

REVISED DRAFT 9-25-91

ORDINANCE NO. 45, 1991

DRAFT  
HONEY BROOK TOWNSHIP  
CHESTER COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE TOWNSHIP OF HONEY BROOK, CHESTER COUNTY, PENNSYLVANIA AMENDING THE HONEY BROOK TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE ADOPTED AUGUST 5, 1976, AS AMENDED, BY REVISING AND AMENDING ARTICLE V AND ARTICLE II OF SAID ORDINANCE.

BE IT HEREBY ENACTED AND ORDAINED, and it is enacted and ordained by authority of the Board of Supervisors of Honey Brook Township that the Township Subdivision and Land Development Ordinance of August 5, 1976, as amended, is hereby further amended as follows:

I. Article V, Minimum Design Standards, Section 512., Sanitary Sewers and On-Site Disposals is hereby deleted in its entirety and a new Section 512. SEWAGE DISPOSAL REQUIREMENTS is hereby adopted as follows:

"Section 512. SEWAGE DISPOSAL REQUIREMENTS

A. SEWER AUTHORITY.

Portions of Honey Brook Township are now provided with sewage collection and treatment by the Northwestern Chester County Municipal Authority (herein noted as the Sewer Authority). In the future, additional areas of the Township will be connected to the Sewer Authority system. The balance and majority area of the Township will be serviced by individual on-lot sewage systems and, when approved by the Township Board of Supervisors, by individual sewage systems and community sewage systems.

1. A proposed subdivision and/or land development shall be analyzed by the applicant/developer for possible connection to the Sewer Authority system. If a sanitary sewage system connection is feasible, the applicant/developer shall connect the development to the Sewer Authority system. A written approval of such feasibility shall be provided to the Township as prepared by the Sewer Authority. Such approval shall state that existing/proposed treatment capacity is available,

the time frame for such availability, and the estimated cost to the developer for such connection and related construction.

2. All proposed subdivisions and land developments which are determined to be feasible (by the Sewer Authority) for connection to the Authority system and which are located within the current service area(s) or proposed service area(s) of the Sewer Authority shall be connected to the Sewer Authority system by way of gravity mains and/or pumping stations with all such mains, laterals, pumping stations and other facilities meeting the current design criteria established by the Sewer Authority and the design requirements of the Pennsylvania Department of Environmental Resources (PaDER).
3. All proposed subdivisions or land developments which are located within an area determined to be serviced by the Sewer Authority within five (5) years from the date of filing of a preliminary plan shall be provided with capped sewers, capped house or building laterals, and all necessary easements and rights-of-way for such future connections. Approved Temporary on-lot facilities must also be provided for all equivalent dwelling units until Sewer Authority hook-ups are made.
4. If any private central sewage system or community sewage system is proposed to provide sewage service for a subdivision or land development which cannot be connected to or serviced by the Sewer Authority within a projected five (5) year period, the current design criteria of the Sewer Authority, the Chester County Health Department, and the PaDER shall be utilized in the design and construction of such sewage facilities.
5. When a proposed subdivision or land development will provide an immediate or future connection to the Sewer Authority system, this section shall be applicable to all such subdivisions and land developments, whether utilizing public or private streets. In the case of a subdivision or land development utilizing private streets, the subdivider, developer or the applicant shall execute a recordable covenant with the Township and/or Sewer Authority that, for the purposes of sewer connections, assessments and rentals, the

rights and liabilities of himself and his grantees, heirs, successors, and assigns shall be the same as if his property abutted a public street.

B. ON-LOT AND COMMUNITY SEWAGE SYSTEMS. Where connection to the Sewer Authority system is not feasible for a proposed subdivision or land development, it is expected that such developments will utilize individual on-lot disposal systems.

1. Any proposed subdivision or land development utilizing an "individual sewerage system" or a "community sewage system" as defined in Title 25, Chapter 71., Section 71.1 of the PaDER Rules and Regulations shall require the approval of the Board of Supervisors, in addition to the standard approvals required by the Chester County Health Department and the PaDER.
2. Planning modules, soil test probes, postcard applications for planning modules, percolation test procedures, applications for on-lot and community sewage system permits shall be prepared by the Applicant, using the procedures required by the Chester County Health Department and/or PaDER and submitted to the Township with the Preliminary Plan (or Final Plan for actual permits).
3. The Township shall require, as a minimum, that a statement of suitability for any on-lot system be received from the Chester County Health Department and/or PaDER before Preliminary Plan approval is granted. A note shall be required on each Preliminary and Final subdivision plan and/or land development plan indicating that if proposed Final On-lot Sewage Permits for each lot cannot be obtained from the Chester County Health Department and/or PaDER, then said Plan shall be resubmitted to the Township depicting only lots or development for which permits can be approved.
4. The isolation distances required by the Chester County Health Department and the PaDER for on-site wells and on-lot or community sewerage systems shall be observed.

5. If any subdivision or land development plan is proposed which involves the use of one lot (of any type use) for on-lot sewage disposal backup absorption areas (or alternative areas) for another lot, or if any lot is proposed for use as a community sewage system on the same property as a principal use, the physical land area devoted to the backup or alternative area or community sewerage system absorption area shall be deducted from the lot area and such area may not be counted as meeting the minimum lot area as required by the Township Zoning Ordinance.
6. All on-lot sewage system components and all elements of any proposed community sewage system shall be depicted on any preliminary subdivision or land development plan.

II. Article II, Definitions, Section 201, is hereby amended to delete the current definition of "Lot Area" and "Lot, Corner" in their entirety and to substitute the following new definitions therefor:

"LOT AREA. See definition of NET LOT AREA.

LOT, CORNER. The lot at the junction of and abutting on two or more intersecting streets, or at the point of abrupt change in direction of a single street having an interior angle of which is not greater than 135 degrees. A corner lot is required to have two front yards one abutting each street. A corner lot shall also have one rear yard and one side yard.

NET LOT AREA. The net contiguous usable area within the property lines of an individual parcel of land but excluding: any area within any right-of-way or easement; any area devoted to a manmade water retention or detention structure providing drainage for more than one lot; any area which comprises a 100-year flood plain or flood hazard area or delineated wetlands area; and any area within the lot which has existing natural slopes exceeding twenty-five (25) percent. Any accessway or right-of-way connecting a flag lot to a street shall be in addition to the net lot area."

EFFECTIVE DATE. This Ordinance shall become effective five (5) days after enactment as provided by law.

ENACTED AND ORDAINED this 75<sup>th</sup> day of November 1991.

Attest

Recky M. Skitman  
Township Secretary

BOARD OF SUPERVISORS OF  
HONEY BROOK TOWNSHIP

Bar Super  
Raymond Meam  
Dallas J Ford