

**LOWER SAUCON TOWNSHIP  
NORTHAMPTON COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2007-02**

**AN ORDINANCE OF THE TOWNSHIP OF LOWER SAUCON, NORTHAMPTON COUNTY, PA, ESTABLISHING REGULATIONS, STANDARDS, AND PROCEDURES FOR THE PROCESSING, APPROVAL, AND CONSTRUCTION OF SUBDIVISIONS AND LAND DEVELOPMENTS BY WAY OF AMENDING THE TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE 98-08, AS ADOPTED MAY 20, 1998, AS PREVIOUSLY AMENDED**

**WHEREAS**, Lower Saucon Township (Township) is a Township of Second Class located within Northampton County, Commonwealth of Pennsylvania; and

**WHEREAS**, the Council of Lower Saucon Township, Northampton County, Pennsylvania (hereinafter referred to as “Township”) has determined that the public health, safety, and welfare would be advanced by amending the Township Subdivision and Land Development Ordinance; and

**WHEREAS**, this Ordinance is authorized by the provisions of Article XXVII of the Pennsylvania Second Class Township Code, as amended and is authorized by the provisions of Article V of the Pennsylvania Municipalities Planning Code, Act 170 of 1998.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED** by Lower Saucon Township Council of Northampton County, Pennsylvania, as follows:

**SECTION 1            TITLE**

The name of this Ordinance shall be “The 2006 Amendment to the Lower Saucon Township Subdivision and Land Development Ordinance”.

**SECTION 2**

Reference to section numbers within this Ordinance, amending the Township Subdivision and Land Development Ordinance shall refer to Chapter 145 with various subsections as incorporated into the Township Codified Ordinance.

### **SECTION 3**

Section § 145-6 is amended by adding the words “and Appendix D” to the Appendix list.

### **SECTION 4**

Section § 145-7 is amended by adding the words “and Appendix D” to the Appendix list.

### **SECTION 5**

Section § 145-15 is amended by deleting the definitions for:

#### **INFILTRATION STRUCTURES**

and

#### **RELEASE RATE**

Section § 145-15 – The definition of “Drainage Easement” is amended to add the words “or other grantee” in place of the words “and property owner in the area”.

Section § 145-15 – The definition of “Land Development” is hereby deleted in its entirety and replaced as follows:

#### **LAND DEVELOPMENT:**

A. Any of the following activities:

- (1) The improvement of one (1) lot or two (2) or more contiguous lots, tracts, or parcels of land for any purpose involving:
  - a) A group of two (2) or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or
  - b) The division or allocation of land or space, whether initially or cumulatively, between or among two (2) or more existing or prospective occupants by means of or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.
- (2) A subdivision of land.

- B. The following activities are excluded from the definition of Land Development unless the proposal involves the construction described in Subsection A (2) above:
- (1) The conversion of an existing single-family detached dwelling or single-family semidetached dwelling into not more than three (3) residential units, unless such units are intended to be a condominium; and
  - (2) The addition of an accessory building on a lot subordinate to an existing farm or residential principal building.

Section § 145-15 is amended by adding the following definitions for:

**BEST MANAGEMENT PRACTICE (BMP)** – Activities, facilities, measures, or procedures used to manage stormwater quantity and quality impacts from the regulated activities of the Stormwater Management Ordinance. Best Management Practice is more thoroughly defined with related requirements in the Stormwater Management Ordinance.

**BUFFER** – (1) Streamside Buffer – A zone of variable width located along a stream that is vegetated and is designed to filter pollutants from runoff.

(2) Special Geological Feature Buffer – A required isolation distance from a special geologic feature to a proposed BMP needed to reduce the risk of sinkhole formation due to stormwater management activities.

**CARBONATE BEDROCK** – Rock consisting chiefly of carbonate minerals, such as limestone and dolomite; specifically a sedimentary rock composed of more than 50% by weight of carbonate minerals that underlies soil or other unconsolidated, superficial material.

**CLOSED DEPRESSION** – A distinctive bowl-shaped depression in the land surface. It is characterized by internal drainage, varying magnitude, and an unbroken ground surface.

**INFILTRATION PRACTICE** – A practice designed to direct runoff into the ground, i.e. French drain, seepage pit, seepage trench, or bio-retention area.

**KARST** – A type of topography or landscape characterized by depressions, sinkholes, limestone towers and steep-sided hills, underground drainage and caves. Karst is usually formed on carbonate rocks, such as limestone or dolomites and sometimes gypsum.

**QUALIFIED GEOTECHNICAL PROFESSIONAL** – A licensed professional geologist or a licensed professional engineer who has a background or expertise in geology or hydrogeology.

**SPECIAL GEOLOGIC FEATURES** – Carbonate bedrock features, including but not limited to closed depressions, existing sinkholes, fracture traces, lineaments, joints, faults, caves and pinnacles, which may exist and must be identified on a site when stormwater management BMPs infiltration or detention of stormwater is being considered.

## **SECTION 6**

Section § 145-18 D – is amended by changing Five (5) days to thirty (30) days.

## **SECTION 7**

Section § 145-19 C – Shall be deleted in its entirety and replaced as follows:

### **C. Subdivision and Land Development Plan Submission Procedures**

- (1) Any applicant who desires to meet with the Township’s professionals or consultants prior to submitting a plan application or at such time an application is received shall execute a Professional Escrow Agreement with the Township and post an escrow amount to be determined therein to cover any costs to the Township associated with the aforementioned consultations.
- (2) At least thirty-five (35) calendar days prior to the meeting of Lower Saucon Planning Commission, at which initial consideration is desired, the applicant shall submit twenty-five (25) copies of the plan (sketch, preliminary, or final), together with the appropriate escrow fees and nonrefundable filing fees, as applicable, to the Township office, to enable review letters to be generated by the various review agencies and Township personnel, consultants, and staff. All submissions shall be delivered to the Township office to be stamped with the date of receipt.
- (3) Informal sketch plan submissions shall be submitted to the Township office ten (10) days prior to the date of meeting at which applicant desires to appear. The Applicant shall provide eleven (11) copies of the Plan.
- (4) In addition, the applicant shall submit the following accompanying documents at the time of plan submission, if applicable:

- a) Six (6) copies of the DEP Sewer Facilities Planning Modules
  - b) Four (4) copies of the Erosion and Sedimentation Control Plan and Narrative
  - c) Four (4) copies of the Drainage Plan, including calculations
  - d) Four (4) copies of the Traffic Impact Study
  - e) Four (4) copies of the PennDOT Highway Occupancy Permit Application and Drawings
  - f) Four (4) copies of any other required applications, permits, etc.
  - g) Four (4) copies of the “Notice to Property Owners” with supporting documents, as required by §145-33E(12) for Preliminary Plans
  - h) Two (2) CDs of all plans in AutoCAD format (jpeg-ROM)
  - i) Twenty-five (25) copies of the plans of the plot of the subdivision or land development on 11” x 17” paper (refer to §145-33E[11])
  - j) One (1) copy of the escrow agreement
- (5) The applicant shall be separately responsible for applying for reviews by outside agencies, including (but not limited to):
- a) Lehigh Valley Planning Commission
  - b) Northampton County Conservation District
  - c) Pennsylvania Department of Environmental Protection
  - d) Pennsylvania Department of Transportation
- (6) Revised Sketch, Preliminary or Final Plans or other documentation, along with the corresponding fee, shall be resubmitted to the Township office at least thirty (30) calendar days prior to the meeting of the Planning Commission. Twenty-five (25) sets shall be submitted for resubmission to the Planning Commission.

- (7) Revised Informal Sketch Plans and other documentation, along with the corresponding fee, shall be submitted to the Township office at least thirty (30) calendar days prior to the meeting of the Township Council. Eleven (11) sets shall be submitted for any resubmission to Council.
- (8) Plans will not be accepted by the Township office for review unless and until all required copies are presented and all applicable fees are paid and escrow amounts are posted in accordance with the Township's fee schedule.
- (9) Per the required Escrow Agreement, the applicant shall be responsible for maintaining the original balance relative to the escrow account established with the Township for payment of Township costs and fees. Each month, the Township shall forward an invoice to the applicant setting forth the amount deducted from said escrow account for payment of costs and fees. The applicant shall remit the amount of the invoice to the Township upon receipt, thereby bringing the balance of the escrow account back to the original amount. In the event that any applicant's escrow account balance falls below fifty percent (50%) of the original amount, the Township may direct its professionals and consultants to cease work on the applicant's submission until such time as the escrow account balance is restored to its original amount.
- (10) Upon receipt of a complete submission, the Township office shall notify the Planning Commission, in writing, of the date of receipt of the submission, the date of commencement of the 90-day review time period, and the date of the first Planning Commission meeting at which the application will be considered. The Planning Commission shall make its recommendation in accordance with this schedule, unless a written extension of the time period for review is received prior to the meeting of the Planning Commission.
- (11) When a complete plan application is submitted, the ninety (90) day review period shall commence on the date of the Planning Commission's next meeting following the date of the complete submission. When revised plans are submitted, a new ninety (90) day review period shall commence on the date of the Planning Commission meeting next following the date of the revised submission.
- (12) The Planning Commission, in its review, shall consider the comments, if submitted, of the Lehigh Valley Planning Commission, as well as the Township Engineer, Solicitor, Township Planner, Chief of Police, Fire Chief, Director of Public Works, the Environmental Advisory

Commission and Lower Saucon Authority. The Planning Commission may recommend to the Council that a plan be approved with conditions, and in so doing, shall specifically list such conditions, in writing, and submit them to the Council for review and consideration. In the event that the Planning Commission recommends approval without conditions, or recommends that the plan be denied, such recommendation shall be forwarded, in writing, to the Council.

- (13) The Council shall take official action on all plans, after receiving the report and recommendation of the Planning Commission, and within the ninety (90) day time limit imposed by the Municipalities Planning Code unless the Applicant/Developer grants an extension of the review period, which shall be no less than ninety (90) days. However, the Council shall take such action within the time limit herein referenced regardless of whether a recommendation from the Planning Commission has been received.
- (14) The action of the Council with regard to the plan submission shall be in writing, and communicated to the applicant personally or mailed to the applicant at his last known address not later than fifteen (15) days following the date of the decision.
- (15) The Council may approve a plan submission subject to certain conditions. When a plan is approved with conditions, the Council shall communicate said approval and conditions to the applicant as described above. If the plan is approved with conditions, the applicant shall acknowledge his acceptance of the conditions in writing. If the applicant does not accept or reject the conditions, in writing, within sixty (60) days from the date of the conditional approval, said approval shall be automatically rescinded. Plans approved by the Council subject to conditions shall not be signed by the Township, released for construction, or released for recording until all conditions have been satisfied.
- (16) The Township Office shall secure the appropriate signatures of the Planning Commission and the Council on the approved plans. Within ninety (90) days of the applicant's satisfying all the imposed conditions, the plan shall be recorded in the Northampton County Recorder of Deeds Office.
- (17) In no event shall the plans be released for recording until all of the Township's legal, engineering, and administrative costs relative to the plan submission have been paid in full, and the required financial security has been posted with the Township.

## **SECTION 8**

Section § 145-32 – is amended by adding Section L – Initial Site Capacity Calculations, as established in the Township Zoning Ordinance.

## **SECTION 9**

Section § 145-33 – is amended by adding Section C(6) – Site Capacity Calculations, as established in the Township Zoning Ordinance..

## **SECTION 10**

Section § 145-33 – is amended by adding Sections D(18) and D(19), as follows.

- (18) Site capacity calculations for the development and natural resource protection tabulations for the development for each lot. A tabulation shall be provided on the Plan showing the area, the required protection rate and area, the maximum disturbance area, the proposed disturbance area, and the remaining allowable disturbance area for each natural resource identified in the Zoning Ordinance for each lot.
- (19) Lot grading for post-development conditions with a realistic option for building area and driveway access, showing the limits of disturbance for that option.

## **SECTION 11**

Section § 145-33 E(3) is revised in its entirety as follows:

- (3) Drainage Plan and computations, consistent with the Township Stormwater Management Ordinance including the results of any geologic and soil investigation and testing undertaken to verify suitability of the geology and soil conditions for stormwater infiltration and including the developer’s proposal for best management practices and stormwater facility post-construction operation and maintenance.

## **SECTION 12**

Section § 145-33 E – is amended by adding Section (12), as follows:

- (12) Required Notification of Surrounding Property Owners – Any applicant submitting Plans for a Major Subdivision or a Land Development shall notify all individuals or entities who own real estate adjoining or adjoining an adjoiner of the pendency of such Major Subdivision or Land Development proposal in



writing on a form attached hereto as Appendix E. Such notice shall be made by regular mail to the landowner’s last known address. The address on the tax rolls shall be considered the last known address. Such notice shall be mailed within fifteen (15) days after the submission of the first Plan submission (Sketch or Preliminary). Verification of mailing, including a copy of the names, addresses, and tax parcel numbers of each person to whom the notice was mailed, shall be given to the Township within fifteen (15) days of submission.

### **SECTION 13**

Section § 145-34 A – is amended by deleting the phrase “When required”

### **SECTION 14**

Section § 145-34 B – Shall be deleted in its entirety and replaced as follows:

- “Drafting Standards” and “Existing Features of the Land” shall be required for a Final Plan the same as those required for a Preliminary Plan per the provisions of §145-33 B and C.

### **SECTION 15**

Section § 145-34 C(6) – is amended by changing the word “on” to the words “and/or” after the word “easement”.

### **SECTION 16**

Section § 145-34 D – is amended by inserting a new Section (5) and re-labeling Sections (5), (6), and (7) as Sections (6), (7), and (8).

- (5) A copy of an agreement, as a covenant running with the land, that is accepted and approved by the Township describing the property owner’s responsibilities for the operation and maintenance of stormwater management facilities and BMPs in accordance with the developer’s post construction Operation and Maintenance Plan.

### **SECTION 17**

Section § 145-43 A(2) – is amended by changing the words “a minimum of three (3) acres” shall be amended to read “a minimum of two (2) acres” at two (2) locations in this section.

## **SECTION 18**

Section § 145-44 G – is amended by adding a new Section (G) and re-labeling Section (G) to be Section (H), as follows:

- (G) The maximum driveway grade (or slope) beyond the above limit of fifty (50) feet shall be fifteen percent.

## **SECTION 19**

Section § 145-45(D)(7) – is amended by adding the following paragraph:

Two streets intersecting a third street from the same side shall be separated by the following minimum distances, centerline to centerline:

- (d) Eight hundred feet if any of the streets is an arterial or collector road.
- (e) Three hundred feet if all roads are local roads.

## **SECTION 20**

Section § 145-45(G)(2)(b)[2] is amended to add the words “or equivalent of Superpave binder course material”.

## **SECTION 21**

Section § 145-45(G)(2)(b)[3] is amended to add the words “or equivalent of Superpave wearing course material”.

## **SECTION 22**

Section § 145-45 G – is amended by adding a new Section (4), as follows:

- (4) Private streets, driveways and parking spaces may be constructed of porous concrete or porous bituminous paving to provide an element of stormwater management, conditioned upon the vehicular weight capacity of the porous pavement being equivalent to, or better than, the capacity of the bituminous pavement specification provided herein.

## **SECTION 23**

Section § 145-48 –Stormwater Management is hereby deleted in its entirety and replaced as follows:

Section § 145-48 – Stormwater Management

- A. General Provisions – All Subdivision and Land Developments shall be designed, constructed, and maintained in accordance with the requirements of the Township Stormwater Management Ordinance.
- B. Stormwater Management Facilities – The design, construction, and maintenance of all stormwater management facilities shall be provided in accordance with the Township Stormwater Management Ordinance and the applicable requirements of this Ordinance including, but not limited to the Improvement Construction Standards described in Appendix A.

## **SECTION 24**

Section § 145-49 A – is amended by changing the words “Township’s Official Plan for Sewage Facilities” to the words “Township’s Act 537 Official Sewage Facilities Plan”.

## **SECTION 25**

Section § 145-49 B – is amended by changing the words “Township’s Official Plan for Sewage Facilities” to the words “Township’s Act 537 Official Sewage Facilities Plan”.

## **SECTION 26**

Section § 145-49 C – is hereby deleted in its entirety and replaced as follows:

- C. Where a private or public centralized sanitary sewer system is proposed by the developer, the Township Council may revise the Township’s Act 537 Official Sewage Facilities Plan by resolution, indicating that the Township has approved the system concept. Any request for a change to the Township’s Act 537 Official Sewage Facilities Plan shall include, at a minimum, the following:
  - (1) All studies and evaluations required by Chapter 71 of the Pennsylvania Department of Environmental Protection Regulations.
  - (2) A “Study of Needs” for the existing homes or businesses within one half mile of the perimeter of the development to determine whether or not those homes or businesses have a need for improved sewage facilities.

- (3) An “Analysis of Alternatives” for the study of options that may be available to provide sewage facilities of the development and any homes or businesses within one half mile of the perimeter of the development that has been identified with a need for improved sewage facilities. This analysis of alternatives must include:
- (a) A field soil evaluation to determine suitability of soils on the development for the utilization of surface or subsurface land application for effluent disposal.
  - (b) A plan for long term operation and maintenance of the proposed system. If such plan proposes operation and maintenance by the property owners, the plan must include the draft of a legal agreement that would be used as a covenant running with the land to assure that all current and future property owners agree to and are aware of their responsibilities.
  - (c) A financial plan to demonstrate the ability of the developer and future property owners to install, operate, and maintain the proposed centralized sanitary sewer system.

If the developer is not proposing to utilize the existing Lower Saucon Authority public sewage facilities or because of limitations on the available capacity of that system is not approved for utilization of that system, the developer must use the surface or subsurface land application of treated sewage effluent as the means of sewage disposal, whenever feasible. The Township will not approve an alternative which includes a stream discharge of treated sewage effluent unless the developer has demonstrated to the satisfaction of the Township Council that no portion of the development site is suitable for surface or subsurface land application of treated sewage effluent.

The Financial Plan for the long term operation and maintenance of the sewage facilities will not be approved by the Township if the projected annual user costs exceeds one hundred fifty percent (150%) of the current annual user cost charged by the Township or its Authority to a similar class of customers using the public sewer system which is connected to the City of Bethlehem Wastewater Treatment Plant.

Any centralized sanitary sewer system shall be offered for dedication at no cost to the Township or its Authority. The Township or its Authority may or may not accept such dedication at their discretion. Such system shall be designed and constructed to comply with this chapter and applicable ordinances or regulations

of the Township and Township Authority as though it were a public system, whether or not the Township or its Authority intends to accept this dedication.

## **SECTION 27**

Section § 145-49 D – is amended by changing the words “nor a private centralized sewage system is contemplated” to the words “nor a public or private centralized sewage system is proposed”.

## **SECTION 28**

Section § 145-50 B – is here by deleted in its entirety and replaced as follows:

- B. The developer may propose a centralized water supply system to serve its development. Any proposal for a centralized water supply system must include:
  - (a) The evaluation of the source of water as described in this section.
  - (b) A plan for long-term operation and maintenance of the proposed system. If such plan proposes the operation and maintenance by the property owners, the plan must include the draft of a legal agreement that would be used as a covenant running with the land to assure that all current and future property owners agree to and are aware of their responsibilities.
  - (c) A financial plan to demonstrate the ability of the developer and future property owners to install and operate the proposed centralized water supply system.

The Financial Plan for the long term operation and maintenance of the centralized water supply system will not be approved by the Township if the projected annual user costs exceeds one hundred fifty percent (150%) of the current annual user cost charged by the Township or its Authority to a similar class of customers using the public water system which is connected to the Lower Saucon Authority system.

Any centralized water supply system must be designed and installed in accordance with this chapter. When such a system is proposed, it must be offered for dedication at no cost to the Township or its Authority. The Township or its Authority may or may not accept such dedication at their discretion. The design and construction of this system must meet the requirements of this chapter and applicable ordinances or regulations of the Township and Township Authority as though it were a public system, whether or not the Township or its Authority intends to accept this dedication.

## **SECTION 29**

Section § 145-50 C – is amended by adding the words:

“... and any unlined detention basin, any stormwater infiltration practice, or crop agricultural land use ...”

after the words:

“... any existing or proposed on-site sewage disposal system ...”

## **SECTION 30**

Section § 145-50 G – is amended by adding the words:

“... for public water systems.”

after the words:

“... requirements for New Source drinking water standards”

## **SECTION 31**

Section § 145-50 G – is amended by adding the following sentence at the end of the first paragraph:

If the water sampled does not meet the MCLs, the developer shall provide a plan to correct the deficiencies to the satisfaction of the Township.

## **SECTION 32**

Section § 145-51 C(4) – is hereby deleted in its entirety and replaced as follows:

Detention basin areas and sanitary sewer effluent land application areas shall not be included as open space or included as recreation areas for the purpose of meeting the land dedication requirements of this section. Infiltration practices and BMPs, including a 10-foot distance around the perimeter of these features or the corresponding easement for these features, whichever is more restrictive, shall not be included as open space or included as recreation areas for the purposes of meeting the land dedication requirements of this section.

### **SECTION 33**

Section § 145 – Appendix A-2 – is amended by adding the words:

“...latest edition”

after the words:

“Publication 408”

and before the words:

“... and with the following standards”

### **SECTION 34**

Section § 145 – Appendix A-2C – is amended by changing the words “three inches” to the words “four inches”.

### **SECTION 35**

Section § 145 – Appendix A-2 – Sections D, E, F, and G are deleted in their entirety and replaced with the following Sections D, E, F, G, and O:

- D. Base Course - Base course shall be provided and constructed in accordance with PennDOT Publication 408 to the specifications of Section 409.

Base course shall be Superpave Asphalt Mixture Design, 25.0 mm, PG64-22.

ESAL specifications to be determined from Table #A-1.

- E. Tack Coat – Tack coat material may be required by the Township Engineer just prior to the construction of the Binder or Wearing Course. Such tack coat shall be applied to the base in accordance with PennDOT Publication 408, Section 460.

- F. Binder Course – Binder Course shall be provided and constructed in accordance with PennDot Publication 408 to the specifications of Section 409.

Binder Course shall be Superpave Asphalt Design Mixture, 25.0 mm, PG64-22.

ESAL Specifications to be determined from Table #A-1.

- G. Wearing Course – Wearing course shall be provided and constructed in accordance with PennDOT Publication 408 to the specifications of Section 409

Wearing course shall be Superpave Asphalt Mixture Design, 9.5 mm, PG64-22.

ESALs to be determined from Table A-1, SRL to be determined from Table A-2.

**NOTE:** Required pavement depths are also indicated in Table A-3 below.

**TABLE A-1**

| <u>ESALs</u>                | = | <u>Trucks/Day</u>     |
|-----------------------------|---|-----------------------|
| <b>0.0 to 0.3 million</b>   |   | <b>0 to 40</b>        |
| <b>0.3 to 3.0 million</b>   |   | <b>40 to 400</b>      |
| <b>3.0 to 10.0 million</b>  |   | <b>400 to 1,300</b>   |
| <b>10.0 to 30.0 million</b> |   | <b>1,300 to 3,900</b> |

**TABLE A-2**

**Skid Resistance Level (SRL) Determination**

| <u>Average Daily Traffic</u> | <u>SRL</u> | <u>Alternates</u>   |
|------------------------------|------------|---|
| <b>20,000 and Above</b>      | <b>E</b>   | <b>None</b>   |
| <b>5,000 to 20,000</b>       | <b>H</b>   | <b>E, H, Blend of E and M, Blend of E and G</b>                         |
| <b>3,000 to 5,000</b>        | <b>G</b>   | <b>E, H, G, Blend of H and L, Blend of E and L</b>                      |
| <b>1,000 to 3,000</b>        | <b>M</b>   | <b>E, H, G, M, Blend of H and L, Blend of G and L, Blend of E and L</b> |
| <b>1,000 and Below</b>       | <b>L</b>   | <b>Any</b>  |

**NOTE:** All blends are 50% by weight and shall be accomplished by an approved method.



**TABLE A-3**  
**Pavement Depth Requirements**  
**(Depths to be measured after compaction)**

| <b><u>Street Type →</u></b> | <b><u>Local</u></b> | <b><u>Collector</u></b> | <b><u>Arterial</u></b> |
|-----------------------------|---------------------|-------------------------|------------------------|
| <b>Subbase</b>              | <b>4”</b>           | <b>4”</b>               | <b>4”</b>              |
| <b>Base course</b>          | <b>5”</b>           | <b>5”</b>               | <b>6”</b>              |
| <b>Binder course</b>        | <b>N/A</b>          | <b>2”</b>               | <b>2”</b>              |
| <b>Wearing course</b>       | <b>1.5”</b>         | <b>1.5”</b>             | <b>1.5”</b>            |

- O. Repairs shall be made to the same specification as new paving. Repairs shall be done neatly and shall be sealed at the joint with hot bituminous material. The seal is to be at least twelve (12) inches wide and is to be coated with sand or screening.

**SECTION 36**

Section § 145 – Appendix A-2 – Section K is revised to delete “Class E-1” and replace with “Class AET”.

**SECTION 37**

Section § 145 – Appendix A-2 – Section L is revised to add the words “binder or” before the words “wearing course paving”.

**SECTION 38**

Section § 145 – Appendix A-4 – Shall be deleted in its entirety and replaced with the following:

All storm drainage system facilities, features, and practices shall be designed and constructed in accordance with the standards and requirements of the Township Stormwater Management Ordinance.

**SECTION 39**

Section § 145 – Appendix A-5 – Section C is amended to revise the second sentence to read:

“The vegetative cover shall be provided to best suit the land use proposed and shall be subject to review and approval by the Township. The Township shall

retain the right to the final decision of seeding material and application rates, but typical minimum specifications for vegetative restoration are listed below:

#### **SECTION 40**

Section § 145 – Appendix A-5 – Section C(4) is revised to read:

Wetland plantings approved by the Township shall be used in drainage swales and detention basins unless a suitable wet-tolerant planting is approved by the Township in those conditions where wetland plants would not survive or be suitable.

#### **SECTION 41**

Section § 145 – Appendix A-5 – Section C(7) is revised to read:

Wildflower mix approved by the Township may be used in selected locations if approved by the Township in areas not appropriate for regular maintenance.

#### **SECTION 42**

Section § 145 – Appendix A-6 – Section C(7) is amended to add Subsection (d), as follows:

For systems using land application for effluent disposal for public or community sewage facilities, the disposal area tested and planned for the disposal shall include an area sufficient for the required disposal rates and two (2) areas set aside and reserved for replacement disposal sites to better assure proper long term capabilities for operation and maintenance. Further, any primary area and the two (2) required reserved replacement areas planned for the Spray Irrigation method of effluent disposal, shall be located with the following minimum set backs from the normal limit of aerosol spray projection. (Drip limit):

Two hundred (200) feet from any existing or proposed residence or commercial building.

Two hundred (200) feet from any existing or proposed lot line.

In all cases, the primary and two (2) required reserved replacement areas could be adjacent to one another.

### SECTION 43

Section § 145 – Appendix C – Stormwater Management – is deleted in its entirety and is replaced with the text “Appendix C Not Used”.

### SECTION 44

Section § 145 – Appendix E – Notification of Plan Submission – is added as follows:

Dear Property Owner:

This letter is written to inform you that \_\_\_\_\_, has filed a Subdivision/Land Development application for property located on \_\_\_\_\_ Road in Lower Saucon Township comprising \_\_\_\_\_ acres and identified as Tax Map Parcel Number \_\_\_\_\_. The legal owner of the property is \_\_\_\_\_.

The Subdivision/Land Development Plan proposes [choose correct statement].

- A. Subdivision of the property to create \_\_\_\_\_ lots having an average lot area of \_\_\_\_\_ with \_\_\_\_\_ acres of open space. The sewage disposal needs of the Subdivision shall be serviced in the following way: \_\_\_\_\_. Water service will be provided by means of \_\_\_\_\_.
  
- B. The Land Development proposes the construction of \_\_\_\_\_ square feet of nonresidential buildings which will be used as \_\_\_\_\_. The sewage disposal needs of the nonresidential buildings will be met in the following way \_\_\_\_\_. The water service for the nonresidential buildings shall be met by \_\_\_\_\_.

Copies of the Subdivision/Land Development Plan are available for inspection at the Lower Saucon Municipal Building. The telephone of Lower Saucon Township is 610-865-3291. You may also contact \_\_\_\_\_, a representative of \_\_\_\_\_ at \_\_\_\_\_ to answer any questions you may have concerning the Subdivision/Land Development.

### SECTION 45 SEVERABILITY

If any provision, sentence, clause, section, or part of this ordinance is, for any reason, found to be unconstitutional, illegal, or invalid by any Court of competent jurisdiction, such decision shall not affect or impair any of the remaining provisions of this ordinance. It is hereby declared as the intent of Lower Saucon Township that this ordinance would have been adopted had such stricken revision not been included herein.

**SECTION 46 REPEALER**

All other ordinances or parts thereof which are contradictory with the provisions hereof, are hereby repealed to the extent of such inconsistency.

**SECTION 47 EFFECTIVE DATE**

This ordinance shall become effective five (5) days after its enactment.

ENACTED AND ORDAINED this 7<sup>th</sup> day of February, 2007.

**ATTEST**

**LOWER SAUCON TOWNSHIP**

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Jack Cahalan  
Secretary

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Glenn C. Kern  
Council President