



**Springfield Township  
Planning Commission Meeting  
September 6, 2022**

This is the regularly scheduled meeting of the Springfield Township Planning Commission. These meetings are held in-person with a 7:00 PM start time. This meeting is held at Springfield Township Administration Building, located at 1510 Paper Mill Road, Wyndmoor, PA 19038.

**Notice:** The Planning Commission of Springfield Township is an advisory board appointed by the Board of Commissioners. The actions of the Planning Commission on any agenda item does not reflect a final decision. The Board of Commissioners must render the final action on all agenda items.

**Call To Order:**

<b>Roll Call:</b>	<b>Murray</b>	<b>Devine</b>	<b>Sands</b>
	<b>Schaefer</b>	<b>Blankin</b>	<b>Quill</b>
	<b>Gutowski</b>	<b>Mascaro</b>	<b>Helwig</b>

**Minutes:** There are no minutes from the July 5, 2022 to take action on.

**Commissioner’s Report:** Call on Commissioner Standish.

**Agenda Item:**

**PC1:** The Planning Commission will start their review of the Section 400 {General Standards} of the Montgomery County Planning Commission’s Model Subdivision & Land Development Ordinance as part of their review and update of the Springfield Township Subdivision & Land Development Ordinance.

**Adjourned:**

#### Section 400. General Standards.

The following principles, standards, and design requirements shall be used in the evaluation of all subdivision and land development proposals. Other design requirements as established in the Zoning Ordinance or other municipal ordinances shall be used in addition to the following:

- A. All portions of a tract shall be designated as to its use, such as lots, roads, open space, parking areas, or other proposed uses so that remnants and landlocked areas shall not be created.
- B. Applicants shall preserve scenic areas, historic sites, other community assets and landmarks, and natural amenities such as trees and waterways.
- C. Plans shall be designed to avoid excessive disturbance of vegetation and movement of earth.
- D. Development and disturbance of floodplain land areas shall be governed by additional standards contained in this Ordinance, the Springfield Township Zoning Ordinance, other sections of the township code, and the Uniform Construction Code.
- E. The applicant shall construct, install, and guarantee, at no expense to Springfield Township or its authorities, all improvements required as part of plan approval, including, but not limited to, streets, curbs, sidewalks, water and sewage facilities, stormwater management facilities, street lights, fire hydrants, road signs, monuments, lot pins, utilities, and shade trees.
- F. The standards contained within this Article are the minimum standards and requirements for the protection of the health, safety, and welfare of the residents of the Springfield Township and are to be used in all subdivisions and land developments. In addition, the Springfield Township Board of Commissioners reserves the right to require standards in excess of the minimum requirements if warranted to protect the health, safety, and general welfare of the community.
- G. The applicant shall offer for dedication to the appropriate jurisdiction any and all rights-of-way, easements, land, facilities, or other improvements, the Board of Commissioners reserves the right to accept or refuse offers of dedication to the Township for public uses.

#### Section 401. Conformance with Plans.

- A. Comprehensive Plans. Proposals for land development or subdivision shall be generally consistent with the latest Springfield Township Comprehensive Plan, especially as to the use of land, intensity of development, transportation, community facilities, and resource protection. Residential development should also be consistent with the housing element of the plan. All proposals should be located in areas designated for development in the future land use plan element and be serviced by currently available infrastructure or infrastructure that will be developed concurrent with the development.
- B. Other Plans. Proposals shall be generally consistent with the appropriate state, regional, county, and the municipally adopted comprehensive plan and other plans. Where regional facilities are proposed in the plan, including but not limited to highways, rail lines, rail stations, and transportation centers, effort shall be made to preserve needed

right-of-way for future infrastructure projects in the proposed land development or subdivision.

- C. Public Service Improvements. Proposals shall be consistent with the location and timing of public service improvements, such as water and sewage facilities, in accordance with the appropriate infrastructure plans governing those facilities. In addition, the location of public service facilities as outlined in a capital improvement program or official map should be considered.

#### Section 402. Principles of Site Organization.

Proposed land developments and subdivisions shall be designed to address the opportunities and limitations present on a site and its adjacent surroundings. The plan shall use site opportunities to enhance the overall quality of the development and lessen potential negative impacts upon a site and the surrounding community. The physical, social, and psychological needs of the users of the site should be evaluated and appropriately incorporated into the final subdivision layout or site design. The impacts of the proposed development on the natural environment and surrounding land uses shall be given a high priority and made an integral part of the overall design for the land development and subdivision. The following site organization guidelines shall be used:

- A. Site Improvement Layout. The buildings shall be placed in consideration with the site's topography, existing vegetation, and surrounding land uses, taking into account energy conservation, solar access, and pertinent natural features.
- B. Existing Natural Features. Existing natural features should be recognized and integrated into the site layout. Natural features including but not limited to, streams, steep slopes, wetlands, floodplains and floodways, unique habitat, woods, and similar natural resources should be considered strong design determinants and be incorporated into the overall site plan to strengthen the unique quality of the land.
- C. Open Space and Scenic Views. The placement of open space and preservation of scenic views should be a fundamental design decision. Open space lands should provide for a variety of benefits including recreation, natural resource protection, scenic views and vistas, and buffers for site elements and land uses.
- D. Circulation. Movement within a site and access to the site should be designed for the safety and convenience of various types of users. Cross access by various types of users, including but not limited to pedestrians, bicycle, those with limited or alternative mobility such as wheelchairs, and motor vehicles between properties and joint access shall be considered, in order to improve circulation.
- E. Relationship to Surrounding Uses. The proposed design should complement appropriate surrounding uses through building setbacks, buffers, and separation of uses. Various potential negative impacts upon surrounding land uses including noise, light, and loss of privacy should be mitigated.

- F. Sustainable Development. The development of a site should use construction methods and building materials that reduce energy, water, and fuel consumption needs of the property. Opportunities to utilize renewable energy sources, conserve and reuse water resources, and reduce fuel consumption should be considered.
- G. Health Hazards. The configuration of a subdivision or land development should reduce potential health hazards to the future users of the subdivision or land development and to the community as a whole.

#### Section 403. Lots.

- A. Lot Size. All lots shall be no smaller than the minimum lot area requirements of the applicable zoning classification and be generally sufficient in size and shape to adequately accommodate the development or use proposed for it.
  - 1. Lots that contain natural restrictions including but not limited to wetlands, water bodies, steep slopes, or other features shall be made large enough to provide suitable area for the intended use of the lot without requiring encroachment upon natural amenities.
  - 2. Lots with existing or planned public improvements including but not limited to fuel pipe lines, underground utility easements, stormwater detention basins, high voltage power lines, or other facilities should be sized to allow suitable room for the intended use of the lot without requiring encroachment on the public facilities or easements.
- B. Lot Shape. Every lot shall contain a building envelope that complies with the applicable zoning classification in Chapter 114, Zoning, of the Township Code, and is suitable for the type(s) of development proposed.
- C. Lot Frontage. Every lot shall have a minimum of twenty (20') feet of frontage along the right-of-way of a public, private, or common street, except where Chapter 114, Zoning, specifies a different minimum frontage. Sufficient frontage is the minimum width required to site a driveway into the property in accordance with the design requirements in this section, the Township Zoning Ordinance, and other appropriate state, federal, and local regulations. Corner lots will meet lot frontage requirements on two streets.
- D. Lot Lines. Lot lines shall be drawn parallel, concentric, at right angles, or radial to the street right-of-way line unless not feasible or undesirable due to existing, permanent, natural or man-made features or need for solar access. Where possible, lot lines shall coincide with abutting lot lines, lot lines across streets, and municipal boundaries. Generally, lot corners of several lots should coincide.
- E. Reverse Frontage Lots. Reverse frontage lots may be used as an alternative to marginal access streets or normal lotting when the lots abut a major collector street or street of a higher classification, or has natural conditions along one street that prevents safe

access. When reverse frontage lots are used, an additional twenty- five (25') feet shall be added to the minimum rear yard setback abutting a major collector street or street of a higher classification, to provide a landscaped buffer area in the rear yard in accordance with Section 434.

- F. Rear or Flag Lots. Rear or flag lots shall not be permitted.
- G. Building Lines. Building lines for all lots shall be in conformance with the minimum front, side, and rear yard setback line requirements of the applicable zoning district.
- H. Building numbers. House or building numbers shall be assigned by the Township based on an overall street plan. Numbers will be assigned in such a way as to allow for vacant parcels and future development.

#### Section 404. Blocks

- A. The minimum block length shall be four hundred (400') feet and the maximum block length shall be one thousand, three hundred and twenty (1,320') feet, unless Chapter 114, Zoning, specifies different minimum or maximum lengths.
- B. Blocks shall be designed to continue the municipality's existing street pattern and provide efficient, convenient, and safe pedestrian and vehicular circulation, including the reduction of intersections with arterial streets.
- C. Blocks shall be designed to reflect natural features that may constrain subdivision and land development. Unless a watercourse is located along the rear of lots in the block, drainage should be away from the interior of the block toward the abutting streets.
- D. Where necessary for safe, convenient, and direct pedestrian access to commercial, institutional, or open space/recreation areas as determined by Springfield Township, walkways shall be included in the design for the block area. The walkways shall extend in a straight line from one street to the next within either an easement granted to the Township or a public right-of-way at least ten (10') feet in width.

#### Section 405. Reserved. Community Facilities

- ~~A. The Springfield Township Board of Commissioners shall determine the need for additional community facilities to serve the proposed subdivision or land development. Examples of such facilities include but are not limited to illuminated crosswalks, tot lots, a gazebo, trail, a pedestrian path to a recreation facility, or an electrical facility or access thereto. Where identified in a Township, county, or state trail or open space plan, a trail shall be the preferred amenity.~~
- ~~B. Where identified in a duly adopted Township Comprehensive Plan, Township Revitalization Plan, or official map, or if otherwise deemed essential by the Springfield Township Board of Commissioners upon consideration of the particular type of development proposed, and especially in large scale residential developments, the Springfield Township Board of Commissioners may seek the dedication or reservation of such areas or sites of an extent and location suitable to the needs created by the development for schools, parks, roads, emergency services, and other facilities to service the community.~~

~~C. Areas provided or reserved for such community facilities shall be adequate to provide for building sites, related activity areas, landscaping, and off-street parking as appropriate to the use proposed.~~

#### Section 406. Open Space

- A. In addition to any requirements for Open Space, Common Open Space, and Recreation Land required by the provisions of Chapter 114, Zoning, applicants shall provide open space including appropriate open space and trails in accordance to the most recently adopted Springfield Township Parks and Recreation, Open Space Plan, and Springfield Township Comprehensive Plan.
- B. Open space shall be designated and located so as to afford the maximum protection to the environmental, scenic, historical, and cultural features of Springfield Township.
- C. Open Space Criteria. Open space preserved in fulfillment of the requirements of this Article shall be in accordance with the following standards and principles.
1. Goals and Existing Plans. Open space shall be consistent with the plans and proposals outlined in the most recently adopted Springfield Township Comprehensive Plan, Open Space plan, and Parks and Recreation Plan. The Springfield Township Board of Commissioners shall review the consistency of the proposed open space with the recommendation of the Springfield Township Planning Commission and Parks and Recreation Advisory Committee.
  2. Interconnections. Open space shall be connected by sidewalk, crosswalk, and/or trails to all buildings on-site and to the public sidewalk along the street. Open space shall connect to permanently preserved land on abutting property, if possible, including provisions for access ways for general public use to permit residents safe and easy access to open space.
  3. Contiguous. Open space areas shall be contiguous, except that two or more separate open space parcels may be connected by other legal public access means.
  4. Access. Open space shall have frontage on a public or private road or easement capable of providing suitable grade for access to the open space for maintenance vehicles and equipment traffic.
  5. Utility Corridors. Open space may include land within utility corridors only if the utility companies having legal rights to these corridors do not prohibit their use for such purpose
  6. Open space shall have the physical characteristics capable of serving the purposes intended for such areas including recreational use.
  7. Open space shall be visible from dwelling units and roadways.
  8. Open space shall protect environmentally sensitive and/or aesthetic features and be landscaped to provide sufficient screening or buffer areas to minimize any negative impacts from or upon adjacent development.

D. Natural Resource Preservation. To the maximum extent possible, the following environmentally sensitive features shall be preserved based on the natural tolerances to encroachment and development as follows, and in accordance with the appropriate provisions of Chapter 114, Zoning, of the Township Code

Natural Feature	Minimum % to be Preserved
Flood Plains and Watercourses	100%
Wetlands	100%
Ponds	100%
Steep Slopes (15-25%)	70%
Very Steep Slopes (>25%)	80%
Woodlands	50%

Where features overlap, the greater percentage shall be conserved. The percentage of each feature is the extent that it shall not be altered, regraded, filled or built upon. The land shall be permanently restricted by an easement and maintenance agreement in form and substance acceptable to the Board of Commissioners and the Township Solicitor preventing further development. The deed restrictions shall be in a form acceptable to the Springfield Township Board of Commissioners and Township Solicitor.

E. Open Space Designation. All land held for open space shall be so designated on the plans. The plans shall contain the following statement for lands in categories 1) through 8) below: "Open space land may not be separately sold, nor shall such land be further developed or subdivided." All plans shall further designate the use of open space, the type of maintenance to be provided and a planting plan or schedule. When designating the required open space pursuant to § 95-406.C above, the following classes shall be used to define the intended uses of said open space:

1. Natural Area. Land which is left predominately in a natural condition and managed to protect significant natural resources in accordance with a natural areas management plan.
- ~~2. Farmland. Land which will be used to grow agricultural crops or for the pasturing of farm animals maintained in accordance with the Soil and Water Conservation Plan as approved by the Montgomery County Conservation District.~~
3. Lawn. A grass area with or without trees which may be used by the residents for a variety of informal purposes and which shall be mowed regularly to insure a neat and orderly appearance.
4. Low impact park and recreation uses including bicycling trails, hiking and walking trails, picnic areas, and similar uses. ~~Recreation Area. An area designated for a specific recreational uses including, but not limited to, tennis, athletic fields and tot lots.~~ Such areas shall be maintained so as to avoid creating a hazard or nuisance, and shall perpetuate the proposed use.

5. Garden Area. An area designated for community vegetable plots.
  6. Stormwater Management. Stormwater best management structures may not be counted toward required open space unless they are vegetated and used as in a way that complements the surrounding open space.
  7. Park. A small area designated for use for a variety of outdoor activities It may include lawn areas, decorative plantings, seating areas, or walking paths.
  8. Public Plaza. An area in an urban or village center designated as a meeting place for community residents. May include gazebos, information stands, seating areas, decorative plantings, fountains, or other similar elements.
- F. Open Space Ownership and Perpetuation. Any of the methods cited under this Section may be used individually or in combination, to own and perpetually preserve open space that is provided in fulfillment of this Article and Chapter 114, Zoning, of the Township Code. The final subdivision and or land development plan shall clearly indicate the manner in which open space will be owned and administered. Prior to final plan approval, an open space management plan shall be developed by the applicant for the benefit of the entities to which ownership or maintenance responsibilities will be transferred, which shall include schedules and cost estimates for routine stewardship tasks of all open space facilities and natural resources on the site. Following Final Plan approval, the open space ownership shall be established as outlined below. Written notice of any proposed transfer of open space shall be given to the township for approval no less than thirty (30) days prior to such event.
1. The Township may, but is not required to, accept fee simple dedication of open space land in accordance with the following:
    - a. There shall be no cost of acquisition (other than costs transfer costs agreed upon by the Township).
    - b. The Township shall agree to maintain the open space.
    - c. The open space shall be in an acceptable condition to the Township at the time of dedication with regard to size, shape, location, and that any improvements are certified as satisfactory by the Township Engineer.
    - d. The applicant shall prepare, at no expense to the Township, the legal description, with metes and bounds, of the land being offered for dedication.
    - e. The Township shall accept the dedication by means of a signed Municipal resolution to which a property description, deed, and plan of dedication area or areas shall be attached.
    - f. All dedications in fee simple shall be free and clear of any liens or encumbrances.
    - g. An agreement citing all applicant obligations serving as a condition to plan approval shall be approved by the Township and recorded with the plan at the same time as the plan is approved.



2. A public agency acceptable to the Township including county, state, or federal government or another municipality may, but shall not be required to, accept the fee simple dedication of open space, provided that the Township approves a maintenance plan whereby the grantee agrees to and has access to maintain the open space.
3. Open space may remain or be placed in the ownership of the individual property owners and shall be restricted from further subdivision and/or land development by deed restriction, provided that:
  - a. The Township shall agree to the boundaries of the open space that shall be held in private ownership.
  - b. Restrictions providing for the protection and continuance of the open space which meet Township specifications shall be placed in the deed for each property that has the open space area within its boundaries.
  - c. A maintenance agreement suitable to the Township shall be established, and the deeds to the properties that are located within the deed restricted open space areas shall clearly state that the maintenance responsibility for the open space lies with the individual property owner.
4. A private, non-profit conservation organization, among whose purposes is to conserve open space land and/or natural features, may, but shall not be required to accept the conveyance of fee simple or less-than-fee simple interests in any portion of the open space, provided that:
  - a. Any private, non-profit conservation organization intended to be the grantee of a conveyance shall be acceptable to the Township as a bona fide conservation organization with perpetual existence.
  - b. Any conveyance shall contain appropriate provisions for proper reverter or retransfer in the event that the grantee becomes unwilling or unable to continue carrying out its function.
  - c. A maintenance agreement acceptable to the Township shall be established between the owner and the conservation organization.
5. Open space may be controlled with condominium agreements that shall be approved by the Township and be in conformance with the Pennsylvania Uniform Condominium Act or Uniform Planned Community Act. All open space land and facilities shall be held as a common element.
6. Open space may be held in common ownership by a homeowners association. In addition, the homeowners association shall be governed according to the following:
  - a. The owner or applicant shall provide to the Township a description of the organization, including its by-laws, and all documents governing maintenance requirements and use restrictions for open space. The homeowners' association agreement shall be recorded.

- b. The organization shall be established (with financial support by the applicant if necessary) before any lot in the subdivision or building in the development is sold.
  - c. Membership in the organization and fees shall be mandatory for all purchasers of property therein and their successors.
  - d. The organization shall be responsible for the maintenance of suitable insurance on the open space.
  - e. The members of the organization shall share equitably in the costs of maintaining, insuring, and operating the open space.
  - f. The applicant proposing any plan containing open space shall arrange with the County Board of Assessment a method of assessment of the common facilities which will allocate to each tax parcel in the development a share of the total assessment for such open space. Where this alternative is not utilized, the organization shall be responsible for applicable real estate taxes on common facilities.
  - g. The organization shall have or hire adequate staff, as necessary, to administer, maintain, and operate the open space.
  - h. The organization shall have the power to compel fees from property owners therein to cover their proportionate shares of the initial cost and costs associated with the maintenance and upkeep of the open space.
- G. Open Space Restrictions. Every property proposed for open space shall be restricted in the following manner:
- 1. The property deed shall be restricted from future development and established as permanent open space in a form and detail acceptable to the Board of Commissioners and the Township Solicitor. ~~contain the following deed restriction:~~

*~~This property was established as permanent open space through the approval of the [subdivision or land development name] and recorded in Deed Book \_\_\_\_\_ and Page \_\_\_\_\_, and shall be maintained as open space in accordance with the approved plan. No change of use, transfer of ownership, or sale of this property shall occur without the written consent of the Township in accordance with requirements of the Township Zoning Ordinance. This restriction shall have the effect of a covenant running with the land, and shall otherwise be binding upon the Grantee, and shall be enforceable only by the Township, its residents or former owners of the property.~~*
  - 2. The Township is authorized to make random inspections of any open space property created through municipal actions to ensure that the owner and any successors duly perform, abide by, and complete any duties, obligations, or requirements as set forth in the Final Plan and/or deed restrictions.

3. The Township may require financial security to ensure appropriate long term maintenance of the open space depending upon the ultimate owner of the open space. The amount of financial security shall be established necessary to reimburse the Township for its expense of performing remedial measures if not performed by the owner.
  - a. In the event that the entity charged with maintenance responsibilities, or any successor thereto, fails to maintain all or any portion of the open space in reasonable order and condition in accordance with the development plan and all applicable laws, rules, and regulations, the Township may serve written notice upon such entity, upon the residents and owners of the uses relating thereto, setting forth the manner in which the entity has failed to maintain the open space in reasonable condition.
  - b. Such notice shall set forth the nature of corrections required and the time within which the corrections shall be made. Upon failure to comply within the time specified, the organization, or any successor organization, shall be considered in violation of their responsibilities, in which case the Township may enter the premises and take corrective action.
  - c. The financial security funds in the applicant's escrow account, if any, may be forfeited, and any permits may be revoked or suspended. If the funds of the escrow account are insufficient to pay the costs of remedial maintenance, the costs of corrective action by the Township shall be assessed ratably, in accordance with tax assessments, against the properties that have the right of enjoyment of the common facilities and shall become a lien on said properties. The Township, at the time of entering upon such common facilities for the purpose of maintenance, shall file a notice of such lien in the Office of the Prothonotary of Montgomery County, upon the properties affected by such lien.

#### Section 407. Recreation Land Dedication Criteria and Standards.

- A. General Purpose and Intent. The provisions of this article are intended to provide regulations for the use of land which is required to be set aside in new subdivisions or land developments. It is also the purpose of this section to provide regulations for the payment of a fee in lieu of the provision of land in the appropriate situations.
- B. Applicability.
  1. This section shall apply to any residential or non-residential subdivision and land development applications and plans, and any amendments thereto, filed after the effective date of this section, except that:
    - a. This section shall not apply to applications and plans that involve two or less single family lots or dwellings, provided a fixed fee of \$500 for each

lot or dwelling is submitted and tendered to the Township concurrent with the submission of the final plan of subdivision or land development.

- b. This section shall not apply to applications and plans that the Board of Commissioners determines to involve only minor adjustments or corrections to applications and plans for approval pending as of the effective date of this section.

C. Amount of Land to be Dedicated.

1. Suitable ~~recreation~~ land shall be dedicated to the Township according to the provisions of the Springfield Township Zoning Ordinance regarding minimum open space requirements, of which the following may be utilized for parks and recreation purposes:

a. For developments of three or more individual dwelling units, whether they are single-family dwellings or contained within a multifamily (two or more units assembled together in any fashion) arrangement: 3,000 square feet per residential dwelling unit.

~~b. Single family detached: 2,500 square feet per unit.~~

~~c. Two family and single family attached: 2,000 square feet per unit.~~

~~d. Multi family apartments: 1,500 square feet per unit.~~

e. Non-residential: 3,000 square feet per 4,000 square feet of building area.  
~~One (1%) percent of gross acreage.~~

f. Nothing herein shall be construed as limiting the ability of the Board of Commissioners, based upon the recommendation of the Springfield Planning Commission, to waive all or a portion of the recreation land set aside requirements.

D. Standards for Land Dedication.

1. Location and Criteria for Dedicated Recreation Land. Lands to be dedicated shall:

a. Comply with the recreation criteria set out in the Springfield Township Zoning Ordinance.

b. Implement the findings of the most recently adopted Springfield Township Open Space and Parks and Recreation plans.

c. Be suitable for the location of facilities which can meet the various recreational needs of the residents, businesses, and industries.

d. Consist of a single contiguous tract of land.

e. Be readily accessible with at least fifty (50') feet of public road frontage.

f. Be generally well drained and suitable for different forms of active and passive recreation with the following features:

1. No more than twenty-five (25%) ~~fifteen (15%)~~ percent of the area consisting of environmental constraints such as wetlands, 100 year floodplains, or areas with greater than 8% ~~15%~~ slopes.
2. No more than fifty (50%) percent of the area should be wooded.
3. The area shall not be divided by a public or private road.

4. No more than fifteen (15%) percent of the area should be encumbered by easements, utilities or stormwater management facilities. Land within utility easements may be used for recreation purposes only if the utility companies possessing legal rights to the easements do not prohibit their use for such purposes.
5. Land being offered for dedication shall be directly accessible to essential utilities, such as sewer, water and power. If water, sewer and power is not readily available, the developer/applicant shall provide the necessary utilities to the site.
6. Sidewalks and/or a trail must be provided to the land being offered for dedication to allow all residents of the subdivision to have access to the proposed recreation land.
7. Land being offered for dedication shall be provided with off-street parking to serve the proposed facilities.

2. Acceptance and Use of Park and Recreation Land.

- a. Any land dedicated to the Township shall be used only for the purpose of providing park and recreational facilities and for the preservation of open space and shall be available for use by all residents of the Township.
- b. Land being offered for dedication shall be easily and safely accessible. For a park being dedicated to the Township, the proposed park and recreation area shall be located in the front of the subdivision, with direct access onto the external street to which the subdivision has access. If the land is to be dedicated to a homeowners' association, it may be located in the interior of the subdivision in a location that is convenient to all of the residents of the subdivision.
- c. When land is dedicated, acceptance by the Township shall be by means of a signed resolution to which a property description of the dedicated area shall be attached. A fee simple warranty deed conveying the property shall be delivered to the Township with title free and clear of all liens, encumbrances and conditions excepting public utility easements.

E. Standards for Fee in Lieu of Land Dedication

1. The applicant may pay a fee in lieu of dedication of park and recreational land. The amount of the fee shall be equal to fair market value of suitable recreation land. established by resolution of the Springfield Township Board of Commissioners and modified from time to time, based upon the estimated market value of suitable recreation land.
2. Fair market value of the land in lieu of which the fee is paid shall be determined by agreement of the Board of Commissioners and the applicant. In the event that the Board of Commissioners and applicant cannot agree upon the fair market value of the land, then an MAI appraisal shall be supplied and paid for by the applicant. The appraisal required by this subsection shall be prepared by a

recognized, licensed, competent real estate appraised with no interest, financial or otherwise, in the affected property or application.

3. Use of Fees. Fee in lieu payments shall be used to expand and improve existing public parks or to acquire land and develop new recreational facilities. Fees received for a particular development shall be expended on sites or facilities accessible to residents of the proposed development as defined below:
  - a. If part or all of the fee is to be spent on a neighborhood park, that park must be located within one-half (1/2) mile of the development, provided a principal arterial or limited access highway does not need to be crossed.
  - b. If part or the entire fee is to be spent on a community park, that park must be located within two (2) miles of the development, provided that a principal arterial or limited access highway does not need to be crossed.
  - c. A fee authorized by this Ordinance shall, upon receipt by the Township, be deposited in an interest-bearing account, designated as the Township Parks and Recreation Fund. Interest earned on such accounts shall become funds of that account. Funds from such accounts shall be expended only upon the design, construction, or acquisition of specific recreational facilities as approved by the Springfield Township Board of Commissioners.
  - d. Upon request of an applicant who has paid fees under this Ordinance, the Township shall refund such fee, plus interest accumulated thereon from the date of payment, if the Township has failed to utilize said funds for recreation purposes within three years from the date that the fee was paid.

~~F. Alternatives to the Dedication of Park and Recreational Land. Upon agreement of both the Township and the applicant, the applicant may pursue the following alternatives:~~

~~1. Fee in Lieu.~~

~~2. Improvements to Other Recreation Sites. The applicant may, through an agreement with the Township, construct recreational facilities on existing or proposed parkland that is readily accessible to residents of the proposed development as defined in this section. The value of such improvements shall be comparable to the fee in lieu of dedication that would have otherwise been required, based upon the applicant's estimates, as reviewed by the Township Engineer.~~

- G. Private Preservation of Land. The applicant may reserve land in the amount required under this Ordinance. The land shall meet all the standards in this section, be available for use by Township residents, and managed and maintained in conformance with the Park and Recreation Plan, Zoning Ordinance and Section 406 referring to the maintenance requirements for private ownership of common elements.

H. A combination of land dedication and/or alternative approaches listed herein may be pursued, based upon an agreement between the applicant and the Springfield Township Board of Commissioners.

~~Section 408. Reserved. Recreation Facility Requirements.~~

~~A. Figure 4.1 lists the recreation facilities required in all residential subdivisions and land developments.~~

~~B. At the discretion of the Board of Commissioners upon recommendation of the Springfield Planning Commission, land developments with greater than two hundred (200) dwelling units proposed may have increased recreation facility requirements.~~

<del>Total Number of Lots or Dwelling Units</del>	<del># of Lots</del>	<del># of Playfields</del>	<del># of Basketball Courts</del>
<del>50-99</del>	<del>1</del>	<del>1</del>	<del>0</del>
<del>100-149</del>	<del>2</del>	<del>1</del>	<del>1</del>
<del>More than 150</del>	<del>2</del>	<del>2</del>	<del>1</del>

~~C. The Springfield Township Board of Commissioners, upon recommendation of the Springfield Planning Commission, may accept alternative recreation facility design if it can be shown to be more desirable and provide an equal level of service to residents.~~

~~D. Tot Lot Design Requirements:~~

- ~~1. Tot Lot. A confined, developed, neighborhood play area primarily for use by preschool age children under the supervision of parents or guardians.~~
- ~~2. Use of tot lots shall be limited to daylight hours only; no lighting shall be installed.~~
- ~~3. Low maintenance play equipment and structures shall be included and confined by a gated fence, a minimum of three (3') feet high. The gate shall be self-closing and self-latching.~~
- ~~4. Sitting areas, including benches, shall be provided for the convenience of persons supervising the children.~~
- ~~5. Shade trees shall be provided for sitting and play areas; gazebo or picnic-type shelters may be used in addition to shade trees.~~
- ~~6. When a tot lot is placed adjacent to the playfield, practical measures, such as fencing and orientation of facilities, shall be addressed to reduce hazards resulting from other recreation activity, especially from balls or other flying objects.~~
- ~~7. Minimum dimensional standards shall be as follows:~~
  - ~~a. Minimum area: 1,500 square feet within the fenced areas. Applicants shall provide a landscaped, but not screened, buffer within an area a minimum of ten (10') feet in depth around the fenced area.~~
  - ~~b. Minimum horizontal dimension: twenty five (25') feet.~~

~~c. Minimum setbacks for the fenced-in area:~~

- ~~1) From lot lines: twenty (20') feet.~~
- ~~2) From the ultimate right-of-way of streets:
  - ~~i) Residential streets: twenty (20') feet.~~
  - ~~ii) Collector streets: forty (40') feet.~~
  - ~~iii) Arterial streets: sixty (60') feet.~~~~

~~8. Locations: At convenient, centralized intervals, requiring not longer than a 1000-foot walk from any dwelling unit.~~

~~E. Playfield Design Requirements:~~

- ~~1. Playfield. A common area within a subdivision or land development for neighborhood residents and the general public to use for informal, active recreation purposes such as ball games and other activities requiring a large lawn area, away from homes or other buildings.~~
- ~~2. Playfields shall be used only during daylight hours; no lighting shall be installed.~~
- ~~3. Playfields are intended for informal, neighborhood use. Playfields shall not be used for formalized programs such as youth or adult athletic leagues which should be conducted on larger sized fields, located, designed, and intended for use by the extended community.~~
- ~~4. Playfields shall consist of a lawn area, unobstructed by trees, shrubs, benches, playground equipment and other obstacles. Applicants should locate trees and shrubs along the perimeter of a playfield in order to define its limits, enhance its appearance, and filter noise generated by activities.~~
- ~~5. Playfields shall be sloped for proper drainage, not less than one (1%) percent nor more than three (3%) percent grade and shall be well drained so that they are suitable for use in most weather.~~
- ~~6. Playfields shall be fenced at the discretion of the Springfield Township Board of Commissioners.~~
- ~~7. Minimum dimensional standards shall be as follows:
  - ~~a. Minimum area: 12,000 square feet.~~
  - ~~b. Minimum horizontal dimension: 80' feet.~~
  - ~~c. Minimum setbacks to the edge of a playfield:
    - ~~1) From any dwelling unit: 60' feet.~~
    - ~~2) From the ultimate right-of-way of streets:
      - ~~i) Residential streets: 30' feet.~~
      - ~~ii) Other classifications: 60' feet.~~~~~~~~
- ~~7. Locations: at convenient, centralized intervals.~~

~~F. Basketball and Tennis Court Design Requirements:~~

- ~~1. Basketball Court. A basketball facility including pavement, striped court area of at least high school standard size, with posts, backboards, and baskets at both ends of the court.~~
- ~~2. Tennis Court. A tennis facility including paved, standard sized and striped court area, posts, net, and fencing around its perimeter.~~



- ~~3. These courts shall be constructed in accordance with specifications approved by the Township Engineer, and shall be generally oriented in a north/northeast-south/southwest direction.~~
- ~~4. Minimum dimensional standards shall be as follows:
  - a. Tennis court areas shall be of 60' x 120'.
  - b. Basketball court areas shall be at least high school standard size.
  - c. Minimum setbacks to the edge of paving:
    - 1) From any dwelling unit: 60' feet.
    - 2) From the ultimate right of way of streets:
      - i) Residential and feeder streets: Thirty (30') feet.
      - ii) Other classifications: 60' feet.
    - 3) From any lot line: Fifteen (15') feet.~~
- ~~5. Tennis courts shall be fenced around the entire perimeter with minimum ten (10') foot high fencing.~~
- ~~6. Basketball courts shall be fenced with minimum six (6') foot high fencing under the following conditions:
  - a. When the edge of pavement is less than thirty (30') feet from a lot line, that edge shall be fenced.
  - b. When the edge of pavement is less than thirty (30') feet from an area sloping ten (10%) percent or greater downward from the court, the edge shall be fenced.~~
- ~~7. Lighting may be provided for nighttime use of courts, if they are arranged so that no glare affects abutting residences or streets, to be used on a demand activated basis, until not later than 10:00 PM.~~
- ~~8. Locations: at convenient, centralized intervals.~~
- ~~G. Consolidation of Facilities. Applicants are required to provide the numbers and types of facilities as required in this section, spaced for convenient access by the residents. However, applicants are encouraged to consolidate several facilities in fewer locations to better serve the residents' needs in the following possible ways:
  1. By locating all required tennis or basketball courts in one area, thereby restricting noise and light to one area, and providing convenience to users
  2. By combining two (2) 12,000' square foot playfields into one (1) 20,000' square foot area to permit larger fields for softball, football, soccer, or other field sports, while maintaining the neighborhood use character.
  3. By creating one or more park like facilities rather than several sets of scattered facilities.
  4. Tot lots may be adjacent to other types of recreation facilities but not to other tot lots so that they are dispersed throughout the development and only require short walking distances from all homes.~~