a triangle area shall be graded and/or other sight obstructions removed in such a manner as not to obscure vision between a height of from two to ten feet above the centerline grades of the intersecting Streets. Furthermore, by deed restriction, by lease restriction, or by plan covenant or amendment, whichever method is applicable, vegetation shall not be planted or allowed to grow in such a manner as to obscure vision between a height of from two to ten feet above the center-line grades of the intersecting Streets. Such triangular area shall be determined by the intersecting Street center-lines and a diagonal connecting two points, one at each Street center-line, each of which points is:

a. One hundred fifty (150) feet from the intersection of such Street centerlines if either Street is an Arterial Street.

b. One hundred (100) feet from the intersection of such Street centerlines if either Street is a Collector or Connector Street.

c. Seventy-five (75) feet from the intersection of such Street centerlines if both Streets are Minor or Local Access Streets.

12. The Supervisors recognize that the preceding subparagraphs of this Section are not applicable in all circumstances because of unusual topography or lot layout and will consider deviations or variations there from on an individual basis (such as divided Cartways or one-way Loop Streets) provided the basic purpose and intent set forth in subparagraph "1." is complied with. In granting a request for such a modification the Supervisors may impose such requirements and conditions, as they deem fit and proper.

13. Guide Rails

Streets shall be designed to preclude or minimize the need for guide rail. The Township may, however, require guide rail to be placed for protection on embankments when a barrier is indicated as warranted in Pennsylvania Department of Transportation Design Manual Part 2 Highway Design January 1990 edition, as amended. The design and selection of guide rail shall generally be in accordance with the standards in Design Manual Part 2 Highway Design, January 1990 edition, as amended, however, the Township shall approve all guide rail systems.

14. Street Name Signs

Street name signs shall be supplied and installed by the Developer at all intersections and their design shall be approved by the Township. All signing shall identify both intersecting streets. Regulatory signs shall be supplied and installed by the Developer at all locations identified by a traffic circulation study prepared by the Developer. Standard traffic signs shall be approved by the Township, and shall be supplied and installed by the Developer in accordance with Township regulations; Pennsylvania Department of Transportation Publication 68, Official Traffic Devices; and the MUTCD, Manual on Uniform Traffic Control Devices, FHWA.

E. Steep Slope Areas

The purpose of steep slope regulations is to conserve and protect those areas having steep slopes from inappropriate development and excessive grading; to prevent potential dangers caused by erosion, stream siltation, and soil failure; and to promote uses in steep slope areas that are compatible with the preservation of existing natural features, including vegetative cover, by restricting grading of steep slope areas.

1. Definition of Steep Slope Area

a. Steep slope area is defined and established as those areas having an original, unaltered slope of twenty (20%) percent or greater. The establishment of slopes shall be made by a topographic survey performed by a registered surveyor, or other means acceptable to the Township.

b. Isolated pockets of steep slopes containing less than two thousand (2,000) square feet of surface area shall be exempt from the provisions of this section, unless they are a portion of all steep slope areas within the lot or property where the sum of all steep slope areas exceed two thousand (2,000) square feet.

2. Restrictions and Requirements

a. No more than thirty five (35%) percent of the original ground cover within any designated steep slope area on the property may be disturbed by grading, filling or other means. At least sixty-five (65%) percent of the original ground cover must remain undisturbed during the establishment, alteration or maintenance the property.

b. No more than fifty (50%) percent of the required minimum lot area of proposed lots, as established by the underlying zoning district regulations, may be comprised of steep slope areas.

c. No grading, filling or other alteration of the original undisturbed slopes on a property may be performed with the intent to circumvent the provisions of this section. Unauthorized grading performed within a steep slope area in order to circumvent these regulations shall be considered a violation of this Ordinance.

d. All Planned Residential plans shall include a delineation of the steep slope areas, as defined herein. This information may be shown on a sheet not being recorded with the Final Plan.

e. The Final Plan shall be recorded with a steep slope easement. The easement shall be comprised of at least sixty five (65%) percent of the total existing area and located within the original boundaries of the steep slope area. Allocation of the easement should be made as evenly as possible throughout the lots to allow each lot adequate room for additional grading, accessory structures, etc.

f. The Final Plan shall note that no structures shall be located within the easement; and that no excavation, grading, filling or other disturbance of the existing ground cover is permitted within the easement.

g. All deeds for lots created by subdivision and all land developments to which the provisions of The Pocono Township Subdivision and Land Development Ordinance are applicable shall contain language detailing the easements' location and the restrictions imposed.

F. Wetlands

1. The Applicant shall submit a wetland study in duplicate with the submittal of all Planned Residential plans. The purpose of the study shall be to determine the presence and extent of wetlands of the site.

2. The study shall be performed by a qualified wetland scientist or other individual whose work is accepted by appropriate federal and state agencies. Qualified individuals should possess a minimum of a bachelor's degree in biology, botany, zoology, ecology, or environmental sciences.

3. Wetlands delineations should follow the procedures outlined in the then applicable Federal Manual for Identifying and Delineating Jurisdictional Wetlands, and any subsequent amendments or superseding documents.

4. For sites on which no wetlands occur, an abbreviated report may be submitted. The abbreviated report should contain the introductory material, the methods section and a discussion of the result of the study.

5. All Subdivision Plans shall contain notes for future lot owners. The wetland boundary on each lot will be clearly marked. Each lot which contains wetlands, or to which access may be restricted by wetlands, shall have a note which states federal and state laws require permits for all activities which result in a deposition of fill into delineated wetlands. The note shall also state that refusal of such a permit may restrict some uses of all or portions of the lot.

6. Compensatory mitigation projects required as part of federal or state permits shall be shown on the Planned Residential Plans. Future lot owners whose property encompasses all or part of a mitigation area shall be notified that the portion of their property which includes the mitigation area may not be altered, and is considered a jurisdictional wetland by the federal and state governments. Lot owners may be responsible for maintenance of mitigation areas. In order to help ensure the long-term viability of wetland mitigation efforts, the Township discourages multiple ownership of mitigation areas. Ownership by one individual or a homeowners association is encouraged. Owners of the wetland mitigation areas must be clearly identified to the Township.

7. Where the study shows the existence of wetland areas, the delineated boundary shall be properly fenced off to prevent encroachment. Snow fence or other acceptable material shall be used (the use of silt fence is not acceptable). The fence shall be properly installed, at a minimum distance of twenty (20) feet outside the delineated boundary, prior to any construction or issuance of building permits. No land shall be disturbed within twenty (20) feet of the outer limit of the wetland boundary. The fence must be properly maintained until all occupancy permits have been issued and/or for the extent of all construction. This is to be commonly known as the required wetland buffer.

Section 615. Site Design Standards.

All Planned Residential Developments shall conform to the following site design standards:

A. Residential Uses - Residential uses and areas shall be designed in accordance with the following:

1. Dwelling units and other structures shall not be located within Seventy five (75) feet of any development property lines.

2. Dwelling units shall not be located within twenty (20) feet of any street right-of-way line or parking areas (including private access streets).

3. Multi-family dwelling units shall contain a maximum of eight (8) dwelling units in any one cluster.

a. When a modification request is submitted by the Applicant the Township may, due to site conditions or unusual building design, allow additional units with an absolute maximum of sixteen (16) attached dwelling units in any one (1) building.

b. Modifications to allow the additional attached dwelling units may not be granted to more than twenty-five (25%) percent of the total Multi-family dwelling unit building submitted in each section or phase.

4. Multi-family Attached dwelling unit clusters shall not be located within seventy-five (75) feet of any other residential structure.

a. When a modification request is submitted by the Applicant, the Township may, when unusual topography or site conditions justify the said request, reduce this separation requirement to fifty (50) feet.

b. Modifications to reduce separation may not be granted to more than fifty (50%) of the total Multi-family dwelling unit buildings being submitted in each section or phase.

5. No detached dwelling unit shall be within fifty (50) feet of any other detached dwelling unit.

a. When a modification request is submitted by the Applicant the Township may, when unusual topography or site conditions justify the said request, reduce this separation requirement to thirty (30) feet.

b. Modifications to reduce separation may not be granted to more than twenty-five (25%) percent of the total detached dwelling units being submitted in any section.

6. Each dwelling unit in any Planned Residential Development shall have the following minimum habitable floor area:

a. One Bedroom Units - Six hundred (600) square feet.

b. Two Bedroom Units - Eight hundred (800) square feet.

c. Three or More Bedroom Units - One thousand (1000) square feet.

7. For the purpose of determination of habitable floor area, any room other than a living room, dining room, kitchen, bath or closet shall be deemed a bedroom.

B. Cul-De-Sac Streets

1. Cul-de-sac Streets, permanently designed as such, shall not exceed eight hundred (800') feet in length nor be less than two hundred fifty (250') feet in length, and shall furnish access to not more than eighteen (18) Dwelling Units. The length of a Cul-de-sac Street shall be measured from the point of centerline intersection with an approved through Street that has an alternate access to an existing public road, to the centerline point of radius of the cul-de-sac curve.

2. Cul-de-sac Streets shall terminate in a circular right-of-way with a minimum diameter of one hundred (100') feet, and eighty (80') feet diameter to the outer pavement edge or curb line.

3. The circular right-of-way of the cul-de-sac shall be connected to the approach right-of-way by an easement arc having a radius of not less than thirty (30') feet.

4. The circular paving of the cul-de-sac shall be connected to the approach paving by an easement arc having a radius of not less than forty (40') feet. (See The Pocono Township Subdivision and Land Development Ordinance).

5. The Board of Supervisors recognizes that geometric configurations other than that set forth in subsections 1., 2., 3. and 4. above may function satisfactorily and, upon recommendation of the Supervisors, will consider a request for a modification of the requirements under appropriate circumstances.

6. Temporary cul-de-sac streets shall not exceed one thousand (1,000) feet in length.

7. Any street, which is terminated for access to an adjoining property or because of authorized stage development, shall be provided with a temporary, all-weather turnaround paved in accordance with Township specifications. The use of such turnaround shall be guaranteed until such time as the street is extended. The Developer who extends a street that has been provided with a temporary turnaround shall remove the temporary turnaround and restore the area of temporary turnaround.

C. Off-Street Parking

Every type of residential Land Development or Subdivision shall provide off-Street parking space for at least two vehicles for each proposed Dwelling Unit. Such off-Street parking spaces may be in an individual garage, carport, or driveway or in a common parking area convenient to the Dwelling Units to be served and shall be installed concurrently with the construction of the Dwelling Units.

D. Driveways

Driveways shall not be permitted to have direct access to Arterial, Connector or Collector Streets unless authorized by the Township and/or the Pennsylvania Department of Transportation through issuance of a highway occupancy permit. Access should be provided to the street of lesser classification when there is more than one street classification involved. Driveways shall not interfere with the normal traffic movement or be inconsistent with the design, maintenance or drainage of the street. Driveway locations shall be delineated on all plans for final approval; however, the plans may delineate location or provide a notice of conformity to this specification.

Future Driveways, which are to be constructed adjacent to a Street intersection, shall be indicated on the Tentative and Final Plans. The minimum distance between a Driveway or point of access to a Street shall be as follows:

Distance Between Centerline

Planned Residential Development	Driveway and Nearest Intersecting Road by Type of Intersecting Road		
	Arterial	Collector & Collector	Minor
Residential	150 ft.	100 ft.	100 ft.

Note: Nearest intersecting Street shall be construed as being on the same or the opposite side of the Street on which the Lot is located.

1. Single-family residential driveways shall be a minimum of three (3) feet from any property line. The minimum width at the street right-of-way shall be ten (10) feet and the maximum width at the street right-of-way shall be twenty (20) feet. The number of driveway entrances per dwelling shall be one. The Board of Supervisors may grant additional driveway entrances if severe topographic conditions exist and the width of the lot exceeds one hundred fifty (150) feet at the street right-of-way. Driveways constructed in areas where sidewalks are provided shall have a concrete apron between the curb and edge of the sidewalk toward the dwelling. This apron shall be constructed in accordance with any applicable Township specifications and shall consist of six (6) inches of concrete on a four (4) inch stone base.

2. Non-residential and multi-family use driveways shall be a minimum width of twelve (12) feet and maximum width of twenty-four (24) feet at the street right-of-way line. The driveways shall be a minimum of ten (10) feet from the property line. One driveway shall be permitted and the Board of Supervisors may grant additional driveways if the width of the lot at the street right-of-way exceeds one hundred fifty (150) feet in width. Notwithstanding the foregoing, an additional means of access shall be permitted as an emergency access if required by The Pocono Township Subdivision and Land Development Ordinance.

3. Common driveways are prohibited unless a modification of this Section is granted by the Board of Supervisors. When common driveways are permitted an access and maintenance agreement shall be provided in the deeds of the lots

having use of the driveway. The agreement shall be in a form acceptable to the Township Solicitor.

E. Sewage and Water Systems

All sewage disposal and water supply systems proposed to serve said developments shall comply with the Pennsylvania Department of Environmental Protection requirements or the requirements set forth in The Pocono Township Subdivision and Land Development Ordinance.

Section 616. Construction Standards.

A. Application

The minimum improvements required for all Planned Residential Developments shall be provided by the Applicant as set forth in this Section. Additional or higher type improvements may be required in specific cases where, in the opinion of the Board of Supervisors, they are necessary to create conditions essential to the health, safety, morals, and general welfare of the citizens of Pocono Township and to protect the environment of the Township.

B. Summary of Required Improvements

The Pocono Township Subdivision and Land Development Ordinance specified the required improvements for various types of Subdivisions and Land Developments. The Pocono Township Subdivision and Land Development Ordinance also sets forth the construction standards for several of the required improvements. Other construction standards shall be evaluated and approved by the Engineer.

C. Monuments and Markers

Monuments and markers shall be placed so that the center or a scored or marked point shall coincide exactly with the intersection of the lines to be marked.

1. Monuments shall consist of either:

a. Solid steel rods not less than one-half (1/2) inch in diameter or less than twenty-four (24") inches in length, centered in a cylinder of concrete, not less than nine (9") inches in diameter nor less than forty-eight (48") inches in depth, poured in place; or

b. Steel pipes not less than three-quarters (3/4) inch in diameter or less than twenty-four (24") inches in length, centered in a cylinder of concrete not less than nine (9") inches in diameter nor less than forty-eight (48") inches in depth, poured in place; or

c. Precast (i.e. manufactured) reinforced concrete monuments measuring not less than four (4") inches by four (4") inches by forty-eight (48") inches in length; or

d. Such other monuments as the Engineer may approve.

2. Monuments, including the rod or pipe and the concrete, shall be placed flush with the ground.

3. Monuments shall not be placed until road grading has been completed.

4. Monuments shall be set as follows:

a. One (1) in each quadrant of a Street intersection. In the instance of a "T" intersection, one (1) shall also be placed at the Lot Corner most clearly opposite the intersecting Street.

b. One (1) at a Lot Corner on each side of the Street approximately mid-way through the Block when the distance between intersecting Streets exceeds eight hundred (800') feet.

c. One (1) at the intersection of Street right-of-way lines with exterior property lines.

d. At all exterior property corners where permanent corners did not exist at the time of the perimeter survey. (Existing corners shall not be removed.)

5. Markers shall consist of either;

a. Solid steel rods not less than one-half (1/2) inch in diameter nor less than twenty-four (24") inches in length; or

b. Steel pipes not less than three-quarters (3/4) inch in diameter nor less than twenty-four (24") inches in length; or

c. Such other marker as the Engineer may approve.

6. Markers normally shall be set two (2") inches above the surrounding grade.

7. Markers shall be set as follows:

a. At all points where Lot lines intersect Street right-of-way lines, except for Monument locations.

b. At all interior Lot Corners.

c. At such other Lot Corners as the Engineer may direct.

D. Streets

1. General - Streets (and Alleys where provided) shall be graded, improved and surfaced to the grades and dimensions shown on plans, profiles and cross-sections submitted by the Applicant and approved by the Board of Supervisors.

2. Design and Construction Standards

a. Clearing and Grading - The right-of-way shall be graded to the extent shown on the approved cross-section. All trees, stumps, roots and any material deemed unsuitable by the Engineer shall be removed from the subgrade and right-of-way and thereafter the subgrade and right-of-way shall be backfilled and compacted to the satisfaction of the Engineer.

b. Cut and Fill - The maximum slope of any earth embankment or excavation shall not exceed one (1') foot vertical to two (2') feet horizontal. The maximum slope of any rock excavation shall not exceed four (4') feet vertical to one (1') foot horizontal. The slope easement as required by The Pocono Township Subdivision and Land Development Ordinance shall have sufficient width to contain the entire required slope.

c. Drainage - Parallel and cross drainage facilities shall be properly located, designed and installed to maintain proper drainage of the completed Streets. Drainage facilities shall be designed in accordance with the requirements of the Pocono Township Storm water Management and Earth Disturbance Ordinance. Proper design and construction in

accordance with those requirements may require the use of curb and gutter or paved drainage swales to prevent erosion. The minimum diameter of any cross drainage or culvert pipe shall be fifteen (15") inches.

Consideration shall be given for subgrade drainage of those soils subject to frost heave (as itemized in subparagraph d(1) of this Section). Design of the road bed in such locations may require parallel drainage facilities and/or underdrains to properly stabilize the subgrade. The Board of Supervisors may require that such drainage facilities be provided. The design of such subgrade drainage facilities shall be subject to the review and approval of the Engineer.

d. Subgrade, Base Course, Surface Course and Shoulders

(1) The design and construction of the roadbed shall take cognizance of the supporting capacities of the subgrade, with particular attention to those soils that are subject to frost heave. Unsuitable soils shall be removed and replaced, drained or otherwise stabilized to provide adequate support for the road bed and anticipated loads.

The Soil Conservation Service has reported the following soils as having moderate or high potential for frost heave: ALBIA, ALBRIGHTS, ALDENS, BARTLE, BOYNTON, BRACEVILLE, FREDON, MARDIN, MIDDLEBURY, MORRIS, PEKIN, TROY, VOLUSIA, WATSON and WELLSBORO.

(2) Base Course - Base course aggregate material shall conform in type and be compacted to the depths required by The Pocono Township Subdivision and Land Development Ordinance in accordance with the latest specifications of PennDOT (Form 408).

(3) Surface Course - The bituminous surface course shall conform in type and be compacted to the depths required by The Pocono Township Subdivision and Land Development Ordinance, and be placed in accordance with the latest specifications of PennDOT (Form 408).

(4) Shoulders - Where curbs are not required or provided, shoulders shall be provided (see The Pocono Township Subdivision and Land Development Ordinance). Shoulders shall be constructed of the material and compacted to

the depth required by The Pocono Township Subdivision and Land Development Ordinance.

(5) Alternative Designs - Alternative road bed designs may be prepared and will be considered. The alternate design must provide load capabilities equivalent to or higher than the capabilities of the designs set forth above. Alternate designs will be reviewed on the basis of design recommendations of the Asphalt Institute.

(6) Parking Lanes - Where curbs are required and/or provided for Arterial, Connector or Collector Streets the parking lane (between the travelway and the curb) shall be not less than ten (10') feet wide and shall be constructed to the same standards as the travelway. Where curbs are required and/or provided for all other classes of Streets the parking lane shall be not less than eight (8') feet wide for Minor Streets and six (6') feet wide for Local and Marginal Access Streets and shall be constructed of the same material and to the same depth as required for shoulders and stabilized by the application of bituminous product.

e. Cross Section

(1) Travelway and shoulder widths shall conform to the requirements set forth in The Pocono Township Subdivision and Land Development Ordinance.

(2) Shoulder surfaces shall be graded at a slope of three-quarters (3/4) of an inch per foot away from the paved travelway.

(3) The finished paved travelway surface of tangent sections, and curve sections not required to be superelevated, shall be crowned at one-quarter (1/4) inch per foot away from the centerline. Properly superelevated cross-sections shall be required on Arterial, Connector and Collector Streets when the curve radii are less than 500 feet. The maximum permissible superelevation shall be 0.08 feet per foot.

(4) See The Pocono Township Subdivision and Land Development Ordinance for typical road cross-section.

f. Bridges and Stream Crossings

(1) Bridges and other stream crossing structures which are part of the proposed Street system shall be

designed and constructed in accordance with current PennDOT Standards and Specifications. Evidence of compliance with and approval of the Division of Dams and Waterways of the Pennsylvania Department of Environmental Protection and any other applicable governmental agencies or authorities, shall be provided, if applicable.

E. Curbs and Gutters

Minimum curb construction standards are as follows:

1. Plain cement concrete in accordance with Pennsylvania Department of Transportation standards.

2. Rolled bituminous in accordance with Pennsylvania Department of Transportation standards."

3. The Engineer and/or the Board of Supervisors may require steel reinforcing of cement concrete curbs.

4. Gutter requirements shall be in conformance with good engineering practice and subject to the approval of the Engineer. Gutters and/or drainage swales shall be designed to prohibit erosive velocities and shall be paved if runoff velocities exceed 6.0 fps when calculated in accordance with PennDOT Manual Part 2. Velocity calculations shall be placed on the centerline profile drawings or shall be submitted separately with the profiles.

F. Driveway Entrances

Any Driveway Entrance shall make adequate provisions for parallel drainage facilities.

G. Sidewalks

Sidewalks shall be located within the Street right-of-way.

1. Sidewalks in Planned Residential Developments shall have a minimum width of four (4') feet. Street crosswalks shall have a minimum width of four (4') feet.

2. The type of construction permitted is as follows: Sidewalks and crosswalks shall be portland cement concrete of at least four (4") inches thick underlain by four (4") inches of compacted cinder, gravel, or crushed stone. Sidewalks at

driveway crossings shall be at least six (6") inches thick reinforced and underlain by four (4") inches of compacted cinder, gravel, or crushed stone.

H. Street Name Signs

The Developer shall provide the Planned Residential Development with adequate Street signs at the intersections of all Streets. Sign style and characteristics, i.e. color and lettering, shall be acceptable to the Board of Supervisors.

I. Street Lighting

Street lights may be required when the Board of Supervisors deem them necessary to provide safe traffic circulation. Such lights shall meet design standards established by the Board of Supervisors.

J. Traffic Signals and Signs

Traffic signals and signs shall be required to provide safe traffic circulation. Such traffic signals and signs shall meet design standards as established by the Pennsylvania Department of Transportation in PennDOT Bulletin No. 67.

K. Landscaping

In an attempt to preserve and enhance the beauty of the natural forestation of Pocono Township, all new construction should be carried out in a manner that will prevent complete clearing and grubbing of the natural growth of the construction site. Where a Planned Residential Development would be cleared and made substantially devoid of trees, the Developer may be required to plant shade trees adjacent to all Street rights-of-way. In addition the Board of Supervisors may require landscaping in accordance with the applicable standards below.

1. Type of Trees

Trees shall be of nursery stock quality of a species approved by the Township and grown under the same climactic conditions as the area of proposed use. Topography, natural and historical features shall be considered by the Developer and the Township in selecting and approving species.

2. Location

In all Planned Residential Developments, trees may be planted along the Street right-of-way at some nominal interval between forty (40') and one hundred (100') feet. The location of shade trees will be subject to the approval of the Township. If applicable, trees may be planted between the sidewalk and building line at least three feet from the sidewalk, or between the curb and sidewalk provided the planting strip is a minimum of five (5') feet in width.

3. Planting

Besides conforming to all parts of this Section, all planting shall be done in accordance with good nursery and landscape practice.

L. Ground Cover Requirements

Exposed ground surface in all parts of the Planned Residential Development shall be paved or covered with stone screenings, or other solid material, or protected with a vegetative growth that is capable of preventing soil erosion and the emanation of dust during dry weather. The vegetative cover shall not be poisonous in nature.

M. Sewers and Water Facilities

1. Where applicable, sanitary sewers shall be installed to adequately serve all Lots with connections to any public or private central system, which might exist, and shall be subject to inspection by the Engineer and approval by the Board of Supervisors. (See The Pocono Township Subdivision and Land Development Ordinance.)

2. Where the Developer provides the Planned Residential Development with a complete water main supply system, the Developer may be required to include fire hydrants, and be subject to inspections by the Engineer and approval by the Board of Supervisors. (See The Pocono Township Subdivision and Land Development Ordinance.)

3. Adequate storm water drainage facilities shall be installed consistent with designs prepared in accordance with the requirements of the Pocono Township Storm Water Management and Earth Disturbance Ordinance. Where the conveyance of storm water and/or the prevention of erosion cannot be accomplished

satisfactorily by surface drainage facilities an adequate storm sewer system consisting of inlets and other underground drainage structures with approved outlets shall be constructed.

Section 617. Parking Design Standards.

Required parking in a planned residential development shall be as follows:

A. Residential Off-Street Parking

Two (2) off street parking spaces shall be provided for each dwelling unit.

B. Residential Parking Access Aisles

Parking access aisles in parking areas of more than two (2) spaces shall be a minimum of twenty-four (24) feet wide for 90 degree angle parking, twenty (20) feet for sixty (60) degree angle parking and eighteen (18) feet for forty-five (45) degree angle parking.

C. Residential Parking Space Size

All residential parking spaces shall be a minimum of nine (9) feet in width by eighteen (18) feet in depth.

D. Residential Parking Area Location

Parking areas containing more than eight (8) spaces shall be located at least thirty (30) feet from adjacent buildings and development streets and be isolated through the use of curbs, sidewalks, shrubs, lawn areas, earth berms, changes in grade or walls.

1. When a modification request is submitted by the Applicant, the Township may reduce the separation requirement by 10 feet if unusual topography or site conditions justify the request.

E. Residential Parking Design

All residential parking areas containing more than two (2) spaces shall be designed as follows:

1. Parking areas shall be designed so that each vehicle may proceed to and from the space without requiring the movement of any other vehicle.

2. In no case shall parking spaces be designed to require vehicles to back into development streets in order to leave a parking space.

3. All parking spaces and parking access drives shall be at least fifty (50) feet from any exterior development property line.

4. A maximum of sixteen (16) parking spaces shall be permitted in a continuous row without being interrupted by landscaping. A ten (10) foot wide landscape island is required for any proposed continuous parking that is to exceed sixteen (16) parking paces in a continuous row.

F. Maximum Number of Residential Parking Spaces

A maximum of forty-eight (48) parking spaces shall be accommodated in any parking area served by a single parking access drive.

G. Parking Lot Lighting

Lighting shall be provided for all parking areas of nine (9) spaces or greater. Lighting shall be designed and located in accordance with current Illumination Engineering Society of North America (IESNA) foot-candle lighting standards so as to not produce a glare or direct illumination onto abutting properties and streets.