



# WEST MANHEIM TOWNSHIP COMPREHENSIVE PLAN

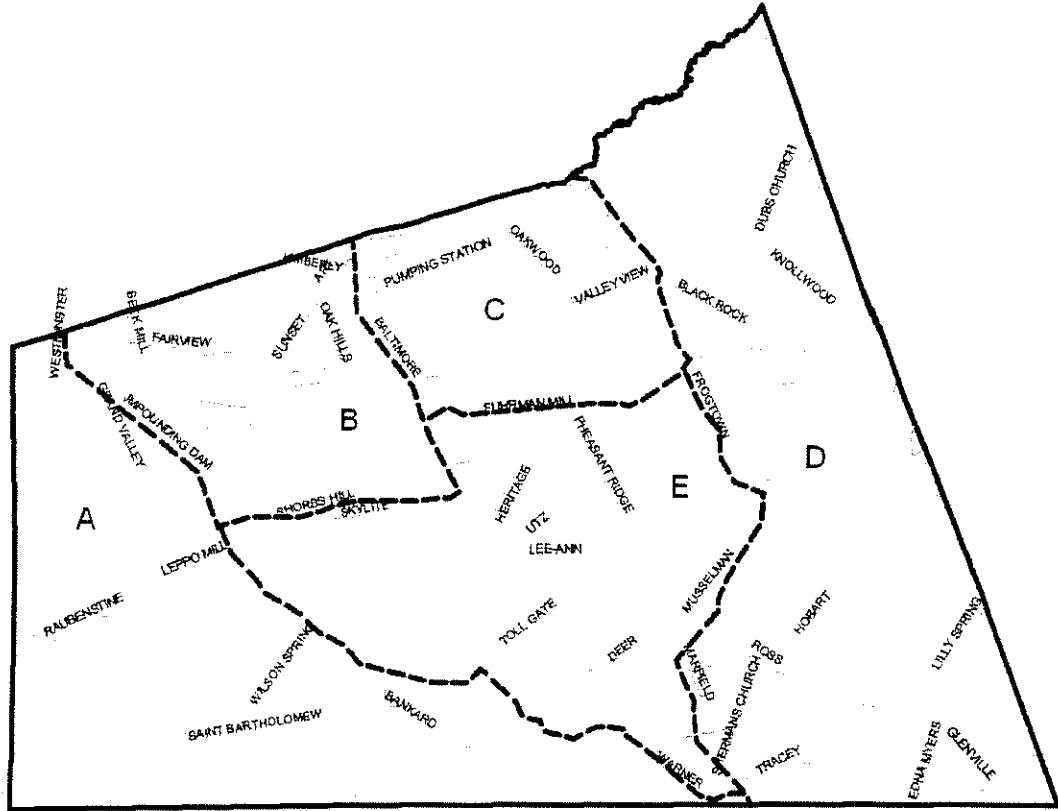
## RESIDENT SURVEY REPORT

(892 RESPONDENTS OUT OF 1,846 SURVEYS MAILED WHICH EQUALS A 48 % RESPONSE RATE)

**1. Where do you live in the Township (refer to the locator map)?**

Percent

- 7.7     A
- 25.7    B
- 26.3    C
- 17.5    D
- 22.8    E



**2. How long have you lived in West Manheim Township?**

Percent

- 0.2     Less than 1 year
- 16.9    1 - 5 years
- 14.0    6 - 10 years
- 26.0    11 - 20 years
- 42.9    More than 20 years

**3. Which of the following describes your family?**

Percent

- 4.4     Single no children
- 3.2     Single parent
- 35.7    Couple with children at home
- 32.6    Empty nester (couple or single-no children at home)
- 8.0     Retired single (incl. widow/widower)
- 16.1    Retired married

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**4. Why did you choose to live in West Manheim Township? Please select the three- (3) most important reasons.**

Percent	
28.7	Housing availability
67.2	Rural lifestyle
11.0	Farmland availability
10.0	Low taxes
27.7	Quality of schools
7.0	Convenience to services
23.0	Convenience to work
44.9	Attractiveness/character of area
33.4	Safety/security/low crime rate
16.0	Lived here all my life

**5. For those adult members of your household currently working, please indicate where they are employed. Choose one location for each working adult.**

<u>Adult 1</u>	<u>Adult 2</u>	
Percent		
5.7	13.0	In the home/home office
4.0	3.0	West Manheim Township
20.2	23.6	Hanover Borough
2.4	0.7	Spring Grove Borough
17.6	18.5	Elsewhere in York County
7.7	9.2	Adams County
0.1	0.2	Lancaster County
0.1	0.2	Cumberland County
3.3	1.5	Elsewhere in Pennsylvania
11.3	11.0	Carroll County, Maryland
17.9	14.7	Baltimore County, Maryland
1.0	0	Frederick County, Maryland
8.7	4.4	Elsewhere in Maryland

**6. What is your primary water source?**

Percent	
54.1	Public water
43.8	Drilled well
0.7	Hand dug well
1.2	Spring
0.2	Other

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**7. Have you ever experienced periods when your well or spring ran dry?**

79.0 Yes  
21.0 No

**8. If you had your water tested, what were the results?**

Percent  
69.9 Satisfactory  
30.1 Unsatisfactory

**9. How would you describe the quality of your water?**

Percent  
18.2 Excellent  
45.1 Good  
29.7 Satisfactory  
7.0 Not satisfactory

**10. Do you treat your water?**

Percent  
19.3 Yes  
80.7 No

**11. What is your method of sewage disposal**

Percent  
6.6 Public sewage  
69.5 On-lot system: septic tank and drain field  
22.4 On-lot system: septic tank and sand mound  
1.5 Other

**12. If you have an on-lot system, how old is your system?**

Percent  
6.5 One to five years  
8.5 Six to ten years  
29.7 Eleven to twenty years  
51.6 Twenty-one to fifty years  
3.7 Greater than fifty years

**13. How often do you have your septic system pumped?**

Percent  
9.6 Never  
49.1 At least every two years  
30.1 At least every five years  
11.2 Greater than five year intervals

**14. Have you ever experienced problems with your septic system?**

Percent  
16.6 Yes  
83.4 No

**15. Do any of your neighbors have problems with their septic systems?**

Percent  
24.8 Yes  
75.2 No

**16. Other than a change in the place of your employment, which of the following factors would most likely cause you to leave West Manheim Township?**

*Please select the three- (3) most important reasons.*

Percent  
62.0 Loss of open space/rural lifestyle  
3.0 Inadequate parks and recreation opportunities  
11.8 Decrease in quality of schools  
67.8 Area is over-developed/traffic  
60.6 Taxes too high  
1.6 Inadequate housing opportunities  
11.7 Inadequate shopping opportunities  
5.6 Inadequate community services  
45.3 Safety/security/high crime rate  
11.7 Other (Please provide in box below)

*See Comment Report*

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**17. Which of the following statements best describes your opinion on the current amount of development growth in West Manheim Township?**  
*Please darken circle corresponding to the best answer.*

Percent	
78.7	Too much
1.7	Too little
19.6	About right

**18. Which of the following planning issues are most important to you?**  
*Please select the three- (3) most important issues.*

Percent	
37.8	Agricultural preservation
24.9	Natural resources protection (streams, slopes)
5.1	Opportunities for senior housing
2.1	Historic resources protection
19.2	Proximity to shopping and services
5.6	Trails for walking and biking
6.7	Employment opportunities
35.6	Open space preservation
6.9	Housing affordability
38.3	Management of development
64.3	Traffic and road conditions
34.3	Drinking water quality and quantity
11.2	Adequate sewage disposal
2.3	Recreational opportunities
4.8	Other (Please provide in box below)

*See Comment Report*

**19. Do you own a business in West Manheim Township?**

Percent	
7.7	Yes
92.3	No

**20. If you answered yes to question 19, including yourself, how many people do you employ in West Manheim Township?**

Percent	
67.7	One
19.1	Two to five
4.4	Six to ten
2.9	Eleven to twenty-five
5.9	Greater than 25

**21. Which of the following open space, recreation, and/or environmental resources do you believe are the most important? Please select the two- (2) most important resources.**

Percent	
25.1	Opportunities for passive recreation (trails, etc.)
20.9	Opportunities for active recreation (baseball, etc.)
73.1	Natural resource protection (streams, slopes)
70.1	Open space protection

**22. Where should commercial and industrial development in West Manheim Township be located?**

*Please select the one best answer per use.*

<u>Commercial</u>	<u>Industrial</u>	
44.3	66.5	Limited to an exclusive zoning district
34.3	9.5	Spread out along major roadways
4.0	2.3	No limitations on location- anywhere
17.4	21.6	No new commercial or industrial development

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**23. Currently, most municipalities work separately from one another. Would you like to see West Manheim Township pursue more regional/joint efforts?**

Percent  
 58.9 Yes  
 41.1 No

**24. What measures should the Township encourage in order to preserve important historical resources? Please choose all that apply.**

Percent  
 59.7 Increase public knowledge of these resources via the Township newsletter and web site  
 12.1 Provide increased financial contributions directed at historic resource protection  
 62.7 Adopt regulations that provide additional protection to the historical resources located in the Township  
 13.0 The Township should not increase its efforts at historic preservation

**25. Please identify the top three- (3) environmental features toward which the Township should direct future preservation, protection and restoration efforts.**

Percent  
 65.1 Streams, stream valleys and surface water quality  
 58.7 Groundwater protection  
 56.4 Agricultural/forestry areas  
 45.2 Open space areas  
 38.2 Wildlife habitat  
 28.0 Protection from excessive noise levels

**26. Do you feel there is adequate affordable housing available for every individual and family?**

Percent  
 57.9 Yes  
 18.8 No  
 23.3 Unaware

**27. If you answered "no" to the previous question, what type of housing opportunities should West Manheim Township promote?**

Percent  
 60.9 Single homes on single lots  
 10.3 Two homes within the same building but as separate lots (Duplex)  
 6.0 Townhouses  
 10.3 Apartments or Condos  
 4.9 Mobile Homes  
 33.1 Senior Housing  
 10.3 Other (Please provide in box to the right)

*See Comment Report*

**28. What are the most problematic or dangerous intersections in the Township? Please select the two- (2) most dangerous or problematic intersections.**

Percent  
 62.9 Baltimore Pike (RT 94) and Shorbs Hill Road  
 78.2 Baltimore Pike (RT 94) and Pumping Station Road  
 23.1 Hobart Road and Shermans Church Road  
 21.5 Black Rock Road and Frogtown Road

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29. Please provide any other dangerous roadways or intersections that were not included in the question 28's list in the box below.

*See Comment Report*

30. Is the lack of public transportation in the Township a concern for you?

Percent

15.4	Yes
84.6	No

31. Is there a residential burning problem within West Manheim Township?

13.4	Yes
86.6	No

32. If you answered yes to question 31, please indicate what the problem is within the box provided.

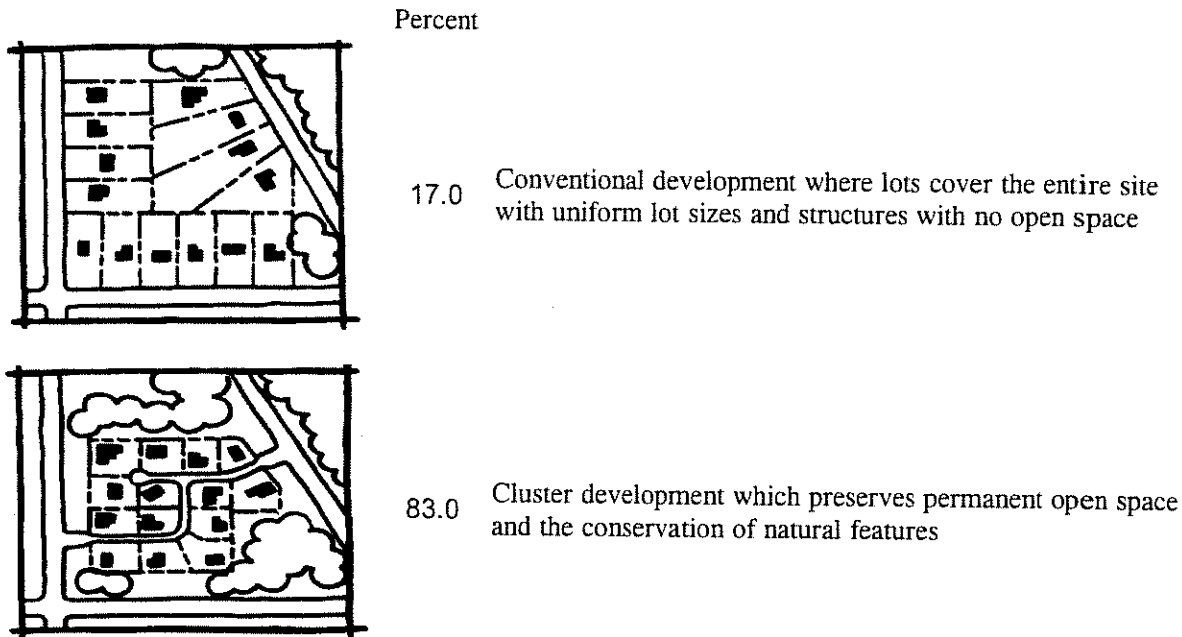
*See Comment Report*

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*(892 RESPONDENTS OUT OF 1,846 SURVEYS MAILED WHICH EQUALS A 48 % RESPONSE RATE)*

33. If the same number of lots would be built on a given piece of land, which one of the following development designs do you prefer to see in West Manheim Township?



34. For each of the following activities, indicate whether you typically conduct the activity inside of West Manheim Township. Then, indicate, by darkening the circle, whether or not you would like more opportunities to conduct the activity within the Township.

(Results in Percent)

<u>Activity</u>	<i>How frequently do you conduct the activity within West Manheim Township?</i>			<i>Would you like more opportunities in West Manheim Township?</i>	
	<u>Frequently</u>	<u>Occasionally</u>	<u>Never</u>	<u>Yes</u>	<u>No</u>
Grocery/daily needs shopping	24.3	31.2	44.5	62.0	38.0
Durable goods outlet (furniture, appliances, etc.)	29.2	25.0	45.8	53.6	46.4
Specialty stores (hardware, antiques, etc.)	4.9	16.7	78.4	57.7	42.3
Personal services (automobile, daycare, florist)	9.1	34.3	56.6	37.9	62.1
Health services (doctor, dental, etc.)	4.9	12.1	83.0	48.9	51.1
Professional services (banking, legal, financial)	23.8	17.3	58.9	36.4	63.6
Entertainment (gym, theatre, sports club)	4.4	9.4	86.2	42.2	57.8
Eating out/restaurants	11.0	41.0	48.0	63.7	36.3



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**35. What is your opinion about the manner in which West Manheim Township is addressing the following issues? Please select one opinion per use.**

(Results in Percent)

<u>Issue</u>	<u>Satisfied</u>	<u>Insufficient Township involvement</u>	<u>Township is overly involved</u>	<u>No opinion/inadequate information</u>
Conservation of open space	14.7	41.1	3.9	40.3
Environmental resource protection	16.6	34.5	1.7	47.2
Historic resource protection	15.4	16.1	2.2	66.3
Establishment of a trails system	15.6	18.8	11.5	54.1
Access to recreation facilities and programs	27.0	17.4	8.7	46.9

**36. Rate the overall quality of the following services. Then, indicate, by darkening the circle, in the "Additional Funding" column if you would support additional funding to improve the level or delivery of service.**

(Results in Percent)

#### *Township Direct Services*

	<u>Very Good</u>	<u>Good</u>	<u>Poor</u>	<u>Very Poor</u>	<u>Have Not Used</u>	<u>Support Additional Funding</u>
	Maintenance of township roads	1.0	18.7	41.4	37.4	1.5
Winter road maintenance	3.6	47.0	32.2	16.3	0.9	24.6
Staff response to questions & comments	10.1	40.3	12.4	4.1	33.1	2.4
Building permits & code enforcement	8.4	54.9	10.1	2.3	24.3	5.5
Subdivision/land development review	1.7	25.2	23.4	12.3	37.4	6.2
Township newsletter	3.1	43.0	13.8	5.2	34.9	5.0
Township web site: www.westmanheimtp.com	1.2	14.8	4.7	1.2	78.1	3.6
Parks and recreation facility maintenance and improvements	1.0	31.8	11.3	3.1	50.8	14.0

#### *Services the Township either contributes \$ to or has an inter-municipal agreement*

Police service	20.8	61.0	5.0	2.4	10.8	13.4
Public sewer service	3.0	15.0	5.9	4.8	71.3	7.5
Garbage collection	21.2	64.7	4.7	0.9	8.5	1.2
Large item collection	22.2	52.6	6.6	3.0	15.6	1.5
Residential recycling	23.1	61.6	4.7	1.1	9.5	2.0
Fire response	27.7	35.9	2.1	0.7	33.6	16.7
Ambulance service	24.3	33.9	2.7	0.6	38.5	15.6
Parks and recreation events	8.6	29.0	7.8	3.0	51.6	7.4

#### *Other Services*

Maintenance of State roadways (PENNDOT) (RT. 94)	8.2	65.1	20.3	5.8	0.6	5.8
Cable Service	6.7	57.3	11.0	3.8	21.2	1.3
Public Water Supply Service	9.8	42.1	5.9	2.9	39.3	6.9

**RETTEW**

MARCH 25, 2004

**WEST MANHEIM TOWNSHIP COMPREHENSIVE PLAN**  
**RESIDENT SURVEY REPORT**

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37. For each of the following recreational activities, please indicate those activities in which you or members of your household currently participate, and those activities in which you would like to participate, if facilities were more readily available. Please also note those activities for which you would support direct Township action to make available.

<u>Description of activity</u>	<i>Yes, my family currently participates</i>	<i>Would you like more opportunity to participate within West Manheim Township?</i>		<i>Would you support Township action to make activities more available?</i>	
		<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>
		Field sports (baseball/softball)	22.1	27.2	72.8
Lacrosse	2.1	9.7	90.3	20.3	79.7
Basketball	12.7	21.7	78.3	33.8	66.2
Tennis	10.0	25.4	74.6	35.8	64.2
Golf	20.3	22.6	77.4	28.4	71.6
Gymnasium activities	11.8	20.2	79.8	25.6	74.4
Multipurpose activity rooms	6.6	29.4	70.6	34.3	65.7
Cultural arts center	7.8	27.6	72.4	29.6	70.4
Swimming	23.9	38.7	61.3	40.7	59.3
Ice hockey/ice skating	5.9	24.8	75.2	29.2	70.8
Cross country skiing	5.3	18.8	81.2	24.1	75.9
Volleyball	8.6	24.1	75.9	31.3	68.7
Horseback riding	10.0	36.4	63.6	35.0	65.0
Picnicking	36.2	53.5	46.5	53.1	46.9
Stream access/canoeing/fishing	33.9	47.8	52.5	47.8	52.2
Shooting/archery	22.3	35.2	64.8	34.8	65.2
Hunting	29.9	37.5	62.5	33.5	66.5
Boating	28.3	39.2	60.8	36.3	63.7
Fishing	44.0	48.9	51.1	46.9	53.1
In-line skating/rollerblading	7.7	20.3	79.7	25.3	74.7
Hiking on trails	55.3	60.0	40.0	56.3	43.8
Running/jogging/walking	47.4	60.8	39.2	59.9	40.1
Biking trails	25.0	55.2	44.8	57.8	42.2
Camping	27.3	34.4	65.6	37.7	62.3
Nature preserve activities	21.4	53.8	46.2	55.4	44.6

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**38. Pennsylvania land use law does not permit municipalities to exclude particular development types. Keeping that in mind, what should the Township's position be on each of the following land uses?**

*Please select one opinion per use.*

(Results in Percent)

<u>Land use</u>	<u>Encourage</u>	<u>Discourage</u>	<u>No opinion</u>
Agricultural uses/Farms	86.4	4.8	8.8
Bed and breakfasts	44.2	20.2	35.6
Single-family homes	45.1	29.0	25.9
Two family homes (duplexes/twins)	16.9	70.8	12.3
Multi-family (apartments/townhouses)	8.0	83.6	8.4
Manufactured homes park	3.8	86.5	9.7
Neighborhood commercial (local stores)	63.7	27.4	8.9
Community commercial (shopping centers)	48.4	45.5	6.1
Office buildings	30.8	51.1	18.1
Industrial development	27.2	59.8	13.0
Schools and school facilities	62.3	17.4	20.3
In-home businesses (home occupations)	59.4	15.5	25.1
Cellular phone facilities on existing structures	41.6	32.3	26.1
Stand alone cellular phone towers	26.9	50.6	22.5
Senior housing	56.1	20.6	23.3
Affordable housing	49.3	30.2	20.5
Child care centers	49.5	20.4	30.1
Restaurants	65.3	22.3	12.4
Continuing care facilities	45.1	25.5	29.4
Houses of worship	56.8	14.3	28.9
Open space	91.7	2.0	6.3
Parks and Recreation	73.8	10.0	16.2

**39. Would you support a burning ordinance that would ban residential burning within West Manheim Township?**

30.0 Yes  
70.0 No

**40. Please provide additional comments based on the survey questions or any other input you wish to provide on the back of this page.**

*See Comment Report*



# WEST MANHEIM TOWNSHIP COMPREHENSIVE PLAN

## RESIDENT SURVEY COMMENT REPORT

*(892 RESPONDENTS OUT OF 1,846 SURVEYS MAILED WHICH EQUALS A 48 % RESPONSE RATE)*

The following summarizes the comments were received from respondents as part of West Manheim Township Resident Survey. The comments have been reduced by consolidating duplicate comments where applicable and listing the comments in descending order. The numbers following the comments represent the number of times similar comments were provided. For ease of review comments have been grouped under similar themes.

### COMMUNITY FACILITIES

- Concerned on water availability and sewer capacity (27)
- Lower taxes (15)
- Do not like current supervisors (9)
- Concerned about school capacity (9)
- Do not like Township Manager (3)
- Police do a great job (3)
- Oppose public sewer mandate (3)
- Need more centralized park facilities not in the southwestern part of the Township for Adams County and Maryland to enjoy (2)
- Better snow removal needed (2)
- Control speeding (2)
- Township employees should reside in Township (2)
- If you ban burning than you need to start collecting leaves and more routine trash pick-ups (2)
- Need to work to get a new cable provider
- Better hours for recycling pick up facilities
- Better drop off times for recycling
- More Township staff needed and better equipment
- Better large item pick-up
- Need better pick-up of debris off roadways
- West Manheim needs to be more responsive to resident's needs
- Snow removal this year was the worst in nine years
- Need better sound system in meeting room
- Need to assist the fireman and police force
- Police chief must go
- Get a better plan for public sewage-existing one is a joke
- Free trash service
- Road crew is doing a commendable job
- Water and sewer bills too high
- We would support a fire tax for Pleasant Hill Fire Company
- Should build our own sewer plant
- Re-open dams

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- Township staff should be replaced every few years to avoid complacency
- Need to inform us about trash collection schedules (especially for holidays)
- The Township should hire a part-time public relations person to help inform the community of Township issues
- When Township moves into old school make provisions for community center like East Berlin
- Do not ignore the collective wisdom of planning and zoning boards
- Address stormwater problems
- Need broadband Internet services
- Township road infrastructure needs improved
- Need paid fire and ambulance staff
- Need a better facility for connection to community
- Need to get some female representation on Township boards

### ECONOMIC DEVELOPMENT

- Need business and industrial facilities so as to support the Township to lower taxes (13)
- More employment opportunities in the Township needed

### HOUSING

- No more housing development (14)
- Larger residential lots needed not small less than an acre lots
- Houses built in the future should be built on an acre maybe two.

### LAND USE

- Township needs a Walmart or some other shopping opportunities (30)
- No Walmart or other “big box stores” (14)
- Township needs restaurant opportunities (12)
- Permit the sale of alcoholic beverages in restaurants and pubs (2)
- In need of a small hardware store
- Need a home improvement store like Lowes

### PLANNING

- Need to restrict development (5)
- We do not need a “golden mile” in West Manheim (4)
- The Township should do more regional planning and sharing of resources with adjacent municipalities (4)

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- Charge developers impact fees (3)
- Township should make developers build the Township a public sewer system instead of relying on another Township (3)
- Do not ban burning (2)
- Stop rezoning land (2)
- You say this is a comprehensive plan “update” but find it hard to believe that the Township had a plan to begin with.
- Have a referendum vote on a tax increase specifically for the establishment of conservation and agricultural easements. It is difficult to zone land preservation and particularly unfair to property owners.
- Build a nice office/industrial park that has ponds, walking trails and landscaping
- Ban burning in the Township
- Township needs a new more restrictive zoning ordinance
- Thanks for doing a comprehensive plan it is long overdue!
- Need affordable senior housing
- Development should occur where infrastructure is in place
- Need more lighting on dark roads
- Need park improvements in new developments
- Why wasn't this survey conducted twenty years ago?
- Township growing too fast
- Growth of new residential homes should be limited to a growth percentage or quantity each year
- Building permit costs should be increased to cover larger schools, fire protection, repairs to roads, expansion of water and sewer to support new homes
- Develop a new zoning ordinance now not a year from now

**RESOURCE PROTECTION**

- Need better farmland preservation techniques (6)

**SENSE OF COMMUNITY**

- Keep rural (8)
- Thank you for the opportunity to answer this survey (7)
- If people want the city life than move there and stop destroying the Township (4)
- Things have dramatically changed for the worst in the Township (3)
- Keep people working in Maryland and wanting to live in PA out (2)
- This survey was a good idea-now you need to use the information collected (2)
- Can't live in the past
- Quality of life has deteriorated

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- Fix pre-existing problems before causing new ones
- More neighborhood watches need to be put in place
- The Township is no longer a safe place to raise a family
- Stop holding meetings in afternoons to avoid the public
- Happy with the way things are
- Too late to fix anything
- Let's preserve what has made the Township a family place
- I enjoy the beautiful night skies and fear what light pollution could occur
- More community opinion needed in development issues

### TRANSPORTATION

- Our roads need rebuilding not patching (41)
- Traffic congestion on Rt. 94 in morning is terrible (5)
- Access to Rt. 94 difficult (4)
- Be proactive rather than reactive to traffic problems (4)
- Traffic light needed at Rt. 94 and Pheasant Ridge Road (2)
- Quit lowering speed limits
- Sight distance problems at Shorb's Hill and Rt. 94
- Need speed bumps on Pumping Station Road
- Need safe pull-offs for school buses
- Traffic light needed at Rt. 94 and Fairview Drive
- Resurfacing Lakeview drive from Vegas Drive to Rt. 94 is long overdue
- Traffic- a new route was proposed in the last plan but never went through and I think should be a priority
- Pumping Station Road needs repaired due to damage from heavy equipment from developments
- Need better speeding control
- Noise from Rt. 94 increasing
- All new development should include a congestion study for Rt. 94
- Rural roads should be off limits to truck traffic not associated with local delivery or services
- Traffic and road conditions on Fairview and Sunset Drive are terrible
- West Manheim has some of the worst roads in York County. The Road crew is lazy and very poor at what they do. They need to get there act together or get a job elsewhere. Here are two pictures of the patchwork they did. You would think they are seven or eight years old!





## MARCH 25, 2004 WEST MANHEIM TOWNSHIP VISIONING SESSION

*Forty-eight people participated in this public outreach session*

Participants were asked to provide comments on the following topics and rank the three most important under each. The number that follows the comments indicates the number of participants that voted the comment as important.

### Park/Recreation & Open Space:

- Community building 32
- Woodlands/Fields preservation 28
- Limit growth/Development around water source for ecological reasons 21
- We have enough parks & open space—  
Focus on farmland preservation—Do not need to spend on more parks—  
have Codorus 7
- Focus on neighborhood parks with new parkland tot lots 7
- Establish Transfer of Development Rights 6
- Create Twp. Ordinance to prevent light pollution 5
- Bike trails/bike lanes 4
- Need better way to offer fair price for Farms-Bond issue 3
- Open water front land for public use 2
- More stream access for fishing 1
- Protection 1
- Community park-Good 1
- No need for senior activities 1

### Transportation

- Need repaired/upgraded Twp. Roads 15
- Use joint transportation planning to incorporate multiple projects-New school  
Wal-Mart & Main St. W. Manheim 13
- Need for trail system (bike, pedestrian, Horse, etc.) 12
- Rt. 94/Fairview 11
- Add sidewalks where possible to improve pedestrian friendliness 9

**(Transportation Continued):**

- Traffic signals on Rt. 94 7
- More roads that you build, the more development you encourage 6
- Need good alternate(s) to 94 6
- Beck Mill/Impounding dam (Sight distance) 5
- Don't over-fix 94, it will increase traffic growth 4
- Form task force to look at bypass from Md. line to Penn Twp. 4
- Access management 3
- Widen roads for multi-use (bikes, etc.) 2
- Connect Fairview Dr. through to Lake Marburg by becoming New Pump Station Rd. 2
- Worst intersection-Hobart Rd. / Rt. 94 2
- Hobart Road-straight/widen 2
- Lutheran Social Services will bring public trans. 2
- Expand Rabbit Transit b/y current limits 1
- No light rail 1
- Keep roads narrow to keep speed down 1
- Rural Rd. w/o shoulders are dangerous for biking, walking, etc. 1
- Worst intersection-Pleasant Hill/ Rt. 94 1
- Worst intersection-Pumping Sta. / Rt. 94 1
- Worst intersection-(Shorb's Hill Rd. / Rt. 94) 1
- Review parking along existing roads 1

**Land Use and Quality of Life:**

- Twp. Leadership should adopt the attitude to protect the special rural character of the Twp. 21
- Encourage agricultural preservation 17
- Open space preservation 16
- Controlled land development/growth 16

**(Land Use and Quality of Life Continued):**

- Increase in Comm./Ind. Tax base  
(white collar jobs) 15
- Road improvements (major) 10
- No development 10
- Cluster development 8
- Planned residential development  
(Homes, stores in same dev.) 7
- Buffers around Ag. soils, forested areas,  
State park, reservoirs 5
- Like the way it is 5
- No more townhouse or duplex 5
- Roads being overtaxed with traffic &  
poor maintenance of roads 4
- Ecological preservation 4
- Better use of the watershed areas 4
- Dry Township 4
- Refuse rezoning 4
- Development small family businesses 3
- Reduced housing density 2
- Deal with issue of allowing 1 dwelling  
unit per acre on Ag. land 2
- In densely developed areas, consider  
banning open burning 2
- Do not develop along Pumping St. Rd. 1
- Animal friendly roads/parks 1
- No dev. (Pleasant Hill Rd., Prime
- Providing development opportunities  
for WMT residents 1
- Limit commercial growth 1
- Reduce or restrict new housing 1

**Municipal & Utility Services:**

- Fund & promote Ag. & land preservation  
thru Twp. dollars or other gov't. dollars 19
- Spend what dollars we have wisely on  
existing community instead of seeking  
revenue thru growth 16
- Volunteer Fire Company cannot keep pace  
with development-outgrowing volunteer  
concept 12
- Open reservoir for public use 9

**(Municipal & Utility Services Continued):**

- Fire Co. "Taxed" by growth 8
- Newsletter-keep basic & low cost 7
- Limit open burning 7
- Need to maintain existing Police coverage 6
- Post minutes from Twp. mtg. on web site 5
- Sewer should not be extended to encourage growth 4
- DSL 4
- Road maintenance 4
- Leaf & brush pickup 3
- Study tax and land use, i.e., How does land use impact cost vs. tax rev. 3
- Recycling of items like eyeglasses 2
- Look at paid fire department 1
- Expand public water 1
- Water pressure ok, but inconsistent 1
- Sewer (Needs to be extended to Existing and new development. 1
- Twp. generally responsive 1
- Supv. Rude condescending at mtgs. 1
- Need better communication 1
- Fee for fire coverage 1



ARTICLE X  
Landscaping

**§ 117-55. Definitions.**

As used in this article, the following words shall have the meanings indicated below:

DECIDUOUS PLANT—A woody perennial which loses its foliage at the end of each growing season.

DENSE SCREEN—A series of vegetative plantings which provides essentially an opaque screen.

EVERGREEN PLANT—A woody perennial which retains its foliage for more than one growing season.

GROUNDCOVER—A low perennial (excluding annuals and turf grasses) with a mature height of between three inches and 18 inches.

LANDSCAPED DIVIDER STRIP—A landscaped island separating and running the length of two rows of contiguous parking spaces within a parking lot and which provides opportunities for landscaping and traffic circulation control.

LANDSCAPING—The addition of trees, plants and other natural and decorative features to the land.

MIDROW LANDSCAPED ISLAND—A landscaped island located within a row of contiguous parking spaces in a parking lot and which provides for landscaping opportunities within parking lots.

PARKING AREA—That area within an off-street parking lot which includes any paved surface within 10 feet of a parking space.

PLANTING UNIT (PU)—A unit of measure used to determine the quantity of plantings required in a residential, commercial, industrial or other development project. For the purposes of this chapter, one planting unit (PU) equals one major deciduous tree; two minor deciduous trees; two evergreen trees; five shrubs; or 500 square feet of groundcover, exclusive of residential yard area.

SHRUB—A low, multi-stemmed woody plant with a mature height of between 18 inches and 10 feet.

TERMINAL LANDSCAPED ISLAND—A landscaped island located on either end of rows of parking spaces within a parking lot which provides opportunities for

landscaping and which defines the ends of parking aisles, thus contributing to traffic circulation control.

TREE, EVERGREEN—An evergreen plant with a mature height exceeding 15 feet and a height at planting of between five and six feet.

TREE, MAJOR DECIDUOUS—A canopy tree with a mature height exceeding 25 feet and a minimum caliper at the time of planting in excess of two inches.

TREE, MINOR DECIDUOUS—A tree with a mature height of between 10 feet and 25 feet and a minimum caliper at the time of planting of between one inch and two inches.

**§ 117-56. Intent; landscape plans.**

- A. Purpose. In expansion of § 117-2 of this chapter, it is the purpose of this section to establish minimum standards for the provision, installation and maintenance of landscape plantings in order to achieve a healthy, beautiful and safe community. Furthermore, it is the intent of this section to:
- (1) Improve the appearance of all areas through the incorporation of open space into development in ways that harmonize and enhance the natural and built environment.
  - (2) Improve environmental quality by recognizing the numerous beneficial effects of landscaping upon the environment, including but not limited to the improvement of air quality, the maintenance of areas essential for storm water management and aquifer recharge and reducing air, noise, heat and chemical pollution.
  - (3) Maintain and increase the value of land by requiring landscaping to be incorporated into development, thus becoming by itself a valuable capital asset.
  - (4) Provide direct and important physical and psychological benefits to human beings through the use of landscaping to reduce noise and glare and to soften the harsher aspects of development.
  - (5) Preserve existing natural vegetation and incorporate native plants and plant communities into landscape design.
  - (6) Establish procedures and standards for the administration and enforcement of the landscaping requirements of this chapter.
- B. Contents of landscape plans. All landscape plans required by this chapter shall:
- (1) Be drawn to scale and include appropriate dimensions and distances;



- (2) Delineate any existing and/or proposed parking spaces or other vehicular areas; access aisles, driveways, building footprints and similar features;
- (3) Designate by name and location the plant material to be installed or preserved in accordance with this chapter;
- (4) Identify and describe the location and characteristics of all other landscape materials to be used;
- (5) Include a table clearly displaying the relevant information necessary for the Board of Supervisors to evaluate compliance with the provisions of this chapter. Such a table shall include gross acreage, acreage of preservation areas, amount of vegetation to be planted or preserved and other such information as the Board of Supervisors may require.

**§ 117-57. Requirements for specific projects.**

- A. Attached residential development. For single-family attached (townhouse) or multifamily residential development projects, or for residential projects including a mixture of dwelling unit types, the following landscaping standards shall be applied.
- (1) Quantity of landscaping. A minimum of two planting units shall be required for every proposed dwelling unit.
  - (2) Credit for existing vegetation. For multifamily residential development projects, or those projects which include a mixture of dwelling unit types, credit for up to 50% of the minimum landscaping quantity requirements may be given for retaining existing major deciduous trees on the site, provided that the following conditions apply:
    - (a) The major deciduous trees are in good health.
    - (b) The major deciduous trees are located within 25 feet of at least one dwelling unit.
    - (c) The applicant agrees to replace any major deciduous tree which contributes to the minimum quantity of landscaping with another major deciduous tree if it should die within two years of the completion of the development.
  - (3) Common residential parking lots. Common residential parking lots shall be designed and landscaped in accordance with § 117-31 of this chapter. Interior and perimeter landscaping elements required by § 117-31 may contribute to no greater than 50% of the minimum landscaping quantity requirements for a residential development project established by Subsection A(1).

B. Detached residential development. For single-family detached or single-family semidetached residential development projects, the following landscaping standards shall be applied:

- (1) Quantity of landscaping. A minimum of one planting unit shall be required for every proposed dwelling unit.
- (2) Shade trees. At least one major deciduous tree shall be planted at intervals of between 50 feet and 70 feet along both sides of all streets of the residential development. Such major deciduous trees shall be located between the sidewalk and the building setback line.
- (3) The required shade trees shall be planted at least five feet from the sidewalk. No shade trees shall be planted between the sidewalk and the curb.

C. Nonresidential development. For all nonresidential development, the following landscaping standards shall be applied:

- (1) Quantity of landscaping. The following quantities of landscaping shall be provided:
  - (a) A minimum of one planting unit shall be provided for each 20 linear feet of center line along adjacent and interior roads.
  - (b) A minimum of two planting units shall be provided for every 1,000 square feet, or fraction thereof, of building coverage.
- (2) Credit for existing vegetation. Credit for up to 50% of the minimum landscaping quantity requirements may be given for retaining major deciduous trees on the site, provided that the following conditions apply:
  - (a) The major deciduous trees are in good health.
  - (b) The major deciduous trees are located within 25 feet of the nonresidential use.
  - (c) The applicant agrees to replace any major deciduous tree which contributes to the minimum quantity of landscaping with another major deciduous tree if it should die within two years of the completion of the development.
- (3) Additional requirements. The following additional landscaping requirements shall be applied to nonresidential development projects:
  - (a) A minimum ten-foot wide planting area shall be provided along all property lines which abut residential zoning districts or properties. A

dense screen of deciduous trees, evergreen trees and/or shrubs, planted in such a pattern to form a six-foot-high screen within three years, is required.

- (b) Where a residential project is proposed which required 25 or more planting units of landscaping, the landscaping plan required by this chapter shall be prepared by a licensed landscape architect.
- (c) Where a nonresidential project is proposed which requires five or more planting units of landscaping, the landscape plan required by this chapter shall be prepared by a licensed landscape architect.
- (d) To the maximum extent feasible, all landscaping plans should include native plant species.

D. Parking lots. Parking lots shall be designed to conform with the following requirements:

- (1) Landscaping within the parking area of all off-street parking lots containing 25 or greater parking spaces shall be required and shall be provided with the following:
  - (a) Terminal landscaped islands shall be provided at both ends of all rows of parking spaces. Terminal landscaped islands shall be designed to protect parked vehicles, to help define the traffic circulation pattern of the parking lot and to provide landscaping area.
  - (b) Each terminal landscaped island shall measure not less than five feet in width and 15 feet in length.
  - (c) Each terminal landscaped island shall include at least one minor deciduous tree, with the remaining area landscaped with appropriate ground cover or grass.
  - (d) Where parking space rows are proposed with 20 or more parking spaces, one midrow landscaped island shall be provided for every 20 contiguous parking spaces. Midrow landscaped islands shall have the same dimensions as terminal landscaped islands.
  - (e) A landscaped divider strip between abutting rows of parking shall be installed. Landscaped divider strips shall be designed to help define the traffic circulation pattern, to provide visual breaks within the parking area and to help separate pedestrian and vehicular traffic. Landscaped divider strips shall be a minimum of five feet in width.
  - (f) At least one minor deciduous tree shall be planted for every twenty-foot interval within the landscaped divider strip. The remaining area of the divider strip shall be landscaped with ground cover or grass. Unpaved pedestrian walkways may be substituted for a portion of the required

ground cover or grass to facilitate pedestrian movements through the parking lot.

- (g) Curbing or wheel stops shall be provided around all terminal landscaped islands and landscaped divider strips to prevent vehicular encroachment.
- (2) All parking lots shall be surrounded by a perimeter landscaping strip which meets the following requirements:
- (a) Perimeter landscaped areas shall be provided around the perimeter of all parking areas, except where the one side of the parking area is bounded by a principal structure.
  - (b) The minimum width of the perimeter landscaping area around a parking area shall be 10 feet, measured outward from the edge of the parking lot.
  - (c) At least one minor deciduous tree shall be planted for every twenty-foot interval within the perimeter landscaping area. The remaining area of the perimeter landscaping strip shall be landscaped with appropriate ground cover or grass.

**§ 117-58. Installation standards.**

- A. The landscape contractor shall furnish and install and/or dig, ball, burlap or transplant all plant materials listed on the landscape plan. Bare root is not permitted for any tree.
- B. All plants shall be nursery grown. Plants taken from cold storage shall not be acceptable.
- C. A professional horticulturist/nurseryman shall be consulted to determine proper time to move and install plant material so that stress to the plant is minimized. Planting of deciduous material may occur during winter months, provided that there is no frost in the ground and frost-free topsoil planting mixtures are used.
- D. The landscape contractor shall excavate all plant pits, hedge trenches and/or shrub beds as follows:
  - (1) All pits shall be generally circular in outline, with vertical sides. Tree pits shall be deep enough to allow 1/8 of the ball to be above the existing grade. Tree pits must be a minimum of 10 inches larger on every side than the ball of the tree.
  - (2) If areas are designated as shrub beds or hedge trenches, they shall be cultivated to at least 18 inches in depth. Areas designated for ground cover shall be cultivated to at least 12 inches in depth.

- E. After cultivation, all plantings shall be mulched with a minimum three-inch layer of organic mulch or another similar material, approved by the Township Supervisors, over the area of the planting.

**§ Maintenance requirements.**

- A. General. The owner or assigns of land subject to this chapter shall be responsible for the maintenance of landscaping in good condition so as to present a healthy, neat and orderly landscape area.
- B. Pruning. All pruning should be accomplished according to good horticultural standards. Plants shall be pruned only as necessary to promote healthy plant growth. Unless approval is provided by the Board of Supervisors, plants shall be allowed to attain their normal size and shall not be severely pruned in order to permanently maintain growth at a reduced height.
- C. Mowing. Grass shall be mown as required to encourage deep root growth.
- D. Edging. All roadway, curb and sidewalk components included in such landscape plans shall be edged in order to prevent encroachment from adjacent landscaped areas.
- E. Watering.
  - (1) General. All watering of planted areas shall be managed so as to:
    - (a) Maintain healthy flora;
    - (b) Make plant material more drought tolerant;
    - (c) Avoid excessive turf growth;
    - (d) Minimize fungus growth;
    - (e) Stimulate deep root growth;
    - (f) Minimize leaching of fertilizer; and
    - (g) Minimize cold damage.
- F. Safety. All sight triangles shall remain clear, and any plant which could endanger safety such as unstable limbs shall be removed and the plant material replaced. It shall be the responsibility of the property owner to ensure all plantings and architectural elements are maintained to provide a safe environment.

G. Landscape guarantees. All landscaping required by this chapter shall conform to the following guarantees:

- (1) The installation of required landscaping, in accordance with the approved landscape plan, shall be guaranteed in accordance with the requirements of § 117-26D of this chapter.
- (2) In addition, any required vegetative element which dies within 18 months of planting shall be replaced by the developer. Any vegetative element which, within 18 months of planting or replanting, is deemed, in the opinion of the Building Permit Officer, not to have survived or to have grown in a manner uncharacteristic of its type shall be replaced. Substitutions for certain species of plants may be made only when approved by the Board of Supervisors.



## Appendix One

# SAMPLE TDR ORDINANCE

The following sample TDR Ordinance was drafted for West Pikeland Township (Chester County, Pa.). It was prepared through the efforts of the Township Ordinance Task Force with the assistance of the Brandywine Conservancy and the Chester County Planning Commission. The TDR article is part of the Township's new zoning ordinance, in final draft at the time this manual went to print. The basic form of this ordinance text should be useful in a variety of municipal settings. The densities used for calculation of sending and receiving rights are specific to the local context.

### ARTICLE XVII

#### TRANSFER OF DEVELOPMENT RIGHTS (TDR)

##### SECTION 1701. PURPOSE

The primary purpose of establishing a transferable development rights (TDR) program is to permanently preserve prime farmland, sensitive natural areas, and rural community character that would be lost if the land were developed. In addition, this Article is intended to protect property rights by allowing landowners whose land is intended for preservation to transfer their right to develop to other areas of West Pikeland Township deemed appropriate for higher density development based on the availability of community facilities and infrastructure.

##### SECTION 1702. BASIC CONCEPT AND AUTHORIZATION

- A. The provisions of this Zoning Ordinance which permit transferable development rights allow landowners in areas of West Pikeland Township proposed for conservation, called "sending areas," to sell the right to develop all or a portion of their land to landowners in areas of West Pikeland Township proposed for additional development, called "receiving areas." The transferable development rights provisions set forth below are specifically authorized under Sections 603(c)(2.2) and 619.1 of the Pennsylvania Municipalities Planning Code, under the terms of which development rights are acknowledged to be severable and separately conveyable from a sending area to a receiving area.
- B. When landowners in the sending area sell their right to develop all or a portion of their land, they must restrict that portion of land from which development rights are sold against any future development as provided in this ordinance, although the land may still be used for purposes that do not involve development, such as agriculture or forestry. When landowners in the receiving area buy the development rights from landowners in the sending area, they receive the right to build more homes on their land than they would have been allowed had they not purchased development rights.



- C. Deed restrictions imposed in the sending area will not prohibit the landowner's sale of the land after the development rights have been severed, although such land cannot thereafter be used for development purposes. The deed restriction on the land from which the development rights have been severed shall run in favor of the Township or an approved conservation organization.
- D. The owner of the tract in the sending area from which the development rights are severed or any subsequent purchaser or purchasers of the development rights may declare the development rights for sale, may hold the development rights or may resell the development rights. The only use which may be made of the development rights is the ultimate transfer to a developer with a tract in the receiving area. The Township shall have no obligation to purchase the development rights which have been severed from a tract in the sending area.

### SECTION 1703. SALE OF TDRS FROM SENDING AREA

Owners of tracts which meet the following requirements may sell their development rights:

#### A. Sending Area Qualifications

1. The sending area tract of land shall be located within the RC Resource Conservation zoning district.
2. At least eighty (80) percent of the sending area tract must be restricted from future development in accordance with section 1703.E, below.
3. The acreage to be restricted shall be contiguous and shall not extend less than seventy-five (75) feet in the narrowest dimension at any point except for such lands specifically serving as trail links.
4. The portion of the parcel which will not be restricted shall be usable under the use, area, dimensional, performance and other standards of the Ordinance.

#### B. Calculation of Transferable Development Rights

1. The total number of development rights available on a sending tract shall be determined by multiplying the Adjusted Tract Area, as calculated in Section 905.A.2, by 0.6.

*[Note: The permitted density in West Pikeland's RC district, using the conservation design option, is calculated by multiplying the adjusted tract area, in acres, times 0.5. The TDR multiplier was set at 0.6 to add incentive for its use. The adjusted tract area is determined by subtracting existing rights-of-way and certain environmentally constrained lands from the gross tract area.]*

2. Land previously restricted against development by covenant, easement or deed restriction shall not be eligible for calculation of transferable development rights unless and until such time as said covenant, restriction or easement is dissolved or rescinded with agreement of all beneficiaries of such covenant, restriction or easement.

3. Any sending tract shall retain at least one development right, unless the tract is joined in a single deed with an adjacent tract or tracts with retained or remaining development right(s). All remaining development rights may be severed from the tract.

C. Declaration of Transferable Development Rights and Certification by Township

Any owner in the sending area may elect to declare the development rights that may be severed from a tract of land, based on application of the provisions of subsection 1703.B, and may request a written certification from the Township of the number of rights that may be severed, which certification shall not be unreasonably withheld.

D. Severance of Transferable Development Rights

1. Transferable development rights which have been severed shall be conveyed by a Deed of Transferable Development Rights duly recorded in the Office of the Chester County Recorder of Deeds. The Deed of Transferable Development Rights shall specify the tract of land to which the rights shall be permanently attached or that the rights shall be transferred to the Township, retained by the owner of the sending tract, or another person in gross.
2. The Deed of Transferable Development Rights which severs the development rights from the sending tract shall be accompanied by restrictive covenant(s) or conservation easement(s) which shall permanently restrict development of the sending tract as provided below and which shall be recorded in the Office of the Recorder of Deeds at the same time as or prior to the Deed of Transferable Development Rights.
3. All Deeds of Transferable Development Rights and restrictive covenants or conservation easements shall be endorsed by the Township prior to recording, which endorsement shall not be unreasonably withheld.
  - a. Deeds submitted to the Township for endorsement shall be accompanied by a title search of the sending area tract(s) and a legal opinion of title affirming that the development right(s) being transferred by the Deed have not been previously severed from or prohibited upon the sending area tract.
  - b. A title report should be prepared within ten (10) days prior to submission of the Deed and the legal opinion of title must meet the reasonable approval of the Township Solicitor.
4. The severance of development rights from a sending area tract shall not affect the ability of the tract owner to develop the tract's existing historic structures under the provisions for renovation and reuse of historic structures in Section 804.F of this ordinance.

5. If the agreement of sale of development rights would entail less than an entire parcel, the portion of the parcel from which the development rights are transferred shall be clearly identified on a plan of the entire parcel, drawn to scale, the accuracy of which shall be satisfactory to the Township. Such plan shall also include a notation of:
  - a. The number of development rights applicable to the entire parcel,
  - b. The number of development rights applicable to the identified portion of the parcel from which the development rights are to be transferred, and
  - c. The number of development rights which remain available to the remaining portion of the parcel.
6. If the agreement of sale of development rights would entail less than the entire number of development rights represented by a recorded Deed of Transferable Development Rights, the applicant shall indicate in the Deed the disposition of the remaining development rights.

E. Sending Area Restrictive Covenant

Any sending tract from which development rights have been severed must be permanently restricted from future development by a conservation easement or other restrictive covenant which meets the following requirements:

1. Except where any development rights are retained, the restrictive covenant shall permanently restrict the land from future development for any purpose other than agricultural uses, public park land, conservation areas and similar uses.
2. The restrictive covenant shall be approved by the Board of Supervisors of West Pikeland Township, in consultation with the West Pikeland Township Solicitor.
3. The restrictive covenant shall designate West Pikeland Township, and/or a bona fide conservation organization acceptable to the Township at its sole discretion, as the beneficiary/grantee, but shall also designate the following parties as having separate and independent enforcement rights with respect to the restrictive covenant(s):
  - a. All future owners of any portion of the sending parcel, and
  - b. All future owners of any portion of any parcel to which the transferable development rights shall be permanently attached.
4. The restrictive covenant shall apply to the tract of land from which development rights are sold (sending tract) and shall specify the number of development rights to be severed as well as any to be retained. No portion of the tract area used to calculate the number of development rights to be severed shall be used to satisfy minimum yard setbacks or lot area requirements for any development rights which are to be retained or for any other development.

5. Retained development rights may not exceed one (1) dwelling unit per twenty (20) acres. Notwithstanding the foregoing, tracts within the RC Resource Conservation District existing at the time of adoption of this section which are less than twenty (20) acres in gross area may retain no more than one development right.
6. Parcels with retained development rights may be developed with traditional farm/estate building groupings including, in addition to one (1) primary residence, customary accessory agricultural structures and one (1) tenant residence which shall be less than fifty (50) percent of the total habitable square footage of the primary residence. In order to be utilized, this option must be specified in the restrictive covenants and on the Conservation Plan.
7. All owners of all legal and beneficial interest in the tract from which development rights are severed shall execute the Restrictive Covenant(s). All lienholders of the tract from which development rights are severed shall execute a joinder and/or consent to the Restrictive Covenant(s).
8. Final approval for any subdivision or land development plan utilizing transferred development rights shall not be granted prior to the recording of appropriate restrictions at the Chester County Recorder of Deeds.

#### SECTION 1704. RECEIVING AREA QUALIFICATIONS AND CALCULATIONS

*[Note: Each municipality must carefully determine appropriate locations for the receipt of TDRs, as discussed in this manual, along with acceptable limits to the incremental increases in density which may be permitted through receipt of TDRs.]*

Owners of tracts which meet the following requirements may use development rights that are purchased from sending area landowners.

##### A. Receiving Area Qualifications

Receiving area densities may be increased through the use of TDRs in accordance with the provisions of this Section when the receiving tract of land is located in either of the following zoning districts:

1. RD Residential Development zoning district, or
2. RC Resource Conservation zoning district, only where the RC-3 Village/Hamlet Design Option is utilized for the development to which TDRs are being transferred.

##### B. Provision for Transfer of Development in Receiving Sites

1. Increase in Permitted Density. Under the RD-2 Cluster Subdivision Design Option, in a mobile home park, in a retirement community, or under the RC-3 Village/Hamlet Design Option, subject to conditional use approval, the maximum density otherwise applicable may be increased through receipt of transferable development rights up to a maximum increase of fifty (50) percent or as shown indicated in the table below, whichever is less.

**MAXIMUM PERMITTED DENSITY**

	<u>Without TDR</u>	<u>With TDR</u>
RD-2 Cluster Design	2.0 dwelling units/acre	3.0 du/acre
Retirement Community	3.0 dwelling units/acre	4.5 du/acre
Mobile Home Park	3.0 dwelling units/acre	4.5 du/acre
RC-3 Village/Hamlet Design	1 du/80,000 sf (1.8 acres)	1 du/60,000 sf (1.4 ac.)

- a. Calculation of permitted density shall otherwise comply with the provisions of the RD Residential Development zoning district or the RC Resource Conservation zoning district in the case of the Village/Hamlet Design. The incremental increase in density above that otherwise provided in the RD Residential Development zoning district or RC Resource Conservation zoning district must be fully accounted for through proof of purchase and transfer of development rights in accordance with the provisions of this article. Received development rights, above the applicable base density may be developed at the following rates:

*[Note: West Pikeland determined that the following multipliers might be used to increase the number of units which may be developed at receiving sites above the actual number of TDRs purchased, in order to generally equate the value of a TDR in the Receiving Zone to the value of a large-lot single-family home which otherwise may have been built in the Sending Zone.]*

- (1) 1.25 single-family detached dwelling units per development right purchased from the sending parcel(s);
  - (2) 1.5 single-family semi-detached or attached (twins and townhouses) dwelling units per development right purchased from the sending parcel(s);
  - (3) 2.0 multi-family dwelling units per development right purchased from the sending parcel(s); and
  - (4) 2.5 mobile home units, in a mobile home park, per development right purchased from the sending parcel(s).
- b. For each ten (10) percent increase in density over the otherwise applicable base density, the applicable minimum open space requirement may be reduced 2.5 percent, measured as a percentage of gross tract area. In no case shall the minimum required open space be reduced below sixty-five (65) percent for the RC-3 Village/Hamlet Design, forty (40) percent of gross tract area for the RD-2 Cluster Subdivision, below thirty-five (35) percent of gross tract area for a retirement community, or below twenty-five (25) percent for a mobile home park of gross tract area.

*[Note: West Pikeland determined that modest reduction in required open space was appropriate to allow for greater flexibility in the accommodation of increased densities permitted through receipt of TDRs. Required minimum open space standards for each development type prior to the above reductions are: 75 percent for the RC-3 Village/Hamlet Design, 50 percent for the RD-2 Cluster, 40 percent for the retirement community, and 30 percent for the mobile home park.]*

2. Design Requirements and Modification of Area and Bulk Standards. All development using transferable development rights must comply with all requirements and design standards applicable in the RD Residential Development zoning district or the RC Resource Conservation District for the RC-3 Hamlet/Design Option, except as specifically provided in this Article. For any development where at least twenty (20) transferable development rights are received, applicable area and bulk requirements may be modified up to twenty-five (25) percent subject to conditional use approval by the Board of Supervisors. Any conditional use approval to permit such modification(s) shall be subject to the following criteria:

- a. The design and modifications shall be consistent with the purposes and the land-use standards contained in this Ordinance.
- b. The design and modifications shall not produce lots or street systems that would be impractical in terms of layout or circulation or detract from the appearance of the development or surrounding community and shall not adversely affect emergency vehicle access.
- c. The applicant shall demonstrate to the Board of Supervisors that the proposed modification(s) will produce equal or better development design and open space conservation results than could be achieved without the requested modification(s) and that they represent the minimum modification necessary.
- d. If the Board of Supervisors determines that the applicant has met his/her burden of proof, it may grant modification(s) of the requirements herein. In granting modifications, the Board of Supervisors may impose such conditions as will, in its judgment, secure the objectives and purposes of this Ordinance.

#### SECTION 1705. PLAN SUBMITTAL PROCESS

A. All applicants for use of transferable development rights shall submit subdivision or land development plans as required in accordance with the West Pikeland Township Subdivision and Land Development Ordinance for the use to which transferable development rights will be added. A conditional use application shall be submitted where applicable. Submitted subdivision or land development plans and/or conditional use applications, as applicable, shall, in addition to meeting all other applicable provisions, include submission of the following:

1. A Deed of Transferable Development Rights or an agreement of sale for all development rights proposed to be purchased from the sending area site(s). The applicant must prove ownership or equitable ownership of the appropriate number of development right(s), up to the maximum additional increment calculated as above.
2. For residential TDR transfer, a note on the plan showing the total number of dwelling units proposed on the receiving area site, the total number that could be built not using TDRs, and the incremental difference between the two. This difference represents the number of additional dwelling units that could be constructed using received development rights.

3. A plan of the sending site(s) from which the applicant proposes to purchase development rights. This plan shall show all information needed to determine the number of development rights which may be sold, as required herein. In addition, the plan shall be accompanied by a metes and bounds description of the property(s), as well as each tax parcel number, and owner name. If the applicant is purchasing development rights from a portion of a sending area site, this portion shall be shown on the plan and described with metes and bounds. If the development rights have previously been severed from a tract in the sending area, a copy of the recorded Deed of Transferable Development Rights shall be submitted.
  4. A title search of the tract from which the transferable development rights will be transferred sufficient to determine all owners of the tract and all lienholders. If the development rights have previously been severed from the tract in the sending area, a title search of the rights set forth in the Deed of Transferable Development Rights sufficient to determine all of the owners of the development rights and all lienholders shall be furnished to the Township.
- B. In order to receive final plan approval, the Applicant must provide documentation that appropriate restrictive covenants have been recorded for all sending area lands whose development rights are being used by the Applicant. These restrictive covenants must meet the requirements stipulated herein. The restrictive covenant on the sending area land shall be recorded first, followed by a Deed of Transfer, in accordance with the provisions of the Pennsylvania Municipal Planning Code, as amended, which transfers the development rights from the sending area landowner to the receiving area landowner.

#### SECTION 1706. PUBLIC ACQUISITION

West Pikeland Township may purchase development rights and may accept ownership of development rights through transfer by gift. All such development rights may be resold or retired by the Township. Any such purchase or gift shall be accompanied by Restrictive Covenants as specified in Section 1703.E.

#### SECTION 1707. AMENDMENT AND/OR EXTINGUISHMENT

The Township reserves the right to amend this Ordinance in the future, and the Township expressly reserves the right to change the manner in which the number of development rights shall be calculated for a tract in the sending area and the manner in which development rights can be conveyed. The Township further expressly reserves the right to terminate its transferable development rights program at any time. No owner of the land or owner of development rights shall have any claim against the Township for damages resulting from a change in this Ordinance relating to the regulations governing the calculation, transfer and use of development rights or the abolition of the transferable development rights program. If the transferable development rights program is abolished by the Township, no developer may attach development rights to any tract in the receiving area after the effective date of the ordinance abolishing the transferable development rights program unless an application in conformity with the provisions of this Article was filed prior to the effective date of such ordinance and thereafter is continuously processed to approval, and, following such approval, a complete subdivision and/or land development application complying such rights is thereafter filed within six (6) months from the date of such approval.

Appendix Two

# MODEL TDR RESTRICTIVE COVENANT

## TRANSFER OF DEVELOPMENT RIGHTS (TDR)

### RESTRICTIVE COVENANT AGREEMENT

This Transfer of Development Rights (TDR) Restrictive Covenant Agreement, made this \_\_\_\_ day of \_\_\_\_\_, 2003, by and between (include full name and address), hereinafter "Grantor" and (municipality), hereinafter "Grantee."

#### RECITALS

The Pennsylvania Municipalities Planning Code, 53 P.S. 10101, et seq. defines "Transferable Development Rights" as: "The attaching of development rights to specified lands which are desired by a municipality to be kept undeveloped, but permitting those rights to be transferred from those lands so that the development potential which they represent may occur on other lands within the municipality where more intensive development is deemed by the municipality to be appropriate," and enables municipalities to transfer development rights for the purpose of preserving (type of land municipality desires to preserve). Grantor is the owner in fee simple of \_\_\_\_ acres of real property, hereinafter described, in the (name of sending area), located in (municipality). The property is now improved with (list improvements).

(Name of municipal zoning ordinance) recognizes the right of an owner of property in the (name of sending area) to transfer a certain number of development rights; provided that such a conveyance is in conjunction with a restrictive covenant agreement restricting the land from future development of any non-agricultural uses, except for parkland, conservation areas, and similar uses. The parties intend that this Restrictive Covenant Agreement so restrict the property and that, hereafter, (number of development rights) Development Rights numbered (numbers assigned by municipality) may be conveyed from the property by a deed in the recordable form approved by the (municipal governing body) without the conveyance of an additional Restrictive Covenant Agreement to Grantee.

(Full name of Grantor) represents that it is the owner in fee simple of the property as of the date of execution of this Restrictive Covenant Agreement.

NOW, THEREFORE, to permit the transfer of \_\_\_\_ Development Rights and in consideration of the covenants, terms, conditions, and restrictions hereafter set forth and other good and valuable consideration, receipt of which is hereby acknowledged, Grantor does grant and convey to Grantee, its successors,



and assigns, forever and in perpetuity, an interest and restrictive covenant agreement of the nature and character and to the extent hereinafter set forth in respect to all that property situate in (municipality), Chester County, Pennsylvania described as:

(Insert full or partial property description [those lands under restrictive covenant agreement], including name of sending area and, if any, street address.)

The terms, conditions, and restrictions of this Restrictive Covenant Agreement are as follows:  
This Restrictive Covenant Agreement shall be perpetual. It is a restrictive covenant agreement in gross, and as such, is inheritable and assignable and runs with the land as an incorporeal interest in the property, enforceable with respect to the property by the Grantee, and its successors and assigns, against the Grantor and his heirs, successors, and assigns.

The term "development" includes an individual dwelling unit or any other improvement of the land for any use other than agriculture, parkland, conservation area, or similar use.

For each "development" to be occupied or maintained on the property, one Development Right must be retained. One Development Right must also be retained for each "development" that may be occupied in the future. There are a total of \_\_\_ acres within the property, and therefore, prior to the execution of this Restrictive Covenant Agreement, a total of \_\_\_ Transferable Development Rights existed under and by virtue of the (municipality) zoning ordinance.

The restriction imposed by this Development Rights Restrictive Covenant Agreement shall operate independently of the restrictions imposed by the zoning of the property.

There is/are \_\_\_ existing "development(s)" on the property. As a result of this Restrictive Covenant Agreement, the parties intend that Grantor may convey \_\_\_ Development Rights numbered \_\_\_. From this date forward, no more than \_\_\_ additional "Developments" may take place on the property, so that the total of \_\_\_ existing "development(s)" and up to a maximum of \_\_\_ additional "developments" shall never exceed the total of \_\_\_ Development Rights which remain after the proposed conveyance of \_\_\_ Development Rights. This may not be interpreted to permit additional "development" inconsistent with the zoning of the property or to prevent the reconstruction of existing "development" which complied with the terms of this Restrictive Covenant Agreement in the event such "development" is destroyed or damaged.

Grantee, its successors, and assigns may, with reasonable notice, enter the property from time to time, for the sole purpose of inspection and enforcement of the terms, conditions, and restrictions of this Restrictive Covenant Agreement. This right of inspection does not include the interior of "developments."

Nothing herein may be construed to convey to the public a right of access or use of the property, and the Grantor, his heirs, successors, and assigns retain exclusive right to such access and use, subject only to the provisions of this Restrictive Covenant Agreement.

Appendix Two  
Model TDR Restrictive Covenant

The parties agree that monetary damages would not be adequate remedy for breach of any of the terms, conditions, and restrictions herein contained, and therefore, in the event that the Grantor, his heirs, successors, and assigns violate or breach any such terms, conditions, or restrictions herein contained, the Grantee, its successors, any assigns may institute a suite to enjoin by ex parte, preliminary and/or permanent injunction such violation and to require the restoration of the property to its prior conditions. The Grantee, its successors, and assigns, by any prior failure to act, does not waive or forfeit the right to take action as may be necessary to insure compliance with the terms, conditions, and purposes of this Restrictive Covenant Agreement.

The parties agree that this Restrictive Covenant Agreement is intended to benefit both (a) all future owners of all or any portion of Grantor's land hereinabove described, and (b) all future owners of all or any portion of the property to which the transferable development rights are being concurrently transferred under and by virtue of that certain "Deed of Transfer of Development Rights (TDR)" by and between Grantor and the owner of the receiving property (name of owner of receiving property as set forth in the deed). Such parties, their successors and assigns, shall have a separate right, independent from Grantee herein, to enforce the terms and conditions of this Restrictive Covenant Agreement.

IN WITNESS WHEREOF, the Grantor and Grantee have hereunto set their hands and seals in the day and year above written.

SIGNATURES

ACKNOWLEDGMENTS

Approved as to form and legality this \_\_\_ day of \_\_\_\_\_, 2003.

RELEASE OF LENDER (If Lender Involved) (separate document)

Parcel Number, including block and unit number \_\_\_\_\_

Appendix Three

SAMPLE TDR DEED

DEED OF TRANSFERABLE DEVELOPMENT RIGHTS (TDR)

THIS DEED, made this \_\_\_\_ of \_\_\_\_\_, 2003, by and between \_\_\_\_\_, hereinafter "Grantor" and \_\_\_\_\_, hereinafter "Grantee."

WHEREAS, the Pennsylvania Municipalities Planning Code, 53 P.S. 10101, et seq. enables municipalities to transfer development rights for the purpose of preserving designated resources and land areas; and

WHEREAS, an easement granted to (municipality), pursuant (municipal zoning ordinance), and section number and recorded at Book \_\_\_\_, Page \_\_\_\_, in the Recorder of Deeds Office of Chester County, Pennsylvania, restricts future development from being constructed, occupied, or maintained on property hereinafter described situate in (name of sending zone), (municipality), Chester County, Pennsylvania, and thereby authorizes the conveyance of Development Rights.

NOW, THEREFORE, in consideration of \_\_\_\_\_, and other good and valuable considerations, the receipt of which is hereby acknowledged, Grantor does grant and convey to Grantee, his/her heirs, successors, and assigns, for attachment to and use in conjunction with development of Grantee's property situate in (name of receiving district) (municipality), Chester County, \_\_\_\_ development rights numbered \_\_\_\_ originally attached to property situate in the (name of sending district), (municipality), Chester County, described as:

(insert property description for sending parcel including street address)

BEING the same property which Grantor acquired by deed bearing date the \_\_\_\_ day of \_\_\_\_\_, 2003, and recorded in the Chester County Recorder of Deeds Office in Book \_\_\_\_, Page \_\_\_\_.

AND, Grantor covenants that it will warrant specially the property rights hereby conveyed, that it will execute such further assurances of said property rights as may be requisite and that it has the right to convey the property rights.

IN WITNESS WHEREOF, Grantors have affixed their hands and seals in the day and year above written.

SIGNATURES

ACKNOWLEDGMENTS

Approved as to form and legality by the governing body of (municipality), pursuant to Section 619.1 of the Pennsylvania Municipalities Planning Code this \_\_\_\_ day of \_\_\_\_\_, 2003.

\_\_\_\_\_  
Chairman



**COMMUNITY WATER SYSTEM** - Any water system meeting the definition of the term Community Water System established by DEP other than a water system owned and operated by a governmental body, municipal authority, or a public utility regulated by the Pennsylvania Public Utility Commission.

**DCNR** - Pennsylvania Department of Conservation and Natural Resources.

**DEP** - Pennsylvania Department of Environmental Protection.

**EPA** - United States Environmental Protection Agency.

**PERSON** - Any individual, partnership, company, association, society, corporation or other legally recognized entity and the members of such association or partnership and the officers of such corporation.

**PUBLIC WATER SYSTEM** - A water supply and distribution system operated by a municipality, municipal authority, or utility regulated by the Pennsylvania Public Utility Commission.

**TRACT** - All land that is the subject of a Development, whether initially or cumulatively, and whether comprised of one or more lots of record.

**412. Applicability.**

- A. All residential subdivisions or residential land development proposing five or more lots and/or units whether initially or cumulatively, as of the effective date of this Ordinance.
- B. All non-residential land development.

**413. Connection to Public Water System or Provision of Community Water System.**

- A. All Development which falls under Section 412 above shall be served by public water if the Board of Supervisors determines that public water is available.
  - (1) If connection to an existing public water system is proposed, the applicant shall submit an agreement committing the public water

provider to provide such water as the Development will utilize for such period of time and under such terms and conditions as the public water provider provides water service elsewhere in its service area.

- B. In all cases the applicant shall demonstrate that the water to be supplied shall be potable and shall meet all applicable standards of DEP or the EPA.
- C. If applicant proposed to serve the Development with a community water system, the applicant shall demonstrate that the community water system shall be in compliance with all requirements of this Article, the Subdivision and Land Development Ordinance, and the DEP.

**414. Minimum Requirements for Water Supply.**

If the applicant proposes to serve the Development by means of a water supply system using water obtained from the Tract (irrespective of whether that water is being distributed as a part of a community water supply system or individual wells), that water supply source may be utilized only when the Report establishes, and the engineer performing the study to support the Report certifies, that the water supply will provide the required yield and demand, and that withdrawal rates and amounts shall be managed to balance natural recharge rates and amounts on a site-specific basis to insure that the potential of interference with adjacent properties is minimized.

**415. Requirements for Water Service Feasibility Report.**

- A. An applicant shall contact the Township before beginning preparation of the Report and shall submit an application to file a water service feasibility report. Such application shall be accompanied by the filing fee established by ordinance or resolution. The application shall at a minimum state:
  - (1) The professional engineer and/or professional geologist who will prepare the report.
  - (2) The Tract which will be developed and the nature and extent of the proposed development.
  - (3) The scope and the method of analysis of the study and testing data prior to initiating the study necessary to prepare the Report.
- B. The Township Engineer shall approve the scope and the method of analysis of the study and testing data. The applicant shall reimburse the Township for all costs incurred by the Township Engineer in meeting with the applicant and reviewing the application.
- C. The Applicant shall present the completed Report and all supporting data to the Township before approval of the preliminary plan or, if the Subdivision Ordinance does not require submission of a preliminary plan, with the application for approval of a final plan.

- D. The Township Engineer shall review the Report to determine if it contains all information this Article requires. If the Report is incomplete, the Township Engineer shall reject the Report and inform the applicant of the deficiencies in writing. The applicant may resubmit the Report after addressing the Township Engineer's comments or may appeal the determination of the Township Engineer to the Board of Supervisors. The applicant shall reimburse the Township for all costs of the Township Engineer in meeting with the applicant, analyzing the Report, and presenting information to the Township Planning Commission and Board of Supervisors.
- E. The Applicant shall include the following data, presented in tabular form, for all existing wells within a one-quarter mile ( $1/4$ ) miles radius of the Tract as provided by the Water Well Inventory maintained by DCNR Bureau of Topographic and Geologic Survey as part of the Report:
- (1) Pennsylvania Well Identification number
  - (2) Date Drilled
  - (3) Latitude and Longitude
  - (4) Current street address
  - (5) Well Depth
  - (6) Static Water Level
  - (7) Well Yield
  - (8) Yield Measure Method
  - (9) Length of Yield Test
- F. Minimum Residential Yield/Demand Requirement. The minimum acceptable yield and demand for residential units shall be three hundred fifteen (315) gallons per day per unit of residential occupancy at a demand rate of not less than two (2) gallons per minute for one (1) hour, either with or without the use of a storage system. The Report shall demonstrate that the water source can supply this yield and that the water so supplied will be potable.
- G. Minimum Principal Non-Residential Yield/Demand Requirement. The minimum acceptable yield and demand for non-residential units shall be four hundred (400) gallons per day per unit of non-residential occupancy at a demand rate of not less than four (4) gallons per minute for one (1) hour, either with or without the use of a storage system. The Report shall demonstrate that the water source can supply this yield and that the water so supplied will be potable.
- H. The Report shall contain a drawdown/well interference analysis as follows:
- (1) For any Development proposing five (5) to ten (10) lots or dwelling units, either initially or cumulatively as of the effective date of this Ordinance, the report may be prepared using available reference information and data or may be prepared by on-site testing and observation.

- (2) For any Development proposing eleven (11) or more dwelling units, including remaining lands, either initially or cumulatively as of the effective date of this Ordinance, the report shall be prepared using on-site testing and observations.
- (3) A drawdown/well interference report shall be prepared for all non-residential Developments proposing water consumption of four hundred (400) gallons per day, either initially or cumulatively, as of the effective date of this Article.
  - (a) For non-residential Developments proposing more than four hundred (400) gallons per day, but less than one thousand two hundred (1,200) gallons per day, either initially or cumulatively as of the effective date of this Article, the Report may be prepared using available reference information and data, or may be prepared by on-site testing and observation.
  - (b) For non-residential Developments proposing one thousand two hundred (1,200) or more gallons per day, either initially or cumulatively as of the effective date of this Article, the Report shall be prepared using on-site testing and observations.
  - (c) For those Tracts for which the drawdown/well interference report was prepared by using available reference information and data (as opposed to onsite testing and observation), and the Report indicates that the yield or demand will be within twenty five (25 %) percent of the minimum requirements as provided above, the applicant shall be required to install the well(s) and demonstrate that the supply is capable of meeting the yield and demand requirements prior to the application for any permits authorizing any construction upon the Tract.
  - (d) The on-site testing and observations as required above shall be accomplished by at least one (1) pumped well and at least two (2) observation wells which have hydraulic continuity with the pumped well(s).
  - (e) The Report shall demonstrate that the groundwater recharge on the specific tract will exceed the anticipated water withdrawal during a one (1) in ten (10) year drought or a forty (40%) percent below normal reduction in precipitation for recharge based upon the following:
    - (i) The area available for recharge shall be based upon post-developed impervious conditions.
    - (ii) The recharge rate may include estimated recharge from on-lot sewage disposal systems.



- (iii) The recharge rate shall include an analysis of the impact of the post developed storm water management system.
  - (iv) The recharge rate may include estimated recharge from storm water management infiltration facilities based upon a forty (40%) percent reduction in precipitation.
- (f) For residential Developments, the water withdrawal rate shall be based upon a rate of three hundred fifteen (315) gallons per day per three- (3) bedroom dwelling.
  - (i) **The water withdrawal rate shall be increased by ninety (90) gallons per day for each additional bedroom over three (3) bedrooms.**
- (g) Commercial, industrial, agricultural or any other non-residential Development water withdrawal rates shall be calculated by increasing the DEP sewage flows as provided Pennsylvania Code Title 25, Environmental Protection, Chapter 73, Standards for Sewage Disposal, Section 73.17, Sewage Flows, by twenty (20%) percent.
  - (i) The Report shall include a description of the proposed use, the proposed number of employees and whether or not water will be used for cleanup and/or processing or otherwise in connection with the use. The applicant shall in addition set forth the proposed allocation of available water supply between or among the proposed uses and shall set forth a plan or proposal pursuant to which such allocation can reasonably be monitored and enforced by the Township.
- (h) Water withdrawal rates for all other uses not provided for by the above shall be based upon the maximum anticipated peak demand increased by twenty (20%) percent.
  - (i) The Report shall include a description of the proposed use, the proposed number of employees and whether or not water will be used for cleanup and/or processing or otherwise in connection with the use. The applicant shall in addition set forth the proposed allocation of available water supply between or among the proposed uses and shall set forth a plan or proposal pursuant to which such allocation can reasonably be monitored and enforced by the Township.

- (i) The applicant shall develop a preliminary groundwater computer model to produce a plot of the anticipated drawdown within the groundwater system to demonstrate that the installation of the proposed water system(s) will not lower the groundwater table in the area so as to endanger or decrease the water supplies necessary for any existing or potential use(s) upon properties adjacent to the proposed project.

**416. Review of and Effect of Report.**

- A. The applicant shall supply the Report to the Township Engineer for review to determine compliance with this Article. The Township Engineer shall determine whether the Report contains all information and studies this Article requires and whether the Report demonstrates that there proposed water supply for the Development meets the minimum standards of this Article.
- B. The Township Engineer shall provide the Township Planning Commission and the Board of Supervisors with a review of the Report.
- C. The Township Planning Commission shall review the Report and shall notify the Board of Supervisors whether the Development meets the minimum requirements of this Article for a safe, adequate and reliable water supply.

**417. Regulations for Community Water Systems installed in the Township.**

- A. Any person who proposes the installation and use of a community water system shall demonstrate that the community water system meets the requirements of this Article for a safe, adequate and reliable water supply. Such person shall submit an application to the Township for a permit to operate a community water system which applicant shall include:
  - (1) A report prepared under this Article.
  - (2) A copy of all information supplied to DEP concerning the community water system.
  - (3) A copy of the DEP approval to operate the community water system.
- B. The Township may annually inspect each community water system. The owner of the community water system shall pay all costs associated with the yearly inspection of the community water system. The person performing the

inspection shall be deemed qualified by the Township to perform the inspections required by this Ordinance.

- C. All persons who own a lot which is served by a community water system shall properly use such community water system. The owner of the community water system shall properly maintain the community water system.
- D. Any person who owns a lot served by a community water system, any person who occupies a lot served by a community water system, any person who owns a community water system, and any person maintaining a community water system shall report any malfunctioning or contamination of such community water system to the Township. Such report shall be made as soon as possible but in no case later than three (3) days after discovery of the malfunction or contamination.



# Susquehanna River Basin Commission

*a water management agency serving the Susquehanna River Watershed*



## Overview for the Development of Local Water Budgets

The Susquehanna River Basin Commission (SRBC) manages and protects water resources in the Susquehanna River Basin to ensure adequate supplies for domestic, agricultural, and industrial uses, as well as for recreation and the protection of instream uses. In areas with documented high water use and limited water supplies, SRBC encourages steps to be taken to better manage and allocate the region's water resources. Among the important steps is for local governments to participate in local and regional water resources planning efforts. These planning efforts may include the preparation of water budgets that assess water supply availability for the communities in particular watersheds and groundwater basins. SRBC supports the application of a water-budget approach in these areas.

Unique watershed characteristics, coupled with a wide range of potential management approaches, preclude the use of one methodology for all water budget studies. However, to assist parties interested in conducting a water budget, SRBC developed this "Overview for the Development of Local Water Budgets" to present important considerations in the conduct of water budget investigations.

A water budget is an accounting of the water resources within a watershed and groundwater basin. Like a financial budget, a water budget includes:

- sources and quantities of water income (rain, snowmelt, etc.);
- water savings (storage); and
- water expenses (water uses).

As in financial accounting, water budgeting allows for the planning and management of water resources in a sustainable manner. A water budget is an important first step in planning to meet future municipal, agricultural, industrial, recreational, and instream flow needs. Managing water as a sustainable resource also contributes to the preservation of water quality and aquatic habitat.

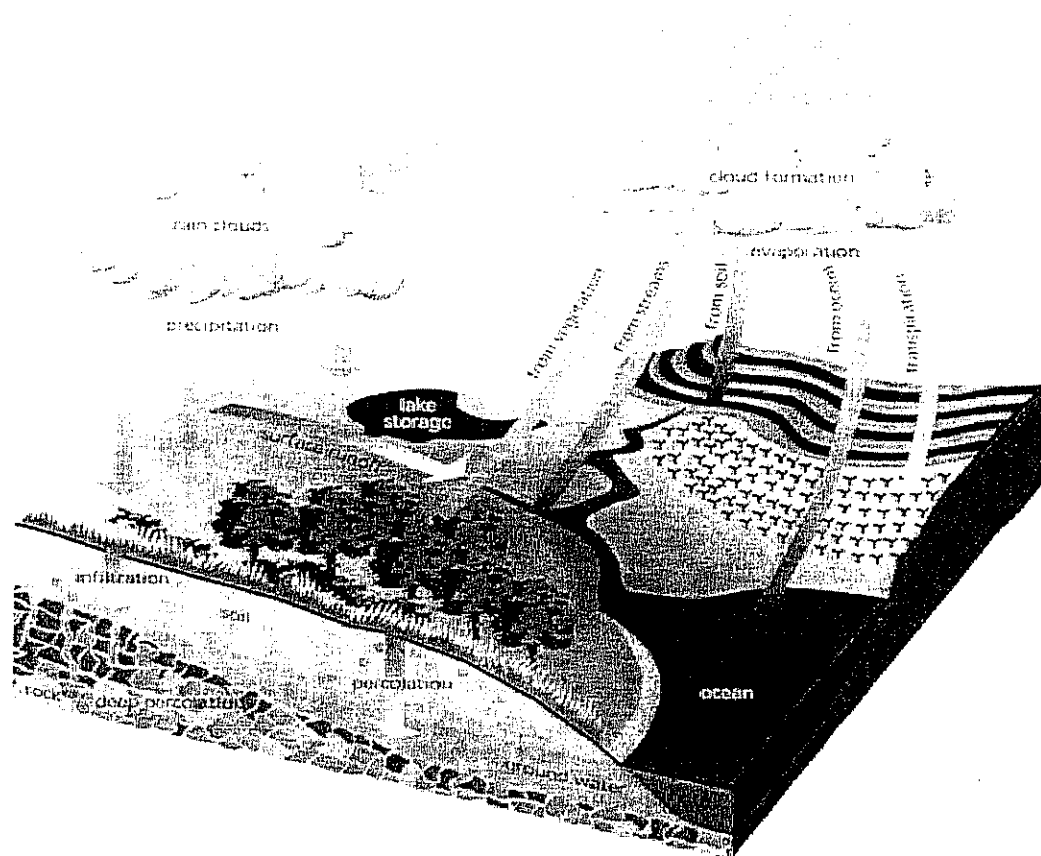
## Basis for Water Budgets: The Hydrologic Cycle

The water resources in a given area are a product of the hydrologic cycle. The hydrologic cycle is the name given to the cyclical movement of water from the atmosphere to groundwater and streamflow, to the oceans, and back to the atmosphere.

Precipitation is the dominant source of water 'income' for the land-based portions of the hydrologic cycle; surface water and groundwater. Upon reaching the surface, precipitation becomes surface flow, soil moisture, or groundwater. Most of the precipitation that becomes soil moisture is

slowly utilized by plants or evaporates (evapotranspiration). The runoff and groundwater components move through the watershed towards areas of lower elevation. (See hydrologic cycle diagram below taken from the Federal Interagency Stream Restoration Working Group (10/1998), Stream Corridor Restoration: Principles, Processes, and Practice; ISBN-0-934213-59-3.)

### Diagram of the Hydrologic Cycle



Runoff from a precipitation or meltwater event is concentrated into streamflow, where it forms a flood wave. The flood wave moves rapidly through the watershed and, for small watersheds, exits within hours to a few days.

By comparison, the flow of groundwater is relatively slow, typically only a few to several feet per day. During a precipitation event, water is received by the aquifer more rapidly than it can flow away, resulting in a rise in the water table. The amount of groundwater is not constant, but increases in response to recharge and decreases in response to discharge, as seeps and springs. The discharge of groundwater to streams sustains the flow between periods of high runoff (floodwaves and meltwater events). The amount of streamflow between high flow events (i.e., most of the time) is equal to the amount of groundwater released from aquifers within a watershed. The groundwater contribution to streamflow is called base flow. The base flow is not constant, but gradually declines following a precipitation or meltwater event.

Seasonal variations in precipitation cause variations in the amount of groundwater and surface water available in a watershed. Therefore, water resource planning must either consider

development based on the amount of water available during a low-flow period with conservation measures when the resource drops below the planning level, or develop a plan based on the amount of water available during higher flow periods, with seasonal cuts in production rates. Maintenance of sufficient instream flows also is important to protect fishery resources, water based recreation, and water quality during low-flow events.

While some uses are seasonal, most occur during the summer, when the amount of water available is commonly the lowest. Therefore, most water planning is usually developed based on the amount of water available during a drought with a relatively long recurrence interval. This both minimizes environmental impacts and the frequency of periods requiring mandatory conservation.

The available water resources are fundamentally limited by the amount of precipitation an area receives by the area of water collection (watershed/recharge area), and by the volume of groundwater storage. Other important factors include soil and aquifer characteristics, topography, vegetative cover, and land uses that alter the ability of the surface materials to accept precipitation and recharge. Impervious cover such as paved parking areas, roads, and buildings causes an increase in the amount of runoff and a corresponding decrease in groundwater storage and flow. While the amount of water flowing through the watershed remains essentially unchanged, flood flows are increased and base (groundwater) flows are decreased.

### **Water Use and Management**

Water is used for a variety of purposes including municipal, industrial, agricultural, and residential. Some uses simply utilize the water, treat it, and return it to the watershed as treatment plant or septic system discharge. Such uses typically return about 90 percent of the water withdrawn. Natural streamflow is essentially maintained downstream from the point of treated water discharge. However, the area of withdrawal and the point of discharge are often widely separated, leaving the intervening stream reach with a reduced flow that may affect other water users and aquatic habitat. Uses for which only a fraction or none of the water is returned are called consumptive. Examples of consumptive use include irrigation, evaporative cooling, bottled water, and water incorporated into food products. Water used consumptively is not returned to the watershed, leaving a depleted reach below the point of taking.

### **Water Budgets**

The development and utilization of water resources must be managed in a sustainable manner if instream, recreational, municipal, agricultural, and other uses are to be accommodated. A water budget analysis starts with an evaluation of the existing water resources (water income), and then subtracts the existing water uses (water expenses) to arrive at the current water budget.

The scale (i.e., sophistication or level of effort) of the water budget study is determined by the requirement that all major factors in the water budget be included within the area of study. The study area must include the recharge area for all major (greater than 100,000 gpd) groundwater withdrawals. Midbasin studies require inflow-outflow data for the study area.

Some watershed characteristics that are important to the development of a water budget include basin area, topography, the number, lithology, geologic structure, area and location of aquifers, soil properties, size and location of developed areas, location and magnitude of water withdrawals and returns, and climate. The amount of existing information on these will determine the amount of fieldwork required and have a significant impact on the cost of the study. Watersheds differ widely in nearly all of these characteristics. The methods and level of effort required to

develop a water budget must be appropriate to the conditions in the study area, and the amount of information available.

The development of a water budget will generally require most, if not all of the following information:

1. The amount and seasonal distribution of precipitation;
2. The variation in precipitation due to year-to-year climatic variability;
3. The amount and seasonal distribution of streamflows;
4. The variation in streamflows due to year-to-year climatic variability;
5. The amount and seasonal distribution of stream base flows;
6. The variation in stream base flows due to year-to-year climatic variability;
7. An evaluation of riparian and aquatic habitat; and
8. A topographic map and/or database with:
  - a. Locations and magnitudes of water withdrawals;
  - b. Locations and magnitudes of water returns;
  - c. Capture area for all high capacity wells;
  - d. Wellhead protection areas;
  - e. Areas of impervious cover;
  - f. Soil drainage characteristics;
  - g. Land use planning and zoning;
  - h. Locations and nature of water quality problems;
  - i. Total Maximum Daily Loads (TMDLs) for all streams;
  - j. Aquifer types;
  - k. Aquifer structure;
  - l. Water table configuration; and
  - m. Storage facilities.

Uncertainties in the water budget due to lack of data on the basin surface water and groundwater flow may require the acquisition of additional information from a network of surface water and groundwater monitoring points for an extended period. In some cases, this information will be available from similar, nearby watersheds, and can be scaled to the watershed under study.

The area to be included in the study is determined by the hydrogeomorphic setting, and the location of large withdrawals and discharges within that setting. It is essential to include the capture area and area of contribution for all surface water and groundwater withdrawals of 100,000 gallons per day or greater and all consumptive use withdrawals of 20,000 gallons per day or greater.

### **Who Needs to be Involved?**

A water budget study will generally require the involvement of county, state, and federal agencies, watershed groups, and other stakeholders. Professionals specializing in groundwater, streamflow, aquatic and riparian habitats, climate, engineering, and planning also will be needed. Much of this expertise is available from state and federal agencies, and municipalities, industries, and authorities within the watershed, as well as regional consulting firms.

A professional with expertise in the development of water budgets will be required to coordinate the study effort, evaluate the information, and produce a report. An advisory committee composed of representatives from local municipalities, industries, professionals, and other stakeholders is often of considerable help. The report must present the information, analyses, and conclusions of the study, and provide recommendations for the sustainable and equitable



management of the water resources in the watershed. Copies of the report should generally be provided to the SRBC, appropriate state and federal agencies, water authorities, municipalities, libraries and other interested parties within the watershed.

### What Comes Next?

A water budget study is generally performed in order to provide a factual basis for water resources management and land-use planning. The results of a water budget study present the current water resources availability, location, and degree of utilization. The results provide a factual basis for planning growth and infrastructure development.

The water budget study will allow the management of water resources in a sustainable manner by:

1. Quantifying the amount of water that can be developed and be sustainable;
2. Identifying areas nearing or exceeding the sustainable amount of water available;
3. Identifying areas where water resources are currently underutilized, allowing potential well and reservoir sites to be 'banked' for future development; and
4. Identifying areas that are essential to the replenishment and sustainability of the resource (local subwatersheds and groundwater recharge areas).

Water budget study results also form the basis for monitoring and tracking water resource availability and future development impact. A surface water and groundwater monitoring network allows tracking of the water resources as they are developed and land use changes occur.

For more information on water budget studies, please contact Mr. Robert Pody of our staff at (717) 238-0425, ext. 218. The following federal, state, and regional agencies also have expertise in water resource planning, and may be able to assist in providing additional information related to water budgets:

Environmental Protection Agency	<a href="http://www.epa.gov/">http://www.epa.gov/</a>
U.S. Army Corps of Engineers, Baltimore District	<a href="http://www.nab.usace.army.mil/">http://www.nab.usace.army.mil/</a>
U.S. Geological Survey, Pa. Office	<a href="http://www.pah2o.er.usgs.gov/">http://www.pah2o.er.usgs.gov/</a>
U.S. Geological Survey, N.Y. Office	<a href="http://ny.usgs.gov/">http://ny.usgs.gov/</a>
Maryland Dept. of Natural Resources	<a href="http://www.dnr.state.md.us/index.asp">http://www.dnr.state.md.us/index.asp</a>
Maryland Dept. of the Environment	<a href="http://www.mde.state.md.us/">http://www.mde.state.md.us/</a>
N.Y. State Dept. of Environmental Conservation	<a href="http://www.dec.state.ny.us/">http://www.dec.state.ny.us/</a>
Pa. Dept. of Conservation and Natural Resources	<a href="http://www.dcnr.state.pa.us/">http://www.dcnr.state.pa.us/</a>
Pa. Dept. of Environmental Protection	<a href="http://www.dep.state.pa.us/">http://www.dep.state.pa.us/</a>
Capital Region Water Board	<a href="http://www.crbw.org/">http://www.crbw.org/</a>
Delaware River Basin Commission	<a href="http://www.state.nj.us/drbc/drbc.htm">http://www.state.nj.us/drbc/drbc.htm</a>
Interstate Commission on the Potomac River Basin	<a href="http://www.potomacriver.org/">http://www.potomacriver.org/</a>
Chester County Water Resources Authority	<a href="http://www.chesco.org/water_cov.html">http://www.chesco.org/water cov.html</a>



## General Provisions

**§101. Title.** This Chapter shall be known, and may be cited, as the "Township of XX Outdoor Lighting Ordinance."

**§102. Purposes.** This Chapter is enacted for the following purposes:

- A. To establish requirements for outdoor lighting installations which promote public safety and welfare during the nighttime while minimizing the adverse effects of glare and light trespass often associated with outdoor lighting;
- B. To protect the privacy of property owners by limiting the potential for glare and light trespass from outdoor lighting installations located on adjacent properties and roadways;
- C. To prohibit outdoor lighting installations which are of excessive intensity and/or are deficient of photometric control such that the resulting glare and light trespass create a nuisance to pedestrians, cyclists, or motorists on neighboring properties and roadways;
- D. To promote outdoor lighting installations which serve to enhance the nighttime safety and enjoyment of pedestrians, cyclists, and motorists throughout the community;
- E. To set forth outdoor lighting requirements which are consistent with lighting industry standards and practices, available technologies, and the lighting sciences.

**§103. Applicability.** The requirements of this Chapter shall apply to all outdoor lighting installations as follows:

- A. Outdoor lighting installations which are newly designed, constructed, erected, or otherwise placed into operation after the effective date of this Chapter;
- B. Alterations, rehabilitations, or renovations to existing outdoor lighting installations, which are commenced with after the effective date of this Chapter, and which involve the complete replacement of an existing lighting system with a new lighting system.

**§104. Non-Applicability.** The requirements of this Chapter shall not apply to, nor be retroactive to, existing outdoor lighting installations which began operation before the effective date of this Chapter. Routine maintenance of said existing outdoor lighting installations shall not be required to comply with the requirements of this Chapter. Routine maintenance activities include the following:

- A. Replacement of lamps that are burned-out or inoperative.
- B. Replacement/repair of damaged or inoperative luminaire components such as ballasts, ignitors, lenses, reflectors, refractors, sockets, or photocell controls.

**§105. Exemptions.** The requirements of this Chapter shall not apply where superseded by County, State, or Federal law.

**§106. Modifications.** An applicant may request the Board of Supervisors to grant a modification of the requirements of one or more provisions of this Chapter if the literal enforcement will exact

undue hardship because of peculiar conditions to the land in question; provided, that such modification will not be contrary to the public interest and that the purpose of the intent of this chapter is observed. All requests for modification shall be in writing and shall accompany and be part of the application for development. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of this Chapter for which the modification is requested and a description of the minimum modification necessary.

## Part 2

### Adoptions by Reference

**§201. Adoption of the ES Lighting Handbook.** The publication, a copy of which is on file in the Planning and Zoning Office of the Township of XX, XX County, Pennsylvania, being marked and designated as "Lighting Handbook", most recent edition, as published by the Illuminating Engineering Society of North America (ESNA), and referred to in this Chapter as "The ES Lighting Handbook," is hereby adopted by reference and made a part hereof as if fully set out in this Chapter.

**§202. Adoption of the ANSI/ES Lighting Definitions.** The publication, a copy of which is on file in the Planning and Zoning Office of the Township of XX, XX County, Pennsylvania, being marked and designated as "American National Standard, Nomenclature and Definitions for Illuminating Engineering", most recent edition, as published by the Illuminating Engineering Society of North America (IESNA) and approved by the American National Standards Institute, Inc. (ANSI), and referred to in this Chapter as "The ANSI/ES Lighting Definitions," is hereby adopted by reference and made a part hereof as if fully set out in this Chapter.

## Part 3

### Definitions

**§301. Language Interpretations.** For the purposes of this Chapter, certain terms and words used herein shall be interpreted as follows:

- A. The word "shall" denotes a mandatory requirement; the word "should" denotes an advised or recommended provision that is desirable but not mandatory.
- B. The word "includes" or "including" shall not limit the term to the specific example, but is intended to extend its meaning to all other instances of like kind and character.
- C. Words used in the present tense include the future; words used in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural the singular.

**§302. Zoning Definitions.** The meaning and applicability of words and terms in this Chapter which are related to zoning, zoning districts, lots, lot usage, yards, and the like, shall be in accordance with the XX Township Zoning Ordinance (Ord. 224, as amended).

**§303. Selected Lighting Definitions.** The following lighting definitions are selected from The ANSI/IES Lighting Definitions and The ES Lighting Handbook for ready reference within the text of this Chapter:

**Candela.** The SI unit of luminous intensity. One candela is one lumen per steradian (lm/sr).

**Candlepower.** Luminous intensity expressed in candelas.

**Cutoff Angle (of a luminaire).** The angle, measured up from nadir, between the vertical axis and the first line of sight at which the bare source is not visible.

**Footcandle.** A unit of illuminance. One footcandle is one lumen per square foot (lm/ft<sup>2</sup>).

**Glare.** The sensation produced by luminances within the visual field that is sufficiently greater than the luminance to which the eyes are adapted to cause annoyance, discomfort, or loss in visual performance or visibility.

**Blinding Glare.** Glare that is so intense that for an appreciable length of time after it has been removed, no object can be seen.

**Direct Glare.** Glare resulting from high luminances or insufficiently shielded light sources in the field of view.

**Disability Glare.** The effect of stray light in the eye whereby visibility and visual performance are reduced.

**Discomfort Glare.** Glare that produces discomfort. It does not necessarily interfere with visual performance or visibility.

**Reflected Glare.** Glare resulting from reflections of high luminances in polished or glossy surfaces in the field of view.

**Illuminance.** The areal density of the luminous flux incident at a point on a surface.

**Illumination.** An alternative term for illuminance. Commonly used in a qualitative or general sense to designate the act of illuminating or the state of being illuminated.

**Lamp.** A generic term for a man-made source of light.

**Light.** Radiant energy that is capable of exciting the retina and producing a visual sensation. The visible portion of the electromagnetic spectrum extends from about 380 to 770 nanometers.

**Light Loss Factor (LLF).** The ratio of illuminance for a given area to the value that would occur if lamps operated at their initial rated lumen output and if no system variation or depreciation had occurred.

**Light Trespass.** A subjective perception of undesirable illumination including the following examples:

1. The classic "light shining in a window"
2. Unwanted light on an adjacent property
3. Excessive brightness in the normal field of vision (nuisance glare)

**Lumen.** SI unit of luminous flux. Photometrically, it is the luminous flux emitted within a unit solid angle (one steradian) by a point source having a uniform luminous intensity of one candela.

**Luminaire.** A complete lighting unit consisting of one or more lamps (light sources) together with the parts designed to control the light distribution, and other mechanical and electrical components.

**Cutoff Luminaire.** A luminaire light distribution is designated as cutoff when the candlepower per 1000 lamp lumens does not numerically exceed 25 (2.5%) at an angle of 90 above nadir (horizontal), and 100 (10%) at a vertical angle of 80 above nadir.

**Luminance.** The emitted or reflected light from a surface; relates directly to perceived "brightness." The unit of luminance is the candela per square meter (cd/m<sup>2</sup>).

**Luminous Flux.** Radiant flux (radiant power); the time rate of flow of radiant energy evaluated in terms of a standardized visual response.

**Luminous Intensity.** The luminous flux per unit solid angle in the direction in question. May be expressed in candelas or lumens per steradian (lm/sr).

**Lux.** The SI unit of illuminance. One lux is one lumen per square meter (lm/m<sup>2</sup>).

**Nighttime.** The hours between the end of evening civil twilight and the beginning of morning civil twilight. Civil twilight ends in the evening when the center of the sun's disk is 6 degrees below the horizon, and begins in the morning when the center of the sun's disk is 6 degrees below the horizon.

**Spill Light.** Light shining beyond a facility that may annoy occupants of the adjacent property.

#### Part 4

#### General Design Requirements

**§401. Design Calculations in Accordance With The IES Lighting Handbook.** In addition to the specific requirements established in this Chapter, the design calculations for outdoor lighting installations shall be in accordance with the IES Lighting Handbook. This includes, but is not limited to, technical definitions, terminology, calculation methods and procedures, photometric classifications, and photometric testing procedures. Illuminance selection should be based on the usage of the area to be illuminated, the level of activity, and nighttime security requirements.

#### Part 5

#### Requirements for Outdoor Area and Roadway Lighting Installations

**§501. Applicability of Requirements.** The requirements of Part 5 of this Chapter apply to all outdoor lighting installations as follows:

A. Outdoor lighting installations which are employed for nighttime area illumination of parking lots, car sales lots, yards, roadways, streets, driveways, walkways, bikeways, cartways, entryways, and similar areas or lots; and

B. Outdoor lighting installations which are located on any property in any zoning district within the Township of XX except for the following:

1. A lot which is comprised of one (1) single or two family dwelling.

2. A lot which is being used as a farm.

**§502. Use of Cutoff Luminaires Required.** All luminaires employed in outdoor area and roadway lighting installations shall be the cutoff luminaire type.

A. The candlepower distribution classification of the luminaire as a cutoff type shall be in accordance with The ANSI/IES Lighting Definitions and The IES Lighting Handbook. The manufacturer of the luminaire shall provide certification of the cutoff classification based on photometric testing performed in accordance with the IES Lighting Handbook and the applicable testing procedures referenced therein. The requirement for the use of cutoff luminaire types shall include, but is not limited to, the following outdoor area and roadway lighting configurations:

1. Pole-mounted luminaires.

2. Luminaires mounted on the exterior of buildings and structures.

3. Luminaires mounted on or within exterior canopies of buildings and structures.

4. Pedestal- or bollard-mounted luminaires.

B. Cutoff luminaires shall be mounted plumb and level in accordance with the intended application of their design. For the purposes of this requirement, the photometric nadir of the luminaire (zero degree vertical angle of the candlepower distribution) shall be oriented plumb and the vertical angle of 90 degrees above nadir (horizontal) shall be oriented level. Cutoff luminaires shall not be installed in a canted or tilted position which permits candlepower distribution above the horizontal.

C. Exception: Luminaires which do not meet the strict definition for cutoff luminaires, yet employ advanced or alternative technology which causes the photometric performance to approach that of cutoff luminaires, may be approved by the Township of XX, or its duly appointed representative, on a case-by-case basis. Such luminaires include, but are not limited to, period-style luminaires with refractive globes and internal cutoff reflectors.

D. Exception: Luminaires with a total initial lumen output of 10,000 lumens or less shall be permitted for decorative, accent, or supplementary lighting applications provided that glare shields are incorporated which cut off the candlepower distribution at and above the horizontal (level).

**§503. Maximum Maintained Illuminance Levels Permitted At Property Lines Produced By Outdoor Area Lighting Installations.** The maximum maintained illuminance levels permitted

at the property line(s) during the nighttime, produced by the sum of all outdoor area lighting installations on said property, shall be as measured at grade in Horizontal Footcandles or Horizontal Lux according to Table 503.

A. Exception: By written agreement between the respective property owners, an outdoor lighting installation on one property may illuminate areas or roadways on adjacent properties beyond the property line.

B. Exception: This requirement does not apply to outdoor roadway lighting installations intended for the nighttime illumination of public roadways, streets, highways, alleys, cartways, and the like.

C. Exception: At designated vehicular, cyclist, and pedestrian entries/exits between properties and public roadways, streets, highways, alleys, cartways, and the like; provided that the excepted area of illumination (maintained illuminance levels at grade higher than permitted in Table 503) is limited to the said property and the adjoining pavement and right-of-way of public roadways, streets, highways, alleys, cartways, and the like. The excepted area of illumination shall not extend beyond fifty (50) feet from the centerline of the designated entry/exit in any direction along the property line(s) of the said property.

**TABLE 503**

**MAXIMUM MAINTAINED ILLUMINANCE LEVELS**

**PERMITTED AT PROPERTY LINES**

**PRODUCED BY OUTDOOR AREA LIGHTING INSTALLATIONS**

For outdoor area lighting installations to which the requirements of Part 5 apply:	Maximum maintained illuminance level permitted at property line measured at grade in Horizontal Footcandles	Maximum maintained illuminance level permitted at property line measured at grade in Horizontal Lux
Outdoor area lighting installation is located on said property and property line adjoins a public roadway or public right-of-way	0.5	5.4
Outdoor area lighting installation is	0.2	2.2



located on said property and property line adjoins a non-residential property		
Outdoor area lighting installation is located on said property and property line adjoins a residential property	0.1	1.1

**§504. Illumination Under Outdoor Canopies.** All outdoor lighting installations which illuminate the area under outdoor canopies shall comply with §502 and §503. In accordance with the sign ordinance, canopies may not be illuminated with the exception of the portion which is classified as a sign.

A. Outdoor canopies include, but are not limited to, the following applications:

1. Fuel island canopies associated with service stations and convenience stores.
2. Exterior canopies above storefronts in shopping centers and malls.
3. Exterior canopies above driveways and building entrances.
4. Pavilions and gazebos.

**§505. Design Submittal and Approval Requirements.** The design for all outdoor area and roadway lighting installations, to which the requirements of Part 5 apply, shall be submitted for review and approval by the Township of XX in accordance with §1201 of this Chapter.

## Part 6

### Requirements for Outdoor Sports and Recreational Lighting

**§601. Applicability of Requirements.** The requirements of Part 6 of this Chapter apply to all outdoor lighting installations as follows:

- A. Outdoor lighting installations which are employed for nighttime area illumination of sports and recreational facilities including, but not limited to, ballfields, ballparks, stadiums, tennis courts, soccer fields, golf courses, driving ranges, recreation fields, and the like; **and**,
- B. Recreational facilities, such as ballfields, tennis courts, and basketball courts, located on single-family, two-family or farm lots; and,
- C. Outdoor lighting installations which are located on any property in any zoning district within the Township of XX except for the following:
  1. A lot which is comprised of one (1) single or two family dwelling.
  2. A lot which is being used as a farm.

**§602. Use of Glare Shields Required For Non-Cutoff Luminaire Types.** Where non-cutoff luminaires such as floodlights are used to meet the lighting design objectives for outdoor sports and recreational lighting, the luminaires shall be equipped with glare shields, visors, barndoors, and other similar shielding accessories as required to meet the following criteria:

A. The candlepower distribution from all lighting installations shall be cut off at and above the horizontal (level).

B. To the extent practicable, the candlepower distribution from all lighting installations shall be further cut off at angles below the horizontal (level) to restrict direct illumination to within the functional area being illuminated for sports and recreation purposes.

**§603. Maximum Maintained Illuminance Levels Permitted At Property Lines Produced By Outdoor Sports and Recreational Lighting Installations.** The maximum maintained illuminance levels permitted at the property line(s) during the nighttime, produced by the sum of all outdoor sports and recreation lighting installations on said property, shall be as measured at grade in Horizontal Footcandles or Horizontal Lux according to Table 503 in Part 5 of this Chapter (for outdoor area lighting installations).

**§604. Design Submittal and Approval Requirements.** The design for all outdoor sports and recreation lighting installations, to which the requirements of Part 6 apply, shall be submitted for review and approval by the Township of XX in accordance with §1201 of this Chapter.

## Part 7

### Requirements for Outdoor Sign Lighting

**§701. Applicability of Requirements.** The requirements of Part 7 of this Chapter apply to all outdoor lighting installations employed for nighttime illumination of signs and billboards which are defined in the XX Township Signs and Billboards Ordinance (Ord. 340, as amended).

**§702. Use of Glare Shields Required For Non-Cutoff Luminaire Types.** Where non-cutoff luminaires such as floodlights are used to meet the lighting design objectives for outdoor sign and billboard lighting, the luminaires shall be equipped with glare shields, visors, barn doors, and other similar shielding accessories as required to meet the following criteria:

A. The candlepower distribution from all lighting installations shall be cut off at all angles beyond those required to restrict direct illumination to within the perimeter of the sign or billboard being illuminated.

## Part 8

### Requirements for Outdoor Lighting of Facades of Buildings and Structures

**§801. Applicability of Requirements.** The requirements of Part 8 of this Chapter apply to all outdoor lighting installations employed for nighttime illumination of the facades of buildings and structures.

**§802. Use of Glare Shields Required For Non-Cutoff Luminaire Types.** Where non-cutoff luminaires such as floodlights are used to meet the lighting design objectives for outdoor illumination of building and structure facades, the luminaires shall be equipped with glare

shields, visors, barndoors, and other similar shielding accessories as required to meet the following criteria:

A. The candlepower distribution from all lighting installations shall be cut off at all angles beyond those required to restrict direct illumination to within the perimeter of the facade being illuminated.

## Part 9

### Requirements for Residential Outdoor Lighting

**§901. Applicability of Requirements.** The requirements of Part 9 of this Chapter apply to all outdoor lighting installations located on a lot which is comprised of one (1) single or two family dwelling or farm.

**§902. Use of Glare Shields Required For Non-Cutoff Luminaire Types.** All non-cutoff luminaires such as floodlights shall be equipped with glare shields, visors, barndoors, and other similar shielding accessories as required to meet the following criteria:

A. For area lighting applications, the candlepower distribution from all lighting installations shall be cut off at and above the horizontal (level).

B. For all other applications, the candlepower distribution from all lighting installations shall be cut off at all angles beyond those required to restrict direct illumination to within the area or surface being illuminated.

## Part 10

### Requirements for Outdoor Landscape Lighting

**§1001. Applicability of Requirements.** The requirements of Part 10 of this Chapter apply to all outdoor lighting installations employed for nighttime illumination of trees, shrubs, vegetation, and the like.

**§1002. Use of Glare Shields Required For Non-Cutoff Luminaire Types.** All non-cutoff luminaires such as floodlights shall be equipped with glare shields, visors, barndoors, and other similar shielding accessories as required to meet the following criteria:

A. The candlepower distribution from all lighting installations shall be cut off at all angles beyond those required to restrict direct illumination to within the perimeter of the landscape feature being illuminated.

## Part 11

### Temporary Outdoor Lighting

**§1101. Applicability of Requirements.** The requirements of Part 11 of this Chapter apply to all outdoor lighting installations which are employed on a temporary basis not exceeding thirty (30) days in duration. Temporary lighting installations include, but are not limited to, seasonal or holiday displays, carnivals, community fairs, traveling circuses, sales/promotional displays, and the like.

**§1102. Use of Glare Shields Required For Non-Cutoff Luminaire Types.** All non- cutoff luminaires such as floodlights shall be equipped with glare shields, visors, barndoors, and other similar shielding accessories as required to meet the following criteria:

A. The candlepower distribution from all lighting installations shall be cut off at all angles beyond those required to restrict direct illumination to within the perimeter of the area, surface, object, or feature being illuminated.

## Part 12

### Administration and Enforcement

**§1201. General Provisions.** The Township Board of Supervisors, or its duly appointed representative, shall have the duty and authority for the administration and general enforcement of the provisions of this Chapter, as specified herein. Permits required for the installation of lighting facilities shall not be issued by any municipal official unless in accordance with the procedures specified herein.

**§1202. Measurement Instrument.** The light meter used for verification of illuminance levels shall be the light meter owned by the Township. The light meter shall be calibrated on a yearly basis to ensure accuracy.

**§1203. Design Submittal and Approval Requirements.** The design for all outdoor lighting installations, to which the requirements of Part 12 apply, shall be reviewed by the Township of XX, or its duly appointed representative, for conformance with this Chapter. When applicable, the required design submittal items shall be included with the land development or site plan submittal pursuant to the issuance of a zoning permit. In all cases, the outdoor lighting design shall be approved by the Township of XX, or its duly appointed representative, prior to issuance of a zoning permit and prior to construction of the outdoor lighting installation. The required design submittal items are as follows:

A. Site plan, drawn to scale of one inch equal to fifty feet (maximum), indicating the following:

1. The zoning district and use of the property.
2. The property lines of the property.
3. The zoning district(s) and uses of the adjoining properties.
4. Public roadways and right-of-ways on or adjoining the property.
5. The principal buildings and structures on the property.
6. The areas or elements to be illuminated on the property.
7. The proposed layout of the outdoor lighting installation on the property including, but not limited to, all pole-mounted luminaires, bollard- or pedestal-mounted luminaires, canopy-

mounted luminaires, and luminaires mounted on the exterior of buildings and structures. Identify each luminaire by a type designation.

8. The results of the lighting design superimposed on the site plan. This may be in the form of isofootcandle diagrams or isolux diagrams, drawn to scale with the value of contours labeled; or indicated with point-by-point values. In either case, the information presented shall be of sufficient quantity and detail to determine compliance with the requirements of this Ordinance.

9. The lighting design information required in B. below.

**B. Required lighting design information:**

1. The total light loss factor(s) used in the calculations to determine maintained illuminance values.
2. The maximum maintained illuminance value at grade within the functional area being illuminated (in horizontal footcandles or horizontal lux).
3. The average maintained illuminance value at grade of the functional area being illuminated (in horizontal footcandles or horizontal lux).
4. The maximum maintained illuminance values at grade along all property lines (in horizontal footcandles or horizontal lux).

**C. Required luminaire information:**

1. A luminaire (light fixture) schedule of all luminaires used for the outdoor lighting installation. Each luminaire type shall be indicated by a type designation which correlates with those indicated on the site plan. The luminaire schedule may be indicated on the site plan or submitted separately. The luminaire schedule shall include the following information for each luminaire type: description of luminaire, mounting configuration and height, IES candlepower distribution classification (cutoff semi-cutoff, or non-cutoff), IES lateral light distribution if applicable (Type I, Type II, Type III, Type IV, or Type V), lamp type, lamp wattage, and lamp initial lumens.
2. Manufacturer's product data sheets (catalog cuts) for each luminaire type.
3. Manufacturer's photometric report (certified to IES standards) for each luminaire type. The photometric report shall clearly indicate the cutoff classification of the luminaire.

**§1204. Veracity of Design Submittal Information.** The lighting design information and luminaire information submitted for approval shall correlate with the actual lighting equipment installed in the field. Installation of lighting equipment in the field, which is not the same as that approved in the design submittal, is prohibited. where the actual lighting equipment to be installed cannot be verified during the design phase of a project (such as with a competitively-bid, publicly funded project), preliminary approvals may be obtained for the outdoor lighting design based on performance specifications. However, once the actual equipment to be installed is determined, the design submittal requirements of this Part shall apply.

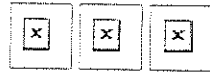
**§1205. Design Light Loss Factor(s) and Initial Illuminance Levels.** For purposes of enforcement, initial illuminance levels (measured at grade in horizontal footcandles or horizontal lux) produced by outdoor lighting installations shall be the maintained illuminance levels indicated by the approved design submittal divided by the light loss factor (LLF) indicated by the approved design submittal. To account for variations in illuminance levels, the initial illuminance

level may deviate upwards from the approved design, including the light loss factor, by a factor of ten percent.



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**PENNSYLVANIA**  
Department of Environmental Protection



## APPENDIX - I. STATE ENABLING STATUTE

### ACT 148 OF 1973

#### CHAPTER 30 B. ENVIRONMENTAL IMPROVEMENT

#### ARTICLE I. SHORT TITLE: DEFINITIONS: APPLICABILITY

##### Cross References

Environmental Advisory Councils. see § 11501

et seq. of this title.

#### CHAPTER 30 C. ENVIRONMENTAL ADVISORY COUNCILS

##### Section. Section.

11501. Council created; purposes and creation. 11506. Commissions with related responsibility, 11502. Membership; term of office; expenses. continuance or general powers.

11503. Specific powers. 11507. State aid; coordination of state and local

11504. Records of meetings; annual reports. activities.

11505. Appropriations. 11508. Open Space and recreation areas, management and development.

Provisions constituting Chapter 30 C, Environmental Advisory Councils, consisting of §§ 11501 to 11508, were enacted by Act 1973, Dec. 21,

No. 1§8, §§ 1 to 8.

##### Cross References

Environmental improvement compact. see

§ 11400-101 et seq. of this title.

§ 11501. Council created; purposes and general powers.



The governing body of any city, borough, township, or incorporated town, or group of two or more such political subdivisions, may by ordinance establish an Environmental Advisory Council to advise other local governmental agencies, including, but not limited to, the planning commission, park and recreation boards and elected officials, on matters dealing with protection, conservation, management, promotion and use of natural resources including air, land and water resources, located within its or their territorial limits.

1973, Dec. 21 P.L. 425, No. 148, § 1, imd. effective.

Historical and Statutory Noted.

Title of Act:

An Act authorizing the establishment of environmental advisory councils by certain political subdivisions. 1973, Dec. 21 P.L. 425, No. 148 imd. effective.

§ 11502. Membership; term of office; expenses.

An Environmental Advisory Council shall be composed of no less than three nor more than seven residents of the political subdivision establishing the council, who shall be appointed and all vacancies filled by the governing body of the political subdivision. Where two or more political subdivisions jointly establish an Environmental Advisory Council the members shall be appointed in the same manner, by each of the respective political subdivisions establishing the council, each constituent political subdivision to have equal membership on the joint council. Duly appointed council members shall serve for a term of three years except that initial appointments shall be so staggered that the terms of approximately one-third of the membership shall expire each year, the terms of their successors to be of three years each. Members shall receive no compensation for their services, but shall be reimbursed for the expenses actually and necessarily incurred by them in the performance of their duties. The appointing authority shall designate the chairman of the council except that in joint councils the chairman shall be elected by the duly selected members. Whenever possible, one member shall also be a member of the municipal planning board.

1973, Dec. 21 P.L. 425, No. 148, § 2, imd. effective.

§ 11503. Specific powers.

An Environmental Advisory Council organized under this act shall have power to identify environmental problems and recommend plans and programs to the appropriate agencies for the promotion and conservation of the natural resources and for the protection and improvement of the quality of the environment within its territorial limits; to make recommendations as to the possible use of open land areas of the political subdivisions within its territorial limits; to promote a community environmental program; to keep an index of all open space areas, publicly or privately owned, including, but not limited to flood-prone areas, swamps and other unique natural areas, for the purpose of obtaining information on the proper use of such areas; and to advise the appropriate local governmental agencies, including but not limited to, the planning commission and recreational park board or, if none, to the elected governing body or bodies within its territorial limits in the acquisition of property, both real and personal, by gift, purchase, grant, bequest, easement, devise or lease in matters dealing with the purposes of this act.

An Environmental Advisory Council shall not exercise any powers or perform any duties which by law are conferred or imposed upon a State agency.

1973, Dec. 21, P.L. 425, No. 148, § 3, imd. effective.

§ 11504. Records of meetings; annual report.

An Environmental Advisory Council shall keep records of its meetings and activities and shall make an annual report which shall be printed in the annual municipal report or, if none, otherwise made known and available.

1973, Dec. 21, P.L. 426, No. 148, § 4, imd. effective.

§11505. Appropriations.

The governing body of any political subdivision establishing an Environmental Advisory Council may appropriate funds for the expenses incurred by the environmental advisory council. Appropriations may be expended for such administrative clerical, printing and legal services as may from time to time be required and as shall be within the limit of funds appropriated to the Environmental Advisory Council. The whole or any part of any funds so appropriated in any year may be placed in a conservation fund allowed to accumulate from year to year, or be expended in any year.

1973, Dec. 21, P.L. 426, No. 148 § 5, imd. effective.

§11506. Commissions with related responsibility, continuance or creation.

Nothing in this act shall be construed to require a political subdivision to abolish any existing commissions with a related responsibility or to prevent its establishment.

1973, Dec. 21, P.L. 426, No. 148, § 6, imd. effective.

§ 11507. State aid; coordination of state and local activities.

The State Conservation Commission in the Department of Environmental Resources shall establish a program of assistance to environmental advisory councils that may include educational services, exchange of information, assignment of technical personnel for natural resources planning assistance, and the coordination of State and local conservation.

1973, Dec. 21, P.L. 426, § 7, imd. effective.

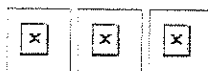
§ 11508. Open space and recreation areas, management and development.

The Secretary of Community Affairs shall establish a program of assistance to environmental advisory councils in planning for the management, use and development of open space and recreation areas.

1973, Dec. 21, P.L. 426, No. 148 § 8, imd. effective.



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## **APPENDIX - II. SAMPLE LOCAL ORDINANCES ESTABLISHING EACS**

### **ORDINANCE NO. 76**

#### **AN ORDINANCE CREATING AN ENVIRONMENTAL ADVISORY COUNCIL PROVIDING OPERATING PROCEDURES AND STATING THE POWERS OF THE COUNCIL.**

The Board of Supervisors of Tincum Township, Bucks County, hereby ordains as follows:

Section 1. An advisory council to be known as the Tincum Township Environmental Advisory Council, is hereby created and shall continue to function until this ordinance is revoked.

Section 2. The Environmental Advisory Council shall be composed of five residents of this municipality.

Section 3. Council members shall be appointed in accordance with the following procedures:

(1) All council members shall be appointed by the Governing Body of the political subdivision.

(2) Council members' terms of office shall expire on the first Monday in January following the last year of their term of office.

(3) Duly appointed council members shall serve a term of three years, except that initial appointment shall be so staggered that the terms of approximately one-third of the membership shall expire each year.

(4) Whenever possible, one member shall also be a member of the local planning commission.

Section 4. Council members shall receive no compensation for their services, but may be reimbursed for the expenses actually and necessarily incurred by them in the performance

of their duties.

Section 5. The EAC is to be advisory to and shall coordinate its activities with the elected officials, planning commission, historical commission, and other such local governmental agencies.

Section 6. The governing body shall designate the chairman of the council.

Section 7. The Environmental Advisory Council shall have the following powers:

- (1) Identify environmental problems.
- (2) Recommend plans and programs to the appropriate agencies for the promotion and conservation of the natural resources and for the protection and improvement of the quality of the environment within the area of this municipality.
- (3) Make recommendations as to the possible use of open land areas of this municipality.
- (4) Promote a community environmental program.
- (5) Keep an index of all open areas, publicly or privately owned, including, but not limited to, flood prone areas, swamps, and other unique natural areas.
- (6) Advise the appropriate local governmental agencies in the acquisition of property, both real and personal.
- (7) To undertake such environmental tasks as requested by the governing body of this municipality.

Section 8. The Environmental Advisory Council shall keep records of its meetings and activities and shall make an annual report which shall be printed in the annual municipal report or otherwise made known and available. Minutes of each meeting shall be forwarded to the governing body.

Section 9. The governing body of this municipality may, from time to time, appropriate funds for the expenses incurred by the council.

ENACTED AND ORDAINED on this 1st day of May, 1990. This ordinance shall become effective five (5) days after adoption.

TINICUM TOWNSHIP SUPERVISORS

Nicholas C. Forte, Chairman

Bruce Wallace, Vice-Chairman

Charles Yax, Member

ATTEST:

Joan T. Haas, Manager/Secretary



**RESOLUTION NO. 882****A RESOLUTION OF THE TOWNSHIP OF LOWER MAKEFIELD, BUCKS COUNTY, PENNSYLVANIA ESTABLISHING A PROCEDURE FOR THE IDENTIFICATION AND PRESERVATION OF OPEN SPACE TO BE KNOWN AS THE LOWER MAKEFIELD OPEN SPACE INITIATIVE.**

WHEREAS, the Board of Supervisors of Lower Makefield Township recognizes that open space adds to the aesthetic beauty and value of the community, and maintains its rural character;

WHEREAS, the Board of Supervisors of Lower Makefield Township recognizes that open space can increase property values and, consequently, tax revenues;

WHEREAS, the Board of Supervisors of Lower Makefield Township recognizes that open space can provide Township residents with a variety of active and passive recreational opportunities;

WHEREAS, the Board of Supervisors of Lower Makefield Township recognizes that open space serves a variety of necessary functions including storm water management and flood control, agricultural use, composition of natural debris, and limits the impact of development;

WHEREAS, the Board of Supervisors of Lower Makefield Township recognizes that preservation of open space in the Township's interest and is necessary to preserve the quality of life for Township residents; and

WHEREAS, Article XIX of the Second Class township Code specifically authorizes the Board of Supervisors to preserve and acquire open space for the public benefit.

NOW, THEREFORE, be it **RESOLVED** that Lower Makefield Township shall undertake the Open Space Initiative as set forth herein:

**SECTION ONE: OBJECTIVE**

To identify available open space and important natural resources, advise the Township of opportunities to acquire or otherwise preserve open space and the resources therein, and set forth guidelines for the acquisition or preservation of open space within the Township's means.

**SECTION TWO: DEFINITIONS**

The definitions in this section shall be limited in their application to this Resolution and shall not be construed to restrict or expand the definitions of the same or similar terms found in other Township ordinances, resolutions, codes or the Comprehensive Master Plan:

**"Open Space"**- Those lands located in Lower Makefield Township which remain in a natural state, or are used for agricultural or recreational purposes, and are not owned, possessed or controlled by a real estate developer or subject to a real estate development agreement. Open Space does not include land occupied by structures, roads, rights-of-way, parking lots or storm water detention basins.

**"Environmental Advisory Council"**- Five (5) member Township committee which shall explore preservation options and make recommendations to the Board of Supervisors.

**"Open Space Fund"**- Moneys set aside by the Township for the purpose of acquiring or preserving open space.

**"Open Space Preservation Plan"**- Any preliminary or final plan for the acquisition or preservation of a parcel of open space in the Township.

**"Real Estate Developer"**- Any person or entity engaged in the business of residential, commercial or industrial development of real estate for profit.

**"Real Estate Development Agreement"**- Any binding legal contract or agreement to option or sell real estate between a landowner and a real estate developer.

**"Supervisors"**- The Board of Supervisors of Lower Makefield Township.

**"Township"**- The Township of Lower Makefield.

### **SECTION THREE:**

#### **CREATION OF AN ENVIRONMENTAL ADVISORY COUNCIL**

(1) The Board of Supervisors shall appoint a five (5) member Environmental Advisory Council (EAC) to explore all options for the acquisition and /or preservation of open space and make recommendations to the Board on feasible alternatives for acquisition or preservation.

(2) The Board of Supervisors will utilize its best efforts to appoint to the EAC, as members, one (1) member of the Board of Supervisors, one (1) member of the Planning Commission, and one (1) member of the Park and Recreation Board. The terms of office for any member of the EAC, who also serves as a member of another board or commission of the Township, shall be for one (1) calendar year commencing with their appointment by the Board of Supervisors. Any person appointed to the EAC who is not a member of a Board or Commission affiliated with the Township shall be appointed for a three (3) year term which said terms shall be staggered for all members at large appointed to the EAC so that the first person shall be appointed for an initial three (3) year term, the next for an initial two (2) year term and the last for an initial one (1) year term. Prior to the expiration of the term of appointment, the Board of Supervisors, the Planning Commission, and Park and Recreation Board shall provide the Board of Supervisors, in writing, with a recommendation for one of their members to be appointed to the EAC but the Board of Supervisors shall make the final determination as to the membership of the EAC. In addition, the Board of Supervisors may also appoint a representative of a recognized conservancy or land trust to act as a consultant to the committee, including but not limited to, the agencies noted in Appendix "A" to this Resolution

(3) The EAC shall endeavor to meet monthly as the need arises.

#### **SECTION FOUR: ESTABLISHING AN OPEN SPACE FUND**

The Township may establish a fund as permitted by law for the purpose of acquiring or preserving open space and the important natural resources located therein.

#### **SECTION FIVE: IDENTIFICATION**

(1) The EAC shall identify and map all areas of open space and important natural resources in the Township.

(2) The EAC shall attach priority to each area of open space. A priority of one (1) shall indicate the lowest level of desirability for preservation. A priority of ten (10) shall indicate the highest level of desirability for preservation. When setting priorities, the EAC shall consider the following factors:

- a. presence of protected natural resources and other natural features of the open space including but not limited to the presence of wetlands, the location of open space within a watershed area or flood plain, and the presence of species of flora and fauna of special concern;
- b. suitability for use for agricultural purposes;
- c. suitability for use for recreational purposes;
- d. suitability for other uses consistent with the character of the land as open space;
- e. aesthetic value to the community;
- f. negative features such as the known presence of environmental hazards, contaminants, nuisances or other dangers;
- g. The danger or likelihood of imminent development;
- h. presence of historical structures;
- i. presence of archaeological sites or other features of importance to the preservation of the heritage of Lower Makefield;
- j. linkage of adjoining areas of protected open space that may be protected in the future; and
- k. importance to the free movement of wildlife through the area.

(3) The EAC shall present its findings to the Board of Supervisors. The EAC, with approval of the Board of Supervisors, may alter the priorities as circumstances warrant.

(4) The identification, mapping and prioritizing should be completed within eight (8) to twelve (12) months of the formation of the EAC. The identification, mapping and prioritizing shall be the first phase of a comprehensive environmental resource inventory of the Township that shall be revised and expanded as necessary to reflect changing conditions in the Township.

(5) The Board of Supervisors hereby authorizes expenditure of funds not to exceed \$1,000.00 to match available grants for supplies and professional assistance in the identification, mapping and prioritizing process.

## **SECTION SIX: NOTICE**

(1) The Board of Supervisors shall send a letter via first class mail to all owners of open space designated as a priority of five (5) or higher by the EAC advising them of the Township's interest in acquiring and/or preserving open space. The letter shall request the landowner's voluntary cooperation in notifying the Township should they consider the sale or transfer of all or any portion of their open space.



(2) From time to time, but no more than twice in any calendar year, the Board of Supervisors may send a follow-up letter to all owners of open space designated as a priority of five (5) or higher by the EAC advising them of the Township's continued interest in acquiring and/or preserving open space and requesting their continued voluntary cooperation.

(3) The Board of Supervisors may also send a letter to local realtors and real estate agencies advising them of the Township's interest in acquiring and/or preserving open space, and requesting their voluntary cooperation in notifying the Township of opportunities for acquisition and/or preservation of open space once they arise.

(4) The Board of Supervisors or the EAC may also initiate personal contact with landowners when deemed appropriate.

## **SECTION SEVEN:**

### **ADOPTING AN OPEN SPACE PRESERVATION PLAN**

(1) Upon notification of the availability of open space for acquisition or preservation, the EAC shall appoint one or more of its members to meet with the landowner or his/her agent. The EAC may request the participation of representatives of a land trust or conservancy in the discussions with the landowner or his/her agent.

(2) Within sixty (60) days after appointment, the EAC representative(s) shall meet with the landowner or his/her agent, and shall report back to the EAC regarding possible methods of acquiring or preserving the parcel. The EAC shall then make a recommendation to the Board at its next regularly scheduled public meeting.

(3) The EAC and Board of Supervisors may consider all methods for acquiring or preserving the open space that are permitted

(4) If the Board of Supervisors deems that acquisition or preservation of the parcel is feasible, it shall authorize the EAC to draft a preliminary open space preservation plan. The plan shall specify:

- a. identity of all parties to be involved in the transaction
- b. the intentions of the parties with regard to the parcel
- c. the size and location of the parcel
- d. natural and historic features of the parcel
- e. the intended use of the parcel
- f. possible methods of acquisition or preservation
- g. possible sources of funding

(5) Not later than sixty (60) days after receiving authorization from the Board of Supervisors, the EAC shall present a preliminary open space preservation plan to the Board of Supervisors. The Board of Supervisors shall approve, conditionally approve, or reject the plan.

(a) If the plan is approved as presented, or with changes or conditions, the Board of Supervisors shall direct the EAC to finalize the plans with the landowner or his/her agent, and incorporate the changes or conditions, if any.

(b) If the plan is rejected, the Board of Supervisors may direct the EAC to meet with the landowner or his/her agent in an effort to develop an alternative preliminary open space preservation plan. If the landowner and the EAC develop a new preliminary open space plan, the procedures set forth in this paragraph shall be followed.

(6) Upon approval of the preliminary open space preservation plan, the Board of Supervisors shall retain an environmental consultant to evaluate the open space for potential environmental hazards and contamination.

(7) Upon approval of the preliminary open space preservation plan, the Board of Supervisors shall also authorize a title search for the parcel.

(8) Not later than sixty (60) days after approval or conditional approval of the preliminary open space preservation plan, the EAC shall present to the Board of Supervisors at a regularly scheduled public meeting a final open space preservation plan. The plan shall meet the requirements of paragraph four (4) (a)-(e) above, but shall identify the final source (s) of funding and the chosen method(s) of acquisition and/or preservation.

At the meeting, the Board of Supervisors shall review the environmental consultant's evaluation of the parcel and the title search. After a hearing, the Board of Supervisors shall vote to approve or reject the final open space preservation plan.

(9) Upon approval of the final open space preservation plan, the Board of Supervisors shall take the actions required by the plan within a reasonable time.

#### **SECTION EIGHT:**

##### **REFUND OF REALTY TRANSFER TAX**

In lieu of acquiring or preserving open space through its own funds, the Township may facilitate the transfer of open space from the landowner to a third party desiring to keep the land in its natural state by refunding the Township percentage of the realty transfer tax. In return, the deed shall bear a restriction to run with the land prohibiting future development except for agricultural or recreational uses.

#### **SECTION NINE: SEVERABILITY**

If any section, paragraph, sub-section, clause or provision of this Resolution shall be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of this Resolution as a whole or any part thereof other than that portion specifically declared invalid.

#### **SECTION TEN: EFFECTIVE DATE**

This Resolution shall become effective in accordance with the provisions of the Second Class Township Code of the Commonwealth of Pennsylvania.

**RESOLVED**, this 15th day of August, 1994



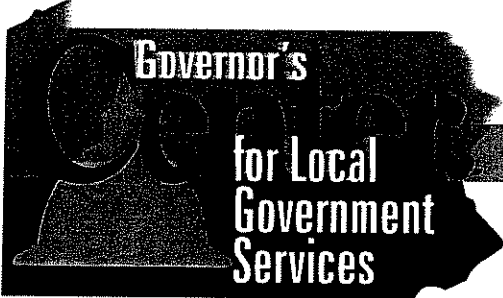
## **Sample Public Dedication of Park and Recreation Land.**

In accordance with the recommendations of the XX Township Park and Recreation Plan, all residential and non-residential subdivisions and land developments shall be provided with park and recreation land that shall be dedicated to the Township. The developer may request that the Township not require the dedication of land, and any such request shall be accompanied by an offer to pay a fee in lieu of dedication of the land, computed in accordance with the regulations provided herein, an offer to construct recreational facilities and /or an offer to privately reserve land for park or recreation purposes.

1. The land reserved for park, recreation and open space usage shall be a single lot which shall comply with the requirements of this ordinance relating to length to depth ratios and which shall be accessible to the public. No more than fifteen (15) percent of the lot shall consist of floodplain, wetlands or other features that shall render the lot undevelopable. No storm water management facilities designed to retain or detain water from other portions of the development shall be permitted on such land reserved for park, recreation and open space usage.
  - A. In the event that the tract contains natural features which are worthy of preservation, the developer may request that the Board permit the provision of recreational land configured in such a manner as to best preserve natural features.
  - B. The park, recreation and open space land shall be accessible to utilities such as sewer, water and power that are provided with the subdivision, and if so requested by the municipality that will accept dedication of the land, the developer shall extend such utilities to the park, recreation and open space land.
  - C. If the adjoining property has previously been developed and recreational land has been provided at the boundary of that previously developed property, the Board shall require that the recreational land required of the development shall be located adjoining the previously provided recreational land.
2. All residential subdivisions and residential land development fewer than five (5) new dwelling units and non-residential land developments smaller than 10,000 square feet from are exempt from park and recreation land dedication requirements.
3. The minimum area of land to be reserved as park or recreational land for each residential lot created in a subdivision or each dwelling unit created in a residential land development shall be as specified on the Park and Recreation Land Dedication Schedule adopted by resolution of the Board of Supervisors and available at the Township office.
4. The minimum area of land to be reserved as park or recreation land for each non-residential lot created or non-residential land development shall be as specified on

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



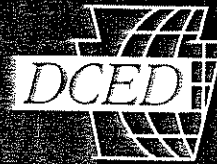


# Growing Smarter Toolkit

Catalog of Financial  
and Technical Resources

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# Growing Smarter Toolkit

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Catalog of Financial  
and Technical Resources

First Edition  
April 2002



Comments or inquiries on the subject matter of this publication should be addressed to:

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Department of Community and Economic Development  
400 North Street, 4<sup>th</sup> Floor  
Commonwealth Keystone Building  
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# Introduction

Grant money or technical assistance can stretch your tax dollars and help small budgets go the distance. But, you must be patient and realistic about the funding and assistance that is available, just as you must be patient and realistic about achieving your community visions and goals.

Each year, the Commonwealth of Pennsylvania makes available millions of dollars in financial assistance. This does not even account for the millions of dollars in human resources devoted to the technical assistance programs that support grant funding, education and training. This catalog should help you find and access those resources so your community can benefit from them.

## How to Use This Catalog

This catalog lists the current technical and financial assistance programs available in Pennsylvania. Each listing should provide you basic information on the program and a point of contact for more information. The programs are listed under general categories in the table of contents. For convenience, each program is also cross-referenced in the index at the back of the catalog.

At the beginning of each section, different state agencies or commissions are highlighted. These agencies and commissions work to support the technical or financial assistance programs either directly or indirectly. At times, these are the agencies that make the programs you need possible. You should become familiar with them and how they can help you.

Many of Pennsylvania's programs are designed to meet the diverse needs of our Commonwealth. Some programs combine agency interests and resources. And so, to ensure that you find the resource you need, some programs are listed under several, appropriate categories. This doesn't mean that a multi-listed program offers multiple sources of funding to one applicant. Rather, it ensures that the information is accessible to you regardless of where you look for it.

It is that simple. Identify programs that may be relevant to your project, then pick up the telephone, and call the contact listed. Most resources listed in this catalog direct you to a website for even more information and applications. But, if you can't find the information you are looking for or need, the Governor's Center for Local Government Services is available to help. You can call them at 1-888-2CENTER.

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# Farmland Preservation

Agriculture is the largest economic sector in Pennsylvania. Agricultural enterprises provide employment, personal income and taxes to local and regional economies. These enterprises use and conserve renewable natural resources and sustain and perpetuate our agricultural heritage. Farms and forests serve as important cultural resources, and their continued presence maintains Pennsylvania's rural culture, lifestyles and traditional economy.

## Farmland Preservation Programs

### Financial Assistance

- Agricultural Security Areas
- Pennsylvania Agricultural Conservation Easement Purchase Program
- Clean and Green Program
- Installment Purchase Agreement Pilot Program
- Land Trust Reimbursement Grant Program
- Next Generation Farmer Loan

## Agencies Working to Support Pennsylvania's Growing Smarter Initiatives

### Pennsylvania Department of Agriculture

The Pennsylvania Department of Agriculture (PDA) has worked to preserve farmland and agricultural production long before the principles of Executive Order 1999-1 on Land Use directed state agencies to incorporate farmland preservation into their land use policies. With more than 50,000 farms and 7.7 million acres of crop and pasture land, Pennsylvania farms produce food, create jobs and provide scenic open space, wildlife habitat, clean water and other environmental benefits. PDA's programs support the Governor's Growing Smarter Initiatives. PDA's participation on the Interagency Land Use Team helps local government officials and state agencies continue their efforts to keep Pennsylvania's farmland in agricultural production.

### Pennsylvania Rural Development Council

Pennsylvania is distinguished to have the largest rural population of any state in the nation. The Pennsylvania Rural Development Council helps to support these rural communities maintain this distinction and position themselves as full partners in the changing world economy. The Pennsylvania Rural Development Council provides information to rural counties or those who have rural resources in their communities, and facilitates the efficient and effective use of existing and new resources between the federal, state, local, public and private sectors. A partner with the Interagency Sound Land Use Team, the Pennsylvania Rural Development Council supports the Growing Smarter Initiatives and the agencies providing the resources in this catalog.

For more information, contact:

Pennsylvania Rural Development Council  
Phone: (717) 787-1954  
Website: [www.ruralpa.state.pa.us](http://www.ruralpa.state.pa.us)

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## **Agricultural Security Areas**

### **Program Sponsor:**

Pennsylvania Department of Agriculture, Bureau of Farmland Preservation

### **Description of Program:**

Designating land as an Agricultural Security Area (ASA) is a tool for protecting farms and quality farmland from the encroachment of non-agricultural uses. Once designated as an ASA, a farmer's land is protected from nuisance ordinances enacted by local municipalities. When farmland is designated in an ASA, additional levels of review are required for projects that involve condemnation.

### **Program Requirements:**

This is a voluntary program for farmers who meet the eligibility requirements. A combined minimum of 250 acres is required for the establishment of an ASA. An ASA may include non-adjacent farmland parcels of at least 10 acres or be able to produce \$2,000 annually from the sale of agricultural products.

An ASA is a prerequisite for consideration under the Easement Purchase Program.

### **Program Availability:**

ASAs are designated only once every 7 years. However, new parcels of farmland may be added to an established ASA at any time.

### **Contact Information:**

For more information, visit PDA's website at: [http://sites.state.pa.us/PA\\_Exec/Agriculture/bureaus/farmland\\_protection/index.htm](http://sites.state.pa.us/PA_Exec/Agriculture/bureaus/farmland_protection/index.htm)

Contact:  
Mary Bender, Director  
Pennsylvania Department of Agriculture  
Bureau of Farmland Preservation  
Phone: (717) 783-3167  
E-mail: [mabender@state.pa.us](mailto:mabender@state.pa.us)

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## **Pennsylvania Agricultural Conservation Easement Purchase Program**

### **Program Sponsor:**

Pennsylvania Department of Agriculture, Bureau of Farmland Preservation

### **Description of Program:**

The Pennsylvania Agricultural Conservation Easement Purchase Program was developed to enable state and county governments to purchase agricultural conservation easements (sometimes called development rights) from owners of quality farmland.

### **Program Requirements:**

In order to be chosen for easement purchase, an eligible farm must first be part of an Agricultural Security Area (ASA). The farm is rated against other eligible parcels according to specific criteria related to the quality of the farmland, stewardship practices related to conservation, nutrient management and control of soil erosion and sedimentation and the likelihood of conversion from farmland to other uses. State minimum requirements for the program can be found at:

[http://sites.state.pa.us/PA\\_Exec/Agriculture/G2/apply.html](http://sites.state.pa.us/PA_Exec/Agriculture/G2/apply.html).

### **Program Availability:**

Counties participating in the program have appointed agricultural land preservation boards with a state board created to oversee the program. The state board is responsible for distribution of state funds, approval and monitoring of county programs and specific easement purchases.

Participating counties and county agricultural land preservation board information is available online at [http://sites.state.pa.us/PA\\_Exec/Agriculture/G2/list\\_of\\_contacts.html](http://sites.state.pa.us/PA_Exec/Agriculture/G2/list_of_contacts.html).

### **Contact Information:**

Farmland Preservation applications are available from County Agricultural Land Preservation Boards.

A contact list is available online at: [http://sites.state.pa.us/PA\\_Exec/Agriculture/G2/list\\_of\\_contacts.html](http://sites.state.pa.us/PA_Exec/Agriculture/G2/list_of_contacts.html). The appropriate county administrator can provide assistance including information on application deadlines and requirements.

Contact:  
Mary Bender, Director  
Pennsylvania Department of Agriculture  
Bureau of Farmland Preservation  
Phone: (717) 783-3167  
E-mail: [mabender@state.pa.us](mailto:mabender@state.pa.us)

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## Clean and Green Program

### Program Sponsor:

Pennsylvania Department of Agriculture, Bureau of Farmland Preservation

### Description of Program:

The "Clean and Green" program protects farmland, forestland and open space by taxing land according to its use rather than the prevailing market value. This is a voluntary program for landowners.

### Program Requirements:

This voluntary program generally requires that the landowner keep a 10-acre minimum in designated use (agricultural use, agricultural reserve and forest reserve).

Parcels less than 10 acres and capable of producing \$2,000 annually from the sale of agricultural products are eligible for the agriculture use designation.

### Program Availability:

The program is administered at the local level by county tax assessment offices. Land taken out of the permitted use becomes subject to a rollback tax, imposed for up to 7 years, and an interest penalty.

### Contact Information:

To apply, landowners must contact their county tax assessment office for an application. The deadline for application is June 1 of each year for consider-

ation for the following tax year.

For more information, visit PDA's website at: [http://sites.state.pa.us/PA\\_Exec/Agriculture/bureaus/farmland\\_protection/index.htm](http://sites.state.pa.us/PA_Exec/Agriculture/bureaus/farmland_protection/index.htm).

Contact:  
Doug Wolfgang  
Pennsylvania Department of Agriculture  
Bureau of Farmland Preservation  
Phone: (717) 783-3167, or by  
E-mail: [dowolfgang@state.pa.us](mailto:dowolfgang@state.pa.us)

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## Installment Purchase Agreement Pilot Program

### Program Sponsor:

Pennsylvania Department of Agriculture, Bureau of Farmland Preservation

### Description of Program:

The Installment Purchase Agreement Pilot Program is a program whereby landowners may defer payment of capital gains taxes on an agriculture conservation easement purchase. The interest paid over the life of the IPA is not subject to Federal or Pennsylvania State income taxation.

### Program Requirements:

At the time a farmer applies to the county to sell an easement, the farmer will be asked to indicate a preference for direct (all-cash) or installment purchase or some combination of the two. For any installment purchase, the county and the farmer then negotiate the terms of the transaction. An agreement of sale is submitted to the PA Department of Agriculture for approval.

### Program Availability:

The long-term installment purchase program is available to farmers as an option when selling agricultural conservation easements. All program requirements for purchase of the easements must be met.

Each person considering selling a development rights easement under this program must rely on



advice from their own tax or financial advisor to evaluate the possible financial benefits of this transaction in light of individual circumstances, and to advise on IRS treatment of IPAs.

Assistance with obtaining an advisor can be obtained by contacting:

Michael W. Evanish, Manager  
Pennsylvania Farm Bureau  
MSC Business Services  
Phone: (717) 761-2740  
E-mail: mwevanish@pfb.com

### **Contact Information:**

For more information visit PDA's website at:  
[http://sites.state.pa.us/PA\\_Exec/Agriculture/bureaus/farmland\\_protection/IPA.html](http://sites.state.pa.us/PA_Exec/Agriculture/bureaus/farmland_protection/IPA.html).

Applications may be obtained from a County Agricultural Land Preservation Board. For a listing visit PDA's website at:  
[http://sites.state.pa.us/PA\\_Exec/Agriculture/G2/list\\_of\\_contacts.html](http://sites.state.pa.us/PA_Exec/Agriculture/G2/list_of_contacts.html).

Contact:  
County Farmland Preservation Board or  
Mary Bender, Director  
Bureau of Farmland Preservation  
Pennsylvania Department of Agriculture at  
Phone: (717) 783-3167  
E-mail: mabender@state.pa.us

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## **Land Trust Reimbursement Grant Program**

### **Program Sponsor:**

Pennsylvania Department of Agriculture

### **Description of Program:**

This program awards reimbursement grants to qualified land trusts. The program will reimburse qualified land trusts up to \$5,000 for expenses incurred in the acquisition of agricultural conservation easements. These expenses include appraisal costs, legal services, title searches, document preparation, title insurance, closing costs and survey costs.

### **Program Requirements:**

The program is limited to qualified land trusts only. Land trusts must register with the State Board and shall be tax-exempt institutions and include the acquisition of agricultural conservation easements in their stated purpose.

The subject property must meet minimum criteria published in the Pennsylvania Bulletin.

### **Program Availability:**

The Pennsylvania Agricultural Land Preservation Board is authorized to allocate up to \$500,000 from the Supplemental Agricultural Conservation Easement Purchase Account for reimbursement grants to be awarded to qualified land trusts.

Funds available for grants under the Land Trust Reimbursement Grant Program are available on a first-come, first-served basis until the funding is depleted.

### **Contact Information:**

For more information, visit PDA's website at:

[http://sites.state.pa.us/PA\\_Exec/Agriculture/bureaus/farmland\\_protection/landtrust.html](http://sites.state.pa.us/PA_Exec/Agriculture/bureaus/farmland_protection/landtrust.html).

Contact:  
Sandra Robison  
Pennsylvania Department of Agriculture  
Bureau of Farmland Preservation  
Phone: 717-783-3167  
E-mail: srobison@state.pa.us.

To register as a qualified land trust with the State Board to be eligible for reimbursement through this program, contact:

The Bureau of Farmland Preservation  
Phone: (717) 783-3167

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## **Next Generation Farmer Loan**

### **Program Sponsor:**

Pennsylvania Department of Agriculture

### **Description of Program:**

This program provides public assistance to new or beginning farmers to purchase land, farm equipment, farm buildings and breeding livestock.

The program uses federal tax-exempt mortgage financing to reduce a farmer's interest rate for capital purchases. The program is used between a borrower and a lender for a loan to make a direct purchase of farm and agricultural machinery and equipment. The tax-exempt interest income to the lender enables them to charge the borrower a lower interest rate. The interest income is exempt from federal, state and county taxes.

### **Program Requirements:**

Eligible applicants are new or beginning farmers who meet the lender credit standards. Applicants must also be a permanent resident of Pennsylvania and at least 18 years of age. Each applicant will be required to document access to adequate working capital, farm equipment and livestock, if appropriate.

Eligible applicants cannot have prior direct or indirect ownership interest in a substantial amount of land. Under this program, a substantial amount of land means a parcel that exceeds 30% of the median farm size in the county in which the land is located, or which had at any time during ownership a fair market value in excess of \$125,000.

When the transaction is complete, the qualified applicant must be the sole owner and principle user.

### **Program Availability:**

The maximum loan amount is \$250,000 per person. However, the total loan proceeds allocated to the purchase price of used equipment may not exceed \$62,500. The lender or the contract seller establishes all loan terms and makes all credit decisions.

Fees associated with the program vary between lenders and Industrial Development Authorities (IDAs). Fees are negotiated independent of the Pennsylvania Department of Agriculture.

### **Contact Information:**

For more information, visit PDA's website at:  
[http://sites.state.pa.us/PA\\_Exec/Agriculture/next\\_generation\\_loan/index.html](http://sites.state.pa.us/PA_Exec/Agriculture/next_generation_loan/index.html).

Contact:

Russell C. Redding

Deputy Secretary

Pennsylvania Department of Agriculture

Phone: (717)-787-3418

E-mail: [rredding@state.pa.us](mailto:rredding@state.pa.us)



# Open Space Preservation

Pennsylvania's natural resources are significant factors in our economic vitality, environmental health and quality of life. Greenways, waterways, wetlands and other kinds of natural areas function as valuable resources for open space, wildlife habitat, water protection, recreation and tourism.

## Open Space Preservation Programs

### Technical Assistance

- Community Conservation Partnerships Program

### Financial Assistance

- Community Conservation Partnerships Program

## Agencies Working to Support Pennsylvania's Growing Smarter Initiatives

### Pennsylvania Department of Conservation and Natural Resources

The Department of Conservation and Natural Resources (DCNR) manages the 116 state parks and 2.1 million acres of state forest land; provides information on the state's ecological and geologic resources; and establishes community conservation partnerships with financial and technical assistance to benefit rivers conservation, trails, greenways, community parks and recreation, regional heritage parks and open space and natural areas protection. The Community Conservation Partnerships Program grants have been used by local municipalities and nonprofit groups to shape the landscape and communities in which we live, work and play.

## **Community Conservation Partnerships Programs**

### **Program Sponsor:**

Pennsylvania Department of Conservation and Natural Resources – Bureau of Recreation and Conservation

### **Description of Program:**

The Community Conservation Partnerships Program is one of Pennsylvania's primary funding sources dedicated to helping communities, counties, nonprofits and regional coalitions undertake a variety of park, recreation, conservation, heritage and greenways projects.

The sources of funding for the program are the state's Keystone Recreation, Park and Conservation Fund (Key 93), Environmental Stewardship and Watershed Protection Act (Growing Greener), Act 68 Snowmobile/ATV Fund and general fund appropriations for the Pennsylvania Heritage Parks Program. The program is supplemented with federal funds from the Land and Water Conservation Fund (LWCF) and the Transportation Equity Act for the Twenty-first Century (TEA-21).

The Community Conservation Partnerships Program contains the following grant components: Community Recreation Grants, Land Trust Grants, Rails-to-Trails Grants, Rivers Conservation Grants, Heritage Parks Grants, Snowmobile/ATV Grants, Land and Water Conservation Fund Grants and Pennsylvania Recreational Trails Grants.

### **Program Requirements:**

Grants are provided for planning, acquisition, development and rehabilitation of park, recreation, conservation, greenways and heritage areas and facilities and, in some components, maintenance of trails. Some components of the program offer funding for technical assistance, education and training projects. Heritage Parks grants can also fund promotion and marketing, special purpose studies and other heritage conservation, tourism and development projects.

Generally, all grant components require a match, usually 50%, of cash or in-kind contributions. In addition, ownership or control of the project site is generally required.

Specific requirements for each grant component (except for the Heritage Parks Grants) are detailed on DCNR's website at [www.dcnr.state.pa.us/grants](http://www.dcnr.state.pa.us/grants). Program requirements for the Heritage Parks Grant can be found at [www.dcnr.state.pa.us/brc/heritageparks/index.htm](http://www.dcnr.state.pa.us/brc/heritageparks/index.htm).

### **Program Availability:**

Eligible applicants are county and local governments; municipal authorities; and nonprofit recreation, conservation, greenway and watershed groups. For some components, private for profit enterprises, school districts and other educational institutions can receive funding.

For the Heritage Parks Program, only designated Heritage Park management entities are eligible. In turn, these entities pass the funding onto eligible communities and nonprofit groups in their heritage corridors, areas or regions.

Technical Assistance on the grant components is available through the appropriate Regional Office or the Central Office in Harrisburg.

### **Contact Information:**

DCNR's Community Conservation Partnerships Program website [www.dcnr.state.pa.us/grants](http://www.dcnr.state.pa.us/grants) provides a detailed explanation of the program and each of the grant components. The website contains the Grant Application Manual and forms, pre-application workshop information and other application instructions and requirements. Information about the Pennsylvania Heritage Program and the Heritage Parks Grants can be found at [www.dcnr.state.pa.us/brc/heritageparks/index.html](http://www.dcnr.state.pa.us/brc/heritageparks/index.html).

Or, for more information and copies of the manuals, forms, and other program materials, including technical assistance and pre-application workshop information, contact the appropriate Regional Office listed.

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**Regional Field Offices:****Southeast Field Office**

*Assisting Bucks, Chester, Delaware, and Montgomery counties and Philadelphia*

908 State Office Building  
1400 Spring Garden Street  
Philadelphia, PA 19130-4088  
Phone: (215) 644-0609  
Fax: (215) 560-6722

**Northeast Field Office**

*Assisting Berks, Bradford, Carbon, Lackawanna, Lehigh, Luzerne, Monroe, Northampton, Pike, Schuylkill, Sullivan, Susquehanna, Tioga, Wayne and Wyoming counties*

201 Samters Building  
101 Penn Avenue  
Scranton, PA 18503-2025  
Phone: (570) 963-4157  
Fax: (570) 963-3439

**Southcentral Field Office**

*Assisting Adams, Bedford, Blair, Cambria, Cumberland, Franklin, Fulton, Huntingdon, Juniata, Mifflin, Perry, Somerset and York counties*

P.O. Box 1554  
Harrisburg, PA 17105-1554  
Phone: (717) 772-3839  
Fax: (717) 705-2943

**Northcentral Field Office**

*Assisting Centre, Clinton, Columbia, Dauphin, Lancaster, Lebanon, Lycoming, Montour, Northumberland, Snyder and Union Counties*

P.O. Box 1554  
Harrisburg, PA 17105-1554  
Phone: (717) 772-3839  
Fax: (717) 705-2943

**Southwest Field Office**

*Assisting Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Indiana, Washington and Westmoreland counties*

1405 State Office Building  
300 Liberty Avenue  
Pittsburgh, PA 15222-1210  
Phone: (412) 880-0486  
Fax: (412) 565-2635

**Northwest Field Office**

*Assisting Cameron, Clarion, Clearfield, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, Potter, Mercer, McKean, Venango and Warren counties*

1301 French Street  
1200 Lovell Place  
Erie, PA 16503-2646  
Phone: (814) 871-4190  
Fax: (814) 454-7494

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**Pennsylvania Heritage Parks Program  
Coordination Offices:****Eastern PA District**

201 Samters Building  
101 Penn Avenue  
Scranton, PA 18503-2025  
Phone: (570) 963-4973  
Fax: (570) 963-3439

**Western PA District**

P.O. Box 1554  
Harrisburg, PA 17105-1554  
Phone: (717) 772-4361  
Fax: (717) 705-2943



# Environmental Protection and Conservation

Pennsylvania has a long history of protecting its environment. From improving air quality, the restoration of wetlands, improving abandoned minelands and brownfields, improving water resource management and protecting our watersheds to waste management and recycling, Pennsylvanians have taken seriously the responsibility to leave Penn's Woods as a living, sustainable legacy for generations to come.

## Technical Assistance

- The Pennsylvania Small Towns Environmental Program (PENN STEP)

## Financial Assistance

- Growing Greener Grant Program
- Water
  - Coastal Zone Management Program
  - Source Water Protection Grants
  - Storm Water Management Program
  - Section 319 – Nonpoint Source Management Grant
- Solid Waste Management
  - Act 101 County Planning Grants
- Mitigation/Resistance Planning
  - Competitive Hazard Mitigation Grants
  - Flood Mitigation Assistance Program
  - Project Impact
  - Floodplain Land Use Assistance Program

## Agencies Working to Support Pennsylvania's Growing Smarter Initiatives

### Pennsylvania Department of Environmental Protection

The Pennsylvania Department of Environmental Protection (DEP) is the state agency largely responsible for administering Pennsylvania's environmental laws and regulations. DEP's responsibilities include: reducing air pollution; making sure the drinking water is safe; protecting water quality in Pennsylvania's rivers and streams; making sure waste is handled properly; managing the Commonwealth's recycling programs and helping citizens prevent pollution and comply with the Commonwealth's environmental regulations. DEP is committed to general environmental education and encouraging effective public involvement in setting environmental policy. To meet its responsibilities, DEP works as a partner with individuals, organizations, governments and businesses to prevent pollution and restore Pennsylvania's natural resources.



## **The Pennsylvania Small Towns Environmental Program (PENN STEP)**

### **Program Sponsor:**

Pennsylvania Department of Environmental Protection (DEP), Bureau of Water Supply Management

### **Program Requirements:**

PENN STEP is designed for smaller communities interested in solving their drinking water or wastewater problems through self-help techniques. This program provides guidance, assistance and support directly to members of the community that are responsible for project organization, implementation and completion. This program includes assistance for choosing engineering services, project planning, organizing local resources, working with volunteer labor and working with contractors. PENN STEP can assist in a community's search for equipment, materials and funding. PENN STEP can also help coordinate various forms of assistance from state, federal, and private sources.

### **Program Availability:**

A public meeting is held with a PENN STEP representative who explains the program to an interested community, answers any questions and discusses the potential readiness criteria.

To be eligible for PENN STEP, a program is evaluated according to the potential of the community to successfully undertake the project and the readiness of the community to do the project work.

### **Contact Information:**

For more information go to  
<http://www.dep.state.pa.us/dep/deputate/waterops/re/design/subpages/subpages/pennstepmain.html>

To start the process, interested communities should contact:

Kevin Karmosky  
Pennsylvania Department  
of Environmental Protection  
PENN STEP Coordinator  
Phone: (717) 787-0122  
E-mail: [kkarmosky@state.pa.us](mailto:kkarmosky@state.pa.us).

## **Growing Greener Grant Program**

### **Program Sponsor:**

Pennsylvania Department of Environmental Protection (DEP), Growing Greener Grant Center

### **Description of Program:**

Authorized by the Environmental Stewardship and Watershed Protection Act for 1999, the purpose of this grant is to address water quality impaired watersheds in Pennsylvania that are polluted by nonpoint sources of pollution such as abandoned mine drainage, urban and agricultural runoff, atmospheric deposition, on-lot sewage systems and earthmoving. The grant addresses these and similar concerns through local, watershed-based planning, restoration and protection efforts.

### **Program Requirements**

Eligible proposals address nonpoint source pollution in the short-term or long-term through local, watershed based planning, restoration or protection efforts. Proposals fall into one or more of the following categories:

1. organization of a watershed group;
2. watershed assessments and development of watershed restoration or protection plans;
3. implementation of watershed restoration or protection projects;
4. demonstration projects, and
5. education/outreach projects.

Projects must be discussed with the appropriate DEP watershed manager before preparing the grant application.

### **Program Availability:**

Grant rounds are held annually. Grant applications are posted on DEP's website prior to deadline. Electronic submissions are accepted. If filing is done electronically, five copies of the required topographic maps and letters of support must be provided in hard copy format.

**Contact Information:**

Program background and guidelines are available on DEP's website at:

<http://www.dep.state.pa.us/growgreen/defaultdep.html>

DEP Regional Watershed Managers or County Watershed Specialists are listed at:

[http://www.pawatersheds.org/KWN/service\\_providers/wsmanagers.html](http://www.pawatersheds.org/KWN/service_providers/wsmanagers.html)

[http://www.pawatersheds.org/KWN/service\\_providers/wsspecialists.html](http://www.pawatersheds.org/KWN/service_providers/wsspecialists.html)

Ronald Stanley  
Pennsylvania Department  
of Environmental Protection (DEP)  
Phone: 1-877-PAGREEN or (717) 705-5400  
E-mail: [growinggreener@state.pa.us](mailto:growinggreener@state.pa.us)

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**Coastal Zone Management Program****Program Sponsor:**

Pennsylvania Department of Environmental Protection (DEP), Office of River Basin Cooperation

**Description of Program:**

The Coastal Zone Management (CZM) Program provides grants and technical assistance to municipalities, certain nonprofit organizations and state agencies with direct impacts on Pennsylvania's two designated Coastal Zones, the Lake Erie shore line and the Delaware Estuary. These are federal funds which are administered by the U.S. National Oceanic and Atmospheric Administration (NOAA), a branch of the U.S. Department of Commerce.

**Program Requirements**

Potential applicants located within the designated Coastal Zone areas and with direct impacts on Lake Erie and the Delaware Estuary may apply for funding for projects which advance the CZM policies. Project proposals should address one or more of the following ten policy areas: Coastal Hazard Areas, Dredging and Spoil Disposal, Fisheries Management, Wetlands, Public Access for Recreation,

Historic Sites and Structures, Port Activities, Energy Facility Siting, Intergovernmental Coordination and Public Involvement.

**Program Availability:**

Any single project is generally limited to a maximum of \$50,000. Most grants require a 50% (dollar-for-dollar) match either in cash or with in-kind materials and/or services. Cash-match funds may include monies provided by a state private grant program but **may not** include funds from another federal grant source. Grant funding is based on the federal fiscal year and project term lengths begin October 1st each year. All CZM funded projects must be completed within eighteen months of their start date.

**Contact Information:**

Program fact sheets and guidance information are available on the PA DEP website at  
<http://www.dep.state.pa.us/river/czmp.html>

For a grant application contact:

Jim Nagy  
Pennsylvania Department  
of Environmental Protection (DEP)  
Phone: (717) 783-2402  
E-mail: [jnagy@state.pa.us](mailto:jnagy@state.pa.us)

Everald McDonald  
Pennsylvania Department  
of Environmental Protection (DEP)  
Phone: (717) 772-5619  
E-mail: [emcdonald@state.pa.us](mailto:emcdonald@state.pa.us)

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**Source Water Protection Grants****Program Sponsor:**

Pennsylvania Department of Environmental Protection (DEP), Bureau of Watershed Management

**Description of Program:**

Source Water Protection Grants are made available as a component of the Growing Greener Grant Program application. Grants are available to develop, complete or implement local source water

protection programs once a source water assessment is completed. Such programs protect drinking water sources used by community water systems based on the results of the state-provided source water assessment.

**Program Requirements:**

Recipients of grants must establish Source Water Protection (SWP) programs that meet DEP's minimum requirements. The SWP program should include public education, program promotion, support for pollution prevention methods, integration with land use planning and restoration and/or conservation of the source water protection area.

**Program Availability:**

Applicants apply for these grants as part of the Growing Greener Grant Application. Timeframes and due dates are consistent with the Growing Greener Grant program.

Funding for wellhead protection projects are capped at \$50,000. Funding for watershed protection projects are capped at \$200,000. Applicants must provide a 10% match.

**Contact Information:**

For more information, contact:

Jennifer Bandura  
Pennsylvania Department  
of Environmental Protection (DEP)  
Phone: (717) 772-4044

Program background and information can be found at [www.dep.state.pa.us](http://www.dep.state.pa.us) (directLINK "source water").

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**Stormwater Management Program**

**Program Sponsor:**

Department of Environmental Protection (DEP),  
Bureau of Watershed Management

**Description of Program:**

This program provides grants to counties to develop storm water management plans for designated water-

sheds and to municipalities to implement the plans. The Pennsylvania Stormwater Management Act (Act 167) requires that county develop and adopt storm water management plans for the watersheds within their boundaries and also to update those plans every five (5) years. The municipalities, located in the county adopted watershed plan areas, are required to enact, implement and administer storm water control ordinances. The grant assistance to counties and municipalities is limited to 75% of the costs for the eligible expenses.

**Program Requirements:**

The county must submit to DEP a letter of interest and a proposal for a watershed plan. A formal application by the counties is not necessary for this grant. Municipalities need to submit a reimbursement form annually to DEP.

**Program Availability:**

DEP makes \$1.2 million available for this program each fiscal year. Counties and municipalities are eligible for funding.

**Contact Information:**

More information can be found at [www.dep.state.pa.us](http://www.dep.state.pa.us) (directLINK "stormwater").

Contact:  
Durla Lathia,  
Pennsylvania Department  
of Environmental Protection (DEP)  
Phone: (717) 772-5661  
Email: [dlathia@state.pa.us](mailto:dlathia@state.pa.us)

Letters of interest with proposals, or Municipal Reimbursement Form, should be submitted to:

Durla Lathia  
Pennsylvania Department  
of Environmental Protection (DEP)  
P.O. Box 8555  
Harrisburg, PA 17105

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## **Section 319 – Nonpoint Source Management Grant**

### **Program Sponsor:**

Pennsylvania Department of Environmental Protection (DEP), Bureau of Watershed Management

### **Description of Program:**

Section 319 of the federal Clean Water Act provides states with grant funds to address specific nonpoint source water pollution problems. This funding essentially covers the same types of projects eligible under the Growing Greener Program.

### **Program Requirements:**

All grant funds are made on a reimbursement basis. Water quality impaired watersheds that are polluted by nonpoint sources are eligible for Growing Greener funds and Section 319 funds.

### **Program Availability:**

Proposals may be submitted by municipalities (counties, boroughs, townships, cities), incorporated nonprofit organizations and county conservation districts. Section 319 funds for FY 2003 will not be available before October 1, 2002.

Applicants apply for these grants as part of the Growing Greener Grant Application. Timeframes and application deadlines are consistent with that program.

### **Contact Information:**

Russell Wagner  
Pennsylvania Department  
of Environmental Protection (DEP)  
Phone: (717) 772-5642  
E-mail: ruwagner@state.pa.us

Or visit

<http://www.dep.state.pa.us/dep/deputate/watermgt/WC/Subjects/NonPoint.html>

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## **Act 101 – County Planning Grants**

### **Program Sponsor:**

Pennsylvania Department of Environmental Protection (DEP), Bureau of Land Recycling and Waste Management

### **Description of Program:**

This is a reimbursement grant for preparation of county solid waste management plans required by Act 101.

### **Program Requirements:**

Counties are eligible to receive 80% funding for preparation of a county solid waste management plan. This covers feasibility studies for management of waste in the county, including costs associated with educational programs for household hazardous waste and pollution prevention. It does not cover construction costs.

Applicants must set up a pre-application conference with DEP Regional Recycling Coordinators prior to application.

### **Program Availability:**

A maximum of \$200,000 is available per county. A total of \$2 million is allocated for the program each year. The application period is open-ended. Grant applications are only available from regional DEP staff after the pre-application conference.

### **Contact Information:**

For contact information for DEP Regional Recycling Coordinator access the DEP website at:

<http://www.dep.state.pa.us/dep/deputate/airwaste/wm/RECYCLE/document/DEPCOORD.html>

Contact:

Larry Holley  
Pennsylvania Department  
of Environmental Protection (DEP)  
Phone: (717) 787-7382  
E-mail: lholley@state.pa.us

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## **Competitive Hazard Mitigation Grants**

### **Program Sponsor:**

Pennsylvania Emergency Management Agency  
(PEMA), Hazard Mitigation Office

### **Description of Program:**

The Hazard Mitigation Grants Program provides funding to local governments for the acquisition and relocation or removal of structures from flood-prone areas. Funding is also provided for elevating existing structures or to “flood proof” them, and for the construction of structural hazard controls such as debris basins or floodwalls. Funding is also awarded for other measures that provide protection or reduces the likely damage from future disasters.

The Hazard Mitigation Grants Program may also fund measures that affect properties not damaged in a recent disaster, but which remain vulnerable to future disasters. The identification of projects in the Hazard Mitigation Plan will be used by PEMA to speed disaster recovery assistance to the affected communities immediately following an unusual catastrophic event.

### **Program Requirements:**

Grants under the program are made ONLY to local governments, special districts, private nonprofit agencies with a governmental function or Indian tribes. A local government may serve as an applicant agent for individuals.

For acquisitions, project applications that are submitted to FEMA for approval are reviewed for eligibility, cost-effectiveness and environmental impact.

### **Program Availability:**

Funding is generally given to acquisition and elevation projects. Because funds are limited, PEMA selects and prioritizes eligible projects on a competitive basis and submits the projects to FEMA for approval. The Hazard Mitigation Grants Program can provide up to 75% funding for hazard mitigation measures.

## **Contact Information:**

Ron Killins, Sr., State Hazard Mitigation Officer  
Pennsylvania Emergency Management Agency  
Bureau of Recovery and Mitigation  
Phone: (717) 651-2145  
E-mail at: rkillins@state.pa.us

For useful information and links, go to <http://www.pema.state.pa.us/>. Select Programs/Services, then Disaster Prevention & Recovery, then select Hazard Mitigation.

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## **Flood Mitigation Assistance Program**

### **Program Sponsor:**

Pennsylvania Emergency Management Agency,  
Hazard Mitigation Office

### **Description of Program:**

The Flood Mitigation Assistance Program (FMAP) provides funding to assist states and communities in implementing measures to reduce or eliminate the long-term risk of flood damage to buildings, manufactured homes and other structures insurable under the National Flood Insurance Program (NFIP). FMAP is a pre-disaster grant program.

### **Program Requirements:**

Communities that have flood mitigation plans can request approval of their plans from the FMAP state point of contact and FEMA. Approved plans make a community eligible to apply for FMAP project grants.

### **Program Availability:**

Any state agency, participating NFIP community or qualified local organization is eligible to participate in the FMAP.

FMAP funds are distributed from FEMA to the state. PEMA serves as the grantee and program administrator for the FMAP. FEMA may contribute up to 75% of the total eligible costs. At least 25% of the total eligible costs must be provided by a non-federal source. Of this 25%, no more than half can be provided as in-kind contributions from third parties.

**Contact Information:**

For more information about the Flood Mitigation Assistance Program, contact:

PEMA's State Hazard Mitigation Office  
Phone: (717) 651-2145, or 1-800-635-9692

Or visit PEMA's website at  
<http://www.pema.state.pa.us>

## **Project Impact**

**Program Sponsor:**

Pennsylvania Emergency Management Agency,  
Hazard Mitigation Office

**Description of Program:**

Project Impact is an initiative sponsored by the Federal Emergency Management Agency (FEMA) to create disaster resistant communities. Project Impact challenges communities to use long-term grassroots solutions and resources to prevent natural and technological disasters. Designated Project Impact communities receive funding to develop workgroups and projects that address every aspect of creating a healthy, disaster resistant community.

**Program Requirements:**

Any community that can show a significant threat from any natural or technological hazard is eligible to become a Project Impact community.

A municipality, multi-municipal group or county can seek designation. Applicants must demonstrate, among other things, the presence of multiple potential hazards, a history of problems or declared disasters and the leadership to build and continue partnerships.

**Program Availability:**

A municipality applies for designation to PEMA. PEMA's Hazard Mitigation Team reviews the application and forwards its recommendation to the Office of the Lieutenant Governor for review. From there, the application is sent to FEMA's regional office for final consideration.

**Contact Information:**

For more information about Project Impact, contact:

PEMA's State Hazard Mitigation Office  
Phone: (717) 651-2145, or 1-800-635-9692

Or visit PEMA's website at  
<http://www.pema.state.pa.us>

## **Floodplain Land Use Assistance Program**

**Program Sponsor:**

Pennsylvania Department of Community and Economic Development (DCED), Governor's Center for Local Government Services

**Description of Program:**

The Floodplain Management Program of the Governor's Center for Local Government Services focuses on providing technical and financial assistance to local governments to help them adopt and administer land use regulations and controls, to reduce and avoid future flood damages.

**Program Requirements:**

Municipalities seeking assistance must be participating in the National Flood Insurance Program (NFIP), complying with Act 166 and submitting an Annual Report. Funds are available to assist in the preparation, administration and enforcement of floodplain management regulations.

**Program Availability:**

A letter of intent must be submitted to the Governor's Center for Local Government Services. The letter of intent is available online at:  
[www.landuseinpa.com](http://www.landuseinpa.com).

Funding is awarded for up to 50% of eligible costs.

**Contact Information:**

Kerry Wilson  
Pennsylvania Department  
of Community and Economic Development  
Governor's Center  
for Local Government Services  
Phone: 1-888-2CENTER (1-888-223-6837)  
E-mail: [kerwilson@state.pa.us](mailto:kerwilson@state.pa.us).

Visit the Governor's Center for Local Government  
Services website for additional information at:  
<http://www.landuseinpa.com>.

# Infrastructure

Pennsylvania's water is a strategically important resource. The social and economic viability of the Commonwealth is greatly dependent upon the quantity and quality of this resource and its efficient distribution and use.

## Water Facilities

### Technical Assistance

- Water and Waste Water Outreach Program

### Financial Assistance

- Small Water Systems Regionalization Grant Program
- Small Water Systems Consolidation and Construction Grant Program
- Act 537 – Sewage Facilities Planning Assistance
- Public Utilities
- PENNVEST Funding

## Agencies Working to Support Pennsylvania's Growing Smarter Initiatives

### Pennsylvania Public Utility Commission

The Pennsylvania Public Utility Commission (PUC) is an independent, administrative, quasi-judicial agency vested with the responsibility to supervise and regulate all of the public utilities conducting business in the Commonwealth. The PUC regulates all investor-owned utility systems and municipalities that serve outside their municipal limits. Over the past two years, the PUC has supported the work of Pennsylvania's Interagency Team on Land Use and adopted a Policy Statement in accordance with the Commonwealth's goal to make state agency actions consistent with sound land use planning. To achieve this goal, the PUC routinely provides staff expertise and assistance to public utilities in the areas of water/wastewater, energy and telecommunications.

Expert and technical assistance is provided for applications (including new companies, mergers and acquisitions, additional territory, and abandonments), rate increase requests, utility visits to assist in compliance with regulations, line extensions and installations and waiver of various regulations.

For further information, contact:

Judith A. Koch-Carlson, (717) 783-5392 – Water/Wastewater

Robert J. Bennett, (717) 787-5553 – Energy

Gary Wagner, (717) 783-6175 – Telecommunications

For additional information about the PUC, please visit the website at [www.puc.paonline](http://www.puc.paonline).



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## **Water and Waste Water Systems Outreach Program**

### **Program Sponsor:**

Pennsylvania Department of Environmental Protection (DEP), Division of Technical Assistance and Outreach

### **Description of Program:**

This program provides technical assistance to municipal plant operators and staff and to small water systems. On-site assistance is provided through the Environmental Training Partnership (ETP). Technical assistance providers work for the program on a part-time basis and are otherwise employed full time as professionals in the water or wastewater field. Depending on the complexity of the site or the problems encountered, technical assistance can last anywhere from four weeks to one year or longer.

### **Program Requirements:**

Any publicly or privately owned water or wastewater system that has a desire to achieve, maintain or improve compliance is eligible for the program. There is NO COST for the on-site assistance. However, costs to implement necessary changes are the responsibility of the treatment system.

### **Program Availability:**

This program is voluntary and services are provided upon request.

The program offers hands-on on-site assistance in services such as: Process Control, Laboratory Procedures, Utility Management, Facility Management, Energy Efficiency, Auditing, Chlorine Minimization, Pre-Treatment, Solids Management, Grant Preparation, Self-Help Construction Practices, Safety, Collection System Operations, Distribution Systems Operations and Record Keeping and Reporting.

### **Contact Information:**

A request for assistance can be made with DEP by contacting the program directly.

Ned Sterling  
Pennsylvania Department  
of Environmental Protection (DEP)  
Phone: (717) 787-0122  
E-mail: [nsterling@state.pa.us](mailto:nsterling@state.pa.us)

More information can be obtained on the Drinking Water and Wastewater Operator web page at [www.dep.state.pa.us](http://www.dep.state.pa.us) (directLINK "operators").

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## **Small Water Systems Regionalization Grant Program**

### **Program Sponsor:**

Pennsylvania Department of Environmental Protection (DEP), Bureau of Water Supply Management

### **Description of Program:**

This program offers reimbursement for feasibility studies by local small water systems to study regionalization options.

### **Program Requirements:**

The proposed regionalized water system must involve at least one small water system (a community water system, that serves 3,300 or fewer people).

A local sponsor is needed for project.

### **Program Availability:**

Grant awards are limited to no more than 75% of the total cost of conducting a water systems regionalization study or \$75,000, whichever is less. The grantee must provide the local share in the form of matching funds or in-kind services at a minimum of 25% of the total cost of the study. The grantee must pay 100% of any costs in excess of \$100,000.

DEP has allocated \$500,000 for this grant for each Fiscal Year.

### **Contact Information:**

Grant application/technical guidance is available on the DEP website at [http://www.dep.state.pa.us/TechnicalGuidance/Draft\\_technical\\_guidance.asp](http://www.dep.state.pa.us/TechnicalGuidance/Draft_technical_guidance.asp).

Click on Document 383-5500-213.

Contact:  
Dennis Lee  
Pennsylvania Department  
of Environmental Protection  
Phone: (717) 772-4058  
E-mail: denlee@state.pa.us

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### **Small Water Systems Consolidation and Construction Grant Program**

#### **Program Sponsor:**

Pennsylvania Department of Environmental Protection (DEP), Bureau of Water Supply Management

#### **Description of Program:**

This new Initiative, established in 2001, is a follow-up program to the Small Water Systems Regionalization Grant Program. The program offers reimbursement for physical construction of interconnections between water supplies.

#### **Program Requirements:**

Eligible projects include construction of waterlines to interconnect water systems and repair of existing small water systems to meet standards or conditions of the acquiring system. Eligible costs associated with these types of projects include design, construction management, project administration, permits, layout, materials and labor.

#### **Program Availability:**

Grant awards are limited to 75% of all DEP-approved project costs or \$75,000, whichever is less. Grantee must provide the remaining 25% of the total study costs up to a total study cost of \$150,000. Local share can be in the form of matching funds or in-kind services. In addition to the 25% local share, grantee must pay 100% of any costs in excess of \$150,000.

DEP has allocated \$500,000 for this grant for each Fiscal Year. The application period is open-ended.

#### **Contact Information:**

Grant application/technical guidance is available on the DEP website  
[http://www.dep.state.pa.us/TechnicalGuidance/Draft\\_technical\\_guidance.asp](http://www.dep.state.pa.us/TechnicalGuidance/Draft_technical_guidance.asp).

Click on Document 383-5500-613

Contact:  
Dennis Lee  
Pennsylvania Department  
of Environmental Protection  
Phone: (717) 772-4058  
E-mail: denlee@state.pa.us

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### **Act 537 – Sewage Facilities Planning Assistance**

#### **Project Sponsor:**

Pennsylvania Department of Environmental Protection (DEP), Bureau of Water Quality Protection

#### **Description of Program:**

The Sewage Facilities Planning Assistance Program provides funding for municipalities to prepare new or updated official sewage plans as required by Act 537.

#### **Program Requirements:**

Eligible applicants include municipalities, counties and authorities.

#### **Program Availability:**

This program is open-ended and eligible applicants can submit applications at any time. The program reimburses applicants 50% of the reasonable and documented costs associated with developing a new or updating an existing sewage plan.

#### **Contact Information:**

John McHale  
Pennsylvania Department  
of Environmental Protection (DEP)  
Phone: (717) 787-8184  
E-mail: jomchale@state.pa.us

For background and guidance on the program, access the DEP website at [www.dep.state.pa.us](http://www.dep.state.pa.us) (directLINK "Act 537").

The grant application can be accessed on the DEP website at [http://www.dep.state.pa.us/dep/subject/All\\_Final\\_Technical\\_guidance/bwsch/bwsch.html](http://www.dep.state.pa.us/dep/subject/All_Final_Technical_guidance/bwsch/bwsch.html)

Click on Document 362-5512-002.

## **PENNVEST Funding**

### **Program Sponsor:**

The Pennsylvania Infrastructure Investment Authority (PENNVEST)

### **Description of Program:**

The Pennsylvania Infrastructure Investment Authority (PENNVEST) offers low-interest loans for design, engineering and construction of both publicly and privately owned drinking water distribution and treatment facilities, wastewater treatment and collection systems, and municipal storm water conveyance and control systems. PENNVEST ranking criteria considers public health and environmental benefits, as well as economic development impacts of a project, in order to bring together the goals of environmental improvements and job creation.

### **Program Requirements:**

Funding is provided for eligible components of projects that include design, engineering, and construction of publicly and privately owned drinking water and wastewater facilities as well as municipal owned storm water systems.

PENNVEST sets its funding based upon several socio-economic factors including the maximum interest rates determined in each individual county. These rates vary depending upon the county unemployment rate and the latest state bond issue, and are different for each county. Generally, rates range 1 percent to just under 5 percent interest for a typical 20 year term. The funding package is also dependent upon the resulting residential user fee (if

any). The interest rate may be reduced to as low as 1 percent for the entire term of the loan, and some supplemental grant funding may be available in order to keep the user fees in line with similar communities.

For individual homeowners, PENNVEST has a program offering low interest funding to pay for repair or replacement of their malfunctioning on-lot system that serves their principle residence. This program is administered in conjunction with the Pennsylvania Housing Finance Agency (PHFA). PENNVEST is able to provide up to \$25,000 to individual homeowners through innovative programs with an interest rate of close to 1.5 percent.

### **Program Availability:**

PENNVEST can fund any owner and/or operator of a water, sewer or municipal storm-water system with a project to construct a new system or improvements necessary to correct public health, environmental, compliance or safety deficiencies with existing systems. Funding is available for up to 100% of eligible project costs.

### **Contact Information:**

For a detailed explanation of how to apply for PENNVEST funding and important links, please go to <http://www.pennvest.state.pa.us/pennvest/cwp/view.asp?A=4&Q=72530>.

Contact your regional PENNVEST Project Specialist for additional information and initial review of your eligibility requirements.

# Transportation

Growing Smarter requires striking a balance between preservation, maintenance and growth; between new and old. Pennsylvania's infrastructure, especially its roads, highways and bridges, has helped to shape the landscape and communities in which we live, work and play. Coordination is essential in planning the infrastructure that will continue to shape the kind of Pennsylvania we want to leave as our legacy. Since infrastructure usually extends beyond municipal boundaries, planning for it should be both multimunicipal and local.

## Technical Assistance

- Local Training Assistance Program (LTAP)
- Pennsylvania's Traffic Calming Handbook
- Intermodal Coordinator Training
- Rail Freight Properties Directory
- Context Sensitive Solutions
- Highway Occupancy Permit
- PennPlan
- Model Ordinances
- Bicycling Directory of Pennsylvania

## Financial Assistance

- Unified Planning Work Program
- Transportation Project/Land Use Planning Coordination Initiative
- Pennsylvania Infrastructure Bank
- Transportation Management Association (TMA) Funding
- Transit Research & Demonstration Program
- Transportation Enhancements Program
- MPO Planning and Programming
- Intelligent Transportation Systems

## Agencies Working to Support Pennsylvania's Growing Smarter Initiatives

### The Pennsylvania Department of Transportation

The Pennsylvania Department of Transportation (PENNDOT), one of the nation's leading public works organizations is the sole state entity that provides highways, bridges and other transportation systems and services to the Commonwealth of Pennsylvania. It owns and operates the nation's fourth largest state-owned highway system and administers one of the nation's largest grant programs for mass transit, rail freight and aviation. PENNDOT provides these transportation systems and services through the active involvement of customers, partners and employees. Many of PENNDOT's programs support the smart growth initiative and provide funding for studies that coordinate transportation and land use.

More information about PENNDOT and its programs can be accessed by visiting <http://www.dot.state.pa.us>.

## **Local Training Assistance Program (LTAP)**

### **Project Sponsor:**

Pennsylvania Department of Transportation (PENNDOT), Bureau of Planning and Research

### **Description of Program:**

The Local Training Assistance Program (LTAP) is designed to help Pennsylvania municipalities, which maintain 68,500 miles of local roadways, make the best use of their roadway maintenance dollars.

LTAP provides a wide array of services, including technical assistance, training sessions and updates on the latest technologies and innovations, usually at no cost to the municipalities. LTAP is sponsored by PENNDOT, Federal Highways Administration (FHWA) and Penn State University, in cooperation with the Governor's Center for Local Government Services.

### **Program Requirements:**

Technical assistance is available upon request.

The Roads Scholar Program provides up-to-date road and street maintenance information. There is also an extensive list of publications and videos that can be loaned to municipalities at no cost.

### **Program Availability:**

The Roads Scholar Program offers two courses.

1. Provides training to municipalities to keep roads safer and properly maintained at lower costs.
2. Provides training for foremen, crew leaders, and elected municipal officials in topics such as planning, supervising, policymaking, and managing.

Both courses are offered at no charge.

### **Contact Information:**

Bob Garrett  
Pennsylvania Department  
of Transportation (PENNDOT)  
Bureau of Planning and Research  
Phone: (717) 787-0800  
E-mail: rgarrett@dot.state.pa.us.

A Technical Assistance Request Form can be found online. This can be submitted electronically or via telephone at 1-800-FOR-LTAP. Upon request, an engineer will answer your questions or come to your municipality to look at particular problems.

Access information via website at:  
<http://www.ltap.psu.edu>.

## **Pennsylvania's Traffic Calming Handbook**

### **Program Sponsor:**

Pennsylvania Department of Transportation (PENNDOT), Bureau of Highway Safety and Traffic Engineering

### **Description of Program:**

Pennsylvania's Traffic Calming Handbook (Pub. 383) provides guidance for PENNDOT when considering the use of traffic calming measures on state roadways in Pennsylvania. The handbook also provides municipalities with information that can help them establish a traffic calming program for roadways within their jurisdiction.

### **Program Requirements:**

Pennsylvania's Traffic Calming Handbook should be used in conjunction with the Institute of Transportation Engineer's (ITE) "Traffic Calming - State of Practice" publication. Modifications to the study and approval process presented in the publication may be needed to better reflect the conditions of the community.

### **Program Availability:**

When conditions warrant, traffic calming measures may be appropriate on the following roadway types (local or state-owned):

- Local residential streets
- Collector streets with predominantly residential land uses
- Arterial roads within downtown districts or commercial areas (with posted speeds of 40 mph or less)

**Contact Information:**

Doug Tomlinson  
 Pennsylvania Department  
 of Transportation (PENNDOT)  
 Bureau of Highway Safety  
 and Traffic Engineering  
 Phone: (717) 787-3657,  
 E-mail: dtomlin@dot.state.pa.us.

Pennsylvania's Traffic Calming Handbook (Pub. 383) is available on PENNDOT's website at www.dot.state.pa.us, keyword: traffic calming.

**Intermodal Coordinator Training**

**Program Sponsor:**

Pennsylvania Department of Transportation (PENNDOT), Bureau of Rail Freight, Ports and Waterways

**Description of Program:**

The initial pilot of an intermodal coordinator training course was held in 2001 to improve communication within the transportation community. The training developed a more formal approach to deal with cross-cutting transportation issues, such as dealing with the eminent domain for railroad right-of-way for a highway project, water port or airport access needs, etc.

**Program Requirements:**

The next course is currently being developed and may be held in late 2002 to early 2003. Training will be offered at four sessions in different regions of Pennsylvania. A primary focus will be the linkage between economic development and transportation, and techniques in addressing multi-modal/intermodal transportation planning issues.

**Program Availability:**

The initial four sessions of the course will be available to a group of hand-selected PENNDOT and public planning agency representatives.

**Contact Information:**

The program is not yet available. However, information may be available by calling:

Ran Marshall  
 Pennsylvania Department  
 of Transportation (PENNDOT)  
 Bureau of Rail Freight, Ports and Waterways  
 Phone: (717) 787-2627  
 E-mail: emarsha@dot.state.pa.us

**Rail Freight Properties Directory**

**Program Sponsor:**

Pennsylvania Department of Transportation (PENNDOT), Bureau of Rail Freight, Ports and Waterways, Rail Operations/Intermodal Programs

**Description of Program:**

The purpose of this directory is to identify properties located along the regional and shortline railroads in Pennsylvania that have the potential to be rail served. The directory serves as a valuable resource to promote economic development and increase the traffic base of the regional and shortline railroads. It also serves to foster ongoing collaborative efforts and communication between the railroads, economic development contacts, chambers of commerce, planning agencies, industrial real estate agents, developers, property owners and others.

The Directory identifies 205 properties in three geographic regions; Western, Central, and Eastern Pennsylvania. It has been used as a resource for companies wanting to move and/or expand business in Pennsylvania and want the benefits of rail service. Additionally, the directory identifies sites located in Keystone Opportunity Zones, providing businesses with added tax reduction benefits.

**Program Requirements:**

Properties that are rail served by a Pennsylvania shortline or regional railroad that are available for lease or purchase by a business requiring rail transportation can be included in the web-based version of the directory.

**Program Availability:**

The directory is available to economic development contacts, chambers of commerce, planning agencies, industrial real estate agents, developers, property owners and others.

**Contact Information:**

The directory can be accessed on the website at [www.dot.state.pa.us](http://www.dot.state.pa.us), click on Special Interest Areas, then Rail Freight then Properties Directory.

Contact:  
Ran Marshall  
Pennsylvania Department  
of Transportation (PENNDOT)  
Bureau of Rail Freight, Ports and Waterways,  
Rail Operations/Intermodal Programs  
Phone: (717) 787-2627  
E-mail: [emarsha@dot.state.pa.us](mailto:emarsha@dot.state.pa.us)

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**Context Sensitive Solutions****Program Sponsor:**

Pennsylvania Department of Transportation (PENNDOT), Bureau of Design, Highway Quality Assurance Division

**Description of Program:**

Context Sensitive Solutions is a collaborative, interdisciplinary approach to designing, constructing and maintaining transportation facilities, in which stakeholders (citizens, agencies, public officials, etc.) are part of the project team. Its goal is to balance safety, mobility and transportation needs while preserving scenic, aesthetic, historic, cultural, environmental and community values.

**Program Requirements:**

Context Sensitive Solutions builds on the existing project development process to encourage more proactive involvement with the stakeholders throughout the process.

**Program Availability:**

Training on Context Sensitive Solutions is currently being developed for the Planning, Design, Construction, and Maintenance communities.

**Contact Information:**

A Context Sensitive Solutions handbook is currently being developed with an anticipated completion date of early 2003. Access to the handbook will be available on the [www.dot.state.pa.us](http://www.dot.state.pa.us) website.

Contact:  
Dan Stewart  
Pennsylvania Department  
of Transportation (PENNDOT)  
Bureau of Design, Highway Quality  
Assurance Division  
Phone: (717) 787-0456  
E-mail: [dstewar@dot.state.pa.us](mailto:dstewar@dot.state.pa.us)

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**Highway Occupancy Permit****Program Sponsor:**

Pennsylvania Department of Transportation (PENNDOT), Bureau of Maintenance and Operations

**Description of Program:**

Consideration of local land use planning promotes coordination between PENNDOT and municipalities in the issuance of driveway permits. PENNDOT now requires applicants to complete a land use questionnaire when applying for certain driveway permits. PENNDOT uses this form to determine if the proposed project meets local land use requirements. In addition to the land use questionnaire form, early coordination meetings between PENNDOT, the applicant, municipalities and other stakeholders provides an opportunity for increased coordination with local land use efforts.

**Program Requirements:**

The land use questionnaire is included in all low, medium and high volume driveway applications.

**Program Availability:**

PENNDOT notifies municipalities of projects that do not meet zoning use requirements. In addition, municipalities and counties are encouraged to contact PENNDOT district offices to request notification of future application submissions for review and comments.

**Contact Information:**

Walter Knerr  
Pennsylvania Department  
of Transportation (PENNDOT)  
Bureau of Maintenance and Operations  
Phone: (717) 783-6473  
E-mail at: wknerr@dot.state.pa.us.

You may also contact your local PENNDOT district office or visit PENNDOT's website at [www.dot.state.pa.us](http://www.dot.state.pa.us), Keyword: Land Use.

**PennPlan****Program Sponsor:**

Pennsylvania Department of Transportation (PENNDOT), Department of Planning, Center for Program Development and Management

**Description of Program:**

PennPlan is the blueprint for all modes of transportation – highways, transit, passenger rail, freight rail, air and water facilities, and bicycle and pedestrian paths – and how these modes will interact and interconnect to form a system in the next quarter century in Pennsylvania. PennPlan identifies transportation directions, the mechanisms to measure progress toward objectives, and the means to achieve success.

**Program Requirements:**

Project consistency with PennPlan may receive a higher priority in programming.

**Program Availability:**

PennPlan is available to Municipal Planning Organizations (MPO), Local Development Districts (LDD), county planning commissions and the general public.

**Contact Information:**

Jim Smedley  
Pennsylvania Department  
of Transportation (PENNDOT)  
Department of Planning, Center  
for Program Development and Management  
Phone: (717) 772-1772  
E-mail: smedley@dot.state.pa.us

PennPlan is also available on PENNDOT's website at [www.dot.state.pa.us](http://www.dot.state.pa.us), select General Information, then Programs & Initiatives, then PennPlan.

**Model Ordinances****Program Sponsor:**

Pennsylvania Department of Transportation (PENNDOT), Department of Planning, Center for Program Development and Management

**Description of Program:**

This program is still in its development stage. Model ordinances such as access management, noise and interchange will be developed by PENNDOT and made available for municipalities to adopt. Model ordinances are expected to be available in 2003.

**Program Requirements:**

Municipalities are encouraged to adopt these various model ordinances to enable them to control access, noise and interchange developments.

**Program Availability:**

Training on the use and benefits of these ordinances may be made available to help implementation.



**Contact Information:**

For more information on this developing program, contact:

Angela Watson  
 Pennsylvania Department  
 of Transportation (PENNDOT)  
 Department of Planning, Center  
 for Program Development and Management  
 Phone: (717) 787-5798  
 E-mail: awatson@dot.state.pa.us

When completed, model ordinances will be made available via PENNDOT's website.

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**Bicycling Directory of Pennsylvania**
**Program Sponsor:**

Pennsylvania Department of Transportation (PENNDOT), Bureau of Highway Safety and Traffic Engineering, Safety Management Division

**Description of Program:**

The Bicycling Directory is designed to provide a comprehensive listing of bicycling services and resources for both visitors and residents in Pennsylvania. The Bicycling Directory also encourages people to consider the bicycle as a viable mode of transportation. In addition, Touring Corridors provide six Bicycle PA routes for recreation on your bicycle.

**Program Requirements:**

There are no requirements to receive benefits under this program.

**Program Availability:**

Listed individuals and organizations have agreed to provide guidance, assistance and information regarding where to go, how to get there, and what to expect on a Pennsylvania cycling adventure.

**Contact Information:**

Dave Bachman  
 Pennsylvania Department  
 of Transportation (PENNDOT)  
 Bureau of Highway Safety and Traffic Engineering, Safety Management Division  
 Phone: (717) 783-8444  
 E-mail at: dbachma@dot.state.pa.us

The Directory is also available on PENNDOT's website at [www.dot.state.pa.us](http://www.dot.state.pa.us).

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**Unified Planning Work Program**
**Program Sponsor:**

Pennsylvania Department of Transportation (PENNDOT), Department of Planning, Center for Program Development and Management

**Description of Program:**

A Unified Planning Work Program (UPWP) is developed by the Department of Planning, Center for Program Development and Management annually. The UPWP outlines the work to be undertaken each state fiscal year, the end products of that work, and the cost associated with each task. Funding is determined by formulas based on population, transportation system complexity, air quality and other specific needs, and distributed to county and regional planning agencies.

**Program Requirements:**

Funds are provided to collect and analyze data, conduct long range transportation planning, perform needs studies, do congestion management system planning and to prioritize and program projects.

Work Programs must be submitted to PENNDOT by the end of February each year. A notice to proceed is usually given by July 1st.

**Program Availability:**

County and Regional Planning Agencies may apply for funding. Funds are provided only on a reimbursement basis.

**Contact Information:**

Tom Kotay  
 Pennsylvania Department  
 of Transportation (PENNDOT)  
 Department of Planning, Center  
 for Program Development and Management  
 Phone: (717) 787-7335  
 E-mail: kotay@dot.state.pa.us.

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**Transportation Project/Land Use  
 Planning Coordination Initiative**
**Program Sponsor:**

Pennsylvania Department of Transportation  
 (PENNDOT), Department of Planning, Center for  
 Program Development and Management

**Description of Program:**

Federal Planning funds are available for transportation impact studies, corridor studies, comprehensive plan updates, major project/land use coordination and other studies which involve the consideration of land use.

**Program Requirements:**

Study proposals must be submitted through an Municipal Planning Organization (MPO) /Local Development District (LDD) or Independent county. Funding is available for up to 80% of project/study costs; a 20% local or other funding match is required.

**Program Availability:**

Municipalities, counties, MPO/LDD/independent counties and other planning organizations are eligible for funding. Funds are available on a statewide competitive basis. Funding priorities are established by PENNDOT on an annual basis.

Funding decisions are made by PENNDOT in March of each year. Funds are distributed on July 1st.

**Contact Information:**

Angela Watson  
 Pennsylvania Department  
 of Transportation (PENNDOT)  
 Department of Planning, Center  
 for Program Development and Management  
 Phone: (717) 787-5798  
 E-mail: awatson@dot.state.pa.us.

Information is also available on PENNDOT's website at [www.dot.state.pa.us](http://www.dot.state.pa.us), select General Information, then Programs & Initiatives, then Land Use.

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**Pennsylvania Infrastructure Bank**
**Program Sponsor:**

Pennsylvania Department of Transportation  
 (PENNDOT) Center for Program Development and  
 Management

**Description of Program:**

The Pennsylvania Infrastructure Bank is a PENNDOT operated program of low interest loans to assist in the funding of transportation improvements around the Commonwealth.

**Program Requirements:**

Most capital projects are eligible. They include new construction of, and improvements to, highways and bridges, transit and rail-passenger facilities and other transportation infrastructure. Construction projects receive the highest priority for funding.

- Projects should meet all federal, state and local planning, environmental and programming requirements.
- Applicants should be able to substantiate the project thoroughly demonstrates congestion reduction, mobility and access, environmental, safety and /or economic benefits. Projects with more than one benefit may be given a higher priority.

The Department can only loan state funds for projects that are part of the state-owned highway system or for projects that are normally eligible for state funds.

**Program Availability:**

Municipalities, counties, state government entities, public authorities, regional councils and private groups making public improvements to transportation facilities may apply. The amount of assistance will be established on a project by project basis.

Repayment terms are established on a project-specific basis, but should not exceed a maximum of ten years. PENNDOT encourages a repayment term of five years or less.

**Contact Information:**

More information, including the Pennsylvania Infrastructure Bank Loan Application and Pennsylvania Infrastructure Bank Operating Manual, is available on PENNDOT's website at [www.dot.state.pa.us](http://www.dot.state.pa.us). Keyword: Infrastructure Bank.

**Contact:**

Jim Smedley  
Pennsylvania Department  
of Transportation (PENNDOT)  
Center for Program Development  
and Management  
Phone: (717) 772-1772  
E-mail: [smedley@dot.state.pa.us](mailto:smedley@dot.state.pa.us).

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**Transportation Management Association (TMA) Funding****Program Sponsor:**

Pennsylvania Department of Transportation (PENNDOT) Department of Planning, Center for Program Development and Management

**Description of Program:**

A Transportation Management Association (TMA) is a non-profit organization whose mission is to develop and implement programs and projects aimed at reducing congestion and/or improving air quality. TMAs work with PENNDOT and local employers to implement these projects. They are funded with Congestion Mitigation Air Quality (CMAQ) funds through the regional Municipal Planning Organizations.

**Program Requirements:**

Only ozone non-attainment or maintenance areas are eligible for CMAQ funds. TMAs must be incorporated as a section 501(c) (3) or (4) organization at the time of application. An emissions analysis is required for CMAQ funds.

**Program Availability:**

CMAQ funds are allocated to MPOs.

**Contact Information:**

For more information contact your area MPO.

Or you may contact:

Mike Baker  
Pennsylvania Department  
of Transportation (PENNDOT)  
Center for Program Development  
and Management  
Phone: (717) 772-0796  
E-mail: [mbaker@dot.state.pa.us](mailto:mbaker@dot.state.pa.us).

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**Transit Research & Demonstration Program****Program Sponsor:**

Pennsylvania Department of Transportation (PENNDOT), Bureau of Public Transportation

**Description of Program:**

This program provides financial assistance for innovative projects that enhance the attractiveness of public transportation.

**Program Requirements:**

Research projects are those that propose to study a situation or operational function to improve the transit agency's ability to be more efficient and to increase ridership. They are limited to the maximum amount of \$50,000.

Demonstration projects are those that will actually be implemented with R&D program funding. These could involve innovative service delivery or advanced technology to improve transit operations, with the goal of increasing ridership and improving customer service and productivity.

**Program Availability:**

Eligible applicants include local transportation organizations within the Commonwealth of Pennsylvania and educational institutions, Regional Planning Commissions and private firms providing goods and services to the transit industry (provided that they obtain a local transit agency as a sponsor).

Approved projects are generally eligible for up to 80% of funding. The applicant is responsible for the remaining 20%.

**Contact Information:**

Chris Johnston  
Pennsylvania Department  
of Transportation (PENNDOT)  
Bureau of Public Transportation  
Phone: (717) 705-1493  
E-mail: [cjohnst@dot.state.pa.us](mailto:cjohnst@dot.state.pa.us).

Additional information is available on PENNDOT's website at [www.dot.state.pa.us](http://www.dot.state.pa.us).

Select: Bureau of Public Transportation in the organization search, then select Transit Research, then Transit Research & Demonstration Program.

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**Transportation Enhancements Program****Program Sponsor:**

Pennsylvania Department of Transportation (PENNDOT), Department of Planning, Center for Program Development and Management

**Description of Program:**

The Transportation Enhancements Program is designed to fund transportation related projects that are over and above what is considered routine construction and maintenance.

**Program Requirements:**

Projects must fall into one or more of the twelve eligible categories established in the Transportation Equity Act for the 21st Century. Within these categories, projects must have a relationship to the surface transportation system. An example would

be the rehabilitation of an historic train station. Also, a project may function as a component of a transportation system, such as a bike/pedestrian path. Proposals must be for a complete, identifiable and usable facility or activity. Funds are not available for partial projects that cannot function as a complete and useful activity. Funding is available, however, for a particular phase of a multi-phase project. Funds are available for design, acquisition, utility relocation or construction of projects.

Project sponsors may be municipalities or not-for-profit organizations. It is recommended that non-municipal project sponsors strongly consider working through a local or county government entity.

**Program Availability:**

A project must address a transportation need, use or benefit. For example, creating a pedestrian or bike path adjacent to, or separate but parallel to, an existing roadway addresses a transportation need. While the restoration of an historic building may create a tourist attraction, it is only eligible for funding if it is an historic transportation facility or transportation museum, or if there is a transportation use, need or benefit.

**Contact Information:**

Dan Accurti  
Pennsylvania Department  
of Transportation (PENNDOT)  
Department of Planning  
Center for Program Development  
and Management  
Phone: (717) 783-2258  
E-mail at: [daccurt@dot.state.pa.us](mailto:daccurt@dot.state.pa.us).

Information is also available on PENNDOT's website at [www.dot.state.pa.us](http://www.dot.state.pa.us), select General Information, then Programs & Initiatives, then Transportation Enhancement Program.

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## **Municipal Planning Organization Planning and Programming**

### **Program Sponsor:**

Department of Transportation (PENNDOT), Department of Planning, Center for Program Development and Management

### **Description of Program:**

PENNDOT provides financial guidance to Municipal Planning Organization, Local Development Districts and independent counties for the update of a region's transportation program. Programs are developed or updated every two years to represent the next four years of transportation projects.

### **Program Requirements:**

Potential transportation projects need to be submitted to a region's MPO, LDD or independent county for consideration. Selected projects are included in the region's Transportation Improvement Program.

Projects must be included on a region's Transportation Improvement Program in order to be included in the State Transportation Improvement Program. All transportation projects must be "programmed" to receive transportation funds.

### **Program Availability:**

Municipalities, counties, MPOs, LDDs and independent counties may recommend transportation projects.

### **Contact Information:**

For more information, contact your region's MPO, LDD or independent county planning agency. You may also contact:

Dennis Lebo  
Pennsylvania Department  
of Transportation (PENNDOT)  
Department of Planning  
Center for Program Development  
and Management  
Phone: (717) 787-5246  
E-mail: [dlebo@dot.state.pa.us](mailto:dlebo@dot.state.pa.us)

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## **Intelligent Transportation Systems**

### **Program Sponsor:**

Pennsylvania Department of Transportation (PENNDOT), Department of Planning, Center for Program Development and Management

### **Description of Program:**

Intelligent Transportation Systems (ITS) are designed to improve the movement of people and goods by deploying technology. Examples of ITS technology include traffic monitoring, incident detection and smart vehicles. The deployment of ITS improves safety, reduces congestion, and reduces the need to implement expensive capacity increasing projects.

### **Program Requirements:**

To be eligible for federal and/or state funding, ITS projects must be included on an Municipal Planning Organization, Local Development District or independent county Transportation Improvement Program.

### **Program Availability:**

ITS can be deployed statewide. ITS studies are eligible for federal and state transportation funds.

### **Contact Information:**

For more information, contact your region's MPO, LDD or independent county planning agency. Or you may contact:

Dennis Lebo  
Pennsylvania Department  
of Transportation (PENNDOT)  
Department of Planning  
Center for Program Development  
and Management  
Phone: (717) 787-5246  
E-mail: [dlebo@dot.state.pa.us](mailto:dlebo@dot.state.pa.us)

# Historic Preservation

Cultural resources can be archeological and historic sites or an historic landscape. However defined, these resources shape our communities and give them character. They serve as an important educational and economic or tourism asset.

## Technical Assistance

- Technical Assistance Grant

## Financial Assistance

- Certified Local Government Grant Program
- Keystone Historic Preservation Grant Program
- Pennsylvania History and Museum Grant Program
- Historic Preservation Grants
- Statewide Conference Grants

## Agencies Working to Support Pennsylvania's Growing Smarter Initiatives

### Pennsylvania Historical and Museum Commission

The Pennsylvania Historical and Museum Commission (PHMC) is the Commonwealth's official "history agency." The Bureau for Historic Preservation is part of PHMC and serves as the State Historic Preservation Office (SHPO). The role of the Bureau is to identify and protect the architectural and archaeological resources of Pennsylvania. The Bureau has the responsibility to work with individuals, communities, local governments and state and federal agencies to educate Pennsylvanians about the state's heritage and its value, to build better communities through preservation, to provide strong leadership, both individually and through partnerships, and to insure the preservation of Pennsylvania's heritage.

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## **Technical Assistance Grant**

### **Program Sponsor:**

Pennsylvania Historic Museum Commission (PHMC), Bureau of Historic Preservation

### **Description of Program:**

This grant program is designed to help a wide range of applicants acquire skills to undertake projects for organizations, including preservation planning, long range planning and developing a project scope in preparation for applying for a PHMC grant. The grants bring experts in the field to the organization's sites or provide staff training.

### **Program Requirements:**

Eligible organizations must meet the following requirements:

1. Must be located in Pennsylvania.
2. Must be a local government or have a tax-exempt status.
3. Must be incorporated and in existence for two years prior to submission of a grant application.
4. If applicable, must be registered with the Pennsylvania Commission on Charitable Organizations.

### **Program Availability:**

Organizations with general operating budgets of less than \$250,000 may apply for technical assistance. Organizations with general operating budgets over \$250,000 may apply if they are acting as a mentor for a smaller group. Organizations such as colleges and universities, conservancies, historical societies, local governments, museums, preservation organizations and schools and school districts are eligible to apply.

Grant awards will not exceed \$1,500. Applicants may apply for and receive more than one Technical Assistance Grant in any one year.

### **Contact Information:**

Applicants for this grant are required to use the web-based electronic grant application process. Exceptions are generally only made for those applicants who do not have the necessary equipment. The electronic grant application can be completed by accessing [www.artsnet.org/phmc](http://www.artsnet.org/phmc) and then selecting "egrants."

Additional information can be obtained by calling:

Michel R. Lefevre  
Phone: 1-800-201-3231, or (717) 787-0771  
E-mail: [mlefevre@state.pa.us](mailto:mlefevre@state.pa.us)

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## **Certified Local Government Grant Program**

### **Program Sponsor:**

Pennsylvania Historic Museum Commission (PHMC), Bureau for Historic Preservation

### **Description of Program:**

This program provides technical and funding assistance to local governments in order to enhance their ability to implement a historic preservation approach to sound land use planning and regulation. This program is funded by the National Historic Preservation Fund.

### **Program Requirements:**

Funding under this program is limited to federally designated Certified Local Governments (CLG). There is only one type of grant. The competitive process awards funding in the categories of cultural resource surveys, National Register nominations, technical and planning assistance, educational and interpretive programs, staffing and training, and pooling CLG grants and third party administration.

### **Program Availability:**

Certified Local Government Grants require a 60/40 match. The historic preservation grant can reimburse up to 60% of the total project. In-kind contributions may be used to satisfy the 40% local match. However, cash matches are strongly encouraged and will be considered in the evaluation process.

The maximum award under this program is \$25,000.  
Contact Information:

Applicants for this grant are required to use the web-based electronic grant application process. Exceptions are generally only made for those applicants who do not have the necessary equipment. The electronic grant application can be completed by accessing [www.artsnet.org/phmc](http://www.artsnet.org/phmc) and then selecting "egrants."

Additional information can be obtained by calling:

Certified Local Government  
Grant Administrator  
Michel R. Lefevre  
Phone: 1-800-201-3231, or (717) 787-0771  
E-mail: [mlefevre@state.pa.us](mailto:mlefevre@state.pa.us)

Certified Local Government Grant Manager  
Janice E. Stramara  
Phone: (717) 783-2838  
E-mail: [jstramara@state.pa.us](mailto:jstramara@state.pa.us)

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### **Keystone Historic Preservation Grant Program**

#### **Program Sponsor:**

Pennsylvania Historic Museum Commission (PHMC)

#### **Description of Program:**

This program provides funding for preservation, restoration and rehabilitation projects of historic resources listed in or eligible for listing in the National Register for Historic Places.

#### **Program Requirements:**

Funding under this program is available to nonprofit organizations and local governments for capital improvements on historic resources listed in or eligible for listing in the National Register of Historic Places. (Private property owners are not eligible for funding under this program.)

Preservation covenants are required on all properties receiving funding from the PHMC.

#### **Program Availability:**

Grants will be funded at 50%. Projects under \$5,000 and over \$100,000 may be considered at the Commission's discretion. Grant funding is supported annually with realty transfer tax revenue.

Application deadlines may be obtained by visiting the PHMC Grants Website at [www.artsnet.org/phmc](http://www.artsnet.org/phmc) or by calling 1-800-201-3231.

#### **Contact Information:**

Applicants for this grant are required to use the web-based electronic grant application process. Exceptions are generally only made for those applicants who do not have the necessary equipment. The electronic grant application can be completed by accessing [www.artsnet.org/phmc](http://www.artsnet.org/phmc) and then selecting "egrants."

Additional information can be obtained by calling:

Keystone Historic Preservation  
Grant Administrator  
Bryan Van Sweden  
Phone: (717) 772-5071  
E-mail: [bvansweden@state.pa.us](mailto:bvansweden@state.pa.us)

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### **Pennsylvania History and Museum Grant Program**

#### **Program Sponsor:**

Pennsylvania Historic Museum Commission (PHMC)

#### **Description of Program:**

Funding under this program is designated to support a wide variety of museum, history, archives and historic preservation projects, as well as nonprofit organizations and local governments. There are 10 types of grants, among which the following support the Growing Smarter Initiatives. For a complete listing, go to the PHMC Grant website at [www.artsnet.org/phmc](http://www.artsnet.org/phmc).

1. Historic Preservation Grants – Grants are available in differing amounts to support cultural resource surveys, National Register



nominations, planning and development assistance, educational and interpretive programs and archaeology.

2. PHMC Technical Assistance Grants – These grants assist organizations in solving problems, increasing professionalism and building capacity.
3. PHMC Statewide Conference Grants – This grant provides monies to organizations that plan and hold conferences relating to issues concerning the history, museum, historic preservation and cultural communities of Pennsylvania.

For additional information, please refer to the program entry under each grant program title.

## **Historic Preservation Grants**

### **Program Sponsor:**

Pennsylvania Historic Museum Commission (PHMC)

### **Description of Program:**

These grants are available in two different amounts to support projects in the categories of cultural resource surveys, National Register nominations, planning and development assistance, educational and interpretive programs and archaeology.

### **Program Requirements:**

Eligible organizations must meet the following requirements:

1. Must be located in Pennsylvania.
2. Must be a local government or have a tax-exempt status.
3. Must be incorporated and in existence for two years prior to submission of a grant application.
4. If applicable, must be registered with the Pennsylvania Commission on Charitable Organizations.

### **Program Availability:**

Organizations such as colleges and universities, conservancies, historical societies, local governments, museums, other historical organizations, museums and historic sites owned by the PHMC and operated by independent nonprofit organizations and multi-purpose organizations may apply for funding.

There are two levels of funding for Historic Preservation Grants:

1. Grants in amounts up to and including \$5,000 require no matching funds.
2. Grants in amounts of \$5,001 up to and including \$15,000 require 50/50 matching funds. In-kind contributions may be used to satisfy the local match requirement. However, cash matches are strongly encouraged and will be considered in the evaluation process.
3. Grant awards will not exceed \$15,000.

### **Contact Information:**

Applicants are encouraged to discuss their project ideas with the appropriate grant manager or administrator.

Additional information can be obtained by calling:

Historic Preservation Grant Manager  
Carol Lee  
Phone: 1-800-201-3231 or (717) 783-9918  
E-mail: [calee@state.pa.us](mailto:calee@state.pa.us)

Applicants for this grant are required to use the web-based electronic grant application process. Exceptions are generally only made for those applicants who do not have the necessary equipment. The electronic grant application can be completed by accessing [www.artsnet.org/phmc](http://www.artsnet.org/phmc) and then selecting "egrants."

## **Statewide Conference Grants**

### **Program Sponsor:**

Pennsylvania Historic Museum Commission  
(PHMC)

### **Description of Program:**

Statewide Conference Grants require no match and are awarded as “seed” money to organizations that plan and hold conferences relating to issues concerning the history, museum, historic preservation and cultural communities of Pennsylvania.

### **Program Requirements:**

Organizations such as colleges and universities, educational institutions, historical organizations and societies, historical preservation organizations, libraries (public and private), local governments, museums and other related organizations may apply for funding.

To apply for a Statewide Conference Grant, an organization must have tax-exempt status or be an entity of local government. Additionally, the organization must be incorporated and in existence for at least two years prior to the submission of the grant application and must be registered with the Pennsylvania Commission on Charitable Organizations, as required.

Conferences must be held in Pennsylvania and must appeal to a statewide, regional or national audience.

### **Program Availability:**

Grant awards are subject to the annual availability of funds from the Commonwealth of Pennsylvania.

### **Contact Information:**

Applicants for this grant are required to use the web-based electronic grant application process. Exceptions are generally only made for those applicants who do not have the necessary equipment. The electronic grant application can be completed by accessing [www.artsnet.org/phmc](http://www.artsnet.org/phmc) and then selecting “egrants.”

Additional information can be obtained by calling:

Ira F. Smith III  
Pennsylvania Historic Museum  
Commission (PHMC )  
Phone: 1-800-201-3231 or (717) 787-9927  
E-mail: [irsmith@state.pa.us](mailto:irsmith@state.pa.us)



# Urban Revitalization

Despite a movement of growth outside of Pennsylvania's urban cores, the states downtowns remain cultural, historical, educational, architectural and entertainment centers. Revitalizing the downtown communities support the foundation of the Commonwealth and its social and economic viability.

## Financial Assistance

- Main Street Program
- New Communities Program
- Keystone Opportunity Zones/Keystone Opportunity Expansion Zones
- Enterprise Zone Program

## Agencies Working to Support Pennsylvania's Growing Smarter Initiatives

### The Department of Community and Economic Development (DCED)

The Department of Community and Economic Development works to foster opportunities for businesses and communities to succeed and thrive in a global economy, thereby enabling Pennsylvanians to achieve a superior quality of life. To ensure growth and development in our businesses and communities across Pennsylvania, DCED is the cornerstone to a large number of programs focused specifically on building Pennsylvania's economy, empowering its communities and supporting its local governments.

For access to information about DCED and its programs visit [www.inventpa.com](http://www.inventpa.com). This web site has been developed to help businesses, local governments and individuals harness the power of the web to quickly and easily find the programs, initiatives and assistance that are available.

### Pennsylvania Department of Revenue

The Department of Revenue works to revive economically distressed urban and rural communities with one of the most powerful market-based incentives – eliminating taxes. Programs such as the Keystone Opportunity Zones (KOZ) and the Keystone Opportunity Expansion Zones (KOEZ) provide priority status to businesses for various state and local community-building assistance programs. The KOZ/KOEZ initiatives are jointly administered by the Department of Revenue and the Department of Community and Economic Development (DCED). It is through these partnerships that the Department of Revenue and DCED can work together to ensure growth and development for businesses and communities in the Commonwealth of Pennsylvania.

## **Main Street Program**

### **Program Sponsor:**

Pennsylvania Department of Community and Economic Development (DCED)

### **Description of Program:**

This five-year program is designed to help a community's downtown economic development effort through the establishment of a local organization dedicated to downtown revitalization, and the management of downtown revitalization efforts by hiring a full-time professional downtown coordinator. The Downtown Reinvestment Component uses business district strategies to support eligible commercial-related projects located within a central or neighborhood business district. This program has been merged into the New Communities Program.

### **Program Requirements:**

For the Main Street Program, administrative costs associated with the hiring of a coordinator and operating the office and design/facade are granted to private property owners within the target area; for the Downtown Reinvestment Component, physical improvements that are supported by a plan with clearly documented public benefit.

### **Program Availability:**

Generally, a municipality is the applicant for the Main Street Manager Component. Municipalities and redevelopment authorities are the eligible applicants for the Downtown Reinvestment Component. In limited cases, a Main Street nonprofit or Business District Authority with two years of audited records may apply for the funds.

A match is required for funding on the Main Street Component. For the Downtown Reinvestment and Anchor Building components, at least two thirds of total development costs must be committed.

### **Contact Information:**

Diana Kerr  
Office of Community Development  
Phone: 717-720-7411  
E-mail: dikerr@state.pa.us

Or, visit DCED's home page at [www.inventpa.com](http://www.inventpa.com). Select Communities in PA, then the Community Resource Directory.

## **New Communities Program**

### **Program Sponsor:**

Pennsylvania Department of Community and Economic Development (DCED)

### **Description of Program:**

This program provides grants to support the Enterprise Zone and Main Street Programs and downtown businesses providing technical and financial assistance to communities.

### **Program Requirements:**

There are no terms or conditions to this program.

### **Program Availability:**

Funding under this program is available to general purpose local governments, redevelopment authorities, economic development agencies, and qualified nonprofit community development agencies.

Eligible uses for funding include administrative support of business development in downtown and business park areas, downtown facade renovations, loan capital for property acquisition and improvements, equipment purchases and modernization.

### **Contact Information:**

Aldona Kartorie  
Office of Community Development  
Phone: (717) 787-7409  
E-mail: akartorie@state.pa.us

Applications are available at: [www.inventpa.com](http://www.inventpa.com). Select Communities in PA, then Building Better Communities, then Community Resources. This program utilizes the single application process.

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## **Keystone Opportunity Zones (KOZ) and Keystone Opportunity Expansion Zones (KOEZ)**

### **Program Sponsor:**

Pennsylvania Department of Community and Economic Development (DCED)

### **Description of Program:**

Keystone Opportunity Zones (KOZ) and Keystone Opportunity Expansion Zones (KOEZ) are geographic areas that are virtually free of state and local taxes. A KOZ/KOEZ is given priority for various state and local community-building assistance programs. The goal of the KOZ/KOEZ is to revive economically distressed urban and rural communities with one of the most powerful market-based incentives – eliminating taxes.

Pennsylvania is comprised of 12 KOZ regions. Within each region, there are KOZ subzones and specific properties identified. To view Pennsylvania's KOZ regions, go to:  
<http://koz.inventpa.com//find.html>

The KOZ/KOEZ initiatives are jointly administered by the Department of Revenue and the Department of Community and Economic Development (DCED).

### **Program Requirements:**

In order to receive benefits, under this program, you must become qualified and receive state certification. Businesses, property owners and residents must be fully compliant with all local and state taxes as well as building and zoning codes in order to be eligible.

### **Program Availability:**

To receive KOZ/KOEZ tax benefits a KOZ/KOEZ application must be completed and submitted by December 31 of each calendar year for which benefits are sought. The Zone Coordinator for each region will instruct applicants where to file the application.

### **Contact Information:**

For additional information, visit the Pennsylvania Department of Revenue's KOZ website at

<http://www.revenue.state.pa.us> or DCED's website at <http://koz.inventpa.com//index.html>.

### **Contact:**

Ryan Kociolek  
Department of Community and Economic Development (DCED)  
Office of Community Development  
Phone:(717) 720-7344

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## **Enterprise Zone Program**

### **Program Sponsor:**

Pennsylvania Department of Community and Economic Development (DCED)

### **Description of Program:**

The Enterprise Zone Program provides grants to financially disadvantaged communities for preparing and implementing business development strategies within municipal Enterprise Zones (EZ). The objectives of EZs are to improve a zone's business climate and to enable local governments to facilitate growth and employment opportunities. Additionally, the program is designed to help local governments and business communities form public-private partnerships to develop and sustain private investments and job creation. There are currently 29 Enterprise Zones within the state.

This program has been merged into the New Communities Program.

### **Program Requirements:**

Financially disadvantaged communities are eligible to receive assistance under this program.

### **Program Availability:**

Municipalities and redevelopment authorities are eligible for funding to assist in business development surveys, business development strategy/preparation and revolving fund business loans.

### **Contact Information:**

For more information, visit DCED's website at [www.inventpa.com](http://www.inventpa.com).



# Affordable Housing

In order to make the Commonwealth a better place to live and foster community and economic development, decent, safe and affordable homes are needed. This includes housing for older adults, persons of modest means and those persons with special housing needs. When communities and government work together to encourage market-sensitive and innovative land use planning concepts in urban areas, opportunities for homeownership and the transformation of distressed urban neighborhoods into attractive places to live are realized. These efforts offer Pennsylvanians a viable alternative to suburbia and sprawl development.

## Financial Assistance

- Homeownership Choice Demonstration Program
- Single Family Homeownership (Single Family) Program
- Multifamily Rental Housing Program

## Agencies Working to Support Pennsylvania's Growing Smarter Initiatives:

### The Pennsylvania Housing Finance Agency

The Pennsylvania Housing Finance Agency (PHFA) is Pennsylvania's leading provider of capital for affordable homes and apartments. In order to make the Commonwealth a better place to live while fostering community and economic development, PHFA provides capital for decent, safe and affordable homes and apartments for older adults, persons of modest means and those persons with special housing needs. PHFA provides a variety of programs that support community and economic development in Pennsylvania's communities.



## **Homeownership Choice Demonstration Program**

### **Program Sponsor:**

Pennsylvania Housing Finance Agency (PHFA)

### **Description of Program:**

The Homeownership Choice Demonstration Program (HCP) is designed to provide funds for the development of single family homes for purchase in urban communities. The HCP is intended to be a part of a municipality's comprehensive approach to increase the net investment in housing in urban areas while building mixed-income communities and encouraging diversity of homeownership.

### **Program Requirements:**

In order to achieve measurable impact, developments need to be conceived within the context of the overall strategic plans designed to produce significant scale. Therefore, PHFA has established 10 guiding principles for the HCP that coordinate program funding with efforts to address other factors that contribute to negative urban environments (i.e., unemployment, crime, lack of green or open space, etc.). The design of the proposed housing development must address the 10 Guiding Principles of the Program, which are found on PHFA's website at: [http://www.phfa.org/rfp/HCP\\_RFP\\_02152002.htm](http://www.phfa.org/rfp/HCP_RFP_02152002.htm).

To apply for funding, a proposal must be submitted to PHFA. Guidelines for proposal content and submission requirements are also available on PHFA's website at: [http://www.phfa.org/rfp/HCP\\_RFP\\_02152002.htm](http://www.phfa.org/rfp/HCP_RFP_02152002.htm).

### **Program Availability:**

Funding is available for joint effort between a for-profit builder / developer; local, non-governmental nonprofit builder / developer or Community Development Corporation (CDC) which has been previously engaged in housing development in the community; and the local government. Proposals coming from first class cities must be generated through and submitted by the municipal government.

For-profit homebuilders / developers should work in partnership with local nonprofit builder / developers or Community Development Corporations (CDCs).

This program is available to municipalities.

### **Contact Information:**

For proposal guidelines and submission requirements, visit PHFA's website at: <http://www.phfa.org/news/hcp.htm>.

Robert Bobincheck  
Pennsylvania Housing Finance Agency (PHFA)  
Phone: (717) 780-1801 or by  
E-mail: [bbobincheck@phfa.org](mailto:bbobincheck@phfa.org)

## **Single Family Homeownership (Single Family) Program**

### **Program Sponsor:**

Pennsylvania Housing Finance Agency (PHFA)

### **Description of Program:**

The Single Family Homeownership (Single Family) Program enables low- and moderate-income households to purchase new or existing homes by providing below-market interest rate financing through private lending institutions. The Single Family Program also provides consumer education and credit counseling for low and moderate-income households who might otherwise not achieve their goals of homeownership.

Under this program there are 10 separate programs. They are:

1. PHFA/Fannie Mae Disability Access Modification Loan Program
2. Statewide Homeownership Program
3. Lower Income Homeownership Program
4. Closing Cost Assistance Program
5. Homestead Second Mortgage Program
6. Access Home Modification Program
7. Access Down Payment and Closing Cost Assistance Loan Program

8. Joint Financing Program
9. FHA 203(k) Program
10. Purchase-Improvement Program

Each program is described on PHFA's website at: [www.phfa.org/programs/singlefamily/index.html](http://www.phfa.org/programs/singlefamily/index.html).

**Program Requirements:**

Each program has its own prerequisites, qualifications and specifications. Program requirements can be viewed by clicking on the appropriate link at [www.phfa.org/programs/singlefamily/index.html](http://www.phfa.org/programs/singlefamily/index.html).

**Program Availability:**

Funding is provided to homebuyers who meet the program eligibility requirements.

**Contact Information:**

Donald J. Plunkett  
Pennsylvania Housing Finance Agency (PHFA)  
Phone: (717) 780-3800 or 1-800-822-1174

Visit PHFA's website at <http://www.phfa.org>

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## **Multifamily Rental Housing Program**

**Program Sponsor:**

Pennsylvania Housing Finance Agency (PHFA)

**Description of Program:**

Assistance under this program takes the form of loans and tax credits to developers for rental housing construction and rehabilitation and technical assistance to sponsors and applicants who plan to submit funding requests for proposed development.

The Multifamily Rental Housing Program consists of several programs. These include:

- Construction Loan Program
- PennHOMES Program
- Taxable and Tax-exempt Bond Financing
- Low Income Housing Tax Credit Program

Information on each of these programs is available on PHFA's website at: [www.phfa.org/programs/multifamily/index.htm](http://www.phfa.org/programs/multifamily/index.htm)

**Program Requirements:**

Each program has its own prerequisites, qualifications and specifications. Program requirements can be viewed by clicking on the appropriate link at [www.phfa.org/programs/multifamily/index.htm](http://www.phfa.org/programs/multifamily/index.htm).

**Program Availability:**

Programs under the Multifamily Rental Housing Program are available to assist private developers, nonprofit organizations and local governments that provide and expand affordable housing opportunities for Pennsylvania's citizens.

**Contact Information:**

For program applications and information on application deadlines, visit PHFA's website at [www.phfa.org/programs/multifamily/index.htm](http://www.phfa.org/programs/multifamily/index.htm) and click on the appropriate link for each program.

David Evans  
Pennsylvania Housing Finance Agency (PHFA)  
Phone: (717) 780-3800



# Brownfields and Land Recycling

The Pennsylvania Brownfield Program encourages the cleanup and redevelopment of industrial and commercial sites and putting these sites back into production in a way that is safe for both workers and the community. Additionally, this preserves farmland and open space.

## Financial Assistance

- Brownfield Inventory Grants  
Under the Hazardous Sites  
Cleanup Act
- Brownfield Tax Incentive  
Program
- Keys Sites Initiative

## Agencies Working to Support Pennsylvania's Growing Smarter Initiatives

### Pennsylvania Department of Environmental Protection

The Pennsylvania Department of Environmental Protection (DEP) is the state agency largely responsible for administering Pennsylvania's environmental laws and regulations. DEP's responsibilities include: reducing air pollution; making sure the drinking water is safe; protecting water quality in Pennsylvania's rivers and streams; making sure waste is handled properly; managing the Commonwealth's recycling programs and helping citizens prevent pollution and comply with the Commonwealth's environmental regulations. DEP is committed to general environmental education and encouraging effective public involvement in setting environmental policy. To meet its responsibilities, DEP works as a partner with individuals, organizations, governments and businesses to prevent pollution and restore Pennsylvania's natural resources.

## **Brownfield Inventory Grants Under the Hazardous Sites Cleanup Act**

### **Program Sponsor:**

Pennsylvania Department of Environmental Protection (DEP) Bureau of Land Recycling and Waste Management

### **Description of Program:**

This grant provides municipalities and economic development agencies funding to inventory brownfield properties in their area. Grantees gather information about the properties available for redevelopment including information about existing infrastructure, suspected or confirmed environmental contamination, and other related site information and post it to the PA Site Finder Directory at <http://www.pasitefinder.state.pa.us>.

### **Program Requirements:**

Each brownfield site identified and inventoried by approved grantees is eligible for one reimbursement of \$1,000 per site with a maximum amount of \$50,000 allowable per grantee.

### **Program Availability:**

The grant is available to counties, municipalities and economic development agencies. Applications are accepted annually and deadlines are announced in the Pennsylvania Bulletin, DEP UPDATE newsletter and on the DEP website <http://www.dep.state.pa.us>

### **Contact Information:**

Grant applications can be downloaded from the DEP website at:  
<http://www.dep.state.pa.us/dep/deputate/airwaste/wm/landrecy/Inventory/BIG.htm>.

**Contact:**

Craig Olewiler

Department of Environmental Protection

Phone: (717) 783-7816

E-mail: [colewiler@state.pa.us](mailto:colewiler@state.pa.us)

## **Brownfield Tax Incentive**

### **Program Sponsor:**

Pennsylvania Department of Environmental Protection (DEP), Bureau of Land Recycling and Waste Management

### **Description of Program:**

The Brownfield Tax Incentive is a federal initiative designed to spur cleanup and redevelopment of brownfields. Environmental cleanup costs for eligible properties may be treated as fully deductible business expenses for the year in which costs are incurred or paid.

### **Program Requirements:**

Eligible properties must meet two requirements:

1. The property must be held by the taxpayer incurring the eligible expenses for use in a trade or business, or for the production of income, or the property must be properly included in the taxpayer's inventory.
2. A release or threat of release or disposal of any hazardous substance at or on the property.

Note: sites on EPA's National Priorities List (Superfund List) are excluded.

### **Program Availability:**

Eligible costs must be incurred or paid between August 5, 1997 and December 31, 2003.

### **Contact Information:**

J. Thomas Leaver, Outreach Specialist

Pennsylvania Department  
of Environmental Protection (DEP)

Phone: (717) 783-7816

E-mail: [jleaver@state.pa.us](mailto:jleaver@state.pa.us)

## **Key Sites Initiative**

### **Program Sponsor:**

Pennsylvania Department of Environmental Protection (DEP), Bureau of Land Recycling and Waste Management

### **Description of Program:**

Key Sites Initiative is an element of DEP's award winning land recycling program. It assists municipalities and non-profit economic development agencies by providing consulting services to carry out environmental site assessments and prepare cost estimates for cleanup plans in order to make a redevelopment project feasible. This helps to facilitate the voluntary cleanup and reuse of abandoned industrial properties, especially in smaller municipalities that have limited resources.

### **Program Requirements:**

Municipalities and nonprofit economic development agencies that own abandoned properties are eligible to receive these services. Special emphasis is placed on smaller municipalities and agencies that do not have the resources to complete site assessments or cost estimates.

Municipalities or nonprofit entities must demonstrate that the proposed project complies with local land use, zoning and subdivision ordinances.

### **Program Availability:**

Applicants must submit a Letter of Intent (LOI) to the Environmental Cleanup Program Manager in the appropriate DEP regional office. The LOI outlines a general description of the project and its anticipated public benefits.

### **Contact Information:**

Tom Fidler  
Pennsylvania Department  
of Environmental Protection (DEP)  
Phone: (717) 783-7816  
E-mail: tfidler@state.pa.us

Regional Environmental Cleanup Managers can be located at:

<http://www.dep.state.pa.us/dep/deputate/airwaste/wm/landrecy/FACTS/REGION.HTM#anchor950544>.



# Intergovernmental Cooperation

The Commonwealth of Pennsylvania is home to 2,567 municipalities – each responsible for providing its residents with services. Intergovernmental cooperation and multimunicipal planning offer users considerable benefits including improved services, enhanced environments and significant savings. Together, communities can effectively address issues that cross municipal boundaries including transportation, schools, emergency services, recreation and resource protection.

## Financial Assistance

- Land Use Planning and Technical Assistance Program (LUPTAP)
- Shared Municipal Services Grant Program
- Community Development Block Grants

## Agencies Working to Support Pennsylvania's Growing Smarter Initiatives

### The Governor's Center for Local Government Services

The Governor's Center for Local Government Services (Center) is considered to be the principal advocate for all Pennsylvania local governments and provides a range of technical and financial assistance. Through these programs, local officials can receive assistance in matters ranging from police complement to fiscal management to assistance on the Municipal Planning Code (MPC), and on the existing tools available to them to help manage growth within their communities and revitalize previously developed areas. The Center works in conjunction with local, state and national associations/organizations providing assistance, training and the necessary tools to make Pennsylvania's communities the best places to live and work.



## **Land Use Planning and Technical Assistance Program (LUPTAP)**

### **Program Sponsor:**

Pennsylvania Department of Community and Economic Development (DCED), Governor's Center for Local Government Services

### **Description of Program:**

This program provides financial assistance for municipalities and counties of the Commonwealth for developing and strengthening community planning and management. The program encourages intergovernmental cooperation in planning, including cooperation with contiguous municipalities, counties and school districts.

### **Program Requirements:**

The LUPTAP program provides financial assistance to fund activities such as:

1. Developing new or updated comprehensive community development plans and policies.
2. Preparing environmental protection or physical development strategies or special studies that will support comprehensive planning.
3. Developing or updating ordinances and other tools for the implementation of comprehensive community development plans and policies or environmental protection or physical development strategies.
4. Training and education when proposed as a participatory planning component of a planning program.
5. Other worthwhile planning activities that address further land use objectives that do not have a negative impact on land use. (DCED determines what activities are considered "worthwhile planning activities.")

### **Program Availability:**

DCED generally funds 50% of the total cost of an approved application. The grantee is required to provide the remaining 50%, normally as a cash

match. Some or all of the required local match may be substituted with professional services of a grantee's staff, but this should be discussed with the Governor's Center for Local Government Services before submission of the application. A proposal for the substitution is required with the grant submission.

DCED's Single Application for assistance may be submitted at any time.

### **Contact Information:**

John Mizerak  
Governor's Center  
for Local Government Services  
Phone: 1-888-2CENTER (1-888-223-6837)  
E-mail: [jmizerak@state.pa.us](mailto:jmizerak@state.pa.us)

Applicants must use the DCED Single Application when applying for LUPTAP funding. Copies of the Single Application kit are available through DCED Customer Service at 1-800-379-7448 or 717-787-3405 or on DCED's website at: [www.inventpa.com](http://www.inventpa.com).

## **Shared Municipal Services Grant Program**

### **Program Sponsor:**

Pennsylvania Department of Community and Economic Development (DCED), Governor's Center for Local Government Services

### **Description of Program:**

This program provides funding to promote cooperation between shared municipal services to increase the efficiency and effectiveness in the delivery of these services at the local level.

### **Program Requirements:**

There are two general project categories that a proposed project may fall under. They are:

1. Intermunicipal Organization Start-Up - Grants may be awarded to newly-formed Councils of Governments or similar organizations formed for the purpose of undertaking programs of

intermunicipal cooperation in order to defray the cost of initial administrative expenses.

2. Shared Services - Grants may be awarded to groups of two or more municipalities acting in concert to defray the cost of performance of any local government function.

### **Program Availability:**

Funding is awarded for such projects as combined police records administration, shared technology initiatives, municipal insurance pooling and shared public works operations. Also funded are programs for regional recreation activities, shared code enforcement operations, shared motorized equipment (not exceeding a maximum grant of \$25,000) or any authorized municipal function accomplished jointly (with the exception of the purchase, renovation or construction of buildings).

Grant funds are usually used to finance up to 50% of the total project cost. The rest of the project cost must be funded by local share. Local share may be provided in cash or by municipal labor or other in-kind services. However, the matching share for shared personnel projects must be in cash.

### **Contact Information:**

Fred Reddig  
Governor's Center  
for Local Government Services  
Phone: 1-888-2CENTER (1-888-223-6837)  
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Copies of the Single Application for assistance forms, application instructions and other information are available on line at [www.inventpa.com](http://www.inventpa.com), or by request from any DCED regional office, or by calling the DCED Customer Service Center at 1-800-379-7448.

## **Community Development Block Grants (DCED)**

### **Program Sponsor:**

Pennsylvania Department of Community and Economic Development (DCED), Governor's Center for Local Government Services

### **Description of Program:**

This program provides grant assistance and technical assistance to aid communities in their community and economic development efforts.

### **Program Requirements:**

Community Development Block Grant (CDBG) monies can be used for housing rehabilitation, public services, community facilities, infrastructure improvement development and planning. There are two components to the program:

1. Entitlement Program which provides annual funding to 27 third class cities, 128 boroughs and townships and 54 counties; and
2. Competitive Program which is available to all non-federal entitlement municipalities in Pennsylvania.

Seventy percent (70%) of each CDBG grant must be used for activities that benefit low- and moderate-income persons.

### **Program Availability:**

Local governments that are not designated by HUD as urban counties or entitlement municipalities are eligible for funding.

### **Contact Information:**

For more information, visit DCED's website at [www.inventpa.com](http://www.inventpa.com).

To request information or apply for the Entitlement Program contact:

Scott Dunwoody  
Department of Community  
and Economic Development (DCED)  
Phone: (717) 720-7402  
E-mail at: [sdunwoody@state.pa.us](mailto:sdunwoody@state.pa.us)

To request information or apply for the Competitive Program contact:

Tom Brennan  
Department of Community  
and Economic Development (DCED)  
Phone: (717) 720-7403  
E-mail: [tbrennan@state.pa.us](mailto:tbrennan@state.pa.us)



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