

ARTICLE VI

DESIGN STANDARDS

Section 601 General

The standards and requirements contained in this Article shall apply as minimum design standards for subdivision and/or land developments in the Borough.

Section 602 Streets

Section 602.1 General Design Standards

- A. Proposed streets shall conform to such borough, county, and state street and highway plans as have been prepared, adopted and/or filed as prescribed by law.
- B. New streets shall be connected with streets of similar function, to form continuations thereof.
- C. Wherever there exists a dedicated or platted area reserved for future street usage along the boundary of a tract being developed, the adjacent street shall be extended into the proposed project.
- D. Local streets shall be laid out to discourage use by through traffic.
- E. Where a development abuts an existing or proposed major street, the Council may require the use of marginal access streets, reverse frontage lots or such other treatment that will provide protection for abutting properties, reduce the number of intersections with the major street and separate the local and through traffic.
- G. If lots resulting from original subdivision are large enough to permit re-subdivision or if a portion of the tract is not subdivided, adequate rights-of-way for streets and other required improvements shall be provided as necessary to permit further subdivision.
- H. All streets shall be arranged to conform as closely as possible to the original topography.
- I. Streets shall be laid out to provide convenient and safe access to the property.
- J. Streets shall be logically related to the topography so as to produce reasonable grades, satisfactory drainage and suitable building sites.
- K. As a minimum, all new streets shall be graded to the right-of-way line. All cut and fill slopes associated with the construction of the streets, within or beyond the limits of the street right-of-way, shall not exceed a maximum of a 3:1 slope.

- L. The design speed and proposed speed limits for new streets shall be noted on the plan and shall be approved by the Borough.
- M. Snow removal stockpile easements shall be provided at all intersections and cul-de-sacs. The snow removal stockpile easement shall be a minimum of 40 feet in length along the cartway. The depth shall be measured from the edge of the cartway and shall be equivalent to the minimum building setback line but in no case less than thirty (30) feet. No on-street parking, driveway, structure, any above ground part of any utility, landscaping, or any other use shall be permitted along and within the snow removal stockpile easement that would interfere with the intended purpose of the easement. All snow removal stockpile easements shall be delineated on all plans and the restrictions on their use shall be noted on the plans. All locations shall be approved by the Borough.
- N. Permanent concrete monuments shall be accurately placed to monument the right-of-way line along at least one (1) side of each street at the beginning and end of all curves and at all angles. When the outside perimeter of a tract falls within or along an existing road right-of-way, then the right-of-way of that roadway shall be monumented at the above referenced points.
 - 1. Monuments shall be of concrete, with a flat top having a minimum width or diameter of four (4) inches and a minimum length of thirty (30) inches. Cast-in-place or pre-cast concrete monuments shall be marked with center punch mark in a three-quarter (3/4) inch copper or brass dowel.
 - 2. All existing and proposed monuments shall be delineated on the final plan.
 - 3. Pins should be placed for lot markers.
 - 4. All monuments shall be placed by a registered engineer or surveyor so that the scored or marked point shall coincide exactly with the point of intersection of the lines being marked.
 - 5. All monuments shall be inscribed with a proper inscription indicating the name of the surveyor responsible for the survey.

Section 602.2 Private Streets

- A. All proposed streets shall be offered for dedication.
- B. Where a modification of this Section is granted by the Borough, all private streets shall conform to the following requirements:
 - 1. Private streets shall meet all the design standards for public streets as required by this Ordinance.
 - 2. Applications that propose a private street shall include an agreement, in a form acceptable to the Borough, which shall be recorded with the Recorder of Deeds as part of the final plan. This agreement shall establish the conditions under which the street will be constructed and maintained, as well as conditions controlling an offer of dedication, and shall stipulate:
 - a. That the street shall be constructed and maintained to conform to the provisions of this Ordinance.

- b. The method of assessing maintenance and repair costs.
- c. That an offer for dedication of the street shall be made only for the street as a whole.
- d. That the owners of the abutting lots will include with any offer of dedication sufficient funds, as estimated by the Borough, to restore the street to the prevailing standards.
- e. That an agreement by the owners of fifty-one (51) percent of the front footage thereon shall be binding on the owners of the remaining lots.

Section 602.3 Street Names, Street Address, and Traffic Signs

- A. Streets that are extensions of or obviously in alignment with existing streets shall bear the names of the existing streets.
- B. Street names shall not be repeated within the Borough and all street names shall be subject to the approval of the Borough, the United States Postal Service and the York County-Wide Communications.
- C. Street name signs shall be provided and installed by the developer at all intersections and shall identify both intersecting streets, and their design shall be approved in advance by the Borough.
- D. Street Address plans shall be prepared by the developer and submitted to the Borough prior to the Borough accepting dedication of any streets or prior to the final reduction in the project's financial guarantee.
- E. Regulatory signs shall be provided and installed by the developer at all locations identified by a traffic engineering study prepared by the developer and in accordance with PennDOT Publication 201, Engineering Traffic Studies, as amended.
- F. Traffic signs shall be approved by the Borough and shall be supplied and installed by the developer in accordance with Borough regulations; PennDOT Publication 68, Official Traffic Devices; and the MUTCD, Manual on Uniform Traffic Control Devices, FHWA, as amended.
- G. All traffic signs shall be installed by the developer prior to the occupancy of any units within the project.

Section 602.4 Guiderail

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

Section 602.5 Reconstruction of Existing Streets

- A. All existing streets at the perimeter and/or through the development shall be reconstructed according to Borough or PennDOT specifications:
 - 1. If an existing street lies at the perimeter of the development, it shall be reconstructed to the centerline of the street; and,
 - 2. If an existing street lies through the development, it shall be reconstructed to the full width of the street as required by Borough or PennDOT specifications and design standards.
- B. Where a temporary cul-de-sac is being extended, the bulb shall be removed and the street reconstructed to Borough street specifications and any existing sidewalk shall be extended through the area, and the remaining areas shall be regraded and seeded.
- C. When the proposed development requires construction within an existing street right-of-way, such as sewer, water or storm water lines, the Borough may require construction of a new wearing course along the entire frontage and/or disturbed area. The extent of the new wearing course shall be approved by the Borough.
- D. The extension of existing streets which are presently constructed with a cartway different from current Borough standards shall be provided with a transition area, the design of which is subject to Borough approval.
- E. If a subdivision or land development abuts an existing Borough and/or State street which has a right-of-way width of less than the required right-of-way width set forth in Section 602.7, the applicant shall dedicate to the Borough or Commonwealth, as applicable, that amount of land necessary so that the distance from the centerline of the street to the edge of the right-of-way abutting the proposed development is one-half the ultimate right-of-way as set forth in Section 602.7. Any such dedication shall be made by the applicant in accordance with applicable laws.

Section 602.6 Construction Standards

All streets shall be constructed, and all existing streets shall be reconstructed in accordance with the applicable Borough regulations and in accordance with PennDOT Publication 408 specifications.

Section 602.7 Right-of-Way and Cartway Widths and Construction Standards

A. The minimum street rights-of-way and cartway widths for new streets shall be as follows:

Street Classification	Minimum Cartway Width	Minimum Right-of-Way Width
Arterial Street (Highway)	As determined after discussion with the Borough, PennDOT, and the York County Planning Commission, however the minimums shall be as follows:	
	Forty (40) feet	Sixty (60) feet
Collector Street	Thirty-eight (38) feet	Fifty (50) feet
Local Street with parking on two (2) sides of street	Thirty-six (36) feet	Fifty (50) feet
Local Street with parking on one (1) side of street	Twenty-eight (28) feet	Fifty (50) feet
Cul-de-sac Bulb	Eighty (80) foot diameter	One hundred (100) foot diameter
Alley, no parking	Twelve (12) feet	Twenty (20) feet (easement)

Section 602.8 Horizontal Alignment

- A. Horizontal street alignments shall be measured along the centerline. Horizontal curves shall be used at all angle changes.
- B. The centerline of the street cartway shall correspond with the centerline of the street right-of-way.
- C. Plans with street locations along the perimeter of a property shall be required to show building setback lines and clear site triangles within the adjacent properties. Written permission from the effected adjacent landowner shall be provided prior to preliminary plan approval.
- D. There shall be a tangent of at least one hundred (100) feet between reverse curves for all local and collector streets.
- E. Horizontal curve centerline radii shall be designed in coordination with vertical geometry, subject to the approval of the Borough Engineer. The minimum acceptable centerline radii shall be three hundred (300) feet for arterial and collector streets and one hundred fifty (150) feet for local residential streets

Section 602.9 Vertical Alignment

- A. Vertical curves shall be used in all changes of grade.

- B. The minimum vertical grade for all streets shall be one (1) percent, the maximum vertical grade shall be ten (10) percent.
- C. The minimum length of vertical curve for all streets shall be seventy-five (75) feet.
- D. At street intersections, the through street shall be approached by side streets in accordance with the following standards; where the grade of the side street exceeds four (4) percent, there shall be an area on the side street within which the grade shall not exceed four (4) percent for a minimum distance of one hundred (100) feet (measured from the intersection of the centerlines of the streets).
- E. No side street shall intersect a through street when the through street exceeds seven (7) percent in grade.
- F. Notwithstanding the above minimum length of vertical curve, the actual length of vertical curve shall be based on the formula $L = KA$; where "L" is the minimum length of curve in feet, "K" is the length of vertical curve per percent change in "A", and "A" is the algebraic difference in grade (in percent). Values for "K" shall be based on the following criteria:

Design Speed (in miles per hour)	"K" Crest Vertical Curves	"K" Sag Vertical Curves
20	10	20
25	20	30
30	30	40
35	45	50
40	70	70
45	100	90
50	150	110
55	220	130

Section 602.10 Intersections

- A. Intersections involving the junction of more than two (2) streets are prohibited.
- B. Right angle intersections shall be used.
- C. All streets intersecting a state highway shall be subject to the approval of PennDOT.
- D. A one-hundred (100) foot clear sight triangle shall be provided and maintained at all intersections.
 - 1. Clear sight triangles shall be indicated on all plans.
 - 2. No building, structure, landscaping, or other obstruction that would obscure the vision of a motorist shall be permitted within these areas.

- E. The distance between the centerline of streets intersecting with through streets shall be determined by the classification of the through street being intersected. The minimum separation distance shall be measured along the centerline of the through street being intersected and shall conform to the following:

Through Street Classification	Minimum Intersection Separation Distance
Arterial	800 feet
Collector	500 feet
Local	200 feet

- F. The cartway edge at street intersections shall be rounded by a tangential arc with a minimum radius as follows:

1. Arterial streets - fifty-five (55) feet.
2. Collector streets - fifty (50) feet.
3. Local streets or alleys - thirty-five (35) feet
4. The right-of-way radii at intersections shall be substantially concentric with the edge of the cartway.
5. The Borough may require larger radii based on the largest design vehicle using the intersection.

- G. Proper safe stopping sight distance shall be provided with respect to both horizontal and vertical road alignments at all intersections.

1. The required and available safe stopping sight distance shall be included on the plans for all existing and proposed intersections.
2. Street intersections shall be located at a point that provides optimal sight distance in both directions.
3. Sight distance at street intersections shall provide the following minimum stopping distance for a vehicle traveling on an approaching street which has no stop or signal control:

- a. Calculation of Safe Stopping Sight Distance.

- 1). For each intersection, the available sight distance in each direction shall equal or exceed the stopping sight distance computed from the following formula:

$$SSSD = 1.47 Vt + \frac{V^2}{30(f \pm G)}$$

WHERE:

SSSD = Minimum safe stopping sight distance (feet).

V = Velocity of vehicle (miles per hour).

t = Perception time of driver (2.5 seconds).

f = Wet friction of pavement (0.30).

G = percent grade of roadway divided by 100.

- 2.) If the 85th percentile speed varies by more than ten (10) miles per hour from the speed limit, the Borough may require the 85th percentile speed to be used to determine stopping distance.
- 3.) A Minimum Safe Stopping Sight Distance table that specifies minimum safe stopping sight distance for selected speeds is provided in the Appendix. The sight distances in the table apply for roadway grades in whole numbers from +10% to -10% along with speeds from five (5) to sixty-five (65) miles per hour in increments of five (5) miles per hour. The designer may use this table in lieu of the above formula.

b. Measurement of Sight Distance.

- 1.) The correct measurement of available sight distance at each proposed street intersection shall be the responsibility of the applicant.
- 2.) For the purpose of measuring available sight distance, the height of the driver's eyes shall be 3.5 feet above the road surface, and the height of the object shall be 3.5 feet above the road surface. The lateral placement of vehicles on the roadway and at the proposed access point shall be consistent with the operation of the access and roadway.
- 3.) For each direction, the shortest of the following measurements shall be considered the available sight distance for that direction:
 - a) The maximum length of roadway along which a driver at the proposed street intersection can continuously see another vehicle approaching on the roadway. The driver's eyes at the proposed point of access shall be ten (10) feet back from the near edge of the closest travel lane in the center of the intersection land.
 - b) The maximum length of roadway along which a driver on the roadway can continuously see a vehicle which is located in his travel lane on the roadway in order to make a left turn into the proposed access or as a result of a left or right turn out of the proposed access.
 - c) The maximum length of roadway along which the driver of a vehicle intending to make a left turn into the proposed access can continuously see vehicles approaching from the other direction. This is measured from the point where the left turning vehicle stops.

c. Inadequate Sight Distance Remedies. If it is impossible to achieve required safe stopping sight distance in both directions the Borough may:

- 1.) Prohibit left turns by entering or exiting vehicles;

- 2). Require alteration of the horizontal or vertical geometry of the roadway or access; all such work shall be at the expense of the applicant;
- 3). Require removal of physical obstruction from the line of sight, at the expense of the applicant;
- 4). Require installation of a separate left turn standby lane; or,
- 5). Deny access to the roadway.

Section 602.11 Curbing

- A. Curbs shall be required along all proposed streets in subdivisions; along all proposed streets, access drives, and all interior landscaping and traffic control islands within parking compounds in land developments; and along all existing streets in and abutting both subdivisions and land developments. The developer shall submit the location and grade of all curbs to the Borough for consideration.
- B. Curbs shall be constructed and installed in accordance with the specifications in this Ordinance or any other Ordinance enacted by the Borough Council setting requirements for the construction of roads, curbs and sidewalks or, in lieu of such standards, in accordance with the standards of PennDOT Publication 408/90, as amended.
- C. Standard vertical curb shall be required along all state highways and along all Borough streets that the Borough has classified as an arterial or collector street, and where vertical curbs exist. Standard slant curb shall be permitted along all other streets.

Section 602.12 Sidewalks

- A. The Borough shall require installation of sidewalks in any subdivision and land development as provided herein.
 1. Sidewalks are required to provide access to and/or within a commercial, industrial or community facility.
 2. Sidewalks that are provided as part of such non-residential facilities shall be designed and constructed to service the projected pedestrian needs.
 3. All public areas shall be designed barrier free in accordance with applicable federal and state standards, including but not limited to, the Americans with Disabilities Act.
 4. Appropriate details shall be provided on the plans.
- B. Sidewalks shall be installed on both sides of all streets in subdivisions and land developments as herein specified.

- C. Sidewalks shall be located, if possible, within the street right-of-way line, and shall be a minimum of four (4) feet in width.
- D. Pedestrian easements shall be provided when the sidewalk is not located entirely within the street right-of-way.
- E. Sidewalks shall be constructed of Class A cement concrete four (4) inches thick, containing steel mesh of six by six by fourteen (6 x 6 x 14) inch gauge, upon a properly prepared subgrade as follows:
 - 1. Four (4) inches of AASHTO #57 crushed stone shall be properly compacted using a mechanical tamper.
 - 2. Upon the crushed stone, the sidewalks shall be constructed by pouring concrete in separate slabs a maximum of thirty (30) feet in length.
 - 3. The slabs shall be completely separated by one-quarter (1/4) inch expansion joint and scored every five (5) feet.
- F. A minimum two (2) foot wide grass planting strip shall be provided between the back of curb and sidewalk.
- G. All utility services and mains shall be extended to the building side of the sidewalk.

Section 602.13 Street Lighting

- A. Any subdivision or land development plan that proposes new streets shall provide street lighting in accordance with the following:
 - 1. Lighting shall be provided at a minimum average of one-half (½) foot candles at an elevation of three (3) feet above the surface.
 - 2. All lighting shall be so arranged as to reflect the light downward and away from adjoining premises.
 - 3. Poles for mounting lights shall not exceed twenty (20) feet in height.
 - 4. All lighting plans shall be delineated on the plan and shall include photometrics.
 - 5. Appropriate footer and mounting details shall be included on the plans.
 - 6. Light fixture and pole styles shall be approved by the Borough.

Section 602.14 Cul-de-Sac and Dead-End Streets

- A. A cul-de-sac shall not be permitted when a through street is feasible.
 - 1. The feasibility of a through street will be based on the following:

- a. Physical features of the tract proposed for development;
 - b. The potential for extension of the street to adjoining lands;
 - c. Restrictions imposed by other government regulations; and,
 - d. The ability of the design to meet all other requirements of this Ordinance.
2. When cul-de-sac streets are proposed, the application shall be accompanied by a written analysis of the merits of the design and the reasons that a through street would not be feasible.
 3. Approval of cul-de-sac streets shall be at the sole discretion of the Borough.
- B. Where any adjacent stub street is not proposed for extension as a through street, the developer shall construct a cul-de-sac in compliance with Borough standards.
- C. Permanent cul-de-sac streets shall be designed as follows:
1. Minimum length - two hundred fifty (250) feet;
 2. Maximum length - six hundred (600) feet;
 3. The length of the cul-de-sac street shall be measured from the centerline intersection of the intersecting through street to the center of the cul-de-sac turn-around;
 4. Permanent cul-de-sac streets must be provided with a paved turn-around with a minimum diameter of eighty (80) feet to the face of curb or edge of paving and of one hundred (100) feet to the street right-of-way;
 5. Unless future extension is clearly impractical or undesirable, the turn-around right-of-way shall be placed adjacent to the tract boundary with sufficient additional width provided along the boundary line to permit extension of the street at full width; and,
 6. Drainage of cul-de-sac streets shall preferably be toward the open end. If drainage is toward the closed end, water shall be conveyed away in an underground storm sewer or by other means approved by the Borough. The minimum grade on cul-de-sacs shall be designed to ensure a minimum of one (1) percent along the curb line to the designed low points. The maximum grade on cul-de-sacs shall not exceed four (4) percent.
- D. Temporary cul-de-sac streets shall be designed when a through street is anticipated and should be designed as follows:
1. Minimum length - two hundred fifty (250) feet;
 2. Maximum Length - eight hundred (800) feet in length;
 3. Temporary cul-de-sacs shall be designed to the same cartway width and drainage criteria as required for permanent cul-de-sacs; and,

4. Temporary easements shall be provided for the effected adjoining properties until such time that the street is extended.
- E. Dead-end streets:
1. Dead-end streets are prohibited unless designed as cul-de-sac streets.
 2. The Borough may waive the requirements of providing a turn-around for streets which are planned for future extension into adjoining tracts subject to the following requirements:
 - a. The street will be no longer than the depth of one (1) lot; and,
 - b. The street will not be the primary means of access to any lot or dwelling unit.
- F. Any street temporarily dead-ended in order to provide for future continuation of the street into adjoining property or for authorized stage development shall be fully constructed and all utilities installed.
- G. A barricade to prevent vehicular access to adjoining property shall be constructed at the termination point of the street. The barricade shall be designed and constructed in accordance with PennDOT Publication 72, Standards for Roadway Construction, RC-63, as amended.

Section 602.15 Alleys

- A. Alleys shall have the following characteristics:
1. A property that utilizes an alley shall maintain frontage along a public or private street.
 2. No part of any structure shall be located within eight (8) feet of the edge of the cartway of an alley.
 3. The cartway of all alleys shall be constructed in accordance with the specifications of this Ordinance.
 4. The vertical and horizontal alignments of alleys shall be in accordance with the local street specifications of this Ordinance.
 5. Alleys and their intersections shall be in accordance with the local street specifications of this Ordinance.
 6. Alleys which form a cul-de-sac shall be designed as follows:
 - a. The alley shall not exceed four hundred (400) feet in length, measured from the centerline intersection of a street that is not a cul-de-sac; and,
 - b. Alley cul-de-sacs which do not terminate in a parking compound shall be provided at the terminus with a fully paved turn-around designed in accordance with one of the following methods:

- 1). The turn-around for residential purposes shall be designed in accordance with one of the following methods:
 - a.) An eighty (80) foot paved diameter.
 - b.) T-shaped turn-around with a twelve (12) foot width and the flared portions rounded by minimum radii of twenty (20) feet as shown on the detail in the Appendix.
 - 2). The turn-around for commercial and industrial uses shall be a cul-de-sac designed to accommodate a WB-50 truck turning movements.
7. Alleys offered for dedication will not be accepted by the Borough.
 8. Applicants proposing alleys within a development may request that the Borough reduce the width requirements of the local streets proposed within the development. The request shall be in the form of a modification request and shall be accompanied by adequate justification.
- B. Applications that propose an alley shall include an agreement, in a form acceptable to the Borough, which shall be recorded with the Recorder of Deeds as part of the final plan. This agreement shall establish the conditions under which the alley will be constructed and maintained and shall stipulate:
1. That the alley shall be constructed and maintained to conform to the provisions of this Ordinance; and,
 2. The method of assessing maintenance and repair costs.
 - a. If the use of an alley is limited to the common use of two (2) properties, the applicant shall provide for the maintenance of such alley;
 - b. If the use of an alley is for more than two (2) properties, the applicant shall provide for private maintenance through the formation of a homeowners' association or through the setting forth of the maintenance responsibilities in easements and in the deeds to the lots which have the right to use the alley. If a homeowners' association is formed, a document setting forth the maintenance responsibilities of such association and the right of such association to assess lots within the development shall be recorded at the same time as the final plan is recorded. All such documents shall be in a form acceptable to the Borough Solicitor; and,
 - c. All persons who shall purchase a lot abutting or having the right to use an alley shall be given a copy of the final plan, and, if a homeowners' association has been formed, shall be given a copy of all such documents relating to the maintenance responsibilities of such homeowners' association.
- C. The final plan, for recordation with the Recorder of Deeds, shall include a plan note which identifies the following:
1. The specific alleys;
 2. The recorded maintenance agreement; and,

3. Notification that the alleys do not qualify for dedication to the Borough and that the Borough will not assume any responsibility for their maintenance.

Section 603 Access Drives

Section 603.1 General Standards

- A. The cartway of all access drives shall be constructed in accordance with the collector street specifications of this Ordinance.
- B. Access drives do not require a specific right-of-way; however, the following standards for cartway width shall apply:

Number of Lanes	Cartway Width
Three (3) lanes	Thirty-six (36) feet
Two (2) lanes	Twenty-four (24) feet
One (1) lane	Twelve (12) feet

- C. Parallel parking may be permitted along one side of access drives provided the required width is increased by eight (8) feet.
- D. The same vertical and horizontal alignment standards shall be required for access drives that are required for local streets in this Ordinance.
- E. The same intersection standards shall be required for access drives that are required for local streets in this Ordinance.
- F. Access drives shall be located a minimum of fifteen (15) feet from side or rear property lines.
- G. Access drives shall be provided with an unobstructed green area (setback) that is parallel to, and along the entire length of the access drive.
 1. The width of the green area shall be measured from the face of curb and be a minimum of fifteen (15) feet in width.
 2. The green area may be utilized for storm water management facilities, utilities, lighting, landscaping and other compatible uses. In no case shall any building or structure be located within the required green area.
- H. Access drives which terminate in a cul-de-sac shall not exceed one thousand six hundred (1,600) feet in length, measured from the centerline intersection of a street or access drive which is not a cul-de-sac to the center of the turnaround area. All cul-de-sacs shall be constructed in accordance with Section 602.13.

Section 603.2 Access Drive Lighting

Any subdivision or land development plan that proposes an access drive shall provide access drive (street) lighting in accordance with Section 602.13.

Section 603.3 Emergency Access Requirements

- A. All subdivisions or land developments containing fifty (50) or more dwelling units, or non-residential buildings or buildings containing twenty-five thousand (25,000) or greater square feet of gross floor area shall be provided with at least two (2) separate and distinct means of access to the subdivision or land development.
1. Access may be provided through the location of two (2) or more public or private streets, each of which intersects with an existing public street. Such public or private streets shall meet all the requirements of this Ordinance concerning design and construction.
 2. Access for a land development may be provided through two (2) or more driveways into the land development. Such driveways shall be separated by a distance of at least one hundred fifty (150) feet and shall comply with all requirements of this Ordinance.
 3. If the applicant is unable to provide access to the subdivision or land development through two (2) or more public or private streets each of which intersect with an existing public street or two (2) or more access drives which intersect with one (1) or more existing public streets an emergency access shall be provided.
 - a. The emergency access shall be improved so that emergency vehicles may safely transverse it and shall be indicated on the plans.
 - b. The emergency access shall be acceptable to the providers of emergency services within the Borough. Applicants proposing to provide emergency access shall submit evidence of such approval.
 - c. The emergency access may be located so that access to the subdivision or land development is gained from a public street at a location unsuitable for regular access with an existing public street.
 - d. The emergency access may be located so that access is gained from an adjacent tract. For example, a subdivision or land development adjoining a parking lot of another use may provide emergency access through a point with a break chain. Applicants with plans indicating emergency access through an adjoining private tract shall provide evidence that the adjoining property owner has consented to such emergency access location.

Section 604 Driveways

- A. Driveways shall be located as to provide minimum safe stopping sight distance at intersections with streets and shall not be located within any required clear sight triangle in accordance with Section 602.10.
- B. Residential driveways shall be designed in accordance with the requirements of the Borough Zoning Ordinance.
- C. Unless specifically prohibited by the design criteria within the Zoning Ordinance, vehicles shall not exit driveways by backing onto a street.
- D. All driveways, unless specifically prohibited by the design criteria within the Zoning Ordinance, shall include an off-street turn-around area.
- E. Driveways shall not interfere with the normal traffic movement or be inconsistent with the design, maintenance and drainage of the street.
- F. Driveway locations shall be delineated on all plans.
- G. All driveways shall meet the construction standard of the street to which it is connecting.

Section 605 Vehicular Parking Facilities

- A. **Parking Areas.** Off-street vehicular parking facilities shall be provided in accordance with the Borough Zoning Ordinance.
- B. Parking compound dimensions shall be no less than those listed in Appendix.
- C. Landscaping and screening shall be provided in accordance with the Borough Zoning Ordinance.
- D. No portion of a parking compound will be permitted within ten (10) feet of side or rear property lines or street right-of-ways.
- E. Not less than five (5) foot radius of curvature shall be permitted for horizontal curves in parking areas.
- F. All dead-end parking lots shall be designed to provide sufficient back-up area for all end stalls.
- G. Painted lines, arrows and dividers shall be provided and maintained to control parking when necessary to direct vehicular circulation.
- H. Parking areas, main entrances and exits which are open to the public shall be lighted to the following standards:
 - 1. Lighting shall be provided at a minimum average of two (2) foot candles at an elevation of three (3) feet above the surface.

2. All lighting shall be so arranged as to reflect the light downward and away from adjoining premises and public rights-of-way.
 3. Poles for mounting lights shall not exceed twenty-five (25) feet in height.
 4. All lighting plans shall be delineated on the plan and shall include photometrics.
 5. Appropriate footer and mounting details shall be included on the plans.
- I. All parking compounds and access drives shall be paved to meet the standards of PennDOT Publication 408/90.

Section 606 Blocks

- A. The configuration of blocks and lots shall be based upon the lot area requirements, the salient natural features, the existing man-made features, and the proposed type of structure.
- B. Lot configurations should provide for flexibility in building locations while providing safe vehicular and pedestrian circulation.
- C. Lots with areas that are two (2) or more times the minimum requirements shall, wherever feasible, be designed with configurations that allow for additional subdivision.
- D. Block length in a residential subdivision shall not exceed one thousand five hundred (1,500) feet.
- E. Blocks in non-residential areas may vary from the above requirement for residential blocks when required by the nature of the use. Adequate provisions shall be made for off-street parking, loading areas and traffic circulation.

Section 607 Lot and Parcel Configuration

Section 607.1 General Design Standards

- A. Lot and parcel size configuration, and/or intensity shall conform to the requirements of the Borough Zoning Ordinance.
- B. Whenever practical, side lot lines shall be radial to street lines.
- C. In order to avoid jurisdictional problems, lot lines shall, wherever feasible, follow municipal boundaries rather than cross them. Where a lot is divided by a municipal boundary, the minimum standards of both municipalities shall apply.
- D. All lots shall front on an approved public or private street and maintain a minimum lot width as required by the Borough Zoning Ordinance at the street right-of-way.
- E. Double frontage lots are prohibited except where provided as reverse frontage lots.

1. Reverse frontage lots are only permitted when a reduction of driveway intersections along a street with a high volume of vehicular movements is desired.
 2. All reverse frontage lots shall include an identification of the frontage for use as a road access.
 3. All reverse frontage lots shall have a rear yard in accordance with the Borough Zoning Ordinance, measured at the shortest distance from the proposed dwelling unit to the street right-of-way.
 4. Reverse frontage lots shall, within each rear yard and immediately adjacent to the street right-of-way, have a planted buffer at least ten (10) feet in width, across which there shall be no vehicular access.
 - a. Buffer areas shall include a suitable and uninterrupted evergreen planting of a minimum height of thirty-six (36) inches designed to reach sufficient height and density to give maximum screening.
 - b. Such screening shall be permanently maintained and replaced where necessary to present an attractive appearance.
 5. Reverse frontage lots shall be approved at the sole discretion of the Borough.
- F. All remnants of land (areas remaining after subdivision) shall conform to the lot area and configuration requirements.
- G. Metallic markers shall be set at all points where existing or proposed lot lines intersect with any street right-of-way line, curves, other property lines and any other right-of-way or easement.
1. Metallic markers shall consist of solid steel bars at least thirty (30) inches long and not less than one-half (½) inch in diameter. Alternative monumentation methods will be at the discretion of the Borough Engineer.
 2. All existing and proposed markers shall be delineated on the final plan.
 3. All markers shall be placed by a registered engineer or surveyor so that the scored or marked point shall coincide exactly with the point of intersection of the lines being marked.

Section 607.2 Flag Lots

- A. Flag lot shall conform to the requirements of the Borough Zoning Ordinance.
- B. Flag lots shall not be created when lots can be designed that directly access a public or private street. The Council at its sole discretion may approve the plotting of a limited number of flag lots when:
1. The "flagpole" or access portion of the flag lot shall maintain a minimum width of twenty-five (25) feet and shall not change direction more than once; and,

2. The Council may attach any reasonable conditions to the creation of flag lots as it finds necessary or desirable to provide for the orderly development of land and street systems.

Section 607.3 Specific Building Setback Requirements

- A. On any lot abutting a railroad or railroad right-of-way, no dwelling shall be placed within twenty-five (25) feet of any portion of the railroad right-of-way.
- B. On any lot abutting or traversed by a high voltage transmission line, no dwelling shall be placed within twenty-five (25) feet of any portion of the right-of-way.

Section 608 Easements

Section 608.1 General Standards - Sewer, Water, Electric, Cable, Telephone, Gas and Others

- A. Easements for sanitary sewer facilities, storm water drainage facilities, public utilities, or pedestrian access shall meet the following standards:
 1. To the fullest extent possible, easements shall be adjacent to property lines.
 2. Nothing shall be placed, planted, set, or put within the area of an easement that would adversely affect the function of the easement or conflict with the easement agreement.
 - a. This requirement shall be noted on the final plan.
 - b. This requirement shall be included in all deeds for lots that contain an easement.
 3. Pedestrian easements shall have a minimum width of six (6) feet.
 4. Utility easements shall have a minimum width of thirty (30) feet, and all utility companies are encouraged to use common easements.

Section 608.2 Storm Water Easements

- A. The applicant shall reserve easements where storm water or surface water drainage facilities are existing or proposed, whether located within or beyond the boundaries of the property.
- B. Easements shall have a minimum width of twenty (20) feet.
- C. Easements shall be adequately designed to provide area for the following:
 1. The collection and discharge of water;

2. The maintenance, repair and reconstruction of the drainage facilities and the passage of machinery for such work; and,
 3. The easements shall clearly identify who has the right-of-access and responsibility of maintenance.
 - a. This requirement shall be noted on the final plan.
 - b. This requirement shall be included in all deeds for lots that contain an easement.
- D. Where a subdivision or land development is adjacent to or traversed by a water course, drainageway, channel, or stream, there shall be provided a drainage easement conforming substantially with the line of such water course, drainageway, channel, or stream of such width as will be adequate to preserve the unimpeded flow from a one hundred (100) year design rainfall.

Section 608.3 Petroleum, Electrical, and Communication Transmission Lines

- A. Where any petroleum product, electrical, or communication transmission line traverses a subdivision or land development, the applicant shall confer with the applicable transmission or distribution company to determine the minimum distance which shall be required between each structure and the centerline of such petroleum or petroleum product transmission line.
- B. The Borough will require, with the final plan application, a letter from the owner of the transmission line stating any conditions on the use of the tract which shall contain the above.

Section 608.4 Multi-family Units

- A. When a subdivision proposes multi-family attached dwellings, such as townhouses, the plans shall include access easements to allow all lots owners access to front and rear yards as for maintenance and non-licensed vehicles as follows:
 1. Along the front and rear property lines of all units;
 2. The side property lines of the end units;
 3. The access easement shall have a minimum width of six (6) feet; and,
 4. This requirement shall be noted on the final plan and shall be included in all deeds for lots that contain the easement.

Section 609 Landscaping and Miscellaneous Site Requirements

Section 609.1 Commercial and Industrial Landscaping

- A. A completely planted visual barrier or vegetative screen, designed to reach a minimum low screen of three feet (3') and a minimum high screen of six feet (6') within three (3) years of initial planting,

shall be provided between any commercial or industrial use and any contiguous properties which are residentially zoned or which are used for residential purposes.

1. The width of the area containing the vegetative screen shall be a minimum of twenty (20) feet.
 2. This vegetative screen shall be comprised of plants and trees arranged to form both a low level and a high level screen in accordance with the Landscaping Requirements of the Borough Zoning Ordinance.
 3. The Council may waive the screening requirements where, in the sole opinion of the Borough, the applicant has demonstrated that an adequate natural or man-made physical barrier exists that would provide similar or better results.
- B. Any portion of the commercial or industrial tract which is not used for buildings, structures, parking, etc. shall be planted or landscaped in accordance with an overall plan to be approved by the Council and the Borough Engineer.
- C. The perimeter of all commercial and industrial parking areas and all mechanical equipment that is not enclosed shall be screened.

Section 609.2 Residential Landscaping

- A. A landscape barrier designed in accordance with the requirements of Section 609.1.A shall be provided between residential projects that propose a density that is different from existing adjoining residential uses.
- B. Any portion of any residential tract which is not used for buildings, structures, parking, etc. shall be planted or landscaped in accordance with an overall plan to be approved by the Council and the Borough Engineer.

Section 609.3 Fencing

- A. The Borough may permit the use of fencing, in lieu of screen plantings under the following conditions:
1. The fencing material shall be approved by the Borough.
 2. The fencing shall be installed along the tract boundary within a ten (10) foot easement located on the developed property and shall be permanently maintained by the property owner.
 3. Notation indicating maintenance responsibilities shall be placed on the final plan and included in all deeds for lots that contain the easement.

Section 609.4 Existing Wooded Areas

- A. Existing wooded areas shall be protected to prevent unnecessary destruction.

- B. At least fifty (50) percent of the number of trees within any wooded area that exist at the time of plan submission shall be maintained or replaced immediately following construction.
- C. Replacement trees shall be a minimum trunk caliper of two (2) inches at a height of six (6) inches above finished grade and located within unbuildable sections of the site (i.e. steeper-sloped and setback areas).

Section 609.5 Street Trees

- A. Street trees shall be required by the Borough with the following standards:
 1. The trees shall be nursery grown in a climate similar to that of the locality of the project. Varieties of trees shall be subject to the approval of the Borough.
 2. All trees shall have a normal habit of growth and shall be sound, healthy and vigorous; they shall be free from disease, insects, insect eggs, and larvae.
 3. The caliper of the trunk, measured at a height of six (6) inches above finished grade, shall be a minimum of two (2) inches.
 4. Trees shall be planted between the street right-of-way line and the building setback line except where the Borough has authorized placement of trees within the street right-of-way. The tree growth shall not interfere with the street cartway, sidewalk or utility line.
 5. All planting shall be performed in conformance with good nursery and landscape practice including proper guying and staking.
 6. Requirements for the measurements, branching, grading, quality, balling, and burlapping of trees shall follow the code of standards recommended by the American Association of Nurserymen, Inc., in the American Standard for Nursery Stock, ANSIZ60, 1-1973, as amended.
 7. One (1) street tree shall be provided for each building containing two (2) or less dwelling units and two (2) trees for buildings containing three (3) or more dwelling units.
 8. A minimum of one (1) street tree shall be provided for each residential lot, and spaced not less than forty (40) feet nor more than sixty (60) feet apart along the entire length of each existing or proposed street. In commercial and industrial zoning districts, street trees shall be provided with each land development plan and spaced not less than forty (40) feet nor more than sixty (60) feet apart along each street frontage.
 9. Street trees shall be selected from the following species:

Acer rubrum cultivars	Red Maple
Aesculus x cornea	Red Horsechestnut
Cladrastus lutea	American Yellowwood
Fraxinus pennsylvania cultivars	Green Ash
Ginkgo biloba (males only)	Ginkgo
Gleditsia triacanthos inermis Cultivars	Thornless Honey Locust

Liquidambar styraciflua	Sweet gum
Nyssa sylvatica	Black Tupelo
Quercus acutissima	Sawtooth Oak
Quercus phellos	Willow Oak
Quercus rubra	Red Oak
Sophora japonica	Japanese Pagoda Tree
Tilia cordata	Littleleaf Linden
Tilia x euchlora	Crimean Linden
Tilia tomentosa	Silver Linden
Zelkova serrata cultivar	Japanese Zelkova
Pyrus calleryana Redspire	Redspire Pear

Section 609.6 Refuse Collection Stations

- A. Refuse collection stations shall be located and screened in accordance with the requirements of the Borough Zoning Ordinance.
- B. Outdoor refuse collection stations shall be provided for garbage and trash removal when individual collection is not made and indoor storage is not provided.
- C. Refuse collection stations shall be located so as to be separated adequately from habitable buildings to avoid being offensive, but at the same time be convenient for both collectors and residents and shall be screened and landscaped adequately.
- D. Refuse collection stations shall be so constructed as to prevent the escape of refuse by wind, water or other natural elements and prevent animals, rodents, etc. from entering.

Section 610 Floodplain Controls

All storm water management, collection, conveyance, erosion control, and floodplain considerations shall be accomplished in accordance with the following provisions:

- 1.

Section 610.1 Floodplains

- A. Floodplain areas shall be established and preserved as provided by the Borough Zoning Ordinance.
- B. Whenever a floodplain is located within or along a lot, the plan shall include the following:
 1. The boundary of the floodplain and the elevation or locational dimensions from the centerline of the watercourse;
 2. A plan note that the floodplain shall be kept free of structures, fill and other encroachments; and, \
 3. A plan note that floor elevations for all structures adjacent to the floodplain shall be two (2) foot above the one hundred (100) year flood elevation.

Section 611 Water Supply and Sanitary Sewage Disposal.

A. Water Supply

1. Where determined as feasible and necessary by the Council, the applicant shall connect to the existing public water system. Feasibility will be determined by the Council, and be based upon the Water Authority's Water Connection Ordinance and/or the Water Authority standards requiring connection and analysis of the sewer and water feasibility study required by Section 408 of this Ordinance.
2. If the applicant proposed connection to the public water system, the locations and kind of fire hydrants shall be in accordance with the specifications of the Water Authority or public utility that operates such water system in concert with the local fire department thread requirements. A copy of the approval of such system by the Water Authority or the public utility shall be submitted.
3. If the applicant proposes connection to the public water system, the final plan application shall include a statement from the Water Authority or the public utility indicating the approval of the plans for design, installation and possible financial guarantees.
4. If the applicant proposes connection to the public water system, the installation and construction shall be in accordance with the specifications of the water authority or the public utility. The water authority or the public utility shall establish requirements for the ownership and maintenance of such system.
5. If water is to be provided by means other than private wells owned and maintained by the individual owners of lots within the subdivision or land development, the applicant shall present evidence that the subdivision or land development is to be supplied by a certified public utility, a bona fide cooperative association of lot owners or by a water authority. A copy of a certificate of public convenience or an application for such certificate, a cooperative agreement or a commitment to serve the area in question, whichever is appropriate, shall be acceptable evidence.
1. If the applicant proposes to provide a community water supply system, its installation shall be in accordance with the Water Authority specifications and all regulations of DEP. The applicant shall obtain all permits and approvals required by the Water Authority, the public utility or DEP prior to final plan approval.

B. Sanitary Sewage Disposal.

1. Where required by this Ordinance, the applicant shall connect to the public sewer system. Feasibility will be determined by the Council, and be based upon applicable authority standards requiring connection and/or analysis of the sewer and water feasibility study required by Section 408 of this Ordinance.
2. When the Borough, in accordance with the Pennsylvania Sewage Facilities Act, Act 537 of 1966, as amended, determines the necessity for a sewer facilities plan revision (plan revision module for land development), or supplement, the Council shall require that notice of approval from DEP be submitted as a condition of final plan approval.

3. If the applicant proposes connection to the public sewer system, the final plan application shall include a statement from the Sewer Authority indicating the approval of the plans for design, installation and possible financial guarantees.
4. If the applicant proposes connection to the public sewer system, the sewerage installation shall be in accordance with the specifications of the Sewer Authority. The Sewer Authority shall establish requirements for the ownership and maintenance of such system.
5. If the applicant proposes to provide a community sewer system, its construction and installation shall be in accordance with applicable Sewer Authority specifications and all regulations of DEP. The applicant shall obtain all permits and approvals required by the Sewer Authority or DEP prior to final plan approval.

C. **On-Lot Sewage Disposal.**

1. If the applicant proposes installation of on-lot sewage disposal and has presented documentation satisfactory to the applicable Sewer Authority and the Council proving the unfeasibility of connection to public or community sewer systems, the following documentation shall be provided:
2. **Sewage Testing Required for all Proposed Lots.** Each lot or lots to be created shall contain a suitable location for the installation of an initial individual on-lot sewage system except when such lot or lots to be created are to be served by a community sewage system. The Sewage Enforcement Officer shall perform or observe all tests required by DEP and this Ordinance for the location of an individual on-lot sewage system to confirm the suitability of the location.
3. **Replacement Location for On-Lot Sewage Systems Required.** Each lot or lots to be created shall contain a suitable location for the installation of a replacement individual on-lot sewage system. The Sewage Enforcement Officer shall perform or observe all tests required by DEP and this Ordinance for the location of an individual on-lot sewage system to confirm the suitability of the replacement location. The replacement location shall comply with all regulations issued by DEP concerning individual on-lot sewage systems, including isolation distances, and with the terms of this Ordinance and any other applicable Borough Ordinances.
4. **Identification of Replacement Location.**
 - a. Each applicant shall demonstrate to the satisfaction of the Sewage Enforcement Officer and/or a sanitarian certified by DEP that an area exists on the lot or on each lot to be created for an initial individual on-lot sewage system and for the replacement location. The Sewage Enforcement Officer or sanitarian shall perform all tests required by DEP regulations for the location of an individual on-lot sewage system to confirm the suitability of the replacement location. Allowance of open land for the replacement location without such testing shall not constitute compliance with the requirements of this Section.
 - b. The location of each initial individual on-lot sewage system and each replacement location shall be noted on the plans. An appropriate easement shall be provided around the replacement location and shown on the final plan. The purchaser of each

lot shall be provided with a copy of the plans. A note shall be added to the plans stating that no improvements shall be constructed upon the replacement location easement, and the deed to each lot created as a part of the subdivision or land development shall contain language reflecting this limitation.

- c. Any revisions to a permit or plan affecting a replacement location that previously has been approved pursuant to the provisions of this Ordinance shall be approved by the Borough or its authorized representative.
5. **Construction of Improvements Upon or Disturbance of Replacement Location Prohibited.** The replacement location shall not be excavated, graded, filled, or otherwise disturbed in any manner that would prevent its use as a future location for an on-lot sewage disposal system during development of the lot. No permanent or temporary improvements of any character other than the planting of trees, shrubs or other plant matter shall be constructed upon the replacement location unless the person who desires to construct such improvements shall demonstrate to the satisfaction of the Sewage Enforcement Officer that an alternate replacement location which complies with all applicable Borough Ordinances exists upon the lot. If such an alternate replacement location shall be identified, the alternate replacement location may be considered to be the replacement location required by this Ordinance, shall be designated as the replacement location, and the plans shall be accordingly revised and submitted to the Planning Commission. The newly designated replacement location shall thereafter be considered the replacement location for the purposes of this Ordinance.
6. The limits of both the initial individual on-lot sewage system and the replacement system location easement for each lot must be staked and roped off, or other acceptable measures, prior to issuance of building permits for each lot and properly maintained during construction until the issuance of an occupancy permit.

Section 612 Public Dedication of Park and Recreation Land.

In accordance with the recommendations of the Parks and Recreation provisions of the mandatory dedication recreation study for Felton Borough, all residential subdivisions and land developments shall be provided with park and recreation land that shall be dedicated to the Borough. The developer may request that the Borough not require the dedication of land, and any such request shall be accompanied by an offer to pay a fee in lieu of dedication of the land, computed in accordance with the regulations provided herein, an offer to construct recreational facilities and /or an offer to privately reserve land for park or recreation purposes. Borough Council will make the decision as to whether to receive the public dedication of land or fee-in-lieu.

- A. The land reserved for park, recreation and open space usage shall be a single lot which shall comply with the requirements of this ordinance relating to length to depth ratios and which shall be accessible to the public. No more than fifteen (15) percent of the lot shall consist of floodplain, wetlands or other features that shall render the lot undevelopable. No storm water management facilities designed to retain or detain water from other portions of the development shall be permitted on such land reserved for park, recreation and open space usage.
 1. In the event that the tract contains natural features which are worthy of preservation, the developer may request that the Council permit the provision of recreational land configured in such a manner as to best preserve natural features.
 2. The park, recreation and open space land shall be accessible to utilities such as sewer, water and power that are provided with the subdivision, and if so requested by the municipality

that will accept dedication of the land, the developer shall extend such utilities to the park, recreation and open space land.

3. If the adjoining property has previously been developed and recreational land has been provided at the boundary of that previously developed property, the Council shall require that the recreational land required of the development shall be located adjoining the previously provided recreational land.
- B. A minimum of three one-hundredths (0.03) acres of land shall be reserved as park or recreational land for each residential lot created in a subdivision or each dwelling unit created in a land development. Notwithstanding the foregoing, in all cases the minimum area of land reserved as park and recreation land shall be equal to the minimum lot size in the district in which the subdivision or land development is located.
- C. The developer may request that the Council permit the provision of park and recreation land other than through public dedication of land as set forth above. The developer shall set forth, in writing, the means by which he will fulfill this requirement which may include the payment of a fee in lieu of dedication of all or a portion of the amount of land required to be dedicated, construction of recreational facilities, the private reservation of land, or any combination of dedication, fees, construction of recreational facilities, or private reservation.
1. If a fee in lieu of dedication is proposed by the developer, said fee shall be the fair market value of the land required to be dedicated under Subsection (B) above.
 2. This fee shall generally be \$1,250 per unit or lot, unless an appraisal prepared by the developer, and determined to be acceptable at the sole discretion of the Borough, indicates that a different fee is more appropriate.
 - a. The developer shall provide the Council with all information necessary to determine that fair market value of the land, including but not limited to:
 - 1). A copy of the agreement of sale if the developer is an equitable owner and has purchased the land within the past two (2) years, or,
 - 2). An appraisal of the property conducted by an MAI appraiser acceptable to the Borough.
 - b. Fair market value shall be computed by dividing the total price for the tract by the number of acres within the tract and then multiplying that number by the amount of land required to be dedicated.
 3. Payment of all such fees shall be a condition of final plan approval, and no plans shall be signed by the Council until such fees are paid.
 4. All fees shall be held and used by the Borough in accordance with the requirements of Article V of the Municipalities Planning Code.
 5. If the developer proposes to construct recreational facilities, the developer shall present a sketch plan of such facilities and an estimate of the cost of construction.

6. If the developer proposes the private reservation of land, the developer shall provide for the maintenance of such land through either the inclusion of such land as common elements of a condominium or the creation of a home owners' association which shall meet the requirements for a unit owners' association contained in the Pennsylvania Uniform Condominium Act, 68 Pa. C.S. Section 3101 *et seq* or the Pennsylvania Uniform Planned Community Act, 68 Pa. C.S. Section 5010 *et seq*, as may be applicable.
 - a. Such documentation shall be recorded, shall provide that the land cannot be further developed and shall give the Borough the rights to maintain the land as set forth in Article VII of the Municipalities Planning Code dealing with the maintenance of common open space in planned residential developments.
 - b. Notwithstanding the foregoing, the developer may request that the Council approve transfer of the land to an organization dedicated to the conservation of natural resources with deed restrictions preventing further development acceptable to the Borough Solicitor.
- D. The developer shall enter into an agreement with the Borough setting the fees to be paid, the facilities to be constructed, or the land to be privately reserved and the method of its maintenance. All such agreements shall be in a form satisfactory to the Borough Solicitor.