

**ORDINANCE NO. 2009 - 4**

**AN ORDINANCE OF THE HILLTOWN TOWNSHIP BOARD OF SUPERVISORS AMENDING CHAPTER 140 OF THE CODE OF HILLTOWN TOWNSHIP, SUBDIVISION AND LAND DEVELOPMENT ORDINANCE TO ADD REQUIREMENTS FOR PREPARATION OF AN EXISTING RESOURCES AND SITE ANALYSIS PLAN FOR USE B1A, CONSERVATION MANAGEMENT DESIGN.**

The Hilltown Township Board of Supervisors upon review by the Bucks County Planning Commission and Hilltown Township Planning Commission hereby enacts and ordains the following Ordinance:

**ARTICLE I Section 140-6. Definitions.** is revised to add the following definition:

EXISTING RESOURCES AND SITE ANALYSIS PLAN ("ERSAP") – Documentation prepared in accordance with Section 140-23A of this Ordinance identifying existing features and conditions on a proposed Conservation Management Design subdivision site.

**ARTICLE II Section 140-23A. Existing Resources and Site Analysis Plan (ERSAP)** is added to read as follows:

**§140-23A. Existing Resources and Site Analysis Plan (ERSAP)**

- A. Applicants for Zoning Ordinance Use B1A; Conservation Management Design subdivision wherein six (6) or more lots are proposed shall submit an Existing Resources and Site Analysis Plan (ERSAP) prepared in accordance with the requirements contained in this section. The purpose of this submission is to familiarize officials with existing features and conditions on the applicant's property and within its immediate vicinity and to provide a complete and factual reference of the site.
- (1) Applicability – All applicants for preliminary or final subdivision proposing Use B1A, Conservation Management Design, wherein six (6) or more lots are proposed, shall submit an ERSAP. It is recommended that this information be provided with pre-submission sketch plans. No preliminary or final plan will be accepted by the Township which does not include an ERSAP.
  - (2) Review by the Township – The first item to be discussed when the plan reaches Township Boards and Commissions shall be the ERSAP. No discussion of a preliminary plan shall occur until the applicant has provided a satisfactory ERSAP meeting all requirements. The purpose of an ERSAP is to ensure that the proposed development occurs in a manner that respects the natural environment and that the applicant and Township have a solid understanding of the natural conditions of the development site, as well as conditions around the site.

B. ERSAP Contents - The ERSAP submission shall include the following:

- (1) Site boundaries.
- (2) Existing Resources Inventory – A comprehensive analysis of existing conditions on the proposed development site and areas within 100 feet, showing:
  - a. Soils – Soil types within the site, based on maps contained in the Soil Survey of Bucks County, Pennsylvania, U.S. Department of Agriculture, as last revised. The soil classifications and boundary lines of all soils located on the tract shall be shown with reference to an alluvial soils, hydric soils, and floodplain soils boundary. Soil descriptions for all soil types shall be provided. Any building or septic system restrictions due to wet soils, seasonably high water table or other restrictions shall be noted on the plan and considered in the site layout. Hydrologic soil groups shall be noted.
  - b. Topography – Contour lines measured at vertical intervals of two (2) feet. Such slopes shall be determined by an onsite survey, not interpolation of U.S.G.S. maps.
  - c. Slope areas – Areas to be shown graphically. The amount of each area in each slope category shall be shown numerically, with a calculation of the amount of slope to be preserved and the amount and percentage to be disturbed.
    - (a) 8% to less than 15%
    - (b) 16% to 25%
    - (c) Greater than 25%
  - d. Ridge lines and watershed boundaries.
  - e. Floodplain areas or districts including information on one-hundred-year flood elevations. FEMA cross sections and elevations shall be utilized to delineate floodplain boundary where detailed study information is available. Where detailed study information is not available, one-hundred-year flood elevations shall be calculated utilizing HEC I computations to generate flow information and HEC II computations to calculate water surface elevations. Structures culverts, obstructions, bridges or any other significant feature within 500 feet downstream of the site shall be included within the study to account for potential backwater affects. Basins, ponds, flood control facilities or any other significant drainage facility within upstream tributary area shall be included in the study. Use of TR-55 “Urban Hydrology for Small Watersheds”, United States Department of Agriculture, Soil Conservation Service, will be acceptable alternate method for calculating one-hundred-year flow rates. Use of other methods must be approved by the Township Engineer.

- f. Vegetative cover conditions on the property, including forest and woodland areas (as defined in Section 140-6) and large trees standing alone (i.e. outside of forest or woodland areas measuring twelve (12) inches diameter at four (4) feet above natural grade).
- g. Streams, watercourses, Waters of the Commonwealth, Waters of the United States, lakes, ponds, springs, and all natural drainage areas with an explanation of how site drainage works.
- h. Wetlands based upon a wetland delineation prepared in accordance with Section 140-23 of this Ordinance.
- i. Existing land use.
- j. All recorded easements.
- k. Existing buildings, structures, and roads.
- l. Photographs of the site including views of the proposed development site from all abutting public roads.
- m. Any Pennsylvania Natural Diversity Inventory sites.
- n. Reference to any adjoining areas or properties preserved via a recorded conservation or agricultural easement.
- o. Orientation of site to sun for use of solar resources.
- p. Any existing pedestrian or equestrian trails commonly used on the property.
- q. Aerial photograph of the site not more than five (5) years old or the most recent available from the Delaware Valley Regional Planning Commission.

C. Four Step Design Process. Applicants shall use the following four-step design process to assist in determining the most suitable approach to development of the subject site. The layout of lots shall be designed such that areas or features identified as being important in the ERSAP or upon site visit are preserved and the areas of secondary importance are used for development. The steps in the four-step design process are as follows:

- (1) Step 1: Establishment of Site Context and Delineation of Resources to be left undisturbed or incorporated into development plans, including public amenities.
  - a. Proposed site resources and open areas to be left undisturbed or specifically incorporated into development plans shall be identified and described based on review and assessment of mapping and other information included in the ERSAP, including woodlands,

other significant vegetation, slopes, wetlands, watercourses, etc. A site visit shall be used to discuss and help determine those areas that should have minimal or no disturbance.

- b. Special design considerations relative to structural placement, architecture, streetscape and landscape treatment, and site amenities shall be identified.
  - c. The open and undisturbed areas identified at this stage of the design process shall include consideration for stormwater management, taking into account areas suitable for groundwater recharge and infiltration wherever feasible.
- (2) Step 2: Location of Structures and Alignment of Infrastructure: Buildings, streets, trails, utilities, and stormwater management.
- a. Potential building area(s) and zones of land disturbance shall be identified in a manner which provides for maximal conservation of significant site resources designated in Step 1.
  - b. An access and circulation plan shall be designed to provide pedestrian vehicular access to the development which reflects a logical relationship to topographic conditions and neighboring properties, and which minimizes further land disturbance or negative impacts to resource protection objectives.
  - c. Locations and methods available for providing facilities for water service, wastewater disposal, stormwater management, and other utilities, as necessary, shall be defined and indicated.
- (3) Step 3: Preparation of Schematic Design, Building, and Conservation Plan.
- a. Narrative and plans shall be provided as appropriate to indicate the ways in which the applicant proposes development, as defined in Step 2, in order to implement identified design objectives and respect significant existing features of the land described in the ERSAP and areas designated for non-disturbance in Step 1.
  - b. Proposed limits to land disturbance on the site, including limits to grading and soil disturbance activities shall be identified.
  - c. Plan shall indicate how proposed limits of land disturbance comply with any applicable disturbance limitations included in the Zoning Ordinance in respect to natural resources.
  - d. Narrative and plans shall be submitted to demonstrate how existing natural contours and vegetation will be respected.
  - e. Description of the manner in which stormwater will be captured onsite for maximum infiltration shall be submitted. Areas best

suitable for stormwater infiltration must be identified and selected for that purpose, based on hydrologic soil groups and the stormwater management requirements of this Ordinance.

(4) Step 4: Drawing Lot Lines/Defining Ownership Responsibilities.

Lot lines shall be drawn to delineate the boundaries of individual lots and, in all cases, ownership responsibilities shall be defined in a manner which affords implementation of the Schematic Design, Building, and Conservation Plan defined in Step 3.

(5) Documentation – Applicants shall be prepared to submit maps indicating the findings of each step of the design process, if so requested by Planning Commission or Board of Supervisors at the time of preliminary and/or final plan application.

D. Site Visit – After preparing the ERSAP, applicants shall arrange for a site visit of the property by Township representatives and shall distribute copies of the site analysis plan prior to the onsite meeting. Township representatives may include one member of the Board of Supervisors, one member of the Planning Commission, Township Manager, Assistant Township Manager, Zoning Officer, Township Engineer, and Township Planner. Applicants are encouraged to accompany the Township representatives. The purpose of the visit is to familiarize officials with existing conditions and special features on the site, to identify potential design issues, and to provide an informal opportunity to discuss site design concepts, including potential locations for proposed buildings and street alignments, stormwater management concepts, and protection of natural resources. Comments made by the Township representatives or their staff and consultants shall be only advisory and are not binding on either the Township or applicant. It shall be understood by all parties that no formal recommendations can be offered, and no official decisions can be made, at the site visit.

E. Post Visit Conference – Following the site visit, the applicant shall attend a Planning Commission meeting to discuss the findings of the site visit and an understanding on the general approach for subdividing the property.

### **Article III Repealer**

Any Ordinance or Ordinance provision of the municipality inconsistent with any of the provisions of this Ordinance is hereby repealed to the extent of the inconsistency only.

### **Article IV Severability**

Should any section or provision of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of any of the remaining provisions of this Ordinance.

ENACTED and ORDAINED at a regular meeting of the Hilltown Township Board of Supervisors on the 26<sup>th</sup> day of January, 2009. This Ordinance shall take effect immediately.

**Hilltown Township Board of Supervisors**

Barbara A. Salvador  
Chairman

John M. Steyer  
Vice Chairman

Richard J. Miller  
Secretary/Treasurer Supervisor