

ORDINANCE No. 2001- 2

AN ORDINANCE OF THE TOWNSHIP OF GREENWICH,  
BERKS COUNTY, PENNSYLVANIA, PROVIDING FOR  
REGULATIONS RELATIVE TO THE CONSTRUCTION  
OF ALL NEW PRIVATE DRIVEWAYS; AND  
IMPROVEMENTS TO EXISTING DRIVEWAYS,  
INCLUDING APPLICABILITY PROVISION,  
DEFINITIONS, INSPECTION REQUIREMENTS,  
DRIVEWAY STANDARDS, CONSTRUCTION STANDARDS  
AND MAINTENANCE REQUIREMENTS AND ENFORCEMENT  
PROCEDURES.

WHEREAS, the Greenwich Township Board of Supervisors desires  
to provide standards and requirements for the construction of all  
new private driveways and improvements to existing driveways in  
Greenwich Township; and

WHEREAS, Greenwich Township has previously adopted a  
Subdivision and Land Development Ordinance which provides for  
driveway design, construction and improvement standards relative  
to driveways utilized in conjunction with subdivision and land  
development plans; and

WHEREAS, the Board of Supervisors further desires to provide  
driveway standards for non-subdivision related and non-land  
development related projects.

BE IT ORDAINED AND ENACTED by the Board of Supervisors of the  
Township of Greenwich, Berks County, Pennsylvania, and it is  
hereby ordained and enacted by the authority of the same as  
follows:

SECTION 1. That the Board of Supervisors of Greenwich Township hereby adopts the following Ordinance to be known as the "Greenwich Township Private Driveway Standard Ordinance", as more specifically set forth below:

Section 1. Applicability

1.1 This Ordinance shall be known as the "Greenwich Township Private Driveway Standard Ordinance".

1.2 This Ordinance shall apply to all new private driveway construction and improvements to existing driveways. Driveway improvements subject to this Ordinance include paving, repaving, widening for purposes of adding another lane, changing or modifying a driveway entrance. Driveway improvements shall not include normal maintenance or repair.

1.3 New driveways exiting to State roads are subject to the provisions of this Ordinance for portions of the driveway outside the Pennsylvania Department of Transportation (PennDOT) right-of-way. The driveway entrance is subject to PennDOT requirements.

1.4 Parking lots used for commercial or industrial properties are not considered driveways except for the entranceways within the street right-of-way. Only the portion within the right-of-way is subject to the provisions of this Ordinance.

1.5 The term driveway, as used in this Ordinance, does

not include field access entrances used for agricultural purposes.

1.6 The Board of Supervisors shall require the construction of an individual driveway for every lot within the Township

1.7 The Board of Supervisors shall require an applicant for subdivision to provide a plan which shall include a layout and a profile to a proposed dwelling location for each proposed driveway as evidence that the standards for driveway construction established in this Ordinance can be met for each lot. In the case of a lot of record for which a driveway design has not been approved, the landowner shall submit with his driveway permit application a layout and a profile for driveway access to the proposed dwelling location. All driveway designs shall be based on field-measured topographic survey information. The plans shall also show the proposed provisions for the handling of stormwater (See Section 4.1T) and erosion and sedimentation for the driveway(s).

1.8 Driveways serving individual lots may be prohibited by the Board of supervisors where such intersections would create congestion, interference, and/or hazards to traffic flow and safety by reason of street grades, land forms, vegetation, frequency of driveway intersections, limited sight distances, and/or high speed traffic flow. In such cases, the Board of Supervisors may consider reasonable alternative forms of vehicular

access to the lot.

1.9 Proposals to change the location and/or layout of a driveway from a previously approved subdivision or land development plan shall require a submittal in accordance with Section 3.1E herein.

1.10 Requests for waivers of any term or condition set forth in this Ordinance may be considered by the Board of Supervisors within their sole discretion pursuant to the waiver provisions provided in the Greenwich Township Subdivision and Land Development Ordinance and as further provided in the Pennsylvania Municipalities Planning Code.

## Section 2. Definitions

For the purpose of this Ordinance, certain terms, phrases, and words are defined as follows:

Cartway: The improved portion of a street right-of-way, paved or unpaved, intended for vehicular use.

Driveway: The strip of land, including the driveway entrance, which is used to access a property from a State, Township or private street.

Driveway Entrance: The area between the street right-of-way line and the cartway used to access a property.

Grade: The change in elevation between any two points along a uniform slope on the centerline of a driveway divided by the horizontal distance between those points and multiplied by

100. Grade is usually expressed as a percentage (e.g. an 8 foot elevation change over a 100 foot horizontal distance is an 8% slope).

Permit Administrator: The individual or firm appointed by the Board of Supervisors of Greenwich Township having the responsibility for administering and enforcing the terms and provisions of this Ordinance.

Repaving: The application of any new bituminous or concrete surface layer in excess of one-half ( $\frac{1}{2}$ ) inch in thickness. The application of brush-on or spray-on driveway sealer would be classified as maintenance.

Right-of-Way: The total width of the area reserved or dedicated as a street.

Street: A strip of land, including the entire right-of-way, used for vehicular or pedestrian access to property, whether public or private. The term "street" shall include avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct or other similar terms.

Township Street: A street under the jurisdiction of Greenwich Township.

### Section 3. Permit Requirements

#### 3.1 Procedure

A. No person, firm, corporation or other entity

shall perform any construction, excavation or other work (hereinafter referred to as "work") in connection with any driveway, nor perform any work within the Township affecting stormwater flow or discharge within the right-of-way of any street until the Township has issued a Permit for such work.

B. A permit application shall be submitted to the Permit Administrator by the owner or a representative prior to commencing work on any driveway. The application shall be on forms provided by the Township. The application shall be accompanied by a filing fee as established by resolution of the Greenwich Township Board of Supervisors. (See Exhibit A for Application for Driveway Permit)

C. A permit to construct a driveway shall not be issued unless the Board of Supervisors has approved the proposed location for that driveway by way of a subdivision/land development plan, or through an individual request for a change from an approved location, or for a lot of record having no approved design.

D. Proposed driveway locations shall be clearly marked in the field and identified by lot number to facilitate a site inspection of each driveway location.

E. The following information shall be submitted for all proposed driveways:

1. A plan and profile from the cartway to the

proposed dwelling or building for each driveway, prepared by a licensed surveyor or engineer, showing the proposed driveway layout, field-surveyed existing grades, and finished grading along the proposed route.

2. Stormwater calculations and proposed remediation procedures whenever the driveway slopes downhill toward the public road.

3. A completed form 1 showing all available sight distances for the proposed location.

4. When relief is being requested from the sight distance requirement in Section 4.1F, a determination prepared by a licensed engineer which provides a certified safe running speed and existing road grades to both the left and the right of the proposed driveway intersection is required.

F. The Permit Administrator shall review the application and discuss any comments with the Applicant.

G. The Permit Administrator shall sign and issue the Permit for construction of the driveway, provided that the driveway meets all requirements of this Ordinance.

H. Should the Permit Administrator reject the permit application, he shall provide written notice to the Applicant listing the reasons for rejection.

I. Should the Permit administrator neither approve nor reject an application for a Permit within thirty (30) days

after receipt of all information and documentation required by this Ordinance, the application for a Permit shall be deemed to be approved.

### 3.2 Inspections

A. The Permit Administrator shall, on one or more occasions, inspect the driveway and confirm that it conforms to this Ordinance and the design for which the driveway permit was issued. The initial construction of all new driveways, whether residential or non-residential, must be inspected and approved by the Permit Administrator with respect to the completion of preliminary driveway grading and stabilization, cut/fill slope stabilization and stormwater management facilities before a permit will be issued for building construction.

B. The driveway shall be inspected as part of the final inspection for issuance of the Use and Occupancy Permit for the dwelling/building. If the dwelling/building satisfies final requirements and the driveway conforms to the design that was submitted with the permit application, the Permit Administrator's signature on the Use and Occupancy Permit will signify approval of the driveway as constructed.

C. No paving of any driveway shall be commenced until the Permit Administrator has inspected the site and approved the preparatory work. The applicant shall give the Permit Administrator a minimum of forty-eight (48) hours advance notice



before paving is to commence in order to afford the Permit Administrator the opportunity to inspect the site.

D. After the final satisfactory inspection, the Permit Administrator shall sign the Permit a second time to signify approval of the driveway as constructed.

#### Section 4. Driveway Standards

##### 4.1 Construction Standards and Maintenance Requirements.

A. All driveways and related improvements shall be constructed and located in such a manner as to not impair drainage or maintenance within street rights-of-way, alter the stability of a roadway or subgrade, materially change the drainage of adjacent areas, interfere with the traveling public, present a hazard to the movement of normal street traffic, or create undue traffic congestion.

B. All work for which a Permit is required under the provisions of this Ordinance shall be performed in accordance with the Design Standards set forth in this Ordinance, and in strict compliance with the drawings and specifications for which the Permit Administrator issued a Permit.

C. Changes to a driveway, a driveway entrance, or a drain or culvert for which a Permit has been issued under this Ordinance shall be performed in such manner that the work shall not change the original design and specifications for the existing

driveway, driveway entrance, drain or culvert, unless the new design and specifications are submitted and approved by the Permit Administrator.

D. Driveways shall not impede the natural flow of drainage in the roadside gutter. Driveway pipes, when authorized, shall be sized based on the amount of runoff. A 15 inch diameter pipe is the minimum size that will be permitted.

E. All driveways shall be located only on the property for which they serve to provide a means of ingress and egress and shall abut and enter upon a Township road.

F. The location of a new driveway shall be as indicated on an approved subdivision or land development plan. A driveway location that is proposed to be different than was previously approved per a subdivision or land development plan, or a location that was not previously approved as part of a subdivision or land development plan, shall be reviewed and approved by the Board of Supervisors in accordance with the procedure outlined in Section 1.6.

G. Driveway entrances shall be provided with at least 300 feet of sight distance to the left and to the right for the operator of a vehicle departing from a driveway onto a street. Such triangle shall enable the driver, when located ten (10) feet behind the edge of the cartway and having an average eye height of 3.5 feet above driveway grade, to have a clear line of sight at

all times to an object 4.25 feet in height within the triangle. Requests for relief from this requirement shall be accompanied by all information listed under Section 3.1E.

H. Sight distance triangles shall be shown at all private driveway intersections with a street and shall identify both the required and the available sight distances. Within such triangles no vision-obstructing objects other than utility poles, street lights, or traffic signs shall be permitted which obscure vision above thirty (30) inches and below the height of ten (10) feet, measured from the centerline grade of the intersecting street and driveway.

I. Driveways for corner lots shall be located at the farthest feasible point on the property from intersecting streets. The minimum allowable distance shall be as follows:

1. Entrances to private driveways serving one and two family dwellings shall be located at least forty (40) feet from the point of intersection of the nearest street right-of-way lines.

2. Entrances to private driveways serving multi-family dwellings and non-residential uses shall be located at least eighty (80) feet from the point of intersection of the nearest street right-of-way lines.

J. Driveways shall have such grades as to furnish safe and convenient parking space and to provide a safe and

convenient means of access. There shall be a stopping area no steeper than 4% within twenty (20) feet of the legal right-of-way. The maximum permissible grade beyond the stopping area shall be 12% for single family residential driveways, 12% for multi-family residential driveways, and 10% for all other driveways.

When the proposed grade is in excess of 8%, special attention shall be given to erosion and drainage controls.

K. When the routing of the proposed driveway requires the use of a bend in excess of ninety (90) degrees (measured right or left from the projected centerline of the driveway), the following provisions shall be made for access of oversize vehicles (delivery, emergency, etc.):

1. An inside (edge of driveway) radius of not less than 30 feet for the length of the bend.

2. A driveway width of not less than 15 feet around the bend.

3. A grade along the entire length of the bend of not more than 9%.

L. Driveway construction materials shall be such that the materials will not wash onto Township streets. All new driveways shall be paved from the edge of the cartway to at least the street right-of-way line.

M. Side slopes shall not exceed 1.5:1 (1.5 feet horizontal per 1 foot vertical) and all slopes exceeding six (6)

feet in height shall be planted in crown vetch or other low maintenance stabilizing material.

N. Entrances to driveways serving single family dwellings shall not be less than ten (10) feet nor more than twenty (20) feet in width, excluding radii. Entrances to driveways serving multi-family dwellings or non-residential buildings shall not be less than twelve (12) feet per lane of traffic and not more than thirty (30) feet in total width, excluding radii.

O. Entrances to driveways shall be rounded at a minimum radius of five (5) feet and a maximum radius of fifteen (15) feet.

P. The number of driveway entrances serving a lot on which a single family dwelling is located shall not exceed one (1).

Q. Driveways shall intersect streets as nearly as possible at right angles, and in no case at an angle of less than sixty (60) degrees nor more than one hundred twenty (120) degrees.

R. All driveways shall be designed in such a manner that vehicles entering or leaving the site do not have to back onto a public or private street.

S. Driveways shall typically be constructed with a crown to provide drainage. In cases where a driveway is constructed across slope, the cartway shall be pitched to drain

toward the downhill side of the slope.

T. Driveways with an uphill grade from the street shall not be used as a drainageway for turnaround runoff or roof spout runoff. Runoff from roof spouts shall be dispersed into impervious areas such as lawns or woods. Turnarounds shall be graded to drain into adjacent pervious areas and away from the driveway.

U. Driveways that are proposed to have an uphill grade from the Township road shall be analyzed in accordance with the Stormwater Runoff computations procedure in the current Greenwich Township Subdivision and Land Development Ordinance to determine the potential impact of stormwater runoff on the Township road. Appropriate stormwater handling and facilities shall be designed and provided based on this analysis. This analysis shall be reviewed during the subdivision process for new lots or by the Permit Administrator prior to issue of the driveway permit for lots of record, or for previously approved driveway designs proposed to be changed.

V. The radius point for the intersection of the driveway entrance with the edge of cartway shall not be less than five (5) feet from the property line for urban locations, or ten (10) feet for rural locations (see Exhibit C). The edge of the driveway shall accordingly be not less than an additional five (5) feet (based on the minimum radius specified in Section 4.1N) from

the property line unless the driveway requires significant excavation or fill placement. In this case, the driveway shall be offset additionally so that the top of cut or base of fill shall be no less than five (5) feet from the property line.

W. All driveways shall be maintained by the property owner in such a manner as not to interfere with the design, maintenance, and drainage of streets, nor the safe and convenient passage of traffic upon the streets.

X. For the welfare and safety of the occupants of all vehicles, the Township reserves the right to request the construction of pulloff areas at driveway entrances along roads where traffic volume, road geometry, or other physical constraints may contribute to a potentially unsafe condition.

Y. Refer to Exhibit "B" for Summary of Driveway Standards Designs.

Refer to Exhibit "C" for Driveway Sketch and Profile Requirements for Driveway Specification Attachment to Driveway Application.

Refer to Exhibit "D" for Driveway Construction Standard and Typical Requirements for Driveway Entrance. Refer to Form 1-Sight Distance Measurements for minimum sight distance requirements.

SECTION 2. In the event that any provision, section, sentence, clause or portion of this ordinance shall be held to be

invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair any portion of the remaining ordinance. It is hereby declared to be the intent of the Board of Supervisors of the Township of Greenwich that the remainder of this Ordinance shall be and remain in full force and effect notwithstanding the fact that such portion thereof shall be invalid or unconstitutional.

SECTION 3. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance, are hereby repealed insofar, but only insofar, as the same are inconsistent herewith.

SECTION 4. This Ordinance shall take effect five (5) days subsequent to its passage.

SECTION 5. All violations of any terms or regulations of this Ordinance and penalties for the same shall be enforced pursuant to the Civil/Criminal Enforcement Procedure Ordinance of Greenwich Township of 1997.


ORDAINED and ENACTED as an Ordinance by the Board of Supervisors of the Township of Greenwich, Berks County,



Pennsylvania, in lawful session duly assembled this 2<sup>nd</sup> day of  
April, 2001.

BOARD OF SUPERVISORS OF GREENWICH  
TOWNSHIP, BERKS COUNTY, PA

  
Victor M. Berger, Chairman

  
Oscar E. Kleinsmith, Supervisor

  
Laurie Ann Baker, Supervisor

Attest:

  
Township Secretary

ATTORNEYS AT LAW  
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