

# LETTERKENNY TOWNSHIP

FRANKLIN COUNTY, PENNSYLVANIA

*2009  
SUBDIVISION AND LAND DEVELOPMENT ORDINANCE*

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## ARTICLE I

### **SHORT TITLE, AUTHORITY, PURPOSE AND INTENT, INTERPRETATION**

#### **SECTION 100: SHORT TITLE**

This Ordinance shall be known as the Letterkenny Township Subdivision and Land Development Ordinance.

#### **SECTION 101: AUTHORITY**

This Ordinance is adopted pursuant to the provisions of the "Pennsylvania Municipalities Planning Code" (Act 247) effective January 1, 1969, as amended.

#### **SECTION 102: PURPOSE AND INTENT**

This Ordinance is enacted for the purpose of assuring sites suitable for building purposes and human habitation, and to provide proper accommodation of surface drainage over lots and accumulations on roads; to assure adequate and safe water and sewer services; to provide for proper access of emergency and fire fighting equipment; and to coordinate the operations of the Township and other agencies involved with land development; and for the general purpose of guiding and accomplishing coordinated and harmonious development within Letterkenny Township.

#### **SECTION 103: INTERPRETATION**

The provisions of this Ordinance shall be held to be minimum requirements to meet the above stated purposes; where the provisions of this Ordinance impose greater restrictions than those of any statute, other ordinance or regulation, the provisions of this Ordinance shall prevail. When the provisions of any statute, other ordinance or regulation impose greater restrictions than those of this Ordinance, the provisions of such statute, ordinance or regulation shall prevail.

## **ARTICLE II**

### **CONTROL OF SUBDIVISIONS AND LAND DEVELOPMENTS, RECORDING OF PLANS, DEDICATIONS OF PROPERTY AND IMPROVEMENTS**

#### **SECTION 200: CONTROL OF SUBDIVISIONS AND LAND DEVELOPMENTS**

From and after the effective date of This Ordinance, no subdivision or development of any lot, tract, or parcel of land within the Township shall be made, and no street, sanitary sewer, storm sewer, water main or other facility in connection therewith shall be laid out, constructed, opened or dedicated for public use of travel or for the common use of occupants of buildings abutting thereon, except in strict accordance with the provisions of This Ordinance. No lot in a subdivision or land development may be sold, no permit to erect, alter or repair any building upon land in a subdivision or land development may be issued, no building may be erected, and no changes may be made in the contour of the land, no grading, excavation, removal or destruction of the topsoil, trees or other vegetative cover of the land may be commenced in a subdivision or land development unless and until a plan for the subdivision or land development has been approved by the Board of Supervisors and recorded, and until the improvements required by the Board of Supervisors in connection therewith have either been constructed in strict accordance with the standards and specifications of the Township or guaranteed as provided in Sections 800, j., and 802 of This Ordinance. Said standards and specifications, particularly as presented in Article X of This Ordinance are declared to be a minimum guarantee that all streets shown on any proposed plan are of sufficient width and proper grade and so located as to accommodate the probable volume of traffic thereon, afford adequate light and air, facilitate fire protection, provide a coordinated system of streets conforming to the Township's Official Plan of streets; and further, that the land whereon buildings are to be constructed is of such character that it can be used for building purposes without danger to health or peril from fire, flood or other hazard and that all necessary or required erosion and sedimentation facilities be installed prior to or during the initial phase of construction of the subdivision or land development.

#### **SECTION 201: THE EFFECT OF LAND DEVELOPMENT**

If a tract or parcel of land is planned and designed for separate developments or uses, although said tract or parcel remains under single ownership, each such development or use shall contain the minimum lot area, setback, and yard requirements as stipulated elsewhere in this Ordinance, or the Township Zoning Ordinance, if one exists. In the event the ownership of a particular development or use is to be subdivided for transfer or sale, such subdivision shall contain the minimum area, setback, yard and all other requirements of the Township.

#### **SECTION 202: RECORDING OF FINAL PLANS AND DEDICATION OF PROPERTY AND IMPROVEMENTS**

Upon approval of a final subdivision or land development plan, the developer shall within ninety (90) days of such final approval record such plan in the office of the Recorder of Deeds of the County, and the streets, parks, erosion and sedimentation and water management control facilities and other public improvements shown thereon shall then be considered to be a part of the Official Plan of the Township. Offers of dedication of such public improvements to the Township shall be submitted on a written, recordable document setting forth by metes and bounds the offer; or the owner may note on the plan that such improvements have not been offered for dedication to the Township. Every street, park, and sediment

facility or other public improvements shown on a recorded subdivision or land development plan shall be deemed to be a private street, park, or improvement until such time as the same has been accepted by ordinance or resolution.

## **SECTION 203: TIMING OF GOVERNING REGULATIONS**

From the time an application is made for approval, whether preliminary or final, is duly filed as provided in This Ordinance, and while the application is pending action, no change or amendment of zoning, subdivision and land development ordinance or comprehensive plan shall affect the decision on such application adversely and the applicant shall be entitled to the governing regulations at the time the application was filed. In addition, when preliminary application has been duly approved, the applicant shall be entitled to final approval in accordance with terms of the approved preliminary application for a period of five (5) years from the date of such preliminary approval. However, if an application is properly and finally denied, any subsequent application shall be subject to any intervening change in governing regulations. When an application is approved or approved subject to conditions acceptable to the applicant, no subsequent change or amendment in zoning, subdivision and land development ordinances or comprehensive plan shall be applied to affect any aspect of the approved plan for a 5-year period from such approval, which shall be counted from the date of preliminary approval, or, in case of any doubt, when the application for such approval was duly filed. Furthermore, where the applicant (owner/developer) has substantially completed the required improvements as depicted upon the plat plan within the 5-year limit, or any extension granted by the Township Board of Supervisors, no change in zoning, subdivision and land development ordinances or comprehensive plan enacted subsequent to the date of filing of the preliminary application shall modify or revoke any aspect of approved final plans pertaining to zoning district, density, lot, building, street or utility location.

In the case of preliminary plan requiring the installation of improvements beyond the five-year period, a schedule shall be filed by the applicant with the preliminary plat delineating all proposed sections as well as deadlines within which applications for final plat approval of each section as intended to be filed. Such schedule shall be updated annually by the applicant on or before the anniversary of the preliminary plat approval, until final plat approval of the final section has been granted and any modification in the aforesaid schedule shall be subject to approval of the Township Board of Supervisors in its discretion. Each section in any residential subdivision or land development, except for the last section, shall contain a minimum of 25 percent of the total number of dwelling units as depicted on the preliminary plan, unless a lesser percentage is approved by the Township Board of Supervisors in its discretion. Provided the applicant has not defaulted with regard to or violated any of the conditions of the preliminary plat approval, including compliance with the aforesaid schedule of submission of final plats for the various sections, then the foregoing protections afforded by substantially completing the improvements shown upon the final plans within five years shall apply and for any section or sections, beyond the initial section, in which the required improvements have not been substantially completed within said five-year period these protections shall apply for an additional term or terms constituting three years from the date of Final Plan approval for each section. Failure of the applicant to adhere to the aforesaid schedule of submission of final plats for the various sections shall subject any such section to any and all changes in zoning ordinance, and subdivision and land development ordinance enacted by the Township subsequent to the date of the initial preliminary application.

## ARTICLE III

### DEFINITIONS

#### **SECTION 300: DEFINITIONS**

As used in This Ordinance words in the singular include the plural, and in the plural include the singular. The word "person" includes corporation, unincorporated association and partnership, as well as an individual. The word "building" includes the meaning of "structure" and shall be construed as if followed by the phrase "or part thereof." The following words as used in This Ordinance shall have the meanings indicated below:

**ACCELERATED EROSION:** The removal of the surface of the land through the combined action of man's activity and the natural processes of a rate greater than would occur because of the natural process alone.

**ACCESS DRIVE** - A way or means of approach to provide vehicular or pedestrian physical entrance to a property.

**ACCESSORY BUILDING** - A building subordinate to and detached from the main building on the same lot and used for purposes customarily incidental to the main building.

**AGRICULTURE** - The use of land which shall include, but not be limited to, the tilling of the soil, the raising of crops, horticulture, apiculture, floriculture, viticulture and gardening. The production, keeping or maintenance, for sale, lease or personal use, of plants and animals useful to man, including but not limited to: forages and sod crops; grains and seed crops; dairy animals and dairy products, poultry and poultry products; livestock, including beef cattle, sheep, swine horses ponies, mules, or goats, or any mutations or hybrids thereof, including the breeding and grazing of any or all of such animals; bees and apiary products; fur animals; trees and forest products; fruits of all kinds, including grapes, nuts and berries; vegetables; nursery, floral, ornamental and greenhouse products; or lands devoted to a soil conservation or forestry management program.

**AGRICULTURE, INTENSIVE (INTENSIVE AGRICULTURAL USE)** - Intensive agricultural uses include but are not limited to: (a) slaughter areas; (b) areas for processing of manure; (c) concentrated animal feeding operations, as defined herein. (1) Confined livestock operations or concentrated animal feeding operations (CAFO) Federal regulations define a CAFO as an animal feeding operation that: (a) confines more than 1,000 animal units (AU); or (b) confines between 301 to 1,000 AU and discharges pollutants into waters of the United States through a man-made ditch, flushing system or similar man-made device, or directly into waters of the United States that originate outside of and pass over, across or through the facility or otherwise come into direct contact with the animals confined in the operation. Animal quantities equivalent to 1,000 AU are 1,000 slaughter and feeder cattle; 700 mature dairy cattle; 2,500 swine each weighing more than 25 kilograms (55 pounds); 30,000 laying hens or broilers (if a facility uses a liquid manure system); and 100,000 laying hens or broilers (if a facility uses continuous overflow watering).

**AGRICULTURAL OPERATION** - An enterprise that is actively and continuously engaged in the commercial production and preparation for market of crops, livestock and livestock products and in the production, harvesting and preparation for market or use of agricultural, agronomic, horticultural, silvicultural and aquacultural crops and commodities. The term includes an enterprise that implements changes in production practices and procedures that are normally engaged by farmers or are consistent with

**CONSTRUCTION** - The erection, reconstruction, renovation, repair, extension, expansion, alteration or relocation of a building or structure, including the placement of mobile homes.

**CONTIGUOUS** - Next to, abutting, or touching and having a boundary, or portion thereof, that is coterminous. To physically touch or border upon, or to share a common property line, but not overlap.

**COUNTY**: Franklin County, Pennsylvania

**CROSSWALK** - A right-of-way for pedestrian travel across or within a block.

**CUL-DE-SAC**: A street with access closed at one end and with a vehicular turn-around at the closed end.

**CULVERT** - A structure with appurtenant works which carries a stream or stormwater runoff under or through an embankment or fill.

**CURB** - A stone, concrete, or other improved boundary usually marking the edge of the roadway or paved area.

**CURB CUT** - The opening along the curb line at which point vehicles may enter or leave the roadway.

**CUT** - An excavation. The difference between a point on the original ground and a designated point of lower elevation on the final grade. Also the material removed in excavation.

**DECISION** - A final adjudication of any board or other body granted jurisdiction under this Ordinance or the Pennsylvania Municipalities Planning Code, as amended, to do so, either by reason of the grant of exclusive jurisdiction or by reason of appeals from determinations; all decision shall be appealable to the Court of Common Pleas of the County and Judicial District wherein the Township lies.

**DEDICATION** - The deliberate appropriation or donation of land or property by its owner for any general or public uses, reserving no other rights. Acceptance of any such dedication is at the discretion of the Board of Supervisors.

**DEED** - A legal document conveying ownership of real property.

**DESIGN STORM** - The magnitude and temporal distribution of precipitation from a storm event measured in probability of occurrence (e.g., a 5-year storm) and duration (e.g., 24-hours), used in the design and evaluation of stormwater management systems.

**DESIGNEE** - The agent of the Letterkenny Township Planning Commission and/or agent of the Letterkenny Township Board of Supervisors involved with the administration, review or enforcement of any provisions of this ordinance by contract or memorandum of understanding.

**DETENTION STRUCTURE** - A vegetated pond, swale, or other structure designed to drain completely after storing runoff only for a given storm event and release it at a predetermined rate. Also known as a detention basin. Said structures drain fully after rainfall has ceased.

**DETERMINATION** – The final action by an officer, body or agency charged with the administration of the present ordinance or applications thereunder, except the Letterkenny Township Board of Supervisors, Zoning Hearing Board, and Planning Commission; all determinations shall be appealable only to the Board having jurisdiction for such appeals.

**DEVELOPER**: Any landowner, agent of such landowner or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land, land development, or mobile home park.

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

**DEVELOPMENT SITE** - The specific tract of land for which a Regulated Activity is proposed.

**DIFFUSED DRAINAGE DISCHARGE** - Drainage discharge not confined to a single point location or channel, such as sheet flow or shallow concentrated flow.

**DOWNSLOPE PROPERTY LINE** - That portion of the property line of the lot, tract, or parcels of land being developed located such that all or most of the overland or pipe flow from the site would be directed towards it.

**DRAINAGE** - (1) Surface water runoff; (2) the removal of surface water or ground water from lands by drains, grading or other means which include runoff controls to minimize erosion and sedimentation during and after construction of development, the means for preserving the water supply and the prevention or alleviation of flooding.

**DRAINAGE EASEMENT** - An easement required for the installation of storm water sewers or drainage ditches, and/or required for the preservation or maintenance of a natural stream or water course or other drainage facility.

**DRAINAGE CONVEYANCE FACILITY** - Any stream, channel, swale, pipe, conduit, ditch, gutter, culvert, storm sewer, or other structure designed, intended, or constructed for the purpose of diverting surface waters from or carrying surface waters off streets, public rights-of-way, parks, recreation areas, or any part of any subdivision or contiguous land areas.

**DRAINAGE PLAN** - A plan showing all proposed and existing facilities to collect and convey surface drainage, described by grades, contours, and topography.

**DRAINAGE SYSTEM** - Pipes, swales, natural features and other improvements designed to hold or convey drainage.

**DRIVEWAY**: Every entrance or exit used by vehicular traffic to or from residential or commercial properties and the existing or proposed public roadway.

**DWELLING, MANUFACTURED HOUSING** - Any structure designed primarily for residential occupancy, which is wholly or in substantial part made, fabricated, formed or assembled in manufacturing facilities for installation of assembly and installation on the building site in such a manner that all concealed

technological development within the agricultural industry excluding the construction of buildings, structures and impervious surfaces.

**ANIMAL EQUIVALENT UNIT (AEU)** – One thousand (1,000) pounds live weight of livestock or poultry, regardless of the actual number of individual animals comprising the unit, annualized to take into account the amount of time that the animals are on the operation for a given year.

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

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

**AREA, GROSS** - The total lot area, including public right-of-way.

**AREA, NET** - The total lot area, less public right-of-way.

**AS-BUILT DRAWING** – A plan prepared and certified by a registered engineer or surveyor illustrating the physical location, dimensions and topographic features of improvements in relation to property boundaries, other features and improvements and the specifications of any approved development plan. As-built drawings shall be prepared at a scale of not less than one inch equals fifty feet.

**BEST MANAGEMENT PRACTICES (BMPs)** - State-of-the-art technology as applied to a specific problem. The BMP presents physical, institutional, or strategic approaches to environmental problems, particularly with respect to non-point source pollution control. Also used in frequent reference to stormwater structures, facilities or techniques to control, maintain or improve the quantity and quality of surface runoff.

**BLOCK** - An area bounded by streets, railroad rights-of-way, waterways and other definite barriers.

**BOARD**: The Board of Supervisors of Letterkenny Township, Franklin County, Pennsylvania.

**BUILDING** - Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, goods or materials of any kind. This definition shall include covered porches or bay windows and chimneys. It shall also include industrial apparatus including, but not limited to, crushers, conveyors, derricks, towers, tanks, bridges, and other similar types of equipment of a size and character that, in the opinion of the Township, warrants a building permit.

**BUILDING, ACCESSORY** - A building incidental and subordinate to and detached from the main building on the same lot and used for purposes customarily incidental to the principal building.

**BUILDING SETBACK LINE** - The line within a property defining the required minimum distance between any enclosed structure and the adjacent right-of-way, and the line defining side and rear yards, where required.

**BUILDING, PRINCIPAL** - A building which is conducted the primary use of the lot on which it is located, and is not an accessory building.

CARTWAY - That portion of a street or alley which is improved, designed, or intended for vehicular use.

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

CLEAR-SIGHT DISTANCE: A line of unobstructed vision from a point four and one-half feet (4-1/2') above the center line of a street to the farthest point on the top of an object four and one-half feet (4-1/2') high on the same center line.

CLEAR-SIGHT TRIANGLE - A triangular-shaped portion of land established by a street or driveway intersection in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the site distance of motorists entering or leaving the intersection.

COMMON AREA - The area in a subdivision or planned residential development, including common open space, owned or leased and maintained by an association or other combination of persons for the benefit of the residents of the residential development and, if owned under the Pennsylvania Unit Property Act, as amended, including all common elements designated for the use of all dwelling unit owners.

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

COMPREHENSIVE PLAN - The official public document prepared in accordance with the Pennsylvania Municipalities Planning Code, Act of July 31, 1968, P.O. 805, No. 247, as amended and reenacted, consisting of maps, charts and textual material, that constitutes decisions about the physical and social development of Letterkenny Township, as amended from time to time.

CONCENTRATED ANIMAL OPERATION (CAO) – An agricultural operation with more than two animal equivalent units per acre of land suitable for manure application and owned or managed by a farmer.

CONDOMINIUM - A building, or group of buildings, in which dwelling units, offices, or floor area owned individually, and the structure, common areas, and facilities are owned by all the owners on a proportional, undivided basis. It is a legal form of ownership of real estate and not a building style. The purchaser has title to his or her interior space in the building and an undivided interest in parts of the interior, the exterior, and other common elements.

CONDOMINIUM ASSOCIATION - The community association that owns, administers, and maintains the common property and common elements of a condominium.

CONSERVATION DISTRICT - A geographic area, usually a county, in which professionals provide advice to communities, agencies, and individuals within the jurisdiction and review development proposals. More specifically, the Franklin County Conservation District.

CONSISTENCY – An agreement or correspondence between matters being compared which denotes a reasonable, rational, similar connection or relationship.

parts or processes of manufacture cannot be inspected at the site without disassembly, damage or destruction.

**DWELLING, MULTI-FAMILY** - A building designed, occupied or used by three or more families living independently of each other, wherein each dwelling unit or apartment shall contain private bath and kitchen facilities; including apartment houses.

**DWELLING, SINGLE FAMILY ATTACHED** - A building used by one family and having two (2) party walls in common with other buildings (such as in the example of a rowhouse or townhouse), except that end units have only one party wall.

**DWELLING, SINGLE FAMILY, DETACHED** - A building used by one (1) family, having only one (1) dwelling unit and having two (2) side yards.

**DWELLING, SINGLE FAMILY, SEMI-DETACHED** - A building used by one (1) family, having one (1) side yard, and one (1) party wall in common with another building. Also known as a duplex.

**DWELLING, TWO FAMILY DETACHED** - A building used by two (2) families, with one dwelling unit arranged over the other and having two (2) side yards.

**DWELLING**: A building designed for residential purposes and used as living quarters for one or more persons.

**DWELLING UNIT** - One or more rooms used for living and sleeping purposes and having a kitchen(s) with fixed cooking facilities, toilet and bathroom facilities and arranged for occupancy by not more than one family.

**EARTHMOVING (EARTH DISTURBANCE)** - Any construction or other activity which alters, disturbs and exposes the surface of the land including, but not limited to, excavation, embankments, land development, subdivision development, mineral extraction and the moving, depositing or storing of soil, rock, or earth.

**EASEMENT**: A right granted for the use of private land for certain public, quasi-public or private purposes. Also, the land to which such right pertains.

**EFFECTIVE DATE OF THE ORDINANCE** - The date upon which this Ordinance officially comes into effect, except that with respect to the subject matter of any amendment, said date shall mean the date upon which the particular amendment became or becomes effective.

**ENERGY DISSIPATER**: A device used to slow the velocity of storm water, particularly at points of concentrated discharge such as pipe outlets.

**ENGINEER, REGISTERED**: A person duly registered as a professional engineer in the Commonwealth of Pennsylvania.

**ENGINEER, TOWNSHIP** - A professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the engineer for the Letterkenny Township Board of Supervisors or the Letterkenny Township Planning Commission.

ENLARGEMENT - An increase in the size of an existing structure or use, including physical size of the property, building, parking, and other improvements.

ENVIRONMENTAL CONSTRAINTS - Features, natural resources or land characteristics that are sensitive to improvements and may require conservation measures or the application of creative development techniques to prevent degradation of the environment, or may require limited development, or in certain instances may preclude development.

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

EROSION AND SEDIMENT POLLUTION CONTROL PLAN - A plan that is designed to minimize accelerated erosion and sedimentation.

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

EXCEPTIONAL VALUE WATERS - Surface waters of high quality which satisfy Pennsylvania Code Title 25 Environmental Protections, Chapter 93 Water Quality Standards, Section 93.4b(b) (relating to anti-degradation).

EXISTING CONDITIONS - The site conditions as they exist prior to development.

EXISTING GRADE - The vertical location of the ground surface prior to excavation or filling.

FAMILY – One (1) or more persons living and cooking together as a single housekeeping unit. No group of persons living and cooking together shall include more than four (4) persons who are not related by birth, legal marriage, adoption or other domestic bond. This definition does not include a collective body of persons occupying a hotel, dormitory, lodge, boarding house, institution, or other residential facility or instances of in-home childcare, elderly care, sabbatical renters, domestic servants, minor foster children, and exchange students.

FARM - An area of land used for agricultural purposes, as defined in “agricultural operation”.

FILL: Any act by which earth, sand, gravel or rock or any other material is placed, pushed, dumped, pulled, transported or moved to a new location above the stripped surface and shall include the conditions resulting there from; and/or the difference in elevation between a point on the original ground and a designated point of higher elevation on the final grade; and/or the material used to make a fill.

FINISHED FLOOR – Any part of a dwelling except a totally below ground basement. Buildings which have exposed basements shall include the basement as a finished floor.

FINISHED GRADE - The proposed elevation of the land surface of a site after completion of all site preparation work.

FLOOD - A temporary inundation of normally dry land areas.

**FLOOD BOUNDARY, ONE-HUNDRED-YEAR** - The outer boundary of an area of land that is likely to be flooded once every 100 years (i.e., that has a 1% chance of being flooded each year). A study by the Federal Insurance Administration, the United States Army Corps of Engineers, the United States Department of Agriculture's Soil Conservation Service, the United States Geological Survey, the Susquehanna River Basin Commission, the Department of Environmental Protection, or a licensed professional registered by the Commonwealth of Pennsylvania to perform such a study as necessary to define its boundary.

**FLOOD INSURANCE RATE MAP (FIRM)** - See FLOOD HAZARD BOUNDARY MAP.

**FLOOD, ONE-HUNDRED-YEAR (BASE FLOOD)** - A flood, which is likely to be equaled or exceeded once every 100 years (i.e. that has a 1% chance of being equaled or exceeded in any given year). A study by the Federal Insurance Administration, the United States Army Corps of Engineers, the United States Department of Agriculture's Soil Conservation Service, the United States Geological Survey, the Susquehanna River Basin Commission, the Department of Environmental Protection, or a licensed professional registered by the Commonwealth of Pennsylvania to perform such a study is necessary to define this flood.

**FLOOD FRINGE** - That portion of the floodplain outside the floodway.

**FLOOD HAZARD, AREAS OF SPECIAL** - The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year.

**FLOOD HAZARD BOUNDARY MAP (FHBM)** - An official floodplain map of a community, issued by the Federal Insurance Administration.

**FLOODPLAIN** - A floodplain may be either or a combination of: (a) a relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse, during a one-hundred-year-design-frequency storm; or (b) any area subject to the unusual and rapid accumulation of runoff or surface waters from any source. With respect to stormwater management, also included are areas that comprise Group 13 Soils, as listed in Appendix A of the Pennsylvania Department of Environmental Protection (PaDEP) Technical Manual for Sewage Enforcement Officers (as amended or replaced from time to time by PaDEP).

**FLOODPROOFING** - Any combination of structural and non-structural additions, changes or adjustments to structures which reduces or eliminates flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents. With regard to nonresidential structures, the term "flood proofing" shall also mean that the structure, together with attendant utility and sanitary facilities, be designed so that any space below the regulatory flood elevation is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydromatic loads and effects of buoyancy.

**FLOODWAY** - The areas identified as floodway in the Flood Insurance Study prepared by the FEMA, as amended. The term shall also include floodway areas which have been identified in the other available studies or sources of information for those floodplain areas where no floodway has been identified in the Flood Insurance Study. In an area where no FEMA maps or studies have defined the boundary of the 100-year frequency floodway, it is assumed, absent evidence to the contrary, that the floodway extends from the stream to 50 feet from the top of the stream bank.

FLOODWAY FRINGE - Those portions of land subject to inundations by the one-hundred-year flood, beyond the floodway in areas where detailed study and profiles are available.

FLOOR AREA, GROSS - The sum of the gross horizontal areas of the several floors of a building or structure from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but excluding any space where the floor-to-ceiling height is less than six feet.

FLOOR AREA, HABITABLE - The aggregate of the horizontal areas of all rooms used for habitation, such as living room, dining room, kitchen, bedroom, but not including hallways, stairways, cellars, attics, service rooms or utility rooms, bathroom, closets, nor unheated areas such as enclosed porches, nor rooms without at least one window or skylight opening onto an outside yard or court. At least one-half of the floor area of every habitable room shall have a ceiling height of not less than seven (7) feet and the floor area of that part of any room where the ceiling height is less than five (5) feet shall not be considered as part of the habitable floor area.

FLOOR AREA, NET - The total of all floor areas of a building, excluding stair-wells and elevator shafts, equipment rooms, interior vehicular parking or loading; and all floors below the first or ground floor, except when used or intended to be used for human habitation or service to the public.

FREEBOARD - The vertical difference between the crest of an embankment or drainage structure and the design water surface.

FRONTAGE - The linear measurement taken along a property's common boundary with an adjoining street right-of-way.

GENERAL CONSISTENCY, GENERALLY CONSISTENT - That which exhibits consistency.

GOVERNING BODY - The Letterkenny Township Board of Supervisors.

GRADE - A slope, usually of a road, channel or natural ground specified in percent and shown on plans as specified herein. (To) Grade - to finish the surface of a roadbed, top of embankment or bottom of excavation.

GRASSED WATERWAY (SWALE) - A natural or man-made drainageway of parabolic, triangular or trapezoidal cross-section shaped to required dimensions and vegetated with erosion-resistant grasses for safe conveyance of runoff.

GROUNDWATER RECHARGE - Replenishment of existing natural underground water supplies.

GUARANTEE, MAINTENANCE - Any financial security that may be required of a developer by a municipality after final acceptance by the municipality of improvements installed by the developer. Such security may include, but not limited to, irrevocable letters of credit, bonds, restrictive accounts, or escrow accounts from approved Federal, State, or Commonwealth lending institutions.

GUARANTEE, PERFORMANCE - Any financial security that may be required of a developer by the municipality in lieu of a requirement that certain improvements be made prior to final approval of the subdivision or land development plan. Such security may include, but is not limited to, those instruments cited above as acceptable as maintenance guarantees.

HEIGHT - The vertical distance of a structure measured from the average elevation of the finished grade surrounding the structure to the highest point of the structure.

HIGH QUALITY WATERS - Surface waters having quality which exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water by satisfying Pennsylvania Code Title 25 Environmental Protection, Chapter 93 Water Quality Standards, § 93.4b(a).

HOMEOWNERS ASSOCIATION - A community association, which is, organized in a development in which individual owners share common interests in open space or facilities.

IMPERVIOUS LOT COVERAGE - A lot which has a surface of any material that prevents the absorption of stormwater into the ground. The total of impervious area includes the building area inclusive of rooftop, parking lot, sidewalks, and access drive, divided by lot total gross area.

IMPERVIOUS MATERIAL (SURFACE) - Any substance placed on a lot which covers the surface in such fashion as to prevent natural absorption of surface water by the earth so covered. The following items shall be deemed to consist of impervious material: Buildings, sidewalks, driveways, parking lots, swimming pools.

IMPOUNDMENT - A body of water, such as a pond, confined by a dam, dike, floodgate, or other barrier.

IMPROVEMENTS - Those physical additions, installations, and changes required to render land suitable for the use intended, including but not limited to grading, paving, curbing, street lights and signs, fire hydrants, water mains, electric service, gas service, sanitary sewers, storm drains, sidewalks, crosswalks, driveways, culverts, and other public utilities, and street shade trees, and improvements to existing water courses.

INFILTRATION FACILITY - A structure or other man-made feature designed to collect runoff and direct it into the ground.

INLET - A surface connection to a closed drain. A structure at the diversion end of a conduit. The upstream end of any structure through which water may flow.

LAND DEVELOPMENT – Any of the following activities:

- a. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
  - i. A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or
  - ii. The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of, streets, common areas, leaseholds, condominiums, building groups or other features.
- b. A subdivision of land.
- c. Concentrated animal operations.
- d. Earthmoving activities in excess of one (1) acre.

e. The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building, shall not constitute a "land development" as defined, unless otherwise specified herein.

**LAND USE PERMIT** – A document signed by a Township official as a condition precedent to the commencement of a use, or the erection, construction, reconstruction, restoration, alteration, conversion or installation of a structure or building, that acknowledges that such use, structure or building complies with the provisions of this ordinance or authorized variance therefrom.

**LANDOWNER** - The legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land, shall be deemed to be a landowner for the purposes of this Ordinance; provided however, that no person shall be entitled to act in the capacity of a landowner absent without the prior written consent of the legal owner so to act.

**LANDSCAPE PLAN** - A component of a development plan, if required, on which is shown proposed landscape species (such as number, spacing, size at time of planting, and planting details); proposals for protection of existing vegetation during and after construction; proposed treatment of hard and soft surfaces; proposed decorative features, grade changes, buffers and screening devices; and any other information that can reasonably be required in order that an informed decision can be made by the governing body.

**LOT** - A designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit. For the purposes of this Ordinance, any property recorded and consolidated under one deed as separate tracts of contiguous lands under the same ownership shall be considered one lot. Every newly subdivided lot within the Township shall have frontage on an adjoining street right-of-way.

**LOT AREA** - The area contained within the property lines of a lot as shown on a subdivision plan excluding space within any public street right-of-way, but including the area of any easement.

**LOT, CORNER** - A lot at the junction of and abutting on two or more intersecting streets or private roads.

**LOT DEPTH** - The horizontal distance measured between the street right-of-way line and the closest rear property line. On corner and reverse frontage lots, the depth shall be measured from the street right-of-way line of the street of address to the directly opposite property line.

**LOT, FLAG (PANHANDLE)** - A lot not meeting minimum frontage requirements and where access to the public road is by a narrow private right-of-way or driveway.

**LOT, INTERIOR** - A lot other than a corner lot.

**LOT LINES** - The boundary lines of a lot as defined herein.

- (1) **FRONT LOT LINE** - The lot line separating a lot from a street right-of-way. In the case of a corner lot or a lot abutting a street right-of-way on more than one side, there shall be two front lot lines.
- (2) **REAR LOT LINE** - The lot line opposite and most distant from the front lot line. In the case of triangular or otherwise irregularly shaped lots, a line ten feet in length entirely within the lot, parallel

to and at a maximum distance from the front lot line. A corner lot shall have 2 front lines, and two side lot lines.

(3) **SIDE LOT LINE** - Any lot line other than a front or rear lot line. A corner lot shall have 2 front lines, and two side lot lines.

**LOT, MINIMUM WIDTH** - The horizontal distance between the side lines of a lot measured at the front building setback line.

**MANNING'S EQUATION (IN MANNING'S FORMULA)** - A method for calculation of velocity of flow (e.g., feet per second) and flow rate (e.g., cubic feet per second) in open channels based upon channel shape, roughness, depth of flow and slope. "Open channels" may include closed conduits so long as the flow is not under pressure.

**MANUFACTURED HOME** - Factory-built single-family structures that meet the National Manufactured Home Construction and Safety Standards Act (42 U.S. c. Sec. 5401) commonly known as HUD (U.S. Department of Housing and Urban Development) code, as amended. See also Dwelling, Manufactured Housing.

**MANUFACTURED HOME LOT** - A parcel of land in a manufactured home park improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single manufactured home. (See also "Mobile Home Lot")

**MOBILE HOME:** A dwelling intended for use or occupancy; office or place of assembly; which is transportable and contained in one (1) unit or two (2) or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used with or without a permanent foundation, excluding modular or pre-manufactured housing having a width of at least 24 feet.

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

**MOBILE HOME PARK:** A parcel of land under single ownership which has been planned and improved for the placement of two (2) or more mobile homes for residential use at a density which is not in compliance with the applicable minimum lot size, yard area, and setback requirements for single family detached dwellings.

**MODIFICATION OF REQUIREMENTS** - Relief from the provisions of the Subdivision and Land Development Ordinance granted by the Board of Supervisors for relief from the strict application of a specific requirement or provision of the ordinance, which if literally enforced would exact undue hardship on the applicant. Modification decisions are required to be based on unique or peculiar conditions pertaining to the land. All modification requests are required to be submitted in writing and demonstrated to constitute the least possible relief necessary.

**MODULAR HOME** - A type of dwelling that is in a substantial part but not wholly produced in sections off the site and then is assembled and completed on the site. This shall not include any dwelling that meets the definition of mobile home, nor shall it include any dwelling that does not rest on a permanent foundation,

nor any dwelling intended to be able to be moved to a different site once assembled, nor any dwelling that would not fully comply with any and all applicable building codes. A modular home also shall not include a building that includes only one substantial piece prior to delivery on the site.

**MONUMENT** - A tapered, permanent survey reference point of stone or cement having a round top four inches (4") on each side with a length of twenty-four (24") inches.

**MUNICIPAL AUTHORITY**: The Letterkenny Township Municipal Authority, or its successor.

**MUNICIPALITY** - Any city of the second class A or third class, borough, incorporated town, township of the first or second class, county of the second class through eighth class, home rule municipality, or any similar general purpose unit of government which shall hereafter be created by the Pennsylvania General Assembly; more specifically, Letterkenny Township, Franklin County, Pennsylvania.

**NET DENSITY**: The number of dwelling units per net acre of land devoted to residential buildings and accessory uses on the same tract within the site but excluding land for streets, public parking, playgrounds, and non-residential uses.

**NON-POINT SOURCE POLLUTION** – Pollution that enters a watery body from diffuse origins in the watershed and does not result from discernable, confined, or discrete conveyances.

**NRCS** – Natural Resources Conservation Service (formerly SCS).

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

**OPEN CHANNEL** - A drainage element in which stormwater flows with an open surface. Open channels include, but shall not be limited to, natural and man-made drainageways, swales, streams, ditches, and canals.

**OPEN SPACE** - Any parcel or area of land or water essentially unimproved and set aside, dedicated, designed, or reserved for public use or enjoyment or for the use and enjoyment of owners, occupants, and their guests.

**OUTFALL** – Point where water flows from a conduit, stream or drain.

**OUTLET** – Points of water disposal from a stream, river, lake, tidewater or artificial drain.

**PARCEL** - Any lot, plot or tract of land designated by any legally recorded or approved means as a single unit. The term includes, but is not limited to, tax parcels, lots or deeded areas.

**PARK** - A tract of land, designated and used by the public for active and passive recreation.

**PEAK DISCHARGE** - The maximum rate of stormwater runoff from a specific storm event and location.

PEDESTRIAN WALKWAY - A specified easement, walkway, path, sidewalk or other reservation which is designed and used exclusively by pedestrians.

PERCOLATION TEST: A procedure to determine the absorption rate of the soil in an area proposed as the installation site for an on-lot septic system, to be carried out according to the requirements of the Pennsylvania Department of Environmental Protection.

PERSON - A corporation, company, association, society, firm, partnership, or joint stock company, as well as an individual, a state, and all political subdivisions of a state or any agency or instrumentality thereof, or any other legal entity whatsoever, which is recognized by law as the subject of rights and duties.

PERVIOUS SURFACE - Any material that permits full or partial absorption of stormwater.

PIPE - A culvert, closed conduit, or similar structure (including appurtenances) that conveys stormwater.

PLAN, SKETCH - An informal plan indicating salient existing features of a tract and its surroundings and the general layout of proposed subdivision or land development. The sketch plan does not constitute a formal submission of a preliminary or final plan and is voluntarily offered to all applicants for guidance.

PLANNING AGENCY (ALSO PLANNING COMMISSION) - A planning commission, planning department, or a planning committee of the governing body or the County, specifically, the Letterkenny Township Planning Commission, the Franklin County Planning Commission, and/or the Franklin County Planning Department.

PLAT - The map or plan of a subdivision or land development, whether preliminary or final; used occasionally herein synonymously with "plan".

PRIVATE - Not publicly owned, operated, or controlled.

PRIVATE STREET/ROAD - A non-public right-of-way which provides vehicular access to two or more lots.

PUBLIC GROUNDS - includes:

- i. parks, playgrounds, trails, paths, and other recreational areas and other public areas,
- ii. sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities; and
- iii. publicly owned or operated scenic and historic areas.

PUBLIC HEARING - A formal meeting held pursuant to public notice by the governing body or planning agency, intended to inform and obtain public comment, prior to taking action in accordance with this Ordinance or the Pennsylvania Municipalities Planning Code, as amended.

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

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

**PUBLIC SEWER** - A sanitary sewer system owned and operated by a municipal agency, or a public company controlled by the Pennsylvania Public Utility Commission, or a Home Owners Association registered to do business in the Commonwealth of Pennsylvania.

**PUBLIC STREET/ROAD** – A street ordained or maintained or dedicated and accepted by the Township, county, state or federal governments and open to public use.

**PUBLIC WATER** - A water system owned and operated by a municipal agency, or a public company controlled by the Pennsylvania Public Utility Commission, or a Home Owners Association registered to do business in the Commonwealth of Pennsylvania.

**QUALIFIED DESIGN PROFESSIONAL** – A Pennsylvania Registered Professional Engineer.

**RATIONAL FORMULA** – A rainfall-runoff relation used to estimate peak flow.

**REGULATED ACTIVITIES** - Actions or proposed actions that have an impact on stormwater runoff and that are specified in this Ordinance.

**REGULATORY FLOOD ELEVATION** - The 100-year flood elevation plus a freeboard safety factor of one and one half (1½) feet.

**RELEASE RATE** - The rate at which runoff is released from a site or sub-area measured in cubic feet per second.

**REPORT** – Any letter, review, memorandum, compilation or similar writing made by any body, board, officer or consultant other than a solicitor to any other body, board, officer or consultant for the purpose of assisting the recipient of such report in the rendering of any decision or determination. All reports shall be deemed recommendatory and advisory only and shall not be binding upon the recipient, board, officer, body or agency, nor shall any appeal lie therefrom. Any report used, received or considered by the board, body, officer or agency rendering a determination or decision shall be made available for inspection to the applicant and all other parties to any proceeding upon request, and copies thereof shall be provided at cost of reproduction.

**RESERVE STRIP**: A parcel of ground in separate ownership separating a street or road from adjacent properties or from another street.

**RETENTION BASIN** - A reservoir, formed from soil or other material, which is designed to retain permanently a certain amount of stormwater which also may be designed to temporarily detain surface runoff for a period of time sufficient to reduce the velocity and rate of surface flows leaving a site. Retention basins also may receive fresh water from year-round streams. Retention basins always contain water, and thus may be considered man-made lakes or ponds.

RETURN PERIOD - The average interval, in years, within which a storm event of a given magnitude can be expected to recur. For example, the 25-year return period rainfall would be expected to recur on the average of once every twenty-five years.

RIGHT-OF-WAY - A strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation and intended to be occupied or occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer and other similar uses.

RIGHT-OF-WAY, STREET - A public thoroughfare for vehicular traffic and/or pedestrian traffic, whether designated as a street, highway, thoroughfare, parkway, road, avenue, boulevard, lane, alley, or however designated.

RISER - A vertical pipe or inlet structure extending from the bottom of a pond that is used to control the discharge rate from the pond for a specified design storm.

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

SANITARY LANDFILL - Land, structures and other appurtenances or improvements where municipal or residual waste disposal or processing is permitted or takes place or where hazardous waste is treated, stored or disposed. The term includes land thereby used or affected during the lifetime of operations, including areas where solid waste management actually occurs, support facilities, offices, equipment sheds, air and water pollution control and treatment systems, access roads, associated on-site or contiguous collection, transportation and storage facilities, closure and post-closure care and maintenance activities, contiguous borrow areas and other activities in which the natural land surface has been disturbed or used as a result of or incidental to operation of the facility. A waste facility must meet the requirements of Title 25 of the Commonwealth of Pennsylvania Code, Articles VII to Article IX, and any state or federal act or laws, as applicable and amended, such as the Solid Waste Management Act, the Clean Streams Law, and all applicable federal regulation, such as the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Sections 6901 to 6992 and 40 CFR Parts 260 to 279. A waste disposal or processing plant may include landfills, incinerators, impoundment, transfer facilities, composting facilities or resource recovery facilities, as defined in the Pennsylvania Code.

SANITARY SEWAGE - Any liquid waste containing animal or vegetable matter in suspension or solution or the water-carried waste resulting from the discharge of water closets, laundry tubs, washing machines, sinks, dishwashers, or any other source of water-carried waste of human origin or containing putrescible material.

SANITARY SEWER - Pipes that carry domestic or commercial sanitary sewage and into which storm, surface, and ground waters are not intentionally admitted.

SCREENING - The provision of a barrier to visibility, airborne particles, glare and noise between adjacent properties, uses and/or districts, composed entirely of trees, berm, shrubs, hedges, sight-tight fences and/or other similar-type materials.

SCREEN PLANTING - A vegetative material of sufficient height and density to conceal from the view of property owners on adjoining properties. The structures and uses on the premises on which the screen planting is located.

SECRETARY: The Letterkenny Township Secretary.

SEDIMENT BASIN: A temporary dam or barrier constructed across a waterway or at other suitable locations to intercept the runoff and to trap and retain the sediment.

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

SEEPAGE PIT (SEEPAGE TRENCH) - An area of excavated earth filled with loose stone or similar coarse material, into which surface water is directed for infiltration in the ground.

SEPTIC SYSTEM - An underground system with a septic tank used for the decomposition of domestic wastes.

SETBACK - The distance between the building and any lot line.

SEWAGE DISPOSAL SYSTEM (ON-LOT) - Any system designed to eliminate sanitary sewage within the boundaries of the lot the system serves.

SEWAGE DISPOSAL SYSTEM (OFF-LOT) - Any system designed to eliminate sanitary sewage outside the boundaries of the lot the system serves.

SEWAGE DISPOSAL AND TREATMENT SYSTEM (PUBLIC OR COMMUNITY) - A sanitary sewage collection method in which sewage is carried from the site by a system of pipes to a central treatment and disposal plant.

SHEET FLOW - Runoff that flows over the ground surface as a thin, even layer, not concentrated in a channel.

SHOULDER - The portion of the street, contiguous to cartway, for the accommodation of stopped vehicles, for emergency parking, and for lateral support of base and surface courses of the pavement.

SIDEWALK - A paved, surfaced, or leveled area, paralleling and usually separated from the street, used as a pedestrian walkway.

SIGHT DISTANCE - The length of roadway visible to the driver of a passenger vehicle at any given point on the roadway when the view is unobstructed by traffic.

SIGHT TRIANGLE - A triangular-shaped portion of land established at street intersections in which nothing is erected, placed, planted or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection.

SITE - A parcel of land located in a municipality, established by a plat or otherwise as permitted by law, which is the subject of an application for development. A site may include more than one lot.

SITE PLAN - An accurately scaled development plan that illustrates the existing conditions on a land parcel as well as depicting details of a proposed development.

SLOPE - The face of an embankment or cut section; any ground whose surface makes an angle with the plane of the horizon. Slopes are expressed in a percentage based upon vertical difference in feet per 100 feet of horizontal distance. The following formula is the acceptable method of determining average slope:

$$S = \frac{0.0023 I \times L}{A}$$

S = Average percent slope of site, I = Contour interval in feet,

L = Sum of the length of contours in feet, A = Land area in areas of parcel being considered

SOILS ANALYSIS: A procedure to permit visual inspection of geological formations and water table level in an area proposed as the installation site for an on-lot septic system. Such test will consist of a trench which shall be as a minimum two feet (2') wide and six feet (6') deep or four feet (4') below the proposed installation level of the septic field, whichever is deeper. Such test may be referred to as a "Deep Probe" or inspection trench and shall be open for inspection by the Township and the Department of Environmental Protection.

SOIL COVER COMPLEX METHOD - A method of runoff computation developed by the NRCS that is based on relating soil type and land use/cover to a runoff parameter called Curve Number (CN).

SOIL GROUP, HYDROLOGIC - A classification of soils by the Natural Resources Conservation Service into four runoff potential groups. The groups range from "A" soils, which are very permeable and produce little runoff, to "D" soils, which are not very permeable and produce much more runoff.

SOIL STABILIZATION - Chemical or structural treatment of a mass of soil to increase or maintain its stability or otherwise improve its engineering properties.

SPILLWAY - A depression in the embankment of a pond or basin that is used to pass peak discharge greater than the maximum design storm controlled by the pond.

STEEP SLOPES – Slope shall be measured as the change in elevation over the horizontal distance between consecutive contour lines and expressed as a percent. The steep slope regulation set forth in this Ordinance shall apply where any applicable steep slope area, as set forth below, extends over three (3) or more contiguous two (2) foot contour intervals and where said area of steep slope exceeds one thousand (1,000) square feet in any single contiguous area. All slope measurements shall be determined by a topographic survey signed and sealed by a Pennsylvania registered surveyor or engineer. For the purposes of this Ordinance, steep slopes are defined as either of the following categories: Moderate Slopes are those areas of land where the grade is 15% to 25%. Steep Slopes are those areas where the grade exceeds 25%.

STORAGE STRUCTURE: A retention or detention structure.

STORM FREQUENCY - The number of times that a given storm "event" occurs or is exceeded on the average in a stated period of years. See "Return Period".

STORM SEWER: A pipe, open ditch or drainage channel for conveying rain water, surface water, condensate, cooling water or similar liquid wastes; exclusive of sewage or industrial wastes; to a natural water course or other outlet.

STORM WATER - Water that surfaces, flows or collects during and subsequent to rain or snowfall.

**STORM WATER DETENTION** - Any storm drainage technique that retards or detains runoff, such as detention or retention basin, parking lot storage, rooftop storage, porous pavement, dry wells or any combination thereof.

**STORM WATER MANAGEMENT**: The control of runoff to allow water falling on a given site to be absorbed or retained onsite to the extent that after development the peak rate discharge leaving the site is not significantly different than if the site had remained undeveloped.

**STORM WATER MANAGEMENT PLAN** - A plan for managing the storm water runoff from a proposed subdivision or land development, including data and calculations, prepared by the developer in accordance with the standards of this ordinance, or any applicable municipal or watershed stormwater management ordinance.

**STORM WATER MANAGEMENT FACILITY** - Any structure, natural or man-made, that, due to its condition, design, or construction, conveys, stores, or otherwise affects stormwater runoff. Typical stormwater management facilities include, but are not limited to, detention and retention basins, open channels, storm sewers, pipes, and infiltration facilities.

**STREAM** - A watercourse having a source and terminus, banks and channel through which waters flow at least periodically.

**STREET** - Includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private. See the Township Comprehensive Plan for a listing of individual streets by functional classification.

**STREET WIDTH** - The distance between street lines measured at right angles to the center line of the street.

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

**SUBAREA** - The smallest drainage unit of a watershed for which stormwater management criteria have been established in the Stormwater Management Plan.

**SUBDIVIDER** - A person, partnership, corporation or unincorporated association owning land in the municipality or the agent of said person, partnership, corporation, or unincorporated association, for which owner or agent a land subdivision application is filed and processed under the provisions of this Ordinance.

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

**SUBDIVISION MINOR**: Any division abutting an existing public street or road involving three (3) or less lots, parcels of land, or other division of land which does not require a new street, the installation of sanitary sewers, storm sewers, water mains or pipes, or other public improvements.

**SUBSTANTIALLY COMPLETED** - Where, in the judgment of the engineer, at least ninety (90%) percent (based on the cost of the required improvements for which financial security was posted pursuant to the provisions of this Ordinance or other applicable laws) of those improvements required as a condition for final approval have been completed in accordance with the approved plan, so that the project will be able to be used, occupied or operated for its intended use.

**SURFACE MINING OPERATION**: The removal of any substance from the earth for use as fuel, roadway material, manufacturing, or for re-sale, excepting shale, slate or soil excavation and removal operations.

**SURVEYOR, PROFESSIONAL LAND** - An individual licensed and registered under the laws of this Commonwealth to engage in the practice of land surveying. A professional land surveyor may perform engineering land surveys but may not practice any other branch of engineering.

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

**TIME OF CONCENTRATION (T<sub>c</sub>)** - The time for surface runoff to travel from the hydraulically most distant point of the watershed to a point of interest within the watershed. This time is the combined total of overland flow time and flow time in pipes or channels, if any.

**TOPOGRAPHY** - The configuration of a surface area showing relative elevations.

**TOPSOIL** - Surface soils and subsurface soils which presumably are fertile soils and soil material, ordinarily rich in organic matter of humus debris. Topsoil is usually found in the uppermost soil layer called the "A" Horizon.

**TOWNSHIP** - The Township of Letterkenny, Franklin County, Pennsylvania, its Board of Supervisors, its agents or authorized representatives.

**USABLE OPEN SPACE**: A parcel or parcels of land or an area of water, or a combination of land and water within a development site, designed and intended for the use or enjoyment of residents of the subdivision or mobile home park or other development, not including streets, off-street parking areas and areas set aside for public facilities.

**USE** - The specific purpose for which land or a building is designated, arranged, intended, or for which it is or may be occupied or maintained.

1. **USE, ACCESSORY**: A use customarily incidental and subordinate to the principal use, building or structure located on the same lot with this principal building or structure.
2. **USE, PRINCIPAL**: The main or primary use of property, buildings or structures.

**WATER COURSE**: A permanent stream, intermittent stream, river, brook, creek, channel or ditch for water, whether natural or man-made.

**WATER SURVEY** - An inventory of the source, quantity, yield and use of groundwater and surface-water resources within the Township.

**WATER SYSTEM** - A water facility providing potable water to individual lots or to the public for human consumption.

WATER SYSTEM, NONPUBLIC - All water systems which are not public water systems.

WATER SYSTEM, OFF-LOT - An approved water system in which potable water is supplied to a dwelling or other building from a central water source which is not located on the same lot as the dwelling or building.

WATER SYSTEM, ON-LOT - A well or other approved system designed to provide potable water to a dwelling or building located on the same lot as the source.

WATER SYSTEM, PUBLIC - A water system, as defined by the Pennsylvania Department of Environmental Protection, which has at least fifteen (15) service connections or regularly serves an average of at least twenty-five (25) individuals daily at least 60-days out of the year.

WETLANDS - Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands include, but are not limited to, swamps, marshes, bogs, and similar areas.

YARD - An unoccupied space, other than a court, open to the sky, on the same lot with a building or structure.

YARD, FRONT - An open, unoccupied space on the same lot with a main building, extending the full width of the lot and situated between the street line and front line of the building projected to the side lines of the lot. The depth of the front yard shall be measured between the front line of the building and the street line. Covered porches whether enclosed or unenclosed, shall be considered as part of the main building and shall not project into a required front yard.

YARD, REAR - An open unoccupied space on the same lot with a main building, extending the full width of the lot and situated between the rear line of the lot and the rear line of the building projected to the side lines of the lot. The depth of the rear line of the building shall not extend into the required rear yard.

YARD, SIDE - An open, unoccupied space on the same lot with the building situated between the building and the side line of the lot extending from the front yard to the rear yard. Any lot line not a rear line or a front line shall be deemed a side line. A building shall not extend into the required side yards.