

**Liberty Township
Susquehanna County
Pennsylvania**

Comprehensive Plan

Liberty Township Board of Supervisors

**William Bayne - Chairman
Ted Plevinsky - Supervisor
James Gow - Supervisor**

Liberty Township Planning Commission

October 1997

Assisted by:

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Liberty Township Comprehensive Plan

Foreword

This Plan was prepared by the staff of Shepstone Management Company in cooperation with Liberty Township officials.

We thank those officials, particularly Supervisors William Bayne, Ted Plevinsky and James Gow, for their generous cooperation. The Liberty Township Planning Commission contributed the original version of this Plan and much other assistance towards the project. Louis Jagel, the very capable Planning Commission Administrator is also due much of the credit for this project as the original leader and developer of the ideas contained herein.

We also thank members of the general public who attended hearings and offered comment as well as the officials of surrounding townships who cooperated in launching a joint comprehensive planning program for the area.

This Comprehensive Plan is intended to offer a concise description of Liberty Township and its needs as of 1997. It also, of course, looks beyond to the twenty-first century and is designed to layout a policy framework to guide the Township as it faces the future.

Thomas J. Shepstone, AICP

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1.0 Background Studies.

1.1 Regional Location and History.

1.1.1 Regional Setting.

Liberty Township is located in the central northern portion of Susquehanna County, north of Montrose, west of Hallstead and south of Binghamton, New York. Adjoining municipalities include the Townships of Great Bend, Franklin and Silver Lake in Susquehanna County and the Towns of Binghamton and Conklin in Broome County, New York. Route 29 links the Township to other portions of Susquehanna County and to New York State where access to Interstate Route I-81 is relatively convenient.

1.1.2 History.

Originally known as Lawsville Township, Liberty got its present day name in 1836. Prior to that time it also included what is now known as Franklin Township and was permanently settled around the turn of the 19th century by immigrants from Litchfield, Connecticut. They settled along the Snake Creek, for the most part, and Lawsville Centre, apparently so named for the Law family, was the principal village. The Township's many streams attracted several sawmills and gristmills and later tannery and acid works were developed, particularly in the Brookdale area. The Township also supported dairy and sheep farming, though the owners of these operations were frequently bothered by the still remaining large wolf population.

The first schoolhouse between Binghamton and Montrose was erected in Brookdale, the first Post Office was established at Lawsville Centre in 1830 and several early churches were organized, including Free-Will Baptist, Strict Baptist, Methodist Episcopal and Presbyterian congregations. The first licensed hotel/tavern was at Stanfordville, downstream (north) of Lawsville Centre about a mile. Early on Township residents used Great Bend businesses and institutions for other needs and later developed relationships with Montrose and Binghamton.

The Township has, over the years, surrendered most of its commerce and industry and much of its farming base to other more suitable areas for such pursuits but it retains a number of historical structures of interest, including the old Grange Hall in Lawsville Centre, and a number of farms worthy of preservation also still exist in Liberty.

Overall, the Township has become more of a residential and second-home area in recent decades and the mix of old and new creates a very attractive living environment. The Township's official bi-centennial will take place in 1999 and this presents an opportunity to identify important historical and cultural attributes, educate the citizenry regarding their value and initiate measures to protect them.

1.2 Natural Features.

1.2.1 Geology.

The relief of the Township was formed by glaciers and is, therefore, characterized by both steep slopes and depressions. The glacial deposits of stone and debris contribute the great variety of soils present in the area and account for their often limited suitability for on-site sewage disposal.

The Township is part of the glaciated low plateau section of the Appalachian Plateaus Province and the primary geologic formation is the Susquehanna Formation, an old one which includes sandstones, shales, and conglomerates. It typically produces very good quality water in moderate supplies.

1.2.2 Terrain.

The greatest local relief in the Township is found to the northwest of Tripp Lake (elevation 1820 feet) and the lowest point is along the Snake Creek where it crosses the New York State border (elevation 890 feet). There are also high elevations along Stone Crop Road. Generally, the Township drains from south to north with approximately 75% of it being part of the Snake or Rhiney Creek watersheds and the remainder falling east into the DuBois Creek. Both major watersheds feed into the Susquehanna River and eventually into the Chesapeake Bay.

Topography has always been critical in determining suitability for road construction and, the terrain of the Township being fairly rugged, has prevented the development of good east-west routes to complement Route 29 as a north-south highway. This is a problem common to much of Susquehanna County. I-81 provides excellent north-south movement but there are few good arteries off it east or west.

1.2.3 Water Resources.

The major water body within the Township is Snake Creek and its tributaries. Tripp Lake, a 32 acre natural lake located at the headwaters of Jones Creek is the largest single body of water and there is also Mingo Lake, a somewhat smaller source of public water used by the Keystone Water Company. The Company also owned the DuBois Creek Dam reservoir (dam now breeched) located just inside the Township but neither facility is used to any large degree at present. None of the Township's streams are classified as "exceptional" or "high quality" but quality as a practical matter is quite high and these resources, in fact, have supported two fish hatcheries, the Brookdale Hatchery (now gone) and the Harasymczuk hatchery.

1.2.4 Soils.

An extensive analysis of soil conditions is found in the Township's Official Sewage Facilities Plan adopted in 1985. It includes a Soil Suitability Map which indicates some 80-90% of the Township is unsuitable for mound-type on lot sewage systems. Generally, the better soils are located along Route 29 in Lawsville Centre and other hamlets. Areas along most of the creeks are limited by floodplain soils but, generally, seasonal high water tables and steep slopes are the primary problems. The Township soils are, in this regard, more severely limited than most municipalities and this suggests future development must be carefully designed and steered toward those pockets of good soils which do exist. Conservation subdivision techniques, where development is accommodated on such soils while preserving other areas as permanent open space, are clearly warranted.

1.2.5 Vegetation and Wildlife.

The Township is, for the most part, heavily wooded not unlike it was during the time the region was first settled and the area to the west of Lawsville was described as "one unbroken forest". The wide variety of deciduous trees is a recreational asset for the entire county and part of what makes the Township special. Hunting and fishing are very popular due to the abundance of fish and game and the wooded environment has attracted camping and second homes as a result. This is

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likely to continue and be even more of an economic resource in the future.

1.2.6 Wetlands.

A review of the *Susquehanna County Soil Survey* maps for Liberty Township and U.S.G.S. Wetlands Maps indicates there are no large wetland areas in the Township. However, a number of smaller areas of marsh and wetland do exist along the Snake Creek and its tributaries. The area to the west of Tripp Lake is an example of a stream valley characterized by Wyalusing soils which are typically subject to flooding and support wetland-type vegetation. Smaller pockets of wetlands are also found among Barbour, Basher, Lordstown, Mardin, Norwich and Volusia soils which are found in and along stream valleys. The soils map found in the Township's Official Sewage Facilities Plan identifies vast portions of the Township which are subject to a seasonal-high water table and many of these include such smaller wetlands. Nonetheless, it is the water table which is the primary limitation and not these scattered wetlands.

1.3 Existing Land Use

There have been no recent existing land use studies of Liberty Township or Susquehanna County and given the lack of any significant commercial or other extensive development of any kind within the Township it was determined that a detailed existing land use study would be of little value. However, generalized patterns of existing land use are very relevant to the future land use plan and, therefore, were examined.

The County's land use patterns were examined by the Northern Tier Regional Planning and Development Commission in 1969 and again in 1978 with the following results:

Susquehanna County Existing Land Use					
<u>Land Use Category</u>	<u>1969 for Boroughs</u>	<u>1969 for Townships</u>	<u>1969 for County</u>	<u>1978 for County</u>	<u>1978 County %</u>
Agriculture	4,898	258,890	263,787	172,760	32%
Forest	2,943	245,737	248,681	332,088	62%
Residential	958	3,558	4,515	3,400	<1%
Commercial	115	116	231	760	<1%
Industrial	39	29	68	40	<1%
Transportation/ Utilities	623	11,696	12,319	10,102	2%
Public/Semi-Public	205	621	827	10,160	2%
Water & Other	64	4,560	4,623	3,810	<1%
TOTALS	9,893	525,208	535,100	533,120	100%

The pattern which developed between 1969 and 1978 has largely continued, with agriculture declining and these lands returning to forest and some new residential use of both a permanent and second-home nature. Within Liberty Township, of course, there is far less commercial activity and mobile homes have become an important part of the pattern with the establishment and expansion of the Liberty Court Mobile Home Park. The Township is also characterized by somewhat greater numbers of second-homes, in relative terms, as a result of activity around Bel-Aire Lake and Tripp

Lake.

Using Census data, previous Northern Tier Regional Planning and Development Commission studies, plat maps and U.S.G.S maps it is possible to derive a generalized existing land use pattern for the Township. A breakdown of land uses in the Township follows:¹

Liberty Township Existing Land Use, 1997		
<u>Land Use Category</u>	<u>Estimated Acres</u>	<u>%</u>
Agriculture	2,850	15%
Forest	15,300	81%
Residential	430	2%
Mobile Homes	50	<1%
Seasonal Residential	50	<1%
Other Residential	330	2%
Commercial	5	<1%
Industrial	5	<1%
Transportation/Utilities	300	2%
Public/Semi-Public	10	<1%
Water & Other	100	1%
TOTALS	19,000	100%

The Township remains heavily forested as it was when first settled. There is some new development, including another small machine shop relocating from New York State, but commercial and industrial activities, generally, are very limited. Residential uses, excepting for the mobile home park which is now also expanding, and the Bel-Aire Lake second homes, have taken place at very low densities leaving the Township with a character today not unlike what it has had for the last half-century.

The Proposed Land Use Map found in Section 3.1.4 of this Plan largely reflects existing land use patterns as outlined above. It is the intent of the Township to substantially preserve these existing patterns while allowing for new growth throughout.

¹ These estimates were developed by Shepstone Management Company. Agriculture was assumed to represent 15% of the total based on observations of County land use maps. Mobile homes were assumed to use 1/4 acre each on average, with 1/2 acre each for second homes and 1 acre each for other residences. Commercial activities were assigned 1 acre each as well and industrial was assigned 5 acres for one existing machine shop. Transportation and utilities is based on 50 miles of roadway with 50 feet right-of-ways and other uses are based on observations. All estimates are rounded figures.

Addendum

Section 1.3 of this Plan (Existing Land Use) neglected to identify the importance of organized summer camping to the Liberty Township economy and existing land use pattern. There are two such camps, Camp Iroquoia-His near Brookdale and Camp Susquehannock for Boys on Tripp Lake. Organized summer camping serves to both enhance economic activity and preserve open space. It is included in the "forest" category of land use as detailed on page 4 and represents several hundred acres of property in the Township.

1.4 Population and Economic Base

1.4.1 Population Trends.

The U.S. Census figures show that 1,353 people lived in Liberty Township in 1990 - an increase of 5.4% over 1980 but somewhat less than the County rate of growth (6.7%). The Township's population can be expected to grow to some 1,425 persons by 2000 if one extends this rate of growth forward. Projecting further, the year 2010 population can be expected to exceed 1,500 persons. However, caution is always warranted in projecting populations, especially where second-homes are involved, because these can convert to first homes during good economic times. This unpredictable nature is demonstrated by the fact that the Township grew by twice the rate of the County between 1970 and 1980 and then fell back during the next decade.

LIBERTY TOWNSHIP POPULATION TRENDS				
	<u>Liberty Township</u>	<u>% Change</u>	<u>Susquehanna County</u>	<u>% Change</u>
1960	N/A		33,137	
1970	1,051	N/A	34,344	3.6%
1980	1,284	22.2%	37,876	10.3%
1990	1,353	5.4%	40,380	6.7%

1.4.2 Age of Household Members.

Liberty Township is relatively young, compared to Susquehanna County as a whole, with 37.9% of the people under 25 years of age. The County proportion, by contrast, was only 34.8%. The largest age cohort, very interestingly, is the 25-44 year age group with some 33.7% of persons. The over 65 years age group, however, is relatively small, making up approximately 11.2% of all Liberty Township residents compared with 15.3% for the County, a very significant difference.

The Township's younger population makes it less dependent than the County but it must be noted the somewhat larger number of persons aged 0-17 years (28.1% vs. 26.8%) suggests greater pressure on school facilities from Township growth. Also, the younger population would not necessarily have been expected from a normal "aging" of the existing population cohorts in 1980. It, therefore, probably came about through in-migration and may relate to activity in the Township's mobile home parks where families tend to reside during transition periods while accumulating funds for more permanent housing which may lay outside the Township.

LIBERTY TOWNSHIP POPULATION BY AGE, PERSONS		
	Liberty Township (1990)	Susquehanna County (1990)
0 - 4 Years	88	2,922
5 - 17 Years	292	7,916
18-24 Years	133	3,222
25-44 Years	456	11,932
45-54 Years	152	4,496
55-64 Years	75	3,707
65-74 Years	74	3,555
75+ Years	77	2,630
Median Age	33.4 years	N/A

1.4.3 Population by Sex.

The female gender makes up the majority of the population in Liberty Township with 50.8% (688 persons) in 1990 as compared to 49.2% (665 persons) for the males.

1.4.4 Years of Education.

The 1990 U. S. Census indicated 71.7% of the population aged 25 years or more had a high school diploma. Only 15.8% possessed a college degree. The drop-out rate for the Township was 28.3% as of 1990.

LIBERTY TOWNSHIP EDUCATION LEVELS, 1990	
Persons 25+ Years	1,220
% Under 12 Yrs Education	28.3%
% 12 Years or more	71.7%
% 4+ Years College	15.8%

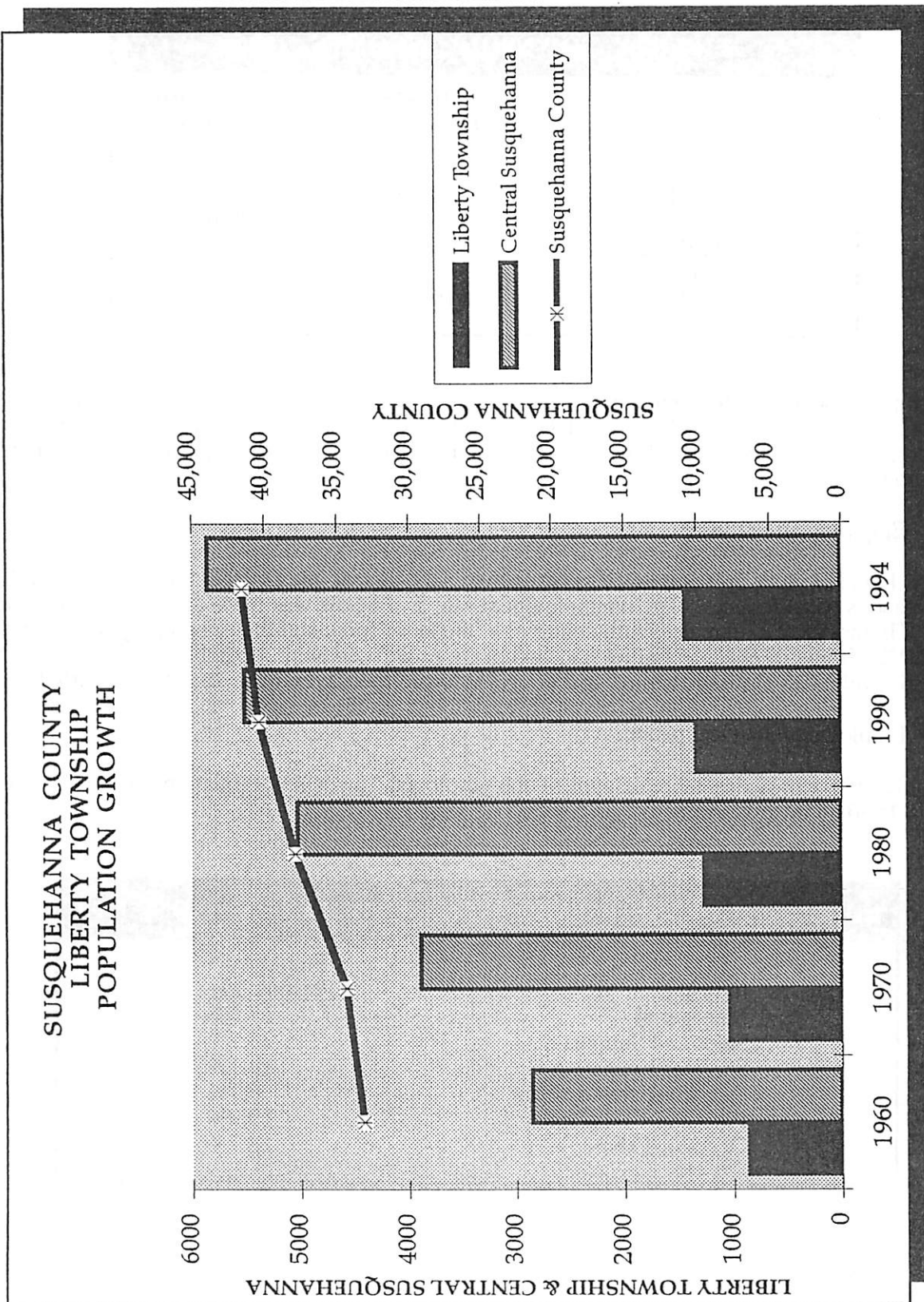
1.4.5 Income.

Census data gathered during the 1990 Census indicates per capita income for Liberty Township was \$10,924 compared to \$10,907 for the County as a whole. Median household income in the Township, however, was \$28,000 compared to \$24,736, a substantial variation reflecting a lack of nursing homes and other institutions in Liberty. The gain in per capita income for the County (94.3%) far exceeded the 58.6% rise in the consumer price index for the same period, indicating real income gains.

NORTHERN CENTRAL SUSQUEHANNA COUNTY POPULATION PATTERNS, 1970-1994

MUNICIPALITY	1960	1970	% Chg 70-80	1980	% Chg 70-80	1990	% Chg 80-90	1994	% Chg 90-94	Density 1994
Susquehanna County	33,137	34,344	3.6%	37,876	10.3%	40,380	6.6%	41,530	2.8%	49.9
Chocanut Township	325	492	51.4%	735	49.4%	799	8.7%	884	10.6%	46.5
Great Bend Township	1,008	1,441	43.0%	1,936	34.4%	1,817	-6.1%	1,849	1.8%	49.3
Liberty Township	874	1,051	20.3%	1,284	22.2%	1,353	5.4%	1,450	7.2%	48.8
Silver Lake Township	643	899	39.8%	1,073	19.4%	1,542	43.7%	1,667	8.1%	49.6
TOTAL	2,850	3,883	36.2%	5,028	29.5%	5,511	9.6%	5,850	6.2%	48.8
Binghamton, Town of	N/A	N/A	N/A	5,007	N/A	5,006	0.0%	5,006	0.0%	203.5
Conklin, Town of	N/A	N/A	N/A	6,204	N/A	6,265	1.0%	6,123	-2.3%	259.4
Liberty Township	874	1,051	20.3%	1,284	22.2%	1,353	5.4%	1,450	7.2%	48.8
TOTAL	874	1,051	20.3%	12,495	1088.9%	12,624	1.0%	12,579	-0.4%	161.5
Franklin Township	570	675	18.4%	751	11.3%	913	21.6%	957	4.8%	39.1
Liberty Township	874	1,051	20.3%	1,284	22.2%	1,353	5.4%	1,450	7.2%	48.8
TOTAL	1,444	1,726	19.5%	2,035	17.9%	2,266	11.4%	2,407	6.2%	44.4

Note: Source of all data, including 1994 estimates, is U.S. Census.



LIBERTY TOWNSHIP INCOMES, 1990		
	Liberty Township	Susquehanna County
Per Capita	\$10,924	\$10,907
Median Household	\$28,000	\$24,736
Median Family	\$30,921	\$29,025
Average Married Couple	\$36,231	\$35,211
Average Female-Headed Household with Children	\$19,671	\$12,796

Township households are somewhat wealthier than those of the County as a whole. The difference is pronounced in the case of households and particularly female-headed households, however, reflecting the fact the Township population consists of relatively fewer single households as a whole.

1.4.6 Employment Status.

Liberty Township had 669 employed persons over 16 years of age in 1990 and 314 or 46.9% of these persons were females. The unemployment rate as a whole was 6.3% and for females it was 8.0%. There were 127 females, with children, in the labor force and their unemployment rate was only 2.9%. Some 67.9% of families had two or more workers with a combined mean income of \$40,488. Only 10.1% of all families had no workers and their average income was \$15,029.

1.4.7 Employment by Occupation.

The table below provides a breakdown of the employed Township population aged 16 years or more in 1990 by occupation.

LIBERTY TOWNSHIP EMPLOYMENT BY OCCUPATION, 1990	
Industry	Employed Persons 16+
Managerial	17.5%
Sales and Support	23.2%
Service Occupation	14.1%
Farming/Forestry/Fish	6.7%
Precision/Craft/Repair	19.9%
Operator/Laborer	18.7%

1.4.8 Place of Employment

Current statistics regarding place of employment for Liberty Township residents were not readily available, but it is clear the vast majority of jobs (probably bordering on 100%) are outside the Township. Moreover, the proximity of Liberty to the City of Binghamton (less than 10 miles) makes it likely the majority of jobs are outside the County and Commonwealth. The economic future of the Township is inextricably linked to that urban area.

2.0 Goals and Objectives.

Community goals are the foundation upon which a comprehensive plan is built and those listed below were developed from workshop discussions with local officials. These goals, viewed in the context of Township characteristics described above, lead to the specific objectives and plans which follow.

Goal 1: Promote the Township's public health, safety, and general welfare.

- Control common-law nuisances attributable to noise, odors, and unsightly uses (farming under best management practices excepted).
- Ensure the availability of public services and promote the availability of private support services.
- Require developers to provide recreation areas and open spaces in conjunction with new projects.

Goal 2: Maintain Liberty Township's character as a rural and agricultural community.

- Through the use of land use regulations, direct development toward areas of the Township possessing adequate services and good access and away from areas having significant physical limitations for growth.
- Enforce regulations to control the proliferation of signs and billboards.
- Employ zoning standards to improve and protect community appearances.

Goal 3: Create and promote an open dialogue between the citizenry and Township officials.

- Encourage citizen and civic organization efforts.
- Publicize this Plan - make it widely available to all residents of the community.

Goal 4: Minimize and, if possible, prevent the loss of health, life, or property due to fire, floods, or other natural disasters.

- Strictly enforce the Federal Flood Plain Program.
- Incorporate industry and basic health and safety standards particular to various land uses in supplementary zoning regulations.

Goal 5: Minimize existing and future pollution of Township land, water and air.

- Maintain an up-to-date sewage facilities plan.
- Require developers to address stormwater and erosion sedimentation concerns through incorporation of planning criteria in land use regulations.

Goal 6: Provide for coordination of policies, plans, or programs of various levels of government within the Township to accommodate the needs of Township citizens.

- Maintain a working relationship with County, regional and other organizations which can help the Township in meeting various needs.
- Continue participation in Council of Government and related programs which allow the Township to coordinate and spread the cost of mandated activities with adjoining municipalities.
- Make the Plan available to adjoining municipal governments and review their plans for areas of common interests.

Goal 7: Provide, improve, and expand public services where required, such as fire protection, highway maintenance, and similar services.

- Identify capital improvements which will serve the needs of the Township population and accommodate desirable development including but not limited to emergency services, recreation facilities, library services, roads, etc. and budget for them on a long-term basis.
- Seek community facilities grant and loan funds, where appropriate, to supplement local revenues and hasten the provision of essential improvements.

Goal 8: Improve the road system and control water runoff in close coordination with land owners.

- Develop a highway improvement and maintenance plan and a highway capital improvements program, to be coordinated with PennDOT activities.
- Maintain an up-to-date road ordinance setting standards for new road construction as well as roads to be dedicated to the Township.
- Identify accident-prone areas, document these and pursue measures to remedy any problems found.
- Control street encroachments and access to Township highways.
- Control the creation of new driving hazards by applying access, parking, setback, and road standards to evaluate new subdivisions, commercial developments or other projects.
- Establish a cooperative program with PennDOT to address safety issues on Route

29 and other State routes.

Goal 9: Ensure that varying land uses will complement one another and ensure the primary goal of a rural and agricultural community.

- Provide for commercial and industrial development giving consideration to land capability, proximity to the transportation network, and compatibility with adjoining uses.
- Evaluate land use regulations with a view toward making affordable housing more readily achievable through use of positive incentives and streamlining of procedures but without compromising density standards.
- Provide for all types of housing, such as multi-family and manufactured housing, using appropriate land use regulations to ensure such housing is built to standards which preserve rural character.

Goal 10: Acquire and use the most current information about geology, hydrology, topography, and soils to help determine the type and location of future land development.

- Structure land use regulations to limit development in areas of steep slopes, poor soils, and other limiting factors which are not mitigated by the provisions of central sewage services or other similar factors.
- Require larger lot sizes on land with high water table, steep slopes or other unique natural features which may require a larger land area to accommodate on lot sewage disposal system.

Goal 11: Preserve the natural environment and Township open space.

- Encourage practices such as open space design development and planned unit development, which preserve open space as much as possible and take advantage of existing services.
- Require developers to preserve as much open space and forest cover as possible in the layout of new projects, demanding landscape buffering of adjoining residences.

Goal 12: Preserve existing historical and natural landmarks and geographic land formations.

- Pursue the identification of historic buildings or other areas of cultural value by working with state agencies and funds and encouraging participation by knowledgeable local persons and groups.
- Encourage the adaptive re-use and rehabilitation of these sites, where economically feasible, through regulatory and other positive incentives.

3.0 Plans.

3.1 Land Use.

3.1.1 Land Use Development Trends.

Liberty Township's land use patterns have changed relatively little over the years excepting as to the following trends:

- Loss of some active farmland
- Development of small seasonal home and mobile home communities around Bel-Aire Lake and other water bodies.
- Limited (scattered) commercial development along Route 29 (e.g., proposed truck terminal)

The Township has also received proposals for some land uses which did not exist previously such as cellular communications towers. Its proximity to Binghamton and the Conklin Industrial Park could well spur additional commercial growth in the future.

3.1.2. Existing Land Use Controls.

There are few land use controls now in place to guide development within the Township. The following are the existing regulations governing land use:

- Junkyard Ordinance

Adopted in 1965, this ordinance defines junkyards so as to include accumulation outdoors of 3 or more unlicensed vehicles and requires licenses of such facilities as well as setbacks. It also provides for screening. However, this ordinance has not, for the most part, been enforced and the District Justice has been uncooperative in the past in doing so unless a direct health hazard could be established.

- Highway Occupancy Ordinance

This ordinance was enacted in 1974 and regulates the placement of utilities within Township roadways. It does not cover driveway installations or set specific construction standards.

- Adult Business Ordinance

Enacted in 1981, this ordinance prohibits the operation of "undesirable" businesses engaged in distributing obscene materials, operating a massage parlor or otherwise dealing with obscene matters or in drug-related paraphernalia. The ordinance does not meet the tests imposed by subsequent U.S. Supreme Court decisions and, therefore, would probably not survive a challenge. It also deals implicitly with a land use issue which, generally, is required to be dealt with under zoning.

- **Hazardous Waste Management Ordinance**

This is an ordinance prohibiting the accumulation, burying, processing, or disposal of hazardous wastes within the Township. Prompted by some isolated dumping incidents and a general concern regarding low-level radioactive wastes disposal, this 1985 ordinance also takes an approach which is of questionable constitutionality in that it prohibits, rather than regulates. It is, also, implicitly a zoning issue.

- **Building Permit/Floodplain Development Ordinance**

Updated most recently in 1989, this ordinance requires building permits for new construction and limits development in floodplain areas pursuant to the requirements of the National Flood Insurance Program. There are no other building standards in the ordinance although there is a reference to meeting "all applicable Township of Liberty laws" as a permit condition. There is no threshold size building below which permit requirements do not apply and fees are set in the ordinance itself, which is cumbersome procedurally.

- **Planning Commission Ordinance**

This 1970 ordinance created the Township Planning Commission and required the preparation of a "plan of development" for the Township. However, it provided no deadline for this action and it has taken 27 years to complete this task.

- **Subdivision and Land Development Ordinance**

The Township enacted its first Subdivision and Land Development Ordinance in 1985 and amended it in 1992. It is one of a relatively few communities in Susquehanna County to have its own such regulations, the remainder generally relying instead upon the County Planning Commission and Department to handle this function. The Ordinance is fairly comprehensive and includes mobile home park design standards as well as building setback lines which apply to all land developments except single-family homes outside planned subdivisions. It also includes travel trailer park standards (with a very small minimum lot size), commercial and industrial development requirements and limitations on areas of hydric soils. It appears to meet Municipalities Planning Code ("MPC") requirements but ventures slightly into zoning-type (e.g., parking matters). It also provides for faster processing of "minor subdivisions" which are generally defined as 10 or less lots created from a parcel existing on May 15, 1972. Intended to match Commonwealth standards, this provision may not be reasonable as applied to single parcels created 25 years later.

3.1.3 Proposed Zoning Ordinance.

Overall, the Township's land use regulations are lacking in several respects and, accordingly, a committee has been working to develop a Zoning Ordinance which would correct these deficiencies. The proposed ordinance is structured in a conventional manner but modeled after a more developed community than Liberty Township is at present. It provides, for example, for 8 different districts, the Conservation District including the typical floodplains overlay. There are, indeed, 3 different commercial districts proposed plus an industrial district, though the Township has very little of either activity. The draft ordinance also is characterized by the following:

- Relatively large minimum lot sizes (5+ acres) outside of sewerred areas, of which there are almost none, and commercial districts.
- Very generalized conditional use and special exception criteria and alternating use of these concepts by district. They are somewhat different procedures in that the Board of Supervisors acts on the former and the Zoning Hearing Board decides the latter. Therefore, it is usually preferable to stick to one or the other.
- Rather complicated development standards to follow procedurally.
- Somewhat impractical standards for industrial uses and other semi-commercial activities which could very well be appropriate for rural areas of the Township.
- An arbitrary 25% expansion limit on non-conforming uses.
- Lack of a provision dealing with unlisted uses (e.g., cellular communications facilities).

The draft Ordinance, on the whole provides a useful basis for guiding land use within the Township but needs to be simplified and streamlined so as to be more practical for the rural environment of Liberty Township and as a first-time ordinance. Additional regulations and improvements are also required.

3.1.4 Future Land Use.

Future land use within the Township is likely to be strongly influenced by Route 29 traffic. Some expansion southward from the Conklin Industrial Park can be expected and some growth north from Montrose will also probably occur. Few, if any, other areas of the Township warrant or would support commercial and industrial development except on an isolated scattered basis.

The types of industrial uses likely to be attracted to the Township are generally unobtrusive. A tool and die shop is an example and, because these uses employ relatively small numbers of people (typically 10-30 persons) and take place inside enclosed structures, they could be located anywhere in the Township with little impact.

Intensive residential development is most likely to continue around water bodies or, again, with access to Route 29. It appears there is interest in expanding some of the mobile home park areas, but large-lot subdivision activity is likely to continue throughout the Township.

The Township's land use challenges are more likely to come from dealing with the impacts of specific uses such as the small truck terminal proposed on Rt. 29 at a location where traffic conditions may present a traffic hazard. Accordingly, the Future Land Use Plan must provide flexibility to accommodate development in a number of areas but in a manner which allows the Township to exercise reasonable control to deal with the impacts of that development. Zoning districting should follow the generalized Future Land Use Plan following and district regulations should provide for extensive use of the conditional use technique as a means of providing, simultaneously, for both flexibility and control.


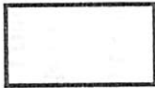
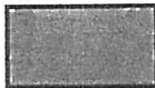


Town of
Binghamton

Town of
Conklin

Liberty Township Susquehanna County Comprehensive Plan

Proposed Land Use

Legend:

-  Agricultural Conservation
-  Residential Settlement
-  Mobile Home Parks
-  Neighborhood Development
-  Rural Development



Silver Lake
Township

Franklin
Township

Great Bend
Township

Map prepared from base developed by
Rockford Map Publishers, Inc. and supplied
to Liberty Township Board of Supervisors.

3.1.5 Land Use Recommendations.

Specific recommendations relating to land use in Liberty Township are provided below:

- A. The Township requires standards applying to the construction of new driveways and the dedication of private roads to the Township. There are, at present, no regulations governing either activity and the Township is very vulnerable to the unrestricted establishment of new highway accesses at dangerous locations and to being forced to accept sub-standard private roads. The Highway Occupancy Ordinance should be amended to cover driveway openings and these standards should be reinforced in the Zoning Ordinance commercial parking, loading and access regulations. The Township should also enact a Road Ordinance to apply the road construction standards contained in the Subdivision and Land Development Ordinance to acceptance of dedicated roads as well as the construction of new roads.
- B. The Township's existing Junkyard, Adult Business and Hazardous Wastes Facilities Ordinances should be repealed and these regulations included in the new Zoning Ordinance where they will be enforceable. The standards applicable to adult businesses and hazardous waste facilities should also be modified to move away from unconstitutional prohibitions and toward strict regulation of the activities, which is legally justifiable.
- C. The draft Zoning Ordinance proposed should be revisited with a view toward addressing the deficiencies identified above. It should be structured around the following districts:
 - 1) A low-density Agricultural Conservation District to protect and preserve special natural areas and complement Agricultural Security Areas so as to control activities having a negative impact on farming.
 - 2) A low-density Rural Development District to provide for low-density development, both residential and non-residential, the latter using a conditional use review procedure.
 - 3) A Residential Settlement District to protect the integrity of low and moderate density residential development areas and limit all other activities in those areas.
 - 4) A Neighborhood Development District to accommodate somewhat more intensive residential and non-residential development in settlements along Route 29 (e.g., Lawsville).
 - 5) A Mobile Home Park District to provide for higher density residential use in selected areas and protect the residents of such parks from the impacts of incompatible uses.Other districts for regulating floodplain development or providing for planned residential developments should be done as floating or overlay zones based on special criteria.
- D. The Subdivision and Land Development Ordinance should be updated to provide for Conservation Subdivisions, a form of clustering where protection of the concept can be made mandatory and the emphasis is put on preserving usable open space, not just the lands which cannot be developed. This concept, also known as Open Space Design Development, can be used to avoid the carving of the entire Township into 5 and 10 acre lots and, instead, preserve larger contiguous tracts. It can also facilitate the continuation of farming as an enterprise on the saved open spaces.

- E. The Township should consider incorporating various supplementary standards in its Zoning Ordinance which would require use of best practices with respect to certain types of land uses such as large-scale timber-harvesting and recreational vehicle camping.

Draft regulations dealing with Conservation Subdivisions, road dedication, driveway openings and, as an example of supplementary zoning standards, cellular communications towers are attached to complement this Plan.²

3.2 Community Facilities.

Liberty Township's population continues to grow and providing its residents with essential public services and facilities is a never-ending and challenging task. The buildings and other facilities necessary to deliver these services are the subject of this Community Facilities Plan. Township government bears direct responsibility for a large portion of these needs and, therefore, is the logical entity to implement programs addressing them.

3.2.1 Schools.

The educational needs of the Township are met by the Montrose Area School District. No school construction is anticipated within the Township in the near future.

3.2.2 Parks and Recreation.

The Township has a small community recreation facility known as the "Liberty Community Park". It is located on Liberty Park Road and is owned and operated by a private community association with some financial support from Township government. It offers baseball and picnicking opportunities and includes a pavilion and playground developed with funding assistance from the Commonwealth. Continued development of this existing facility to meet future needs is recommended.

There may also be an opportunity to expand recreational offerings by including some picnic facilities and/or playground equipment in the project to upgrade the Grange Hall and Township Building project (see below). Still another opportunity worth exploring for the future would be shared use of private camp recreational facilities during the off-season periods. There are precedents in other communities for such public/private cooperative agreements.

3.2.3 Township Building.

The Liberty Township Municipal Building and Grange Hall complex should continue for the immediate future to serve as the center for Township Government, activities. The Municipal Buildings are shared with the Fire Company and requires additional space for machinery storage. The Grange Hall is used for public meetings and is part of the same essential facility but neither building has water or sewer. Both buildings, however, are owned by the Township and the Supervisors have established a capital improvement line item in the Township's budget so as to construct a septic system, drill a well and offer both water and sewer to both buildings. Some \$20,000 has been accumulated to date in this fund, which will also be used for the machinery shed addition.

3.2.4 Fire and Ambulance.

² See Appendices A, B and C

Liberty Township Comprehensive Plan

October 1997

The Snake Creek Volunteer Fire Company services approximately three-fourths of Liberty Township and one-third of Franklin Township to the south. The Hallstead Volunteer Fire Company serves the eastern one-fourth of the Township and Silver Lake Volunteer Fire Company unofficially provides supporting coverage for the western side of the Township. The Snake Creek Fire Company operates from the Municipal Building in Lawsville and has a second station in Brookdale. Ambulance service is provided from Montrose and Hallstead and, once again, from Silver Lake on an unofficial basis.

Township officials need to periodically re-assess the Township's fire and ambulance coverage, but it does not appear there are any serious unmet needs in this regard at the present time which are not already being adequately addressed by the respective volunteer corps.

3.2.5 Sewage Facilities.

The Township's Official Sewage Facilities Plan Update reviewed the sewage needs of all of Liberty Township in 1985. It appeared, after examining soils and permit data, that on-lot systems continued to be appropriate for most areas of the Township where they were used. However, the Bel-Aire Lake area was recommended for further analysis to assess the need for and feasibility of a collection and treatment system. Fortunately, the Township has joined with other members of the County Council of Governments in a multi-jurisdictional on-lot sewage enforcement program. This has produced much improved enforcement of sewage regulations and enabled the Township to hire professional help and secure the economies of scale from hiring a common enforcement officer(s). Given this background, many of the recommendations of the Sewage Facilities Plan have been effectively addressed, and it may no longer even be necessary to pursue collection and treatment options for Bel-Aire Lake.

3.2.6 Library Service.

The Township is served by excellent libraries in Montrose and Hallstead and there are no serious unmet needs in this regard.

3.2.7 Solid Wastes.

The Township is served by private haulers who take the solid wastes to approved landfill facilities in Scranton and to Broome County, New York. There are no unmet needs in this regard.

3.2.8 Water Supplies.

There are no public water supply systems in the Township excepting those serving the two mobile home parks and all systems are based on groundwater supplies and wells. Mingo Lake is a watershed property, but does not serve any of Liberty Township. While there is a need to protect that watershed and all groundwater supplies from degradation, this is being effectively accomplished by the sewage enforcement program. Zoning could be an additional help in this regard.

3.3 Movement of People and Goods.

The road system of Liberty Township forms the framework for development. Highways influence the direction of overall growth as well as the location of specific commercial, industrial and residential developments. This plan addresses the needs of this highway system, as well as other modes of transportation.

3.3.1 Functional Road Classifications.

Every road and highway in Liberty Township plays a part in moving people and goods within and through the Township. Some roads are more important than others and, therefore, it is necessary to assess the future role and function of each road as the Township continues to develop. The following table identifies Township roads by the functions which they must play in the future (as opposed to present use) to achieve an efficient flow of traffic in the Township.

<u>ROAD CLASSIFICATION</u>	<u>FUNCTION</u>	<u>ROADS</u>
ARTERIAL	Carries medium-to-heavy volumes of traffic at moderately high speeds and provides access to major traffic generators	Route 29
COLLECTOR	Provides connections between Arterials and Local Roads at comparatively slower speeds and carries moderate volumes of traffic	Rt. 1020 (Rhiney Creek Rd.) Rt. 1022 (Liberty Park Rd.) Rt. 4002 (Laurel Lake & Franklin Hill Roads)
LOCAL	Provides direct access to abutting properties and channels Local traffic to Collector Roads	All other existing roads

This Plan is designed to be integrated with local and state reconstruction programs as well as maintenance efforts to bring about a functional system. It involves the following:

- A. The reconstruction of Township road approaches to Route 29, particularly on the west side of the highway. A prime example is the Mucky Run Road intersection which lacks adequate sight distance and clear-sight triangles.
- B. The Stone Crop Road and the Valley View Road could both have potential for increased use in the future as east-west collector routes and should be considered for eventual widening and upgrading in that regard. Most Township roads need some widening but funding is limited. The capital improvements budget should be considered as the vehicle to finance such upgrades and the Supervisors should act now to establish funding priorities for the use of this fund once the machinery shed and septic/well projects are completed.³
- D. The Township has adopted the road names used by the County's 911 system and these should be complemented with the purchase and erection of road name signs throughout the Township to facilitate direction of both emergency and non-emergency traffic.
- E. The Township needs to enact a Road Ordinance setting standards for highways to be constructed new or turned over to the Township so as to ensure it is not burdened

³ See Community Facilities section.

with unnecessary new upgrading or maintenance expenses for sub-quality roads.⁴

3.3.2 Other Recommendations.

- A. Highway maintenance, generally, should be directed towards reducing traffic hazards, cutting back the long term cost of highway improvements and increasing highway capacity.
- B. Accident-prone areas should be continually documented for justification of improvement projects, working cooperatively with PennDOT.
- C. There is no public transportation in the Township except that provided by the Area Agency on Aging. No additional service is needed beyond this at present.
- D. Railroad freight service is available in nearby Great Bend and reasonable accessibility of the Broome County and Scranton/Wilkes-Barre Airports suggests the Township has no further needs in either of these categories. Commuter rail service between New York City and Binghamton is also being discussed and this would come into Pennsylvania and through Great Bend.

3.4 Housing.

3.4.1 Number of Persons Per Household.

The number of people living in each household was 2.90 persons in 1990. However, this is significantly higher than the County average of 2.69 persons.

3.4.2 Housing Growth.

The 1990 U.S. Census indicated Liberty Township had 605 housing units, an increase of 106 units from the 1980 total of 499. This is a gain of 21.2% with an average increase of some 11 new housing units each year from 1980 to 1990.

3.4.3 Housing Values.

The Census count for 1990 revealed a median housing value of \$69,300 for the Township. Countywide, the median value was \$64,200 significantly lower than the Township.

3.4.4 Housing Tenure and Vacancy.

There were 473 occupied units in 1990. Some 392 were owner occupied and 132 were renter occupied. There were also 94 vacant units in the Township most of which were utilized for seasonal, recreational or occasional occupancies.

3.4.5 Housing Type and Ownership.

Single family homes in 1990 accounted for 408 units and comprised 67.4% of the housing stock in Liberty Township with 404 of those being detached and 4 attached units. This was followed by multi-family units at 12 or 2.0% and mobile homes at 185 units or 30.6%. The Liberty Court and Lazy Brook projects accounted for much of this last category.

⁴ See Appendix C

3.4.6 Contract Rents.

Rents within the Township were relatively low in 1990, the median rent being only \$284. The median rent Countywide in 1990, however, was only \$254. This is attributable to the presence in elsewhere in the County of subsidized rent public housing projects of which Liberty has none.

3.4.7 Persons Per Room.

There is little evidence of serious overcrowding in the Township. Only 12 or 2.0% of its housing units were occupied by 1.01 or more persons per room.

3.4.8 Recommendations.

The Township needs to continue to pursue the development of building code standards to ensure quality housing construction and this should be done through the Council of Governments to achieve the best enforcement and efficiency. A zoning ordinance can also help to ensure quality construction insofar as health and safety measures associated with property improvements and land uses in general. This, too, should be pursued and the Township in enacting such ordinance must ensure that each type of housing needed by the different income households within the Township is provided for in the zoning districting and supplemental standards adopted.

3.5 Plan Interrelationships and Impacts.

The various plans provided above are intended to complement and serve one another such that the transportation recommendations also facilitate the future land use recommendations, for example. It is further intended that the adoption of the measures recommended minimize any negative environmental, energy conservation, fiscal, economic development and social consequences on the community from future development.

4.0 Implementation Strategies.

This Comprehensive Plan should be applied consistently in decisions pertaining to land use, circulation and community facilities. Each proposal and action should conform with the goals laid out herein.

This Plan should also be reviewed periodically and updated to reflect new problems and concerns. It would also be beneficial to Liberty Township to develop a close working relationship with adjoining municipalities on planning and development matters.

Assistance from specialists in law, planning, engineering and other areas will be required in implementing this Plan and the Township will also be well-served by a close working relationship with the Susquehanna County Planning Commission.

The Plan is itself an implementation tool. It provides policies for guiding the future development and preservation of Liberty Township and has certain legal authority under the Pennsylvania Municipalities Planning Code. With the adoption of the Plan no public building activity can be undertaken without first a review of the project by the Township Planning Commission for conformance with the Comprehensive Plan.

The zoning ordinance is the major legal tool recommended for regulating the use of land in the Township. The ordinance may permit, prohibit, regulate, restrict, and determine any of the following:

- uses of land and bodies of water
- structure size, height, bulk, location, erection, construction, repair, maintenance, alteration, raising, removal and use
- density of population and development

Zoning can be used in promoting certain types of advantageous development and also limiting development which is a threat to the health, safety and welfare of the public. Every zoning ordinance has 2 essential parts:

- An official zoning map which delineates land use districts.
- The text which provides general information regarding administration of the ordinance and regulations for each zoning district.

It, too, needs to be continually reviewed in the context of ensuring the ability of the Township to economically develop, accommodate needed services and produce housing affordable to local residents. Performance standards should be expanded upon when necessary to provide maximum flexibility to accommodate development while also protecting health and safety. Generally, broad areas of the Township should be opened up to development but subject to review and attachment of conditions to protect the public health and safety.

5.0 Relationships to Adjoining Communities, the County and the Region.

This Comprehensive Plan has been prepared as part of a 4-Township coordinated effort and also includes Great Bend, Choconut and Silver Lake Townships. Every aspect of comprehensive planning among these 4 communities is being coordinated as the respective plans for each are developed. Susquehanna County Planning documents as well as those generated by the Northern Tier Regional Planning and Development Commission have also been carefully reviewed so that the policies of the Township are consistent therewith.

6.0

Appendices

The following appendices are attached:

- A - Recommended Regulations for Communication Structures
- B - Recommended Conservation Subdivision Regulations
- C - Recommended Road Ordinance

**Liberty Township
Comprehensive Plan**

**Appendix A
Recommended Regulations
for Communications Structures**

Appendix A

Recommended Subdivision and Land Development Ordinance Amendment for Communication Structures

Section 813. Communications Structures

813.01 Special Definitions

ANTENNA - A device used to collect or transmit telecommunications or radio signals. Examples are: panels, microwave dishes, and single pole known as whips.

TELECOMMUNICATIONS FACILITY - Consists of the equipment and structures involved in receiving or transmitting telecommunication or radio signals, but limited to those facilities with respect to which the State and Federal governments have not, under public utility laws, strictly preempted the Township from regulating.

TELECOMMUNICATIONS EQUIPMENT BUILDING - The building in which the electronic receiving and relay equipment for a telecommunications facility is housed.

TOWER - A structure that is intended to support equipment used to transmit and/or receive telecommunications signals. Examples of such structures includes monopoles and lattice construction steel structures.

813.02 Design and Location Standards - The following design and location standards shall apply to all telecommunications facilities:

1. The location of the tower and equipment building shall comply with all natural resource protection standards of this Ordinance.
2. An evergreen screen consisting of a row of evergreen trees planted ten (10) feet on center maximum, shall be located around the perimeter of the security fence and existing vegetation (trees and shrubs) shall be preserved to the maximum extent possible. The Township Planning Commission may waive all screening requirements if the site is entirely wooded.
3. An eight (8) foot high security fence shall completely surround the tower (and guy wires if used) and equipment building.
4. The tower and antennae shall be designed and constructed to all applicable standards of the American National Standards Institute, TAI/EIA-222-F manual, as amended, and withstand wind gusts of up to 100 miles per hour.
5. A soil report prepared by a Professional Engineer shall be submitted to the Planning Commission to support the design specifications of the foundation for the tower, and anchors for the guy wires, if used.
6. An antenna may not be located on a building or structure that is listed on a historic register or within five-hundred (500) feet of such a structure.

-
8. Telecommunications facilities shall be permitted as a sole use on any lot subject to the following land development standards:
- a. Minimum lot size (entire tract). Five (5) acres
 - b. Minimum setback requirements. Two-hundred (200) feet (all sides)
 - c. Maximum height. Tower - Two-hundred (200) feet
Equipment building - Thirty (30) feet

Provided no residences directly adjoin the site, minimum setback requirements may be reduced to the fall-down limit plus fifteen (15) feet, where the net effect of requiring the full setback would be to necessitate additional lighting or tower height. Maximum height requirements may be exceeded, provided such height can be demonstrated to be necessary and the additional height is matched with an equal amount of additional setbacks on all sides.

9. A telecommunications facility shall be permitted on a property with an existing use subject to the following land development standards:
- a. The telecommunications facility shall be fully automated and unattended on a daily basis, and shall be visited only for periodic maintenance.
 - b. Development standards. The minimum lot area, minimum setbacks and maximum height required above shall apply, provided the land remaining for accommodation of the principal use on the lot shall also continue to comply with the minimum lot area requirement.
 - c. Access. The vehicular access to the equipment building shall, whenever feasible, be provided along the circulation driveways of the existing use.
10. Where an antenna for a telecommunications facility is to be attached to an existing structure or building it shall be subject to the following land development standards:
- a. Maximum height. Fifty (50) feet above the existing building or structure.
 - b. If the applicant proposes to locate the telecommunications equipment in a separate building, the building shall comply with otherwise applicable minimum setback requirements, an eight (8) foot high security fence shall surround the building, a buffer yard shall be planted as required above and vehicular access to the building shall not interfere with the parking or vehicular circulations on the site for the principal use.
 - c. Elevations of existing and proposed structures showing width, depth, and height, use statistical data on the antenna and support structure shall be presented.
11. Notwithstanding minimum setbacks provided for above, any tower shall be setback from all property lines a distance that is at least equal to the height of the tower. The tower shall also be setback from any active recreation facilities or fields a distance that is at least equal to the height of the tower.

813.03 Plan Review Criteria - Telecommunications facilities shall be subject to all the ordinary review criteria applicable to Land Developments in general plus the following:

1. The applicant shall demonstrate that the tower for the telecommunications facility is the minimum height necessary for the service area.
2. The applicant shall present documentation that the tower is designed in accordance with the standards of this Ordinance for telecommunications towers.
3. The applicant shall demonstrate that the proposed tower complies with all state and federal laws and regulations concerning aviation safety.
4. The need for additional buffer yard treatment shall be evaluated. Proximity of the communications structure to existing or platted residential properties shall be considered in applying such requirements.
5. The applicant shall demonstrate that the telecommunication facility must be located where it is proposed in order to serve the applicant's service area.
6. Where the telecommunication facility is located on a property with another principal use, the applicant shall present documentation that the owner of the property has granted an easement for the proposed facility and that vehicular access is provided to the facility.
7. Free-standing pole-type communications structures shall be given preference over towers supported by guy wires.
8. All communications structures shall be lighted for safety in a manner consistent with industry best practices.
9. All property owners and adjacent municipalities within five-hundred (500) feet of the outside perimeter of the communications structure, including guy wires, shall be notified by certified mail prior to the Planning Commission making a recommendation on an application for land development approval for such a structure. This responsibility shall be the applicant's and such applicant shall provide proof of notification as part of their final application.
10. Should any tower cease to be used as a communications facility, the owner or operator or then owner of the land on which the tower is located, shall be required to remove the same within one (1) year from the abandonment of use. Failure to do so shall authorize the Township to remove the facility and charge back the cost of removal to the foregoing parties. The Township may also file a municipal lien against the land to recover the costs of removal and attorney's fees.
11. An applicant for approval of a communications structure land development shall include with the application evidence of written contact with all wireless service providers who supply service within the Township for the purpose of assessing the feasibility of co-located facilities. The proposed structure, if evidenced by need, shall be constructed to provide available capacity for other providers should there be a future additional need for such facilities.

**Liberty Township
Comprehensive Plan**

**Appendix B
Recommended Conservation
Subdivision Regulations**

Appendix B

**Liberty Township, Susquehanna County
Draft Regulations - Conservation Subdivisions (Open Space Design)**

Conservation Subdivisions

Developments which provide for single-family dwelling units wherein dwelling units are grouped in sections in order to maximize the amount of common open space and to preserve the natural settings, shall be designated as conservation subdivisions. Illustrations of such design follow. Proposed developments shall be processed in the same manner as a major subdivisions and in accord with the standards below.

- A. Conservation subdivisions shall include at least five (5) lots and 10 acres of land and the Planning Commission shall have the authority to require an alternative Sketch Plan, for any subdivision of ten (10) lots or more, depicting how the property might be developed using this technique. If this alternative Sketch Plan is determined to provide a superior design in accord with the purposes of this Chapter and the same density can be achieved the Planning Commission may than require use of this technique.
- B. The maximum permitted number of dwelling units shall be determined by deducting from the total tract area:
 - (1) All areas within the rights-of-way of any existing or proposed streets; and
 - (2) All areas occupied by public utility easements.
 - (3) All wetlands, floodplains, slopes of 15% or more, water bodies and other undevelopable areas.

The net figure shall then be divided by the minimum lot size applicable and rounded to the nearest whole number of dwelling units permitted.

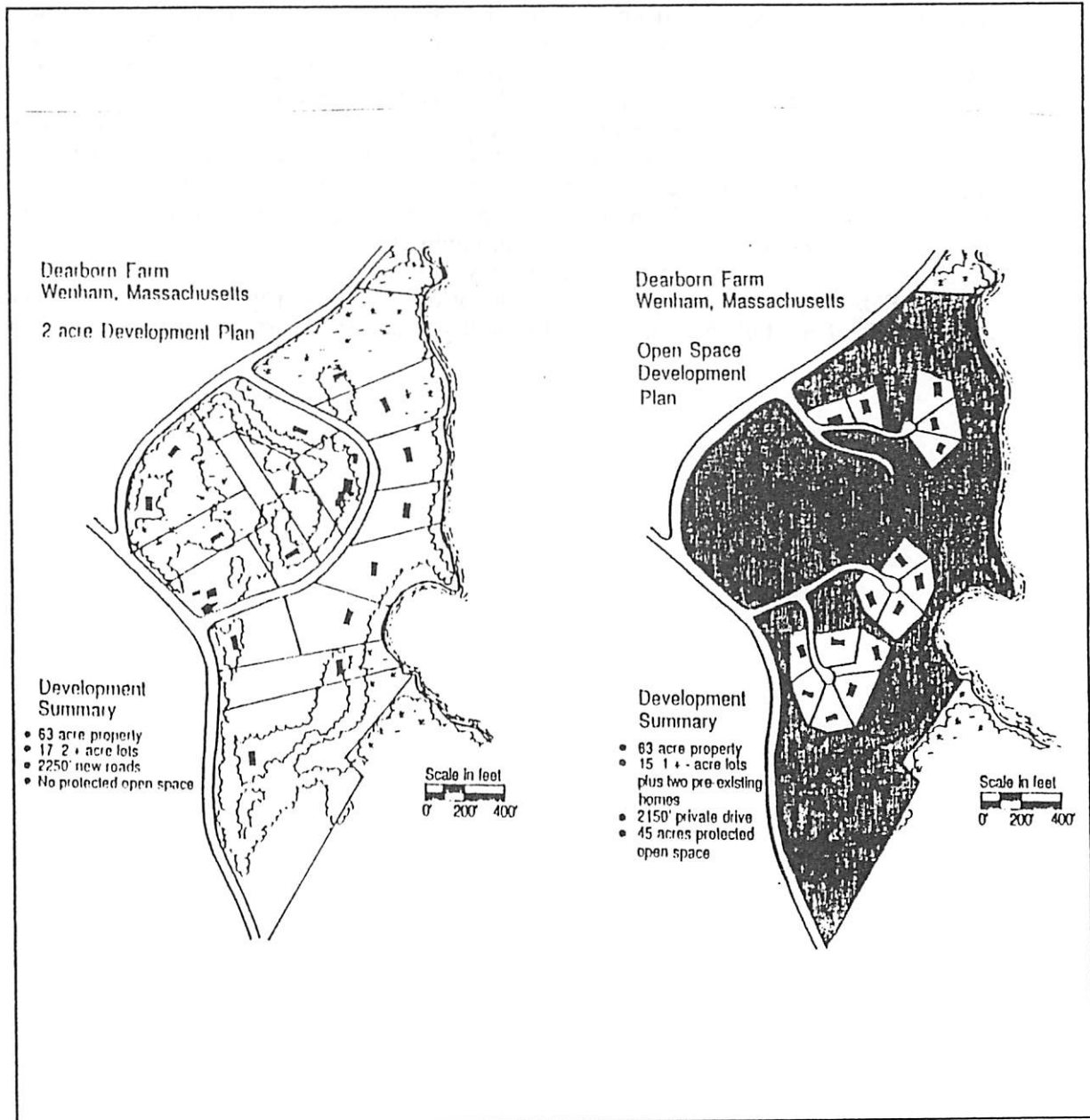
- D. Only single-family detached and two family dwellings shall be employed in this concept. All other dwelling types shall be considered multi-family dwellings and be subject to the standards for the same.
- E. Development standards for lot size, lot width and lot depth may be reduced, provided no dwelling structure (single-family or two-family) is located on less than 43,560 square feet of land where on-site sewer and water facilities are to be provided or 21,780 square feet of land where off-site sewer and water facilities are to be provided; and further provided the total density (in individual dwelling units) for the tract shall not exceed that which would result from a conventional subdivisional plan designed in accord with this Ordinance, as determined from the basic Sketch Plan submission. Yard requirements may also be reduced, but in no instance to less than forty (40) feet from the front yard and thirty (30) feet for the side and rear yards.
- F. No individual parcel of common open space shall be less than one (1) acre except as to roadway median strips, traffic islands, walkways, trails, courtyards, play areas, recreation facilities, drainageways leading directly to streams, historic sites or unique natural features

requiring common ownership protection. No less than 50% of the total land area of the conservation subdivision shall be dedicated to permanent open space and at least 50% of the such open space shall be usable for active recreational activities and not include water bodies, wetlands, floodplains, slopes over 15% in grade or other undevelopable areas.

- G. The open space resulting from conservation subdivision design shall be permanently protected through a conservation easement and generally titled to a property owner's association (POA) prior to the sale of any lots or dwelling units by the subdivision. Membership shall be mandatory for each property owner within the subdivision and successive owners with voting of one vote per lot or unit and the subdivider's control, therefore, passing to the individual lot/unit owners on sale of the majority of the lots or units. All restrictions on the ownership, use and maintenance of common open space shall be permanent and the POA shall be responsible for liability insurance, local taxes, and maintenance of all open space, recreational facilities and other commonly held amenities. Each property owner must be required to pay their proportionate share of the POA's cost and the POA must be able to file liens on the lot/unit owner's property if levied assessments are not paid. The POA must also have the ability to adjust the assessment to meet changing needs.

**SUBDIVISION AND LAND DEVELOPMENT ORDINANCE
CONSERVATION SUBDIVISION DESIGN**

ILLUSTRATION NO. 1

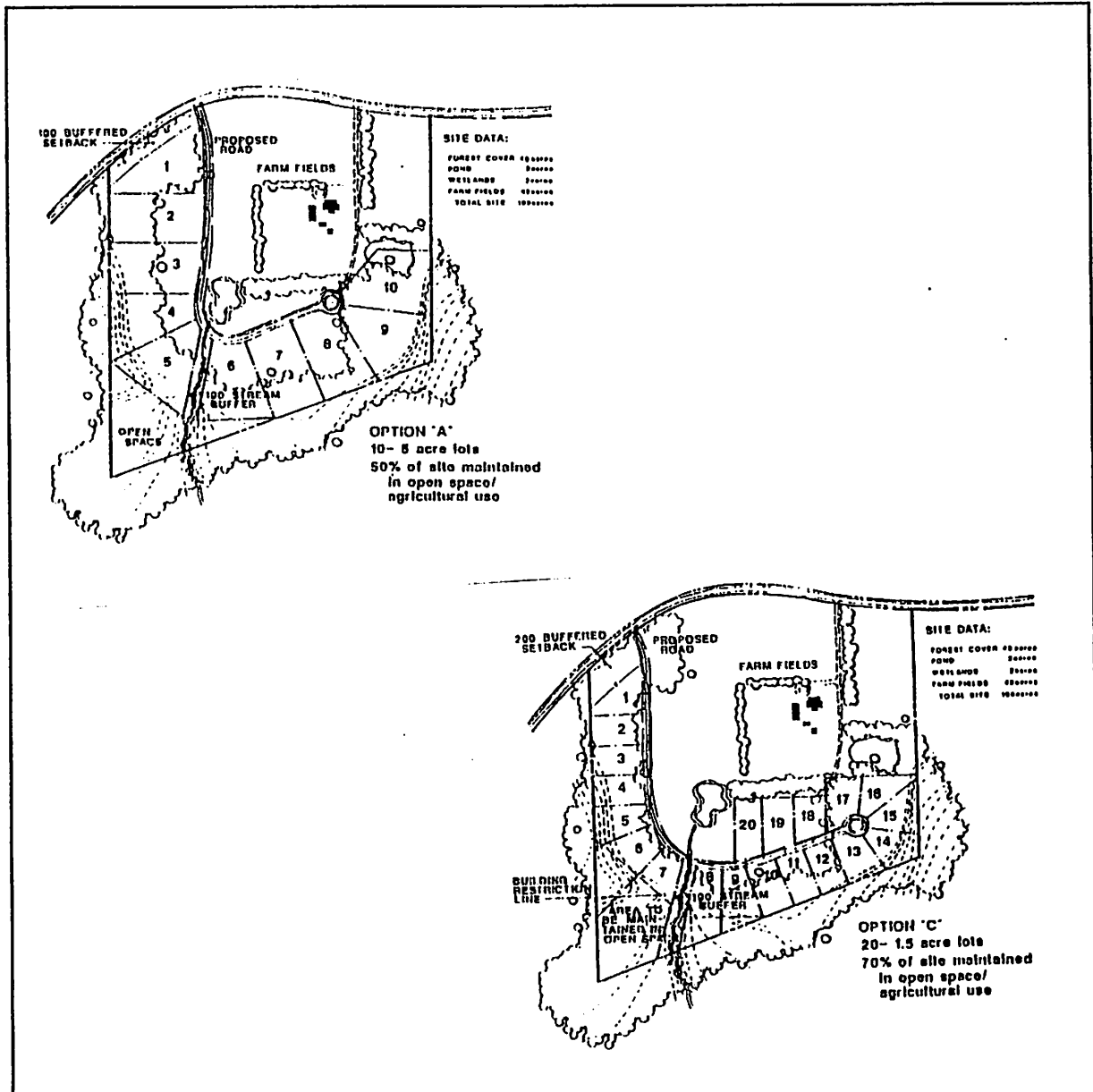


These two plans produce the same lot yield (15 new lots plus 2 existing homes on larger parcels) yet the right-hand example preserves two-thirds of the open space. It is also important to remember that, because all lot buyers also purchase rights to the open space, total land values will be at least as high as in the left-hand example and probably higher due to the enhanced usability of that open space. Source: "Rural by Design", 1994, American Planning Association.

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

CONSERVATION SUBDIVISION DESIGN

ILLUSTRATION NO. 2



These two sketches illustrate different designs for open space preservation, both of which could be appropriate but the right-hand version of which offers the better plan because it preserves more open area, makes maintenance of the farming operation more realistic as an option and keeps housing setback into the wooded area where it will be less intrusive and preserve the "feel" of the open space. It also produces more housing opportunities, saving open space elsewhere. Source: "Rural by Design", 1994, American Planning Association.

**Liberty Township
Comprehensive Plan**

**Appendix C
Recommended Road Ordinance**

Appendix C

Recommended Road Construction and Dedication Standards

§ 10-01 Title

A Ordinance regulating the construction and the dedication of any road and other associated facilities (hereinafter referred to as improvements) offered to Liberty Township, Susquehanna County, Pennsylvania. This Ordinance may be referred to as the "Liberty Township Road Ordinance."

§ 10-02 Purpose

This Road Ordinance is enacted to ensure all improvements offered for dedication to Liberty Township meet the standards contained herein and have been reviewed and approved by the Township Engineer and the Township Roadmaster.

§ 10-03 Administration

A. Application. Any person or persons proposing to dedicate any improvements to Liberty Township shall submit to the Township Secretary, five (5) copies of a plan, prepared by a Professional Engineer setting forth the details of the proposed dedication. Said plan shall be submitted prior to commencing the construction or reconstruction of the road proposed for dedication. Similar as-built plans shall be required in those instances where existing roads are proposed for dedication. The plan shall include all information necessary to document compliance with this Ordinance and shall include, as a minimum, the following information.

- (1) A map at a scale of one inch equals one-hundred feet showing the following:
 - (a) Locations, distances and bearings of right-of-way lines.
 - (b) Locations of storm drainage systems and devices.
 - (c) Locations of any existing or proposed easements.
 - (d) Location of utilities.
 - (e) Locations and names of the record owners of real property over which the road passes, or is abutting.
 - (f) Road name(s).
- (2) Plans, profiles and cross sections of the roads.
- (3) Detailed specifications for drainage facilities.
- (4) Detailed specifications for any bridges.
- (5) The identity of each property owner along the right-of-way of the proposed road and certification that each has joined in the application for dedication. Each such property

owner shall release any right to assert any claim the owner might otherwise have against any person, persons, partnership, corporation or political subdivision by reason of the dedication.

B. Plan Distribution. The Township Secretary shall distribute plans as follows:

- (1) One with the Township Roadmaster.
- (2) One with the Township Engineer.
- (3) One with the Township Planning Commission.
- (4) Two with the Township Secretary's permanent files.

C. Plan Review.

- (1) No action shall be taken by the Board of Supervisors until such time as the Township Planning Commission and the Township Engineer have reviewed the plan of the proposed dedication.
- (2) The Township Planning Commission and the Township Engineer shall, within forty-five (45) days of the Township Secretary's receipt of the application, review the plans and make recommendations to the Roadmaster.
- (3) The Roadmaster shall, within sixty (60) days of receipt of said recommendations: (1) review the plans and make an inspection of the road site (the Roadmaster may request the Township Engineer to assist with any inspection required by this Ordinance); (2) notify the applicant in writing of deficiencies, if any, in the plan, and (3) recommend acceptance or rejection of the plans to the Board of Supervisors.
- (4) The applicant shall make any necessary modifications to the plan and resubmit the plans to the Roadmaster, who shall have an additional thirty (30) day review opportunity from the date of submittal.
- (5) Upon receipt of the Roadmaster's recommendation to accept the plans, the Board of Supervisors shall within sixty (60) days, vote to accept or reject the plans. The Board of Supervisors may make its own inspection of the road site prior to taking action. If the plans shall be rejected for any reason, the applicant shall be notified in writing within fifteen (15) days of the reasons for rejection and how the plans can be brought into compliance with the Ordinance. The applicant may request a conference with the Board of Supervisors and Roadmaster to review the reasons the plans were rejected and how it can be corrected, which conference shall take place at the earliest date convenient to the Board of Supervisors. If the plans are accepted, the applicant shall be so notified and may proceed with construction pursuant to this Ordinance.

D. Construction Procedure.

- (1) The construction or reconstruction of any improvements for dedication shall be in accord with approval plans.
- (2) Prior to the initiation of construction or reconstruction, the applicant and the

Roadmaster shall agree on an inspection schedule to the Roadmaster adequate to ensure compliance with this Ordinance. Inspections shall be required at all phases of construction where a failure to inspect the construction in progress would make later verification of compliance physically impossible.

- (3) The applicant shall provide a minimum of two (2) working days notice prior to the time for each inspection required in the Inspection Schedule.
- (4) If the Roadmaster discovers construction is not in compliance with the approved plans, all construction shall be terminated until such time as the identified deficiency is corrected.

E. Dedication Procedures.

When the improvements proposed for dedication are completed to the standards of this Ordinance, the Roadmaster shall make a final inspection and verify said completion to the Board of Supervisors. The Board of Supervisors, at their next meeting following receipt of the Roadmaster's report, shall take action to initiate the dedication process as follows:

- (1) The applicant shall provide to the Township one (1) complete set on mylar and three (3) complete sets on paper of all plans of the improvements which shall be certified by a Professional Engineer as "AS CONSTRUCTED" plans.
- (2) The "Date of Completion" of the improvements shall be established by the Township Roadmaster and confirmed by the Board of Supervisors.
- (3) No improvements shall be accepted by the Township for dedication until one (1) year from the "Date of Completion" has passed. During said one year probationary period, the applicant shall be responsible for all maintenance and repair of the improvements proposed for the dedication.
- (4) At the end of the probationary period, the Roadmaster shall conduct an inspection of the improvements and verify to the Board of Supervisors the integrity and proper functioning of the improvements. Any deficiencies shall be corrected by the applicant.
- (5) Upon the final verification by the Roadmaster of compliance with this Ordinance, the Board of Supervisors shall accept the improvements for dedication upon the receipt of the following:
 - (a) A maintenance guarantee in the amount of twenty-five (25) percent of the cost of the construction of the improvements as certified by the applicant's Professional Engineer. Such guarantee shall be satisfactory to the Township Attorney as to form sufficiency, manner of execution and surety. The term of the guarantee shall be for twelve (12) months from the date of dedication. Upon the failure of any of the improvements, the Township shall enforce said guarantee and make any necessary repairs. If the proceeds of the guarantee are insufficient to complete the repairs, the Township shall institute legal or equitable action to recover the amount of the insufficiency.
 - (b) Deeds for the right-of-ways of all improvements, which deeds shall be of a bargain and sale type with covenants against grantors acts and shall transfer all

lands in fee simple.

§ 10-04 Construction Standard

Improvements offered for dedication to Liberty Township shall be constructed to the standards contained in this Ordinance and the Liberty Township Subdivision and Land Development Ordinance. The more stringent standard shall apply in any instance of conflict between standards.

A. Right-of-Way

Right-of-ways shall be provided required by the Township Subdivision and Land Development Ordinance:

B. Geometric Requirements

- (1) All roads shall be designed following generally accepted highway engineering principles.
- (2) Street jogs with centerline offsets of less than 125 feet shall be avoided.
- (3) In general, all streets shall join each other such that, for a distance of at least 150 feet, the street is approximately at right angles to the street it joins.
- (4) The street plan shall bear a logical relationship to the topography of the property and if building sites are proposed along said proposed street, the street shall be arranged so as to obtain as many of the building sites as possible at or above the grade of the streets.

(5) Street Grades

- (a) Profiles: No street grade shall be less than 1/2 percent or exceed the following, with due allowances for reasonable vertical curves:

Major Traffic Streets	6% (up to 8% for 250 feet)
Collector Streets	8% (up to 12% for 250 feet)
Minor Streets	10% (up to 14% for 250 feet)

Streets shall have a grade not to exceed three (3) percent for a distance within fifty (50) feet of the street right-of-way line of any intersecting street.

- (b) Cross Section: The gradients of streets shall be not less than 0.5% without curbs and gutters, and 0.3% with curbs and gutters. On streets where curbs, gutters, and sidewalks are not required, there shall be a berm, as provided in the Section.
- (c) Minimum vertical and horizontal visibility (measured 4-1/2 feet eye level to tail lights 18" above ground level), for curves.

Major Highways	500 feet
Collector Streets	250 feet
Minor Streets	150 feet

- (d) All street right-of-way lines at intersection shall be rounded by curves of at least 20 feet radius and curbs, if required, shall be adjusted accordingly.

- (e) A tangent of at least 100 feet shall be introduced between reversed curves on all streets.

C. Construction of Roadway

(1) General

- (a) The applicant shall establish and clearly mark the side of the limits of the right-of-way, and location and elevation of drainage structures. Such markers shall be maintained at the applicant's expense until construction of roadway, drainage and shoulder have been completed and accepted by Liberty Township.
- (b) Concrete monuments or other permanent markers shall be installed every 300 feet on both sides of right-of-way.
- (c) Unless otherwise directed in writing by the Township Roadmaster, final grading of the right-of-way and construction of road pavement shall be delayed until all utilities including house connections have been installed and backfill in trenches has thoroughly settled. Earth shoulders and flow lines of ditches shall be maintained at all times at the applicant's expense during the course of construction.
- (d) Samples of materials to be used in the construction of the roadway shall be furnished to the Township Roadmaster. The applicant shall be required to pay for any standard engineering tests which the Township Roadmaster shall deem necessary.
- (e) The Township Roadmaster shall be granted full access to any construction taking place under these specifications and shall be allowed to take any standard engineering field test which may be appropriate.
- (f) All thicknesses called for are compact thicknesses.
- (g) The roadway shall be constructed as shown on the attached typical section.
- (h) Guide rail shall be installed in accordance with the latest Pennsylvania Department of Transportation requirements.
- (i) All signs installed shall be in conformance with the Pennsylvania Manual of Uniform Control Devices.

D. Earthwork

(1) Clearing and Grubbing:

Clearing and grubbing shall consist of clearing the area of all trees, down timber, snags, brush and other vegetation and shall be limited to that area to be covered by the roadway proper, shoulders, sideslopes and ditches. All cleared material shall be

removed from the development or buried in a lot unsuitable for a building otherwise disposed of in a manner approved by the Board of Supervisors.

(2) Sub-base:

All rocks larger than six inches in diameter shall be excavated six inches below finished subgrade of roadway. All topsoil or unstable material shall be removed from within the roadway, shoulders, ditches and shall be replaced with suitable borrow. Fill required to complete the approved grades shall be acceptable to the Township Roadmaster.

E. Road Section

Cut and fill slopes in earth shall be not less than 1 on 2. Sub-base, shall consist of a bottom course of at least 12 inches of R.O.B. gravel and a top course of at least 6 inches of well graded R.O.B. gravel or washed gravel with no particles of material larger than 2 inches in diameter. The sub-base shall be crowned, shaped to a smooth grade and well compacted.

F. Surfacing

Surfacing of the twenty foot wide pavement shall consist of a double surface treatment of bituminous material. The first application shall be at the rate of at least 0.80 Gal. per square yard and shall be uniformly covered with washed gravel or stone chips 1/2" to 3/4" inch size at the rate of forty to fifty pounds per square yard. The second application shall be at the rate of at least 0.50 Gal. per square yard and shall be uniformly covered with washed gravel or stone chips 1/8" to 1/2" inch in size at the rate of twenty five to forty pounds per square yard.

G. Design and Construction of Drainage Structures:

- (1) All drainage facilities with waterway area of 25 square feet or less shall be designed to accommodate run off for a storm of five (5) year frequency.
- (2) Drainage structures with a waterway area over 25 square feet will be designed by a Professional Engineer and shall be capable of carrying the runoff from a storm of ten (10) year frequency.
- (3) In no event shall the diameter of any sluice pipe be less than 15 inches.
- (4) Drainage channels shall be designed following generally accepted hydraulic engineering principles.
- (5) The banks on both sides of drainage facilities and bridges servicing a stream or larger water course shall have rip-rapped construction of the banks beyond the head walls. The amount of rip-rap required shall be determined by the Township Roadmaster.

H. Turf Establishment

All areas designated for turf establishment by the Township Roadmaster shall be seeded, fertilized, limed and mulched.

F. Signs and Street Names

Any proposed street name shall be approved by the Liberty Township. In general, streets shall have names and not numbers or letters. The applicant shall pay for the cost of approved street signs and sign posts.

G. Utilities

- (1) Wherever possible, utilities shall be underground and shall be placed in the street right-of-way between the ditches and outside boundary of the right-of-way to simplify location and repair of lines when they require attention.
- (2) Whenever it is necessary that utilities cross the roadway they shall do so at a right angle to the roadway.

H. Variations

Variations to the standards contained herein may be approved by the Board of Supervisors on the recommendation of the Township Highway Roadmaster in cases where unreasonable hardship would result from strict application of the standard. Variations may also be granted for aesthetic preservation, any reason of safety or wherever traffic is so low as to warrant a lesser standard.

I. Interpretation, Conflict and Separability

§ 10-05 Interpretation

The provisions of this Ordinance in their interpretation and application shall be held to the minimum requirements for the promotion of the public health, safety, and general welfare.

A. Conflict

This Ordinance is not intended to interfere with, abrogate, or annul any other Ordinance, Ordinance, rule or regulations, statute or provision of law. Where any of the provisions of these regulations impose restrictions different than any other Ordinance, Ordinance, rule or regulation or other provision of law, whichever provisions are more restrictive or impose higher standards shall control.

B. Separability

If any part or provision of this Ordinance or application thereof to any person or circumstances is judged invalid by any Court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in all controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Ordinance or the application thereof to other persons or circumstances. The Township hereby declares it would have enacted the remainder of this Ordinance even without such part, provision or application.

C. Enactment

This Ordinance is hereby enacted this _____ day of _____, 1997 by the Board of Supervisors of Liberty Township to be effective immediately.