

**Compilation of Land Use Ordinances of the Township of New London**  
**Chester County, Pennsylvania**  
**Chapter 4: Definitions**

**Part 1: Definitions**

**§4-101 General**

**§4-102 Definition of terms**

**Part 1**

**Definitions**

**§4-101. General**

The following words and phrases shall be construed throughout this Compilation of Land Use Ordinances to have the meaning indicated in this Chapter.

1. The present tense shall include the future; the singular shall include the plural, and the plural the singular; the masculine gender includes the feminine and neuter; the word “person” includes any Individual, estate, trust, fiduciary, partnership, firm, association, corporation or organization.
2. The words “shall” and “will” are always mandatory; the word “may” is optional.
3. The words “County” refers to Chester County, Pennsylvania; the term “ ” shall refer to the Township of New London; the term “Planning Commission” shall refer to the Planning Commission of New London; and the term “**Zoning Hearing Board**” shall refer to the **Zoning Hearing Board** of New London.
4. The word “including” shall not limit the term to the specified example but is intended to extend its meaning to all other instances of similar kind and character.

**§4-102. Definition of Terms**

<b>100-Year Flood</b> - A flood that, on the average, is likely to occur once every 100- years i.e., that has 1% chance of occurring each year, although the flood may occur in any year.
<b>Abandoned Motor Vehicle</b> - Any vehicle not bearing a valid registration license or a valid inspection certificate, excluding, however, officially registered “antique motor vehicles.”
<b>Accelerated Erosion</b> - The removal of the surface of the land through the combined action of human activities and natural processes at a rate greater than would occur from natural processes alone.
<b>Accessory Building</b> - A building subordinate to the principal building on a lot and used for purposes customarily incidental to those of the principal building.
<b>Accessory Dwelling Unit</b> - A self-contained dwelling unit, resulting from the conversion of an existing single-family detached dwelling into two units, or the creation of a dwelling unit within an accessory structure, which is complete with kitchen and bath facilities, has direct access to the outdoors, or to a hall from which there is direct access to the outdoors, and is physically subordinate to the primary dwelling unit that exists on the property.
<b>Accessory Use or Structure</b> - Accessory Use or Structure: A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure. Accessory uses in the R-1 Residential District shall not be subject to the requirements for land development approval under the terms of Chapter 2, Subdivision and Land Development.
<b>Act</b> - The Pennsylvania Municipalities Planning Code, Act 247, 53 P.S. §10101 et seq., as amended.
<b>ACT 101</b> - See Municipal Waste Act
<b>Agricultural Crops</b> - Those kinds of vegetation, including grass, cereal grains, corn, beans, and other crop plants that are harvested.
<b>Agricultural Lands</b> - Those lands used for the propagation of agricultural crops or for pasture and/or meadowland.
<b>Agricultural Operation</b> -An enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock and livestock products and in the production, harvesting and preparation for market or use of agricultural agronomic, horticultural, silvicultural and aquacultural crops and commodities. The term includes an enterprise that implements changes in production practices and procedures or types of crops, livestock, livestock products or commodities produced consistent with practices and procedures that are normally engaged by farmers or are consistent with technological development within the agricultural industry.
<b>Agriculture</b> - The cultivation of the soil and the raising and harvesting of the products of the soil including but not limited to, nursery, horticulture, viticulture, mushroom growing, and the breeding and raising of customary domestic animals, but excluding cats and dogs. The term “agriculture” does not include Agriculture Intensive.
<b>Agriculture, Existing</b> - A property on which the owner or an applicant can demonstrate that agricultural operation has occurred continuously during the previous five years and that an approved Conservation Plan for the property is in place and is being implemented.
<b>Agriculture, Intensive</b> - Specialized agricultural operations, including, but not limited to, poultry and swine production, feed lot operations, and concentrated animal feeding operations. Such activities, due to the intensity of production and/or potential for off-site impacts that exceed those of general agricultural operations, are subject to specific standards and requirements as stipulated in the Township Code. Mushroom growing, Composting, and the handling of used or spent compost are not included within the definition of intensive agriculture.
<b>Alley</b> - Land over which there is a right-of-way, municipally or privately owned, serving as a secondary means of access to two or more lots to the rear and/or side of a building. An alley can exist between streets.
<b>Alterations</b> - Any change to a building or structure in one of the following manners: <ol style="list-style-type: none"><li>1. All incidental changes or replacements in a nonstructural part of a building or other structure.</li><li>2. Changes or replacements in the structural parts of a building or other structure including, but not limited to, the following:<ol style="list-style-type: none"><li>A. Changes to interior partitions to improve livability in nonconforming residential buildings, provided no additional dwelling units are created.</li><li>B. Changes to interior partitions in all other types of buildings or structures.</li><li>C. Creating new windows or doors in exterior walls.</li><li>D. Strengthening the load-bearing capacity in no more than 10% of the total floor area.</li></ol></li></ol>
<b>Alternative Tower Structure</b> - Human-caused trees, clock towers, bell steeples, light poles, flagpoles, silos, transmission towers and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.
<b>Aluminum Products</b> - Empty 100% aluminum beverage and food containers, foil, and pie tins.

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<b>AM Array</b> - One or more tower units and supporting ground system which functions as one AM broadcasting antenna .An AM array shall be considered one tower. Measurements for setbacks and separation distances shall be measured from the outer perimeter of the towers included in the AM array. Additional tower units may be added within the perimeter of the AM array by right.
<b>Anchoring</b> - The fastening of the mobile home to its pad (or foundation) in order to prevent upset or damage due to wind, erosion, flooding or other natural forces.
<b>Animal Equivalent Unit (AEU)</b> - 1,000 pounds of live animal weight.
<b>Animal Hospital</b> - Any establishment offering veterinary services. Animal hospitals can treat all types of animals and can include outdoor and overnight boarding of animals.
<b>Animal Unit</b> - 1,000 pounds of standard animal weight of livestock or other animals, regardless of the actual number of individual animals comprising the unit; this definition shall be supplemented or superseded by any subsequent change in the regulatory definition promulgated by the Pennsylvania Department of Agriculture.
<b>Antenna</b> - Telecommunications equipment that transmits and receives electromagnetic radio signals used in the provision of all types of wireless telecommunications services. See Communications Antenna .
<b>Antique Shop</b> - A retail establishment where goods of an antiquarian nature are sold. Such shop offers items for sale that are considered to be of collectible, heirloom or heritage value due to their age, scarcity, significance, or artistic quality.
<b>Applicable Codes</b> - Any of the following: Uniform Building, fire, electrical, plumbing, or mechanical codes adopted by a recognized national code organization or local amendments to those codes enacted solely to address imminent threats of destruction of property or injury to persons.
<b>Applicant</b> - A landowner or developer, as hereinafter defined, who has filed an application for development, including his heirs, successors and assigns, with New London Township for approval under New London Township Ordinances.
<b>Application for Development</b> - Every application, whether preliminary, tentative or final, required to be filed and approved prior to start of construction or development including but not limited to an application for a building permit, for the approval of a subdivision plat or plan or for the approval of a development plan.
<b>Appointing Authority</b> - The mayor in cities; the board of commissioners in counties; the council in incorporated towns and boroughs; the board of commissioners in townships of the first class; and the board of supervisors in townships of the second class; or as may be designated in the law providing for the form of government.
<b>As-Built Plans (Drawings)</b> - Engineering or site plans or drawings that document the actual locations, dimensions, and elevations of the improvements, and building components, and changes made to the original design plans. The final version of these documents, or a copy of same, are signed and sealed by a qualified licensed professional and submitted to the New London Township at the completion of the project.
<b>Authority</b> - A body politic and corporate created pursuant to the act of May 2, 1945 (P.L. 382, No. 164), known as "Municipality Authorities Act of 1945. (Footnote: 53 P.S. § 30 I et seq. (repealed); see now, 53 Pa.C.S.A. § 5601 et seq.)
<b>Automobile Salvage Yard</b> - Any property on which is located vehicles for resale of its components or stores/sells vehicle parts and has on the premises two or more unregistered/inoperable vehicles as junk.
<b>Backhaul Network</b> - The lines that connect a provider's towers/cell sites to one or more cellular telephone switching offices, and/or long-distance providers, or the public switch-es telephone network.
<b>Bamboo</b> - Running Bamboo and/or Clumping Bamboo, defined as follows: 1. <u>Running Bamboo</u> : Any tropical or semi-tropical grass with monopodial rhizomes which typically extend horizontally underground for long distances from the standing plant, including, by not limited to the following plant genera: Phyllostachys, Pleioblastus, Sasa. 2. <u>Clumping Bamboo</u> : Any tropical or semi-tropical grass with sympodial rhizomes which typically sendoff short rhizomes close to the plant base, including, but not limited to the following genera: Bambusa, Borinda, Fargesia.
<b>Bankfull Flow or Level</b> - The discharge that just fills the water channel to the top of its banks and at a point where the water begins to overflow onto a floodplain.
<b>Barn</b> - An agricultural building used for the storage of farm products and/or animal feed, and for the housing of farm animals and/or farm equipment.
<b>Basal Area</b> - The cross-sectional area of all stems of a tree species or all stems in a stand, measured at breast height (4.5 feet above the ground) and expressed on a per acre basis.
<b>Base Flood</b> – A <b>flood</b> which has a one percent chance of being equaled or exceeded in any given year (also called the one percent (1%) annual chance flood).
<b>Base Flood Discharge</b> - The volume of water resulting from a base flood as it passes a given location within a given time, usually expressed in cubic feet per second (CFS).
<b>Base Flood Elevation (BFE)</b> - The elevation shown on the Flood Insurance Rate Map (FIRM) for Zones AE, AH, AI-30 that indicates the water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year.
<b>Baseflow</b> - Portion of stream discharge derived from groundwater; the sustained discharge that does not result from direct runoff or from water diversions, reservoir releases, piped discharges, or other human activities.
<b>Basement</b> - A level enclosed area partly or completely below grade, provided no more than 1/3 of the perimeter walls are 5 feet or more above grade, and if the net area of the door and window openings is at least equal to 10% of the enclosed floor area.
<b>Bed-and-Breakfast Establishment</b> - A use accessory to a single-family dwelling, containing guest rooms available for short-term overnight rental and providing food service to guests.

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<b>Best Management Practices (BMPs)</b> - Activities, facilities, designs, measures, or procedures used to manage stormwater impacts from Regulated Activities, to provide water quality treatment, infiltration, volume reduction, and/or peak rate control, to promote groundwater, and to otherwise meet the purposes of this Ordinance. Stormwater MPs are commonly grouped into one (1) of two (2) broad categories or measures: "structural" or "nonstructural." In New London Township Ordinances, nonstructural BMPs or measures include certain lot, impact development and conservation design practices used to minimize the contact of pollutants with stormwater runoff. These practices aim to limit the total volume of stormwater runoff and manage stormwater at its source by techniques such as protecting natural systems and incorporating existing Landscape features. Nonstructural BMPs include, but are not limited to, the protection of sensitive and special value features such as wetlands and riparian areas, the preservation of open space while clustering and concentrating development, the reduction of impervious cover, and the disconnection of rooftops from storm sewers. Structural BMPs are those that consist of a physical system that is designed and engineered to capture and treat stormwater runoff. Structural BMPs include, but are not limited to, a wide variety of practices and devices from large-scale retention ponds and constructed wetlands to small-scale under-ground treatment systems, infiltration facilities, filter strips, bioretention, wet ponds, permeable paving, grassed swales, riparian buffer, sand filters, detention basins, and manufactured devices. Structural and nonstructural stormwater BMPs are permanent appurtenances to the site. [See also Stormwater Management Facility and Stormwater Control Measure (SCM)].
<b>Bike Path</b> - A trail or path set aside primarily, but not necessarily exclusively, for the use of bicycle riding.
<b>Billboard</b> - A freestanding sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located.
<b>Bi-metal Containers</b> - Empty food or beverage containers consisting of ferrous sides and bottom and an aluminum top.
<b>Bioretention</b> - An excavated shallow surface depression planted with specially selected Native Plants to treat and capture runoff.
<b>Blanket Stormwater Easement</b> - A right of use granted by a landowner to allow a grantee (New London Township) the use of the entire property to inspect and maintain, if necessary, stormwater management and other stormwater drainage facilities.
<b>Block</b> - A <i>tract</i> of land bounded on all sides by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines of waterways or boundary lines of the Township
<b>Board</b> - New London Township Board of Supervisors.
<b>Buffer</b> - An area of land planted and maintained with vegetation including trees, shrubs, grass and/or groundcovers, which may incorporate mounds, berms, fences and/or walls, in which no other structures shall be located.
<b>Building</b> - Any combination of materials forming any structure which is erected on the ground and permanently affixed thereto, designed, intended, or arranged for the housing, sheltering, enclosure, or structural support of persons, animals, or property of any kind. Included shall be all manufactured homes and trailers to be used for human habitation.
<b>Building Coverage</b> - The percentage of the total ground floor area of all buildings on a lot to the lot area on which they are located.
<b>Building Elevation</b> - Elevation: a geometrical projection (as of a building) on a vertical plane.
<b>Building Height</b> - The vertical distance measured from the average level of the finished grade along all the exterior walls of the building to the highest point of the roof. Chimneys, spires, s, and other similar projections shall not be used in calculating the building height; however, these structures must comply with any established structure height limitation.
<b>Building Set-Back Line</b> - An established line within a property defining the minimum required distance between any to be erected and an adjacent street right-of-way to provide the front yard specified by the New London Township Zoning Ordinances.
<b>Build-To Line</b> - The line which defines the placement of the building from the street on which the building fronts. The build-to line of the building forms the street wall line. On a corner lot, the build-to line is located on each side of a lot abutting a street.
<b>Bulk-</b> The size of buildings or other structures and their relationship to each other, to open areas such as yards and to lot lines and, therefore, includes: 1. The size, including height and floor area of buildings and other structures. 2. The relationship of the number of dwelling units in a residential building to the area of the lot. 3. All open areas in yard space relating to buildings or other structures.
<b>Bulk Waste</b> - All waste materials not suited for collection in ordinary containers due to size, shape, and/or weight. Examples of bulk waste include furniture, appliances (but not containing freon), carpeting, and similar items. Bulk waste shall not consist of any items that may be packaged and disposed of using regular trash collection procedures.
<b>Business Premises</b> - A tract of land, including the buildings thereon, upon which commercial or light industrial business use occurs. The tract of land may consist of one or more tax parcels. Any subordinate or accessory business use on the premises shall substantially relate to the principal business.
<b>Cable Facility</b> - Buildings, other structures and equipment used by the owner or operator of a cable television system to provide service. As used in this definition, the term "cable system" shall have the meaning given to it in Section 602(6) of the Cable Communications Policy Act of 1984. (Public Law 98-549, 47 U.S.C. §522(7)).
<b>Caliper</b> - Diameter of a tree's trunk measured 12 inches above the ground. On trees that measure 4" caliper or smaller, the diameter of the trunk measured at 6 inches above the soil line.
<b>Canopy Tree</b> - See Shade Tree
<b>Carbonate Geology (or Carbonate Rock Formations)</b> - See Karst.
<b>Cartway</b> - The portion of a street right-of-way, paved or unpaved, customarily used by vehicles in the regular course of travel over the street.
<b>Cemetery</b> - A burial place or graveyard, including a mausoleum, crematory, or columbarium, in which human or animal remains are buried or interred.
<b>Center for Local Government Service</b> - The Governor's Center for Local Government Services located within the Department of Community and Economic development.
<b>Certificate of Occupancy</b> - A statement signed, issued and enforceable by the Zoning Officer upon completion of construction of a new building or upon change or conversation of the structure or use of a building, which establishes that a building complies with all requirements and regulations as provided in this Compilation and other applicable codes, and that the same may be used for the intended uses.
<b>CFR</b> - Code of Federal Regulations.
<b>CFS</b> - Cubic Feet per Second.
<b>Channel</b> - A natural or artificial open drainage feature that conveys, continuously or periodically, flowing water and through which stormwater flows. Channels include, but shall not be limited to, natural and human-caused drainageways, swales, streams, ditches, canals, and pipes flowing partly full.
<b>Civic Art</b> - The vertical infrastructure comprised of features such as pavilions, pergolas, benches, sculpture gardens, fountains, and the like.
<b>Civic Use</b> - A meeting hall, fire station, mail facility, school, church, library, museum or other like type of place used as, or for, a not for profit that is a community facility within the TND Overlay District.

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<b>Clear Glass</b> - Bottles, jars, food, or beverage containers made of clear transparent glass. Expressly excluded are non-container glass; plate glass; blue, green, or brown glass; porcelain and ceramic products; automotive glass; and light bulbs.
<b>Clear Sight Triangle</b> - An area of unobstructed vision at a street intersection, defined by lines of sight between points at a given distance from the intersection of the centerlines of the streets.
<b>Clear-Cutting</b> - A logging method that removes all trees, or the vast majority of all trees, from a tract of land or a portion thereof. Clear-cutting shall be deemed to occur when a lot has been cleared to less than 30 basal feet/acre.
<b>CN</b> - See Curve Number
<b>Collocation or Collocate</b> – To install, mount, maintain, modify, or replace small wireless facilities on an existing utility pole or other wireless support structure.
<b>Colored Glass</b> - Bottles, jars, food, or beverage containers made of green, brown, or other colored glass.
<b>Commercial Properties</b> - All properties used for industrial or commercial purposes, provided that multi-family residential buildings, including residential units over store front commercial business, containing three (3) or more dwelling units, shall be treated as commercial properties.
<b>Commissioner</b> - The State Fire Commissioner of the Commonwealth of New London, Pennsylvania.
<b>Common Driveway</b> - A driveway providing access to not more than two contiguous lots which is established and maintained in accordance with all applicable requirements of the "New London Township Driveway Ordinance" and all other applicable laws and regulations.
<b>Common Open Space</b> - A parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of a development, not including streets, off-street parking areas, and areas set aside for public facilities.
<b>Commonwealth</b> - Commonwealth of Pennsylvania.
<b>Communications Antenna</b> - Any transmitting or receiving device, including omnidirectional or whip antenna, directional or panel antenna, and microwave dish antenna, and including the accessory equipment cabinet necessary to operate the antenna, mounted on a tower, building or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other communications signals.
<b>Communications Facility</b> – A communications antenna or communications tower, as defined herein, which is operated by any agency or corporation, including a public utility regulated by the Public Utility Commission (PUC) or any agency or franchisee of New London Township, or any police, fire, emergency medical or emergency management agency, but not including satellite dish antennas, defined as parabolic dishes designed for "receive-only" viewing of satellite programs for private viewing, or radio and TV antenna, defined as freestanding or building mounted antennas located on residential property designed to enhance radio or television reception for the residents of the dwelling.
<b>Communications Service Provider</b> – Any of the following: 1. A cable operator as defined in section 602(4) of the Cable Communications Policy Act of 1984 (Public Law 98-549, 47 U.S.C. §522(5)). 2. A provider of information service as defined in section 3(20) of the Communications Act of 1934 (48 Stat. 1064, 47 U.S.C. §153(24)). 3. A telecommunications carrier as defined in section 3(44) of the Communications Act of 1934 (47 U.S.C. §153(51)). 4. A wireless provider.
<b>Communications Tower</b> - Any structure, whether freestanding or attached to a building, designed to support one or more communications antennas including, but not limited to, self-supporting lattice towers, monopole towers, and guyed towers, or one or more of the following mounts for antennas: rotatable platform, fixed platform, multi-point, side arm and pipe mounts for microwave dishes. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and the like. The term includes the structure and any support thereto.
<b>Communications Tower Height</b> - The vertical distance measured from the ground level to the highest point on a communications tower, including antennas mounted on the tower.
<b>Community Events</b> - Events that attract, or are intended to attract, 100 or more persons and are sponsored in whole or in part by the Township or conducted within the Township and sponsored privately. Said events may be for profit or not for profit and shall include but are not limited to fairs, bazaars, socials, picnics, and organized sporting events.
<b>Completely Dry Space</b> - A space which will remain totally dry during flooding; the structure is de-signed and constructed to prevent the passage of water and water vapor.
<b>Compost</b> - The end product of composting; a dark, partially decomposed material similar to natural organic matter found in the soil.
<b>Composting</b> - A process involving the microbial decomposition of organic matter.
<b>Concentrated Animal Feeding Operation (CAFO)</b> - An agricultural enterprise where animals are kept and raised in confined situations, with either - (A) more than 1,000 animal units (AUs), or (B) 301 to 1,000 AUs which has the potential to discharge to surface waters; this definition shall be supplemented or superseded by any subsequent change in the regulatory definition promulgated by the Pennsylvania Department of Agriculture.
<b>Conditional Use</b> - A use permitted in a particular zoning district pursuant to the provisions in Article VI. (Footnote: 53 P.S. §10601 et seq.)
<b>Condominium</b> - A form of ownership and not a type of use of real property including an undivided interest in a portion of a parcel, together with a separate interest in a space within a structure, subject to the provisions of the Pennsylvania Uniform Condominium Act of 1980, 68 Pa.C.S.A. §3101 et seq.
<b>Conservation Area, Primary</b> - Sensitive natural features that perform important environmental functions within the landscape, and which, when located on a site proposed for development, should remain undisturbed and protected under the terms of this Compilation and other applicable regulations. Such features shall include: 1. Wetlands 2. Floodplains 3. Riparian Buffers 4. Lands with slope in excess of 25% 5. Forest Interiors

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<p><b>Conservation Area, Secondary</b> - Natural and human-caused features important to the natural, historic, and/or visual character of the Township and which, when located on a tract proposed for development, should be protected against disturbance to the maximum extent feasible under the terms of this Compilation and other applicable regulations. As defined in Chapter 4 or documented in the current edition of the Comprehensive Plan of New London Township, such features shall include:</p> <ol style="list-style-type: none"> <li>1. Woodland and Locally Important vegetation</li> <li>2. Historic resources</li> <li>3. Scenic vistas and scenic roads</li> <li>4. Lands with slope between fifteen percent (15%) and twenty-five percent (25%)</li> <li>5. Hydric Soils.</li> </ol>
<p><b>Conservation Design</b> - A series of holistic land development design goals that maximize protection of key land and environmental resources, preserve significant concentrations of open space and greenways, evaluate, and maintain site hydrology, and ensure flexibility in development design to meet community needs for complimentary and aesthetically pleasing development. Conservation design encompasses the following objectives: conservation/enhancement of natural resources, wildlife habitat, biodiversity corridors, and greenways (interconnected open space); minimization of environmental impact resulting from a change in land use (minimum disturbance, minimum maintenance); maintenance of a balanced water budget by making use of site characteristics and infiltration; incorporation of unique natural, scenic and historic site features into the configuration of the development; preservation of the integral characteristics of the site as viewed from adjoining roads; and reduction in maintenance required for stormwater management practices. Such objectives can be met on a site through an integrated development process that respects natural site conditions and attempts, to the maximum extent possible, to replicate or improve the natural hydrology of a site.</p>
<p><b>Conservation District</b> - The Chester County Conservation District.</p>
<p><b>Conservation Plan (Agricultural Plan)</b> - A plan written by a planner in conformance with Natural Resource Conservation Service (NRCS) of the United States Department of Agriculture (USDA) guidelines that identifies conservation practices and includes site specific BMPs for agricultural plowing or tilling activities and animal heavy use areas.</p>
<p><b>Conservation Practices</b> - Practices installed on Agricultural Lands to improve farmland, soil and/or water quality which have been identified in a current Conservation Plan.</p>
<p><b>Consistency</b> - An agreement or correspondence between matters being compared which denotes a reasonable, rational, similar connection or relationship.</p>
<p><b>Construction</b> - The construction, building, reconstruction, renovation, repairs, extension, expansion, alteration, or relocation of a building or structure, including the placement of manufactured homes.</p>
<p><b>Construction Debris</b> - Customary, non-hazardous waste <i>building materials</i> resulting from <i>construction</i>, remodeling, repair, or demolition operations involving houses, pavement, commercial <i>buildings</i>, and other structures.</p>
<p><b>Consumer Fireworks</b> - Any combustible or explosive composition or any substance or combination of substances, intended to produce visible and/or audible effects by combustion and which is suitable for use by the public, that complies with the <b>construction</b>, performance, composition, and labeling requirements promulgated by the Consumer Products Safety Commission or any successor regulation, and which complies with the provisions for “consumer fireworks” as defined in the American Pyrotechnics Association (APA) Standard 87-1, or any successor standard.</p>
<p><b>Contractor</b> - A private firm awarded a contract to perform a service.</p>
<p><b>Convenience Store</b> - A retail use structure and associated facilities providing convenience items and services to the general public including, but not limited to, the sale of food, beverages, personal care items, automotive fuel and lubricants, and similar items, and automatic teller machine banking facility.</p>
<p><b>Conveyance</b> - A natural or human-caused, existing, or proposed Stormwater Management Facility, <i>feature or channel used for the transportation or transmission of stormwater from one place to another. For the purposes of New London Township Ordinances, conveyance shall include pipes, drainage ditches, channels, and swales (vegetated and other), gutters, stream channels, and like facilities or features.</i></p>
<p><b>Corrugated Cardboard</b> - Any paper product formed or shaped into wrinkles or folds or into alternating ridges and grooves, including but not limited to cardboard or paperboard.</p>
<p><b>County Comprehensive Plan</b> - A land use and growth management plan prepared by the Chester County Planning Commission and adopted by the county commissioners which establishes broad goals and criteria for municipalities to use in preparation of their comprehensive plans and land use regulation.</p>
<p><b>Critical Root Zone (CRZ)</b> - Portion of the root system that is the minimum necessary to maintain vitality or stability of the tree. Encroachment or damage to the critical root zone will put the tree at risk of failure. The CRZ equals twelve inches of radius from the trunk for each inch of trunk diameter measured at four and one-half feet (4.5') above ground level.</p>
<p><b>Curve Number (CN) or Runoff Curve Number (RCN)</b> - An empirical parameter used in hydrology for predicting direct runoff or infiltration from rainfall excess developed by the <b>USDA</b> Natural Resources Conservation Service.</p>
<p><b>Day Care Center</b> - A business enterprise providing care of three or more children less than 7 years of age, or for adults, and operated in accordance with the laws of the Commonwealth of Pennsylvania.</p>
<p><b>DCNR</b> - Pennsylvania Department of Conservation and Natural Resources.</p>
<p><b>Decision</b> - Final adjudication of any <b>board</b> or other body granted jurisdiction under any land use ordinance or this act to do so, either by reason of the grant of exclusive jurisdiction or by reason of appeals from determinations. All decisions shall be appealable to the court of common pleas of the county and judicial district wherein the municipality lies.</p>
<p><b>Declaration of Land Restriction (Non-Conversion Agreement)</b> - A form signed by the property owner to agree not to convert or modify in any manner that is inconsistent with the terms of the permit and these regulations, certain enclosures below the lowest Floor of elevated buildings and certain accessory structures. The form requires the owner to record it on the property deed to inform future owners of the restrictions.</p>
<p><b>Density, Gross</b> - The allowable number of dwelling units per acre, calculated by dividing the total number of dwelling units proposed by the total number of acres within a tract of land.</p>
<p><b>Density, Net</b> - The allowable number of dwelling units per developed acre, calculated by dividing the total number of units for a given dwelling type by the number of acres so developed, exclusive of open space, streets, and easements.</p>
<p><b>Design Storm</b> - The magnitude and temporal distribution of precipitation from a storm event measured in probability of occurrence (e.g., a five (5)-year storm) and duration (e.g., twenty-four (24) hours), used in the design and evaluation of stormwater management systems. Also see Return Period.</p>



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**Chapter 4: Definitions**

<b>Designated Growth Area</b> - A region within a county or counties described in a municipal or multimunicipal plan that preferably includes and surrounds a city, borough or village and within which residential and mixed-use development is permitted or planned for at densities of one unit to the acre or more, commercial, industrial and institutional uses are permitted or planned for and public infrastructure services are provided or planned.
<b>Detention (or To Detain)</b> – Capture and temporary storage of runoff in a Stormwater Management Facility for release at a controlled rate.
<b>Detention Basin</b> – An impoundment designed to collect and retard stormwater runoff by temporarily storing the runoff and releasing it at a predetermined rate. Detention basins are designed to drain completely shortly after any given rainfall event.
<b>Detention Volume</b> – The volume of runoff that is captured and released into the Waters of the Commonwealth at a controlled rate.
<b>Determination</b> - Final action by an officer, body or agency charged with the administration of any land use ordinance or applications thereunder, except the following: the governing body; the Zoning Hearing Board; or the planning agency, only if and to the extent the planning agency is charged with final Decision on preliminary or final plans under the subdivision and land development ordinance or planned residential development provisions. Determinations shall be appealable only to the Boards designated as having jurisdiction for such appeal.
<b>Developer</b> - Any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development.
<b>Development</b> - Any manufactured change to improved or unimproved real estate, including but not limited to the construction, reconstruction, renovation, repair, expansion, or alteration of buildings or other structures; the placement of manufactured homes; streets, and other paving; utilities; filling, grading and excavation; mining; dredging; drilling operations; storage of equipment or materials; and the subdivision of land.
<b>Development of Regional Significance and Impact</b> - Any Land development that, because of its character, magnitude, or location, will have substantial effect upon the health, safety, or welfare of citizens in more than one municipality.
<b>Development Plan</b> - The provisions for development, including a planned residential development, a plat of subdivision, covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space and public facilities. The phrase "provisions of the development plan" when used in this act shall mean the written and graphic materials referred to in this definition.
<b>Development Strategy Plan</b> - A concept plan dated revised May 3, 2007, and any subsequent amendments thereto for the TND Overlay District which identifies preferred land uses.
<b>Diameter at Breast Height (DBH)</b> - The outside bark diameter of a tree at breast height which is defined as 4½ feet (1.37 m) above the forest floor on the uphill side of the tree.
<b>Display Fireworks</b> - The term shall be defined as provided in 27 Code of Federal Regulations CFR Sect. 555.11.
<b>Disposal Facility</b> - A facility which processes or acts upon solid waste so as to dispose of the material, such as a composting facility, an incinerator, a resource recovery plant, a recycling processing facility, a waste-to-energy facility or a sanitary landfill.
<b>Disturbed Area</b> - Land area disturbed by or where an Earth Disturbance Activity is occurring or has occurred.
<b>Drainage Area</b> - That land area contributing runoff to a single point (including, but not limited to, the point/line of interest used for hydrologic and hydraulic calculations) and that is enclosed by a natural or human-caused ridge line.
<b>Dripline</b> - An area on the ground defined by the outermost circumference of tree canopy.
<b>Driveway</b> - A private means of vehicular access from a public or private street to a single lot.
<b>Dwelling Unit</b> - A room or rooms within a building connected together, constituting a separate independent housekeeping establishment for a single family, for owner occupancy or for rental, lease or other occupancy on a monthly two month or longer basis. Units shall be physically separated from other units and shall contain independent cooking, sleeping, and lavatory facilities.
<b>Dwelling, Multiple Family</b> - A building designed and occupied as a residence, containing three or more dwelling units. Multiple family shall refer to any housing configuration including, but not limited to, apartments, townhouses, and quadrplexes.
<b>Dwelling, Single-Family</b> - A building designed for and occupied as a residence, containing one dwelling unit and having no common or party wall within an adjacent dwelling. Yard area surrounds all sides.
<b>Dwelling, Two-Family Attached (Twin)</b> - A building designed for and occupied as a residence, containing two dwelling units located side-by-side with a vertical common or party wall. Yard area is located on three sides.
<b>Dwelling, Two-Family Detached (Duplex)</b> - A building designed for and occupied as a residence, containing two dwelling units stacked one on top of the other within a horizontal common or party wall. Yard area surrounds all sides.
<b>Earned Income Tax</b> - A tax on earned income and net profits levied under New London Township Ordinance No. 2010-07 Earned Income Tax Ordinance (11/17/2010).
<b>Earth Disturbance (or Earth Disturbance Activity)</b> - A construction or other human activity which disturbs the surface of the land, including, but not limited to, clearing and grubbing; grading; excavations; embankments; road maintenance; Land; building construction; and the moving, depositing, stockpiling, or storing of soil, rock, or earth materials.
<b>Easement</b> - A right of use granted by a landowner to allow a grantee the use of the designated portion of land for a specified purpose, such as for stormwater management or other drainage purposes.
<b>Easement, Conservation</b> - A voluntarily derived set of use restrictions placed upon the identified land area through which no positive or appurtenant rights are conveyed to the grantee.
<b>Edge of Water</b> - The top of bank of a watercourse, or the limit of water within a wetland, pond, lake, or other surface water feature that does not have a discernable bank.
<b>Educational Use</b> - Land and/or buildings specifically designed, arranged, and intended for the purpose of education, including preschool, elementary and secondary schools, either private or public, including schools relating to religious organizations and vocational schools, but excluding recreational activities unless accessory to an enforcement use.
<b>EIA</b> - Electronics Industry Association.
<b>Electronic notice</b> - Notice given by a municipality through the Internet of the time and place of a public hearing and the particular nature of the matter to be considered at the hearing.
<b>Emergency</b> –A condition that constitutes a clear and immediate danger to the health, welfare, or safety of the public; or has caused or is likely to cause facilities in the right-of-way to be unusable and result in loss of the services provided.
<b>Enforcement Officer</b> - The official designated herein or otherwise charged with the responsibilities of administering the New London Township Ordinances, or the official authorized representative.

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<b>Engineer, Township</b> - A Pennsylvania Licensed Professional engineer duly designated by New London Township to perform the duties of engineer as herein specified.
<b>Enlargement</b> - An addition to the floor area of an existing building, an increase of size of another structure or an increase in that portion of a lot occupied by an existing <i>use</i> .
<b>Equestrian Center</b> - A commercial or non-profit facility for the care, training, exercising, boarding, and riding of horses. Such a facility may include one for facility management or staff.
<b>Erosion</b> - The process by which the surface of the land, including water/stream channels, is worn away by water, wind, or chemical action.
<b>Erosion and Sediment (E&amp;S) Control Plan</b> - A plan required by the Conservation District or New London Township to minimize accelerated erosion and sedimentation, and that must be prepared and approved per the applicable requirements.
<b>Essentially Dry Space</b> - A space which will remain dry during flooding except for the passage of some water vapor or minor seepage; the structure is substantially impermeable to the passage of water.
<b>Evapotranspiration (ET)</b> - The combined processes of evaporation from the water or soil surface and transpiration of water by plants.
<b>Even-Aged Management</b> - Forestry practices designed to maintain a stand of trees in which only small differences in age occur among the individuals.
<b>Evergreen Tree</b> - A tree which remains green throughout the entire year, with leaves of the past season not being shed until new foliage has been formed.
<b>Existing Manufactured Home Park or Subdivision</b> - a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.
<b>Expansion to an Existing Manufactured Home Park or Subdivision</b> - the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final Site grading or the pouring of concrete pads).
<b>Family</b> - Occupants of a dwelling unit under one of the following categories: 1. One person occupying a dwelling unit. 2. Two or more persons related by blood, adoption, or marriage occupying a dwelling unit, including no more than two 2 other persons, e.g., a boarder or au pair. 3. No more than 4 unrelated persons occupying a dwelling unit, living together as a single cooperative household unit. 4. Foster home as an extension of a family which presently resides in a dwelling. 5. A group of not more than 4 individuals with disabilities, living together as the functional equivalent of a family in a Group Care Facility, and entitled to a reasonable accommodation to allow them adequate housing choices pursuant to the Federal Fair Housing Amendments Act of 1968 942 (U.S.C. Sect. 601 et seq) and the Pennsylvania Human Relations Act (43 P.S. Sects. 951-963). 6. Where occupancy of a dwelling unit by any of the above is on a rental basis, such rental occupancy shall be for a term of not less than 2 consecutive months, as documented by the terms of a written, executed lease, in order to qualify as a family under this definition."
<b>Farm Animals</b> - Customary domestic animals but excluding cats and dogs.
<b>Farm-Related School</b> - A use which is customarily accessory to normal farming practices which would be conducted on a farm, in accordance with the terms of Chapter 1, Zoning.
<b>Farm Use</b> - Any number of continuous lots comprising, in the aggregate, four (4) or more acres under common control by way of ownership or lease, used in whole or in part for agricultural purposes including, without limitation, the growing of crops or the keeping of farm animals, including without limitation, cattle, horses, goats, sheep, alpacas, or maintained in anticipation of farm use as set forth herein.
<b>Farmers/Growers Market</b> - A retail establishment at which fruits, vegetables, breads, eggs, milk, cheese, meat, flowers, and the like are sold by persons who typically grow, harvest, or process such items from their farm or agricultural operation.
<b>FCC</b> - The Federal Communications Commission of the United States.
<b>FEMA</b> - Federal Emergency Management Agency.
<b>First-Order Streams</b> - The smallest distinct channels of a Watercourse in a Stream Order System, and due to their small size, have more fragile ecosystems than higher order (i.e., second- or third order) streams.
<b>Flood</b> - A temporary condition of partial or complete inundation of land areas from the overflow of streams, rivers, and other waters of this Commonwealth.
<b>Flood Insurance Rate Map (FIRM)</b> - The official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.
<b>Flood Insurance Study (FIS)</b> - the official report provided by the Federal Emergency Management Agency that includes flood profiles, the Flood Insurance Rate Map, the Flood Boundary and Floodway Map, and the water surface elevation of the base flood.
<b>Floodplain</b> - Any land area susceptible to inundation by water from any natural source or delineated by applicable FEMA maps and studies as being a special flood hazard area.
<b>Floodplain Area</b> - A relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse and/or any area subject to the unusual and rapid accumulation of surface waters from any source.
<b>Floodproofing</b> - Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.
<b>Floodway</b> - The channel of the watercourse and those portions of the adjoining floodplains that are reasonably required to carry and discharge the one hundred (100)-year flood (also called the base flood or one percent (1%) annual chance flood). Unless otherwise specified, the boundary of the floodway is as indicated on maps and flood insurance studies provided by FEMA. In an area where no FEMA maps or studies have defined the boundary of the one hundred (100)-year floodway, it is assumed, absent evidence to the contrary, that the floodway extends from the centerline of the stream and to fifty (50) feet beyond the top of the bank of the stream on both sides.

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<p><b>Floor Area</b> - The sum of the area of all floors of a building measured from the face of interior walls or from center lines of walls separating two buildings. In particular, floor area calculations include, but are not limited to, the following:</p> <ol style="list-style-type: none"> <li>1. Basement space if it meets the requirements of a building story.</li> <li>2. Stairwells, attic space whether or not a floor has been laid, and elevator shafts, providing structural headroom of 8 feet or more.</li> <li>3. Roofed terraces, breezeways, and porches, provided that over 50% of the perimeter of these is enclosed.</li> <li>4. Any other floor space designed for the intended principal use, no matter where it is located within the building.</li> <li>5. The area of accessory buildings.</li> </ol>
<p><b>Footcandle</b> - A unit of light intensity stated in lumens per square foot and measurable with a luminance meter, which also may be referred to as a footcandle or light meter.</p>
<p><b>Forest</b> - See <b>Woodland</b>.</p>
<p><b>Forest Interior</b> - An area of forest generally situated at least three hundred (300) feet from any point on the perimeter of the forest.</p>
<p><b>Forest Management/Timber Operations</b> - Planning and activities necessary for the management of forest lands. These include timber inventory, preparation of forest management plans, silvicultural treatment, cutting budgets, logging road design and construction, timber harvesting, Site preparation, and reforestation.</p>
<p><b>Forested Riparian Buffer</b> - A riparian buffer that consists predominantly of native trees, shrubs and/or herbaceous plants that provide a minimum of sixty (60) percent uniform canopy coverage.</p>
<p><b>Forestry</b> - The management of forests and timberlands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve any land development. Forestry shall include Timber Harvest.</p>
<p><b>Freeboard</b> - A vertical distance between the design high-water elevation and the elevation of the top of a dam, levee, tank, basin, swale, or diversion berm. The space is required as a safety margin in a pond or basin.</p>
<p><b>Front Yard</b> - A yard extending the full width of the front lot line and extending in depth from such lot line to the nearest point of any building on the lot.</p>
<p><b>Future Growth Area</b> - An area of a municipal or multimunicipal plan outside of and adjacent to a designated growth area where residential, commercial, industrial and institutional uses and development are permitted or planned at varying densities and public infrastructure services may or may not be provided, but future development at greater densities is planned to accompany the orderly extension and provision of public infrastructure services.</p>
<p><b>Garage, Private</b> - An Accessory building or part of a principal building used for the storage of motor vehicles owned and used by the owner or tenant of the premises, and the storage of not more than two motor vehicles owned and operated by persons other than the owner or tenant of the premises.</p>
<p><b>Garage, Public</b> - A building other than a private garage, one or more stories in height, used solely for commercial storage, service or repair of motor vehicles.</p>
<p><b>Garbage</b> - All table, animal, grain, fruit, and vegetable waste resulting from the handling, preparation, cooking and consumption of foods.</p>
<p><b>Gasoline Service Station</b> - An area of land, including buildings and other structures, used for the sale of gasoline or other motor vehicle fuel or accessories. Such use may include facilities for minor repair to motor vehicles but shall not include painting or body repairs.</p>
<p><b>Generator</b> - Any person who generates leaf waste, recyclable materials, or municipal solid waste.</p>
<p><b>Geotextile</b> - A fabric manufactured from synthetic and/or natural fibers that is used to achieve specific objectives, including infiltration, separation between different types of media (i.e., between soil and stone), or filtration.</p>
<p><b>Glare</b> - The sensation produced by lighting that causes an annoyance, discomfort, or loss in visual performance and visibility to the eye.</p>
<p><b>Glass Containers</b> - Bottles and jars made of clear, green, or brown glass. Expressly excluded are non-container glass, plate glass, blue glass, and porcelain and ceramic products.</p>
<p><b>Glazed Material Door Pane</b> - The area of a pane which is enclosed by the door header or sill and jambs, including all areas separated by mullions.</p>
<p><b>Glazed Material Windowpane</b> - The area of a pane which is enclosed by the window header or sill and jambs, including all areas separated by mullions.</p>
<p><b>Golf Course</b> - A tract of ground laid out and designed as an outdoor course to accommodate a series of either nine or eighteen holes of golf, or a club providing a golf course, whether publicly owned or open to the public or privately owned available only to those who are members. Neither a commercial driving range, miniature golf course, nor chip and putt golf facility shall be considered a golf course for purposes of this definition.</p>
<p><b>Governing Body</b> - The council in cities, boroughs and incorporated towns; the Board of commissioners in townships of the first class; the Board of supervisors in townships of the second class; the Board of commissioners in counties of the second class through eighth class or as may be designated in the law providing for the form of government.</p>
<p><b>Grade/Grading</b> - 1. (noun) A slope, usually of a road, channel, or natural ground, specified in percent and shown on plans as specified herein. 2. (verb) To finish the surface of a roadbed, the top of an embankment, or the bottom of an excavation.</p>
<p><b>Granny Flat; Mother-In-Law Suite</b> - A type of Accessory dwelling unit, except that such unit shall be available only as a rental unit and may be either attached to the principal permitted building or to a permitted Accessory building on a lot.</p>
<p><b>Grass</b> - Any of the various plants with blade-like leaves that are sometimes eaten by grazing animals or are cultivated for lawns or pastures.</p>
<p><b>Green</b> - A plaza, square, courtyard, pocket park, tot lot, playground, walkway, promenade, lawn area, or other outdoor space in which features such as pavers, benches, gazebos, pergolas, trellises, planters, plantings, lighting, sculpture, and the like, are installed and maintained, and in which public seating, outdoor dining, and the like, takes place.</p>
<p><b>Green Court Lot</b> - A lot that has frontage on a <u>Green</u>, not a street, as a compliant open space amenity of the TND Overlay District.</p>
<p><b>Green Infrastructure</b> - Systems and practices that use or mimic natural processes to infiltrate, evapotranspire, or reuse stormwater on the site where it is generated.</p>
<p><b>Gross Habitable Area</b> - The total floor area of a dwelling unit actually used for habitation, excluding cellars, attics, and other storage areas; garages; breezeways; balconies; porches; etc. In particular, gross habitable area includes, but is not limited to, the following: any floor space used for dwelling purposes, regardless of the location within the building; basement space if it meets the requirements of a building story; and stairwells and attic space providing structural headroom of 7.5 feet.</p>
<p><b>Ground Cover</b> - Any of a variety of low-growing, perennial, spreading plants used to cover the ground and to provide protection of the topsoil.</p>
<p><b>Groundwater</b> - Water that occurs in the subsurface and fills or saturates the porous openings, fractures and fissures of under-ground soils and rock units.</p>
<p><b>Groundwater Recharge</b> - The replenishment of existing natural groundwater supplies from infiltration of rain or overland flow.</p>
<p><b>Groundwater Supply</b> - A supply of water which is drawn from wells or springs.</p>
<p><b>Groundwater Table</b> - The depth at which soil particles approach saturation with water.</p>



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<b>Group Care Facility</b> - A facility providing shelter, counseling, and other rehabilitative services in a family-like environment that may include minimum supervisory personnel, as required to meet standards of the licensing agency, where applicable. A group care facility shall be licensed and/or approved if and as required by the appropriate agency. A group care facility shall be permitted within a dwelling unit and shall be considered a residential use.
<b>Guarantee, Maintenance</b> - Financial security which may be required of a Developer by the Township prior to the Board of Supervisors accepting dedication of improvements following completion, to secure structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plan for a term not to exceed 18 months from the date of acceptance of dedication. Such security may include, but is not limited to, performance bonds, escrow agreements, surety agreements or irrevocable letters of credit, which shall be posted with a bonding company or Federal or Commonwealth chartered institution authorized to conduct business in the Commonwealth.
<b>Guarantee, Performance</b> - Any security which may be required of a Developer by the Township in lieu of the completion of any improvements required as a condition for final approval of the Applicant's subdivision plan or Land development plan. Such security may include, but is not limited to, performance bonds, escrow agreements, surety agreements or irrevocable letters of credit which meets the same criteria outlined in "Guarantee, Maintenance" above.
<b>Headwater Areas</b> - Areas of the Township draining to First-Order Streams.
<b>Hearing</b> - An administrative proceeding conducted by a Board pursuant to section 909.1. (Footnote 53 P.S. § 10909.1.)
<b>HEC-1</b> - The U.S. Army Corps of Engineers, Hydrologic Engineering Center (HEC) hydrologic runoff model.
<b>HEC-HMS</b> - The U.S. Army Corps of Engineers, Hydrologic Engineering Center (HEC), Hydrologic Modeling System (HMS).
<b>Hedgerow</b> - A line of <b>trees</b> and shrubs that may occur naturally where seeds collect and are left undisturbed, such as along fence lines, property lines, or between fields; or that is specially planted to provide screening, wind and spray drift protection, and wildlife/pollinator food and habitat.
<b>High Tunnel</b> - A structure which is used: 1. for the production, processing, keeping, storing, sale or shelter of an agricultural commodity as defined in section 2 of the Act of December 19, 1974 (P.L. 973, No. 319), known as the "Pennsylvania Farmland and Forest Land Assessment Act of 1974," or for the storage of agricultural equipment or supplies; 2. and is constructed with all the following: A. has a metal, wood, or plastic frame; B. when covered, has a plastic, woven textile, or other flexible covering; and C. has a floor made of soil, crushed stone, matting, pavers, or a floating concrete slab.
<b>Highest Adjacent Grade</b> - The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
<b>High-Grade Office Paper</b> - Computer paper and office stationery, but not including newsprint and corrugated paper.
<b>Historic District or building</b> - a building that is or a group of buildings, properties or sites that are: 1. Listed in the National Register of Historic Places or formally determined eligible for listing by the Keeper of the National Register. 2. Determined to be eligible for listing by the Keeper of the National Register of Historic Places which has been delegated the authority by a Federal agency to list properties and determine their eligibility for the National Register of Historic Places in accordance with section VI.D.1.a.i-v of the Nationwide Programmatic Agreement for Review Regarding the section 106 National Historic Preservation Act Review Process as specified under 47 CFR Pt. 1, App. C (relating to Nationwide Programmatic Agreement Regarding Section 106 National Historic Preservation Review Process). 3. Marked as a historical Site by the Pennsylvania Historical and Museum Commission pursuant to 37 Pa.C.S. (relating to historical and museums). 4. Within an historic district created pursuant to the act of June 13, 1961 (P.L.282, No.167), entitled "An act authorizing counties, cities, Townships, incorporated towns and Townships to create historic districts within their geographic boundaries; providing for the appointment of Boards of Historical Architectural Review; empowering governing bodies of political subdivisions to protect the distinctive historical character of these districts and to regulate the erection, reconstruction, alteration, restoration, demolition or razing of buildings within the historic districts".
<b>Historic Structure</b> - a building or other structure that is 50 years or older, and recognized as being historic on one of the following: 1. an historic resource inventory maintained by New London Township, as adopted from time to time by resolution of the Board of Supervisors; 2. an historic resource inventory maintained by Chester County, including the 1982 Chester County Historic sites Survey; or 3. an historic resource inventory maintained by the Commonwealth of Pennsylvania.
<b>Hitch</b> - a device which is part of the frame or attaches to the frame of a mobile home and connects it to a power source for the purpose of transporting the unit.
<b>Home Occupation, Major</b> - A use that is customarily accessory to a principal residential use, but that does not meet the criteria for a no-impact home occupation and requires review and approval as a special exception by the Zoning Hearing Board in accordance with the standards in Chapter 1, "Zoning."
<b>Home Occupation, No-impact</b> - A use that is customarily accessory to, and carried on within, a dwelling unit by one or more residents of such dwelling unit in accordance with the standards in "Zoning." Such use shall be clearly secondary to the principal residential use and shall meet the standards for a "no-impact home-based business" contained in the Pennsylvania Municipalities Planning Code.
<b>Hospital</b> - An institution where sick and injured persons are administered medical and/or surgical care. This term shall include both short-term and long-term facilities, including rest homes, nursing homes and medical clinics, but excluding facilities for people with cognitive disabilities and the emotionally disturbed.
<b>Hotel</b> - A <b>building</b> used for the purpose of furnishing temporary lodging to the public for compensation, with or without meals, and having lodging accommodations for 10 or more persons.
<b>Hotspots</b> - Areas where prior or existing land use or activities can potentially generate highly contaminated runoff with concentrations of pollutants in excess of those typically found in stormwater.
<b>Household Hazardous Waste</b> - Any solid waste or combination of solid wastes, as defined in Pa. Act 97, that is generated by a household and which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may: [i] cause or significantly contribute to an increase in mortality or an increase in morbidity in either an individual or the total population; or [ii] pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.
<b>Household Pets</b> - Any dog, cat or other domestic animal normally and ordinarily kept in or permitted to be at large in the dwelling of its owner.
<b>Human Services Facility</b> - An establishment providing health and/or residential services to individuals, including but not limited to convalescent home, nursing home, personal care home, assisted care home, retirement home, commercial boarding home, and assisted living facility. Any such facility shall operate in accordance with applicable state and/or federal regulations and, where applicable, shall be properly licensed.

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<b>Hydric Soils</b> - Those soils identified as hydric soils or soils with hydric inclusions in the Soil Survey of Chester and Delaware Counties (U.S. Soil Conservation Service, 1963).
<b>Hydrologic Regime</b> - The hydrologic system, cycle or balance that sustains the quality and quantity of stormwater, stream baseflow, storage, and ground-water supplies under natural conditions.
<b>Hydrologic Soil Group (HSG)</b> - A classification of soils by the Natural Resources Conservation Service (NRCS), into four (4) runoff potential groups. The groups range from A soils, which are very permeable and produce little runoff, to D soils, which are not very permeable and produce much more runoff.
<b>Identified Floodplain Area</b> - this term is an umbrella term that includes all of the areas within which the community has selected to enforce floodplain regulations. It will always include the area identified as the Special Flood Hazard Area on the Flood Insurance Rate Maps and Flood Insurance Study but may include additional areas identified by the community. See Sections 1-1112.A and 1-1112.B for the specifics on what areas the community has included in the Identified floodplain Area.
<b>Illicit Discharge</b> - Any discharge to an MS4 that is not composed entirely of stormwater with some exceptions - discharges from NPDES-permitted industrial sources and discharges from firefighting activities.
<b>Illuminance</b> - The quantity of light measured in Footcandles or lux.
<b>Impacted Riparian Buffer</b> - A riparian buffer that does not consist predominantly of native trees, shrubs and/or herbaceous plants, where its existing use, or activity conducted thereon, is not otherwise exempted or expressly permitted by the provisions of the New London Township Ordinances.
<b>Impaired Stream</b> - Any <b>Water Body</b> of poor water quality, listed by the Pennsylvania Department of Environmental Protection as impaired in their current Integrated Water Quality Report.
<b>Impervious Surface</b> - A surface that has been compacted or covered with a layer of material so that it prevents or is resistant to infiltration of water, including but not limited to structures such as roofs, buildings, storage sheds; other solid, paved, or concrete areas such as streets, Driveways, sidewalks, parking lots, patios, tennis or other paved courts; or athletic playfields comprised of synthetic turf materials. Decks and swimming pools are not considered impervious for the purpose of New London Township Ordinances. Additionally, for the purposes of determining compliance with New London Township Ordinances, the total horizontal projection area of all ground-mounted and free-standing solar collectors, including solar photovoltaic cells, panels, and arrays, shall be considered pervious so long as the designs note that natural vegetative cover will be preserved and/or restored underneath the solar photovoltaic cells, panels, and arrays, and the area disturbed is planned as a vegetated pervious surface.
<b>Improvements, Public</b> - Improvements including, but not limited to, those contained in the definition of "improvements" that are intended for dedication to the Township, either in fee or by <i>easement</i> .
<b>Infill Development - Development</b> in the TND Overlay District on a pre-existing tract or lot of less than 3 acres.
<b>Infiltration</b> - Movement of surface water into the soil, where it is absorbed by plant roots, evaporated into the atmosphere, or percolated downward to recharge groundwater.
<b>Infiltration Facility</b> - A stormwater BMP designed to collect and discharge runoff into the subsurface in a manner that allows infiltration into underlying soils and <b>groundwater</b> (e.g., French drains, seepage pits, or seepage trenches, etc.).
<b>Inn</b> - A facility for the housing and feeding of transients, located either in an existing structure or in a newly constructed building compatible in its façade and appearance with the adjacent buildings and the existing character of the area.
<b>Institutional Establishment</b> - Those facilities that house or serve groups of people, e.g., Hospitals, schools, nursing homes, assisted living facilities.
<b>Institutional Use</b> - A use or activity that is public or quasi-public in nature that includes, but is not limited to, Enforcement Use, Hospital, human service facility, and certain nonprofit organizations catering to the public, but excluding prison or a principal use customarily carried on as a business, trade, or profession.
<b>Intermittent Stream</b> - A defined channel in which surface water is absent during a portion of the year, in response to seasonal variations in precipitation or <b>groundwater</b> discharge.
<b>Invasive Plant</b> - A non-native plant that aggressively displaces native vegetation. These species reproduce prolifically and out compete native plants for light, space, and nutrients, reducing plant diversity and wildlife habitat. Invasive Plants are listed in the PA DCNR publication " <a href="#">Invasive Plants in Pennsylvania</a> " including Watch List species, and " <a href="#">Invasive Plants of Pennsylvania Fact Sheets</a> ," as updated.
<b>Invert</b> - The lowest surface, the floor or bottom of a culvert, pipe, drain, sewer, channel, basin, BMP, or orifice.
<b>Junk</b> - Any discarded material or article shall include, but not be limited to, scrap metal, scrapped, abandoned, or junked motor vehicles, or parts thereof, machinery equipment, paper, glass, containers, and structures. It shall not include, however, refuse or garbage kept in a proper container for the purpose of prompt disposal. Junk shall include the placement of two or more unregistered or inoperable vehicles on the land, not stored within a structure.
<b>Junk Dealer</b> - Any person, who shall engage in the business of storing, selling, buying, salvaging, dealing in Junk and/or who maintains and operates a Junkyard within the Township of New London.
<b>Junkyard</b> - An area of land with or without buildings used for outside storage of used or discarded materials including, but not limited to, wastepaper, rags, metal building materials, housing furnishings, machinery, and vehicles or parts thereof. Toxic wastes, radioactive materials, poisons, and other substances which are potentially harmful to man are excluded from this definition. Any place where any Junk as hereinafter defined, is stored, disposed of, or accumulated.
<b>Karst</b> - A type of topography that is formed over limestone or other carbonate rock formations by dissolving or solution of the rock by water, and that is characterized by closed <i>depressions, sinkholes, caves, a subsurface network of solution conduits and fissures through which groundwater moves, and no perennial surface drainage features.</i>
<b>Kennel</b> - The <b>use</b> of land, building and/or structure for the purpose of boarding, trading, breeding, training, or grooming of more than three Household Pets. Payment, or lack of payment, for any of these uses shall not affect this definition.
<b>Key, Plan</b> - A plan showing the property under discussion in relation to the surrounding properties and its location within the community.
<b>Land Development</b> - Any of the following activities: 1. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving: A. A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or B. the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features. 2. A subdivision of land. 3. Development in accordance with section 503(1.1). (Footnote 3: 53 P.S. § 10503 (1.1)).
<b>Land Disturbance</b> - Any activity that exposes soils, alters topography, and/or alters vegetation.

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<b>Land Use Ordinance</b> - Any ordinance or map adopted pursuant to the authority granted in Articles IV, V, VI and VII( Footnote 53 P.S. §§ 10401 et seq., 10501 et seq., 10601 et seq. and 10701 et seq.)
<b>landowner</b> - The legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if they are authorized under the lease to exercise the rights of the Landowner, or other person having a proprietary interest in the land.
<b>Landscape</b> - The area not occupied by structures, roads, or parking. It includes existing and proposed plant materials, such as trees, shrubs, and perennials; natural materials, such as rocks, earthen berms, and water; and human-caused materials, such as sculpture, art, walls, fences, paving materials, and outdoor furniture.
<b>Lane, Acceleration or Deceleration</b> - A lane of a <i>Cartway</i> intended for use only by vehicles entering, leaving, or crossing a lane of forward travel without interrupting the flow of traffic.
<b>Lawn</b> - An area of soil-covered land planted with grasses and other durable plants such as clover which are maintained at a short height, managed by weed removal, and used for aesthetic and recreational purposes.
<b>Leaf Waste</b> - Leaves, garden residues, shrubbery and tree trimmings, or similar materials, but not including grass clippings.
<b>Leg Lot</b> - A parcel of land separated by metes and bounds that, in order to meet the frontage requirements and make proper utilization of the land, has an access strip of land with a minimum width of less than the required width at the building line and greater than 50 feet for a length of more than 50 feet.
<b>License</b> - The written approval as shown by a permit granted for any regulated use or activity required in the New London Township Ordinances, such as the document provided to a person who accumulates, stores, or disposes of Junk as herein before defined.
<b>Licensed Professional</b> - A Pennsylvania Registered Professional Engineer, Registered Landscape Architect, Registered Professional Land Surveyor, or Registered Professional Geologist, or any person licensed by the Pennsylvania Department of State or qualified by law to perform the work required by the New London Township Ordinances.
<b>Life Care Center</b> - A planned residential community for the elderly consisting of dwellings, community and health centers, recreation areas and open space.
<b>Light Industrial Use</b> - Industrial uses which are free from emitting smoke, noise, vibration, odors, glare, hazards of fire, discharge of waste and other objectionable outdoor nuisances.
<b>Light Trespass</b> - Light emitted by a lighting installation, which extends beyond the boundaries of the property on which the installation is sited.
<b>Limiting Zone</b> - A soil horizon or condition in the soil profile or underlying strata that includes one of the following: 1. A seasonal high- <i>Water Table</i> , whether perched or regional, determined by direct observation of the <i>Water Table</i> or indicated by other subsurface or soil conditions. 2. A rock with open joints, fracture or solution channels, or masses of loose rock fragments, including gravel, with insufficient fine soil to fill the voids between the fragments. 3. A rock formation, other stratum, or soil condition that is so slowly permeable that it effectively limits downward passage of water.
<b>Live-Work Unit</b> - A commercial use, such as a shop, store, studio, office, cafe, or other place of business in combination with a dwelling unit located above such place of business. A person or persons other than the proprietor of the business may occupy a live-work unit.
<b>Loading Berth</b> - A space accessible from a street on a lot for the temporary use of vehicles for the purpose of loading and unloading merchandise or materials.
<b>Local Tax Enabling Act</b> - The Local Tax Enabling Act (P.L. 1257, No. 511) et seq., and as amended in the future.
<b>Logging</b> - A forestry activity involving the cutting down and removal of trees and logs to be converted to any forest product or sold to others.
<b>Lot</b> - A parcel of land separately described by metes and bounds within a legal description which is recorded in the Office of the Recorder of Deeds of Chester County within a deed and by an approved subdivision plan so recorded.
<b>Lot Area, Gross</b> - The area of land included within the legal metes and bounds of a lot inclusive of the land area within rights-of-way of public roads, all utility easements, and the leg portion of a Leg Lot.
<b>Lot Area, Net</b> - 1. The gross area of the lot, but excluding all of the following conditions or features: A. Any area within an <i>easement</i> established for gas, oil, natural gas, electric, or communications transmission facilities, whether below or above ground, that do not exclusively serve the lot traversed; B. Any area within an <i>easement</i> or right-of-way established for a <i>driveway</i> that does not serve the lot traversed; C. Any area within an <i>easement</i> established for water or wastewater facilities that do not serve the lot traversed; D. Any area comprising a lake or a pond, but not including on-lot berms; E. Any area overlaid by the Steep Slope Conservation District that contains land within the Conservation Slope District, i.e., with a slope measuring twenty-five percent (25%) or greater; F. Any area overlaid by the Flood Hazard District G. Any area designated as <i>Wetland</i> except where such area already is excluded under Subsection A (6), above; H. Any area overlaid by the Riparian Corridor Conservation District except where such area already is excluded under Subsection A (6) and/or A (7), above. I. Any area of <i>forest Interior</i> , as defined by this Compilation and/or as designated on the Biotic Resources Map contained in the current edition of the Comprehensive Plan of New London Township, as well as any area of the three hundred (300) foot <i>woodland</i> collar that surrounds the outer perimeter of the <i>forest Interior</i> area." 2. In addition, the net lot area shall be contiguous and shall not be divided completely by any of the above-cited features, with the exception of easements described in Subsection A (1) that are for underground facilities."
<b>Lot Coverage</b> - The percentage of a lot area covered by any and all impervious materials, such as buildings, parking areas, walks, terraces and similar surfaces which do not normally absorb rainfall.
<b>Lot Line</b> - A property boundary line of any lot held in single and separate ownership. The lot line shall reflect the legal description for the lot, except for that line abutting a street shall be deemed to be the same as the street right-of-way line.
<b>Lot Line, Front</b> - The line separating the lot from the street line.
<b>Lot Line, Rear</b> - Any line, except the front lot line, which is parallel to, or within 45° of being parallel to, the front lot line and does not intersect any street line.

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<b>Lot Line, Side</b> - Any lot line which is not a front lot line or rear lot line.
<b>Lot Width</b> - The horizontal distance between side lot lines measured at right angles to the lot depth.
<b>Lot, Corner</b> - A lot bounded on at least two sides by streets, whenever the lines of such streets extended from an interior angle of 135° or less. All yards abutting streets shall be considered front yards. The remaining yards shall be treated as side yards.
<b>Lot, Flag Shaped</b> - See <b>Leg Lot</b> .
<b>Lot, Interior</b> - Any lot which only has access to a street by either an easement or right-of-way, or any lot which has limited frontage on a street serving solely for access to interior lands.
<b>Lot, Reverse Frontage</b> - A lot extending between and having frontage on a major thoroughfare and local street and with vehicular access solely from the latter.
<b>Low Impact Development (LID)</b> - Site design approaches and small-scale stormwater management practices that promote the use of natural systems for infiltration, evapotranspiration, and reuse of rainwater. LID can be applied to new development, urban retrofits, and revitalization projects. LID utilizes design techniques that infiltrate, filter, provide evapotranspiration and store runoff close to its source. Rather than rely on costly large-scale conveyance and treatment systems, LID addresses stormwater through a variety of small, cost-effective landscape features located on-site.
<b>Lowest Floor</b> - The lowest floor of the lowest fully enclosed area (including basement). An unfinished, flood resistant partially enclosed area, used solely for parking of vehicles, building access, and incidental storage, in an area other than a basement area is not considered the lowest floor of a building, provided that such space is not designed and built so that the structure is in violation of the applicable non elevation design requirements of New London Township ordinances.
<b>Luminance</b> - The physical and measurable quantity corresponding to the brightness of a surface (e.g., a lamp, luminaire, reflecting material) in a specific area and measurable with a luminance meter.
<b>Lux</b> - A unit of light intensity stated in lumens per square meter. There are approximately 10.7 lux per Footcandle.
<b>Mailed Notice</b> - Notice given by a municipality by first class mail of the time and place of a public hearing and the particular nature of the matter to be considered at the hearing.
<b>Maintenance</b> - The action taken to restore or preserve the as-built functional design of any facility or system, including Stormwater Management Facilities.
<b>Manual of Written and Graphic Design Guidelines</b> - A document that provides written and graphic design guidelines for the TND Overlay District.
<b>Manufactured Home</b> - A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term manufactured home does not include a recreational vehicle. Generally, manufactured homes must meet the same requirements as stick built or conventional housing. Because they are usually residential buildings, they must be elevated so that the lowest floor is above the base flood Elevation (BFE). Manufactured homes must be elevated and anchored to a permanent foundation to resist flotation, collapse, or lateral movement.
<b>Manufactured Home Community</b> - A parcel of land under single and separate ownership which has been planned and improved for the placement of manufactured homes for non-transient use, consisting of two or more mobile lots.
<b>Manufactured Home Park or Subdivision</b> - a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
<b>Marker</b> - A metal pipe or pin of at least ½ inches diameter and at least 24 inches in length.
<b>Mature Tree</b> - Any tree of six inches or more in caliper, whether standing alone, in tree masses, or woodlands. A mature tree shall be a healthy specimen and shall be a desirable species as determined by the Township Landscape Consultant.
<b>Meadow</b> - An area containing Native grass and flowering herbaceous plants that serve an ecological function. Meadows may not contain species listed in the PA DCNR publication "Invasive Plants in Pennsylvania" including Watch List species, or PA Department of Agriculture "Noxious Weeds List."
<b>Mediation</b> - A voluntary negotiating process in which parties in a dispute mutually select a neutral mediator to assist them in jointly exploring and settling their differences, culminating in a written agreement which the parties themselves create and consider acceptable.
<b>Medical Clinic</b> - A facility for the examination and treatment of ill and afflicted human outpatients, including doctor and dental offices.
<b>Medical Waste</b> - All waste materials generated at health care facilities, such as hospitals, clinics, physician's offices, dental practices, blood banks, and Veterinary Hospitals/clinics, as well as medical research facilities and laboratories, in the diagnosis, treatment, or immunization of human beings or animals, in research pertaining thereto, or in the production or testing of biologicals. This definition includes, but is not limited to, blood-soaked bandages, culture dishes and other glassware, discarded surgical gloves, instruments, needles, cultures, stocks, swabs, organs, and lancets. Medical wastes generally fall into one of four categories: infectious, hazardous, radioactive, and other general wastes from healthcare and medical facilities.
<b>MFEMP</b> - See <b>Mushroom Farm Environmental Management Plan</b> .
<b>Micro Wireless Facility</b> – A small wireless facility that: Does not exceed two (2) cubic feet in volume; and has an exterior antenna no longer than eleven (11") inches.
<b>Minerals</b> - Any aggregate or mass of mineral matter, whether or not coherent. The term includes, but is not limited to, limestone and dolomite, sand and gravel, rock and stone, earth, fill, slag, iron ore, zinc ore, vermiculite and clay, anthracite and bituminous coal, coal refuse, peat and crude oil and natural gas.
<b>Minimize</b> - To reduce to the smallest amount possible. "Minimize" does not mean to "eliminate" but rather that the most substantial efforts possible under the circumstances have been taken to reduce the adverse effect of the action (such as grading, clearing, construction, etc.) to be minimized.
<b>Minimum Bamboo Setback</b> - A required minimum setback of running bamboo from the edge of the right-of-way of any public road, street, or Lane; or the edge of the cartway of any private road, driveway, or accessway; or any other property line, measured as a distance of 20 feet or the height of the bamboo plus 5 feet, whichever is greater.
<b>Minor Repair</b> - the replacement of existing work with equivalent materials for the purpose of its routine maintenance and upkeep, but not including the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the exit way requirements; nor shall minor repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, oil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.
<b>Missed Collection</b> - A single incident of failure by the <u>contractor</u> to collect municipal solid waste or recyclables placed at the approved collection area on the day and time designated for collection. A determination of a missed collection shall be in the sole judgment of the Township, based on information received from Township residents.
<b>Mixed Paper</b> - Bulk mail, magazines, mixed office paper, catalogs, cereal boxes, and the like (without inside packaging).

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<b>Mixed-Use</b> - A combination of two or more uses in a building or on a lot.
<b>Mobile Home</b> – A transportable, single-family dwelling intended for permanent occupancy, contained in one unit, or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.
<b>Mobile Home Lot</b> - A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single mobile home.
<b>Mobile Home Pad</b> - a concrete pad at least 6 inches in thickness with at least six tie-down rings to which the mobile home shall be secured, and equal in length and width to the dimensions of the mobile home to be placed thereon. Pads are only required in mobile home parks.
<b>Mobile Home Park</b> - a parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobile home lots for the placement thereon of mobile homes for non-transient use.
<b>Monument</b> - A tapered permanent survey reference point of stone or concrete having a round top 4 inches on each side with a length of at least 24 inches and a base the same shape as its top, but 2 inches larger in dimension. Stone monuments shall have a copper or brass dowel plug embedded in the center of its top surface and a concrete monument shall have a vertical reinforcing bar cast integrally in its vertical center and contain a ¼ inch diameter depression in the center of its top surface.
<b>Motel</b> - A <b>building</b> or group of buildings containing individual rooms or suite accommodations primarily for transients, each of which is provided with a separate exterior entrance and parking space and offered principally for rental of sleeping accommodations for automobile travelers.
<b>Motor Home</b> - A motor vehicle designed to provide temporary living quarters, built as an integral part of, or permanently attached to, a self-propelled motor vehicle chassis or van and includes a motor home manufactured by a licensed motorhome manufacturer.
<b>MPC</b> - Act of July 31, 1968, P.L. 805, No. 247, 53 P.S. §10101 et seq., as amended, the Pennsylvania Municipalities Planning Code, Act 247.
<b>Multi-municipal Planning Agency</b> - a planning agency comprised of representatives of more than one municipality and constituted as a joint municipal planning commission in accordance with Article XI, or otherwise by resolution of the participating municipalities, to address on behalf of the participating municipalities multimunicipal issues, including, but not limited to, agricultural and open space preservation, natural and historic resources, transportation, housing and economic development.
<b>Municipal Authority</b> - a body politic and corporate created pursuant to the act of May 2, 1945 (P.L. 382, No. 164), known as the "Municipality Authorities Act of 1945."
<b>Municipal Engineer</b> - A professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the engineer for a municipality, planning agency, or joint planning commission.
<b>Municipal Pole</b> – A utility pole owned, managed, or operated by or on behalf of the Township of New London.
<b>Municipal Separate Storm Sewer System (MS4)</b> – As defined in 25 Pa. Code §92.1., a <u>conveyance</u> or system of conveyances that is owned by a public entity that discharges to waters of the Commonwealth, is designed, or used to collect or convey stormwater, is not a combined sewer, and is not part of a sewage treatment plant or publicly owned treatment works.
<b>Municipal Solid Waste</b> - Collectively, all garbage, refuse, bulk waste, grass clippings, and other discarded material, including solid, liquid, semi-solid, or contained gaseous material resulting from a person and normally collected by a solid waste collector, and not meeting the definitions of residual or unacceptable waste in this section. The term does not include recyclable materials.
<b>Municipal Waste Act</b> - The Municipal Waste Planning, Recycling and Waste Reduction Act of July 28, 1988, P.L. 556, No. 101, 53 P.S. § 4000.101 et seq, as may be amended from time to time.
<b>Municipal Waste Collector</b> - Any individual collecting or transporting municipal waste, bulk waste, recyclable materials, and/or yard waste for owners or occupants of property in New London Township, and any business or institution within the Township which generates municipal waste or recyclable materials and uses its own employees and equipment for the collection or transportation of municipal waste or recyclable materials.
<b>Municipality</b> - Any city of the second-class A or third class, borough, incorporated town, township of the first- or second-class county of the second class through eighth class, home rule municipality, or any similar general purpose unit of government which shall hereafter be created by the General Assembly. For the purposes of these ordinances, <b>municipality</b> refers to New London Township, Chester County, Pennsylvania.
<b>Mushroom Farm Environmental Management Plan (MFEMP)</b> - A carefully planned and documented record outlining how the mushroom farmer intends within practical limits to manage the farm operation to prevent pollution incidents and to maintain and improve the conditions of the soil, water, and air resources.
<b>Native Plant</b> - A plant species that occurred in Pennsylvania and/or the Alleghany Piedmont prior to European settlement. The native status of plants may be confirmed through the <a href="http://www.plants.usda.gov">www.plants.usda.gov</a> website, using the Native Status Maps for each species. For purposes of the New London Township Ordinances, Native Plant shall include Native Shade Tree, Native Street Tree, Native Shrub, Native Groundcover, Native grass, and Native Perennial.
<b>New construction</b> - Structures for which the start of construction commenced on or after September 7, 2017, the effective start date of the Floodplain Management Ordinance and includes any subsequent improvements to such structures. Any construction started after September 7, 2017, is subject to the ordinance in effect at the time the permit was issued, provided the start of construction was within 180 days of permit issuance.
<b>New Development</b> - Any Regulated Activity involving placement or construction of new Impervious Surface or grading over existing pervious land areas not classified as Redevelopment as defined in the New London Township Ordinances.
<b>New Manufactured Home Park or Subdivision</b> - A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final Site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.
<b>New Structure</b> - Structures for which the start of <u>construction</u> commenced on or after November 12, 1982, and includes any subsequent improvements thereto.
<b>Newspapers</b> - Paper of the type commonly referred to as "newsprint" and distributed at fixed intervals, having printed thereon news and opinions, containing advertisements and other matters of public interest. Expressly excluded are newspapers that have been soiled.



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<p><b>No Impact Home-based Business</b> - A business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises, in excess of those normally associated with residential use. The business or commercial activity must satisfy the following requirements:</p> <ol style="list-style-type: none"> <li>1. The business activity shall be compatible with the residential use of the property and surrounding residential uses.</li> <li>2. The business shall employ no employees other than family members residing in the dwelling.</li> <li>3. There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.</li> <li>4. There shall be no outside appearance of a business use, including, but not limited to, parking, signs or lights.</li> <li>5. The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.</li> <li>6. The business activity may not generate any solid waste or sewage discharge in volume or type which is not normally associated with residential use in the neighborhood.</li> <li>7. The business activity shall be conducted only within the dwelling and may not occupy more than 25% of the habitable floor area.</li> <li>8. The business may not involve any illegal activity.</li> </ol>
<p><b>NOAA</b> - National Oceanic and Atmospheric Administration.</p>
<p><b>Nonconforming Lot</b> - A lot the area or dimension of which was lawful prior to the adoption or amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption or amendment.</p>
<p><b>Nonconforming Structure</b> - A structure or part of a structure manifestly not designed to comply with the applicable use or extent of use provisions in the zoning ordinance or amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of such ordinance or amendment or prior to the application of such ordinance or amendment to its location by reason of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs.</p>
<p><b>Nonconforming Use</b> - A use, whether of land or of structure, which does not comply with the applicable use provisions in the zoning ordinance or amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of such ordinance or amendment, or prior to the application of such ordinance or amendment to its location by reason of annexation.</p>
<p><b>Nonpoint Source Pollution</b> - Pollution that enters a water body from diffuse origins in the Watershed and does not result from discernible, confined, or discrete conveyances.</p>
<p><b>Nonprofit Emergency Medical Services Agency</b> - The West Grove Fire and Ambulance Company and non-profit emergency medical services agencies which serve New London Township.</p>
<p><b>Non-stormwater Discharges</b> - Water flowing in stormwater collection facilities, such as pipes or swales, which is not the result of a rainfall event or snowmelt.</p>
<p><b>Nonstructural Best Management Practice (BMPs)</b> - See <b>Best Management Practice (BMPs)</b>.</p>
<p><b>Noxious Weeds</b> - This phrase shall have the meaning and context assigned to it as it is more fully explained in the Pennsylvania Noxious Weed Control Law of April 7, 1982, P.L. 228, No. 74. 3 P.S. §255.1 et seq. At a minimum it shall include the following:</p> <ul style="list-style-type: none"> <li>Carduus nutans: Musk or Nodding Thistle</li> <li>Cirsium arvense: Canada Thistle</li> <li>Cirsium vulgare: Bull or Spear Thistle</li> <li>Datura stramonium: Jimsonweed</li> <li>Lythrum salicaria: Purple Loosestrife</li> <li>Phyllostachys aurea: Golden Bamboo</li> <li>Phyllostachys aureosulcata: Yellow Groove Bamboo</li> <li>Polygonum perfoliatum: Mile-a-Minute</li> <li>Pueraria lobata: Kudzu Vine</li> <li>Rosa multiflora: Multiflora Rose</li> <li>Sorghum bicolor: Shattercane</li> <li>Sorghum halepense: Johnson <b>grass</b></li> </ul>
<p><b>NPDES</b>: National Pollution Discharge Elimination System, the Federal government's system for issuance of permits under the Clean Water Act, which is delegated to PADEP in Pennsylvania.</p>
<p><b>NRCS</b>: Natural Resource Conservation Service (previously Soil Conservation Service, SCS), an agency of the U.S. Department of Agriculture.</p>
<p><b>Obstruction</b> - Any wall, dam, wharf, embankment, levee, dike, pile, abutment projection, excavation, channel, rectification, culvert, building, fence, stock-pile, refuse, fill, structure, or matter in, along, across, or projecting into any channel, watercourse, or flood-prone area, which may impede, retard, or change the direction of the flow of water either in itself or by catching or collecting debris carried by such water or is placed where the flow of the water might carry the same downstream to the damage of life or property.</p>
<p><b>Off-grid</b> - A solar energy system that is not connected to the distribution system of a local electrical utility company.</p>
<p><b>Official Map</b> - A map adopted by ordinance pursuant to Article IV (Footnote: 53 P.S. § 10401 et seq.) of the Municipal Planning Code).</p>
<p><b>Off-Street Parking</b> - The parking of vehicles in designated areas, whether public or private, and not upon a public street.</p>
<p><b>Old Field</b> - An area of abandoned farm or Lawn that is starting to grow as a meadow; when managed, the first stage of succession toward becoming a forest.</p>
<p><b>On-Street Parking</b> - Parking that is adjoining the curb line of a street, and that is either parallel to or at an angle from the curb line.</p>
<p><b>Ornamental or Flowering Tree</b> - A deciduous tree typically growing to a typical height of less than 20 feet which exhibits prominent characteristics such as showy flowers, fall color, bark color and/or texture. Ornamental or flowering trees may have multiple stems (trunks).</p>
<p><b>Outdoor Sports Stadium</b> - An open-air facility, the principal purpose of which is accessory to an enforcement use, at which athletic events and similar large public gatherings are held.</p>
<p><b>Outfall</b> - "Point Source" as described in 40 CFR §122.2, and the point where the Township's storm sewer system discharges to surface waters of the Commonwealth.</p>
<p><b>PADEP</b> - Pennsylvania Department of Environmental Protection.</p>
<p><b>Parent Tract</b> - The parcel of land from which a Land development or subdivision originates, determined from the date of the adoption of the Township Ordinances.</p>

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<b>Parking Lot</b> - an off-street surfaced area designed solely for the parking of motor vehicles, including driveways, passageways, and maneuvering space.
<b>Parking Space</b> - A reasonably level area, available for the parking of one motor vehicle consisting of a dustless, all-weather surface, and shall include either covered garage space or uncovered parking lot space located off the right-of-way. For the purposes of calculating space requirements, or single-family lots can be considered.
<b>Party Wall</b> - A vertical or horizontal wall that separates two buildings.
<b>Passive Solar Energy System</b> - A system or feature that uses solar energy but does not use solar panels or convert the energy to electricity.
<b>Paved Area</b> - Total surface area of a lot which is covered by materials that do not absorb rainfall and runoff, such as parking <b>areas</b> , <b>driveways</b> , walks and similar surfaces.
<b>Peak Discharge</b> - The maximum rate of stormwater runoff from a specific storm event.
<b>PennDOT</b> - Pennsylvania Department of Transportation.
<b>Pennsylvania Stormwater Best Management Practices Manual (PADEP BMP Manual)</b> - Document Number 363-0300-002 (December 2006, and as subsequently amended).
<b>Perennial Stream</b> - A stream that has flowing water year-round during a typical year.
<b>Person</b> - Any resident, Individual, partnership, association, firm, corporation, institution, cooperative enterprise, trust, municipal authority, federal government or agency, commonwealth of Pennsylvania institution or agency, or any legal entity whatsoever which is recognized by law as a subject of rights and duties.
<b>Person in Charge of Property</b> - Any person or entity, other than the property owner, occupying or controlling property in New London Township.
<b>Pervious Surface (or Pervious Area)</b> - Any area not defined as impervious surface by New London Township Ordinances. Uncompacted gravel areas with no vehicular traffic, such as gardens, walkways, or patios areas, shall be considered pervious per review by New London Township. Surfaces that were designed to allow infiltration (i.e., pavers and areas of porous pavement) are not to be considered impervious surface if designed to function as a BMP per review by New London Township. Additionally, for the purposes of determining compliance with New London Township Ordinances, the total horizontal projection area of all ground-mounted and free-standing solar collectors, including solar photovoltaic cells, panels, and arrays, shall be considered pervious so long as the designs note that natural vegetative cover will be preserved and/or restored underneath the solar photovoltaic cells, panels, and arrays, and the area disturbed is planned as a vegetated pervious surface.
<b>Pet</b> - A domesticated animal (other than a disability assistance animal) kept for amusement or companionship.
<b>Plan</b> - <ol style="list-style-type: none"> <li>1. As Built: a corrected final plan, showing dimensions and locations of all streets and other improvements as actually constructed.</li> <li>2. Conservation: a plan to accompany preliminary and final plan submissions detailing stream channels, tree masses, and other natural features, and measures to protect the same and control erosion and sedimentation during construction.</li> <li>3. Final: a complete and exact land development or subdivision plan prepared by a registered engineer or registered land surveyor defining property lines, proposed streets, drainage facilities, easements, and other improvements, and which is to be recorded upon approval.</li> <li>4. Improvement construction: a plan prepared by a registered engineer or registered land surveyor showing the construction details of streets, drains, sewers, Water Supply systems, bridges, culverts, and other improvements as required by these regulations, and including a horizontal plan, profiles, and cross-sections.</li> <li>5. Preliminary: A land development or subdivision plan prepared by a registered engineer, in lesser detail than a final plan, showing approximate property lines, proposed streets, drainage facilities, easements, and other improvements, for consideration prior to preparation of a final plan.</li> <li>6. Profile: a plan prepared by a registered engineer or registered land surveyor showing the vertical section of the existing grade and proposed grade along the center line of any proposed street, and any street appurtenances to be constructed or installed, which must include a typical cross-section of the street construction; part of the required submission for an improvement construction plan.</li> <li>7. Sketch: a plan submitted for review and discussion prior to application for preliminary plan approval, not necessarily to exact scale, indicating the location of stream channels, tree masses, and other natural features, and a general layout of the proposed subdivision or land development.</li> </ol>
<b>Planned Residential development</b> - An area of land, controlled by a landowner, to be developed as a single entity for a number of dwelling units, or combination of residential and nonresidential uses, the development plan for which does not correspond in lot size, bulk, type of dwelling, or use, density, or intensity, lot coverage and required open space to the regulations established in any one district created, from time to time, under the provisions of a municipal zoning ordinance.
<b>Planning Agency</b> - A planning commission, planning department, or a planning committee of the governing body.
<b>Planning Commission</b> - The Planning Commission of New London Township.
<b>Plastic</b> - All containers made of plastic, including those marked with #1 through #7 recycling symbols. Styrofoam, foam, and polystyrene items are excluded from this definition.
<b>Plat</b> - The map or plan of a subdivision or land development, whether preliminary or final.
<b>Point Source</b> - Any discernible, confined and discrete conveyance including, but not limited to, any pipe, ditch, channel, tunnel, or conduit from which stormwater is or may be discharged, as defined in State regulations at 25 Pa. Code §92.1.
<b>Porch</b> - An unenclosed extension of a building no smaller than 7 feet deep by 14 feet wide.
<b>Post-construction</b> - Period after construction during which disturbed areas are stabilized, stormwater controls are in place and functioning, and all proposed improvements approved by New London Township are completed.
<b>Post-FIRM Structure</b> - is a structure for which <i>construction</i> or substantial improvement occurred after December 31, 1974, or on or after the community's initial Flood Insurance Rate Map (FIRM) dated November 12, 1982, whichever is later, and, as such, would be required to be compliant with the regulations of the National Flood Insurance Program.
<b>Predevelopment</b> - Land cover conditions assumed to exist within the proposed disturbed area prior to commencement of the regulated activity for the purpose of calculating the predevelopment water quality volume, infiltration volume, and peak flow rates as required in the New London Township Ordinances.
<b>Pre-FIRM Structure</b> - is a structure for which construction or substantial improvement occurred on or before December 31, 1974, or before the community's initial Flood Insurance Rate Map (FIRM) dated November 12, 1982, whichever is later, and, as such, would not be required to be compliant with the regulations of the National Flood Insurance Program.
<b>Preservation or Protection</b> - When used in connection with natural and historic resources, shall include means to conserve and safeguard these resources from wasteful or destructive use but shall not be interpreted to authorize the unreasonable restriction of forestry, mining or other lawful uses of natural resources.

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<b>Pretreatment</b> - Techniques employed in stormwater BMPs to provide storage or filtering, or other methods to trap or remove coarse materials and other pollutants before they enter the stormwater system but may not necessarily be designed to meet the entire water quality volume requirements in the New London Township Ordinances.
<b>Primary Facade</b> - The facade of a building where the front entrance door is located. On a corner lot, there shall be two primary facades.
<b>Prime Agricultural Land</b> - Land used for agricultural purposes that contains soils of the first, second or third class as defined by the United States Department of Agriculture Natural Resource and Conservation Services County Soil Survey.
<b>Principal Building</b> - Any building or structure present on a tract, lot or parcel of land in which a regular occupancy or use is carried out. This includes a dwelling, place of business or industry, or any other use requiring a location identity.
<b>Private Club or Lodge</b> - An organization established for social or fraternal purposes whose buildings, facilities, and services are primarily for the use of members and their guests
<b>Private Open Space</b> - An area of protected open space that is part of a residential cluster design and is owned by a private Individual or entity and used and managed in accordance with the terms of the Zoning Ordinance.
<b>Professional Consultants</b> - Persons who provide expert or professional advice, including, but not limited to, architects, attorneys, certified public accountants, engineers, geologists, land surveyors, landscape architects or planners.
<b>Project Site</b> - Specific area of land where any regulated earth disturbance activities in the Township are planned, conducted, or maintained.
<b>Property Line Buffers</b> - A buffer installed between adjacent parcels of land that act to integrate new development with its surroundings and/or to separate incompatible land uses and/or zoning districts by reducing or blocking visibility, noise, glare and/or airborne particles.
<b>Property Owner</b> - Any person or entity having legal title in fee of the lot.
<b>Proposed Impervious Surface</b> - All new, additional and replacement impervious surface s.
<b>Protected Open Space</b> - A parcel or parcels of land, an area of water, or a combination of land and water that, regardless of ownership, is restricted from further subdivision or development for other than open space purposes permitted in accordance with the New London Township Zoning Ordinance. All areas of protected open space within a residential cluster design shall be further designated as Common Open Space or private open space in accordance with the New London Township Zoning Ordinance.
<b>Public Gathering</b> - Any planned, arranged gathering or assembly of persons, for commercial purposes or otherwise, whether on private or public property, where it is reasonably anticipated that more than 250 persons will attend for a continuous period of not less than two hours. A public gathering may include, but shall not be limited to: <ol style="list-style-type: none"> <li>1. Musical productions, participatory events, or shows.</li> <li>2. Outdoor theater; historical reenactments.</li> <li>3. Arts and crafts shows and/or sales.</li> <li>4. Animal races or shows, including equine shows and competitions.</li> <li>5. Carnivals or amusements.</li> <li>6. Motor vehicle shows.</li> <li>7. Religious assembly, festival, and the like that is conducted outside a building and has projected attendance that will exceed the permitted seating capacity of the building.</li> <li>8. Political rally, debate, and the like.</li> <li>9. Special event assemblage at children's camp, sports training facility, or similar operation.</li> <li>10. A public gathering shall not include:</li> <li>11. Any gathering under control of any public school under the auspices of the Pennsylvania Department of Public Education;</li> <li>12. Any gathering or event sponsored or sanctioned by any other duly authorized governmental entity;</li> <li>13. Any event sponsored and conducted by the West Grove Fire and Ambulance Company; or any private family event, including but not limited to a family reunion or wedding, held on private property.</li> </ol>
<b>Public Grounds - Includes:</b> <ol style="list-style-type: none"> <li>1. parks, playgrounds, trails, paths and other recreational areas and other public areas;</li> <li>2. sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities; and</li> <li>3. publicly owned or operated scenic and historic sites.</li> </ol>
<b>Public Hearing</b> - A formal meeting held pursuant to public notice by the governing body or planning agency, intended to inform and obtain public comment, prior to taking action in accordance with New London Township Ordinances.
<b>Public Improvement</b> - Any drainage facility, street sidewalk, pedestrian way, tree, lawn, off-street parking area, lot improvement, or other facility for which the Township may ultimately assume the responsibility for maintenance and operation, or which may affect an improvement for which Township responsibility is established.
<b>Public Infrastructure Area</b> - A designated growth area and all or any portion of a future growth area described in a county or multimunicipal comprehensive plan where public infrastructure services will be provided and outside of which such public infrastructure services will not be required to be publicly financed.
<b>Public Meeting</b> - A forum held pursuant to notice under 65 Pa.C.S. Ch. 7 (relating to open meetings).
<b>Public Notice</b> - A notice published once each week for two successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than seven days from the date of the hearing.
<b>Rain Garden</b> - An excavated shallow surface depression planted with specifically selected Native Plants to capture and treat runoff.
<b>Rainfall Intensity</b> - The depth of accumulated rainfall per unit of time.
<b>RCN</b> - See <b>Runoff Curve Number</b> .
<b>Rear Yard</b> - A yard extending the full width of the lot along the rear lot line and extending in depth from the rear lot line to the nearest point of any building on the lot.
<b>Recharge</b> - The replenishment of groundwater through the infiltration of rainfall, other surface waters, or land application of water or treated wastewater.
<b>Recreational Vehicle</b> - A vehicle which is (1) built on a single chassis; (2) not more than 400 square feet, measured at the largest horizontal projections; (3) designed to be self-propelled or permanently towable by a light-duty truck; (4) not designed for use as a permanent dwelling but as temporary living quarter for recreational, camping, travel or seasonal use.

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<b>Recyclable Materials</b> - Waste materials that are specified by the Township to be source separated from municipal solid waste and collected for resale and/or reuse. Such materials shall include but need not be limited to corrugated cardboard; aluminum containers (food/beverage related only); ferrous, bi-metal, and plastic containers; clear and colored glass containers; newspapers; high-grade office paper; mixed paper; and leaf waste. Recyclable materials do not include batteries, cfl bulbs, or household hazardous waste.
<b>Redevelopment</b> - Any regulated activity that involves demolition, removal, reconstruction, or replacement of existing impervious surface (s).
<b>Refuse</b> - All municipal solid waste, as defined in the New London Township Ordinances, which is discarded for ultimate disposal, whether or not the material is permitted to be collected or disposed of in accordance with this chapter, but excluding the following categories of solid waste: 1. Bulk waste, including tires and appliances, 2. <b>construction</b> /demolition waste, 3. Sludge, 4. Infectious/pathological waste, 5. Ash residue, 6. Friable asbestos waste, 7. Source-separated recyclable materials, 8. <i>Household hazardous waste</i> , 9. <i>Oversized refuse items</i> , 10. <i>Grass clippings</i> , 11. Leaf waste, 12. Unacceptable waste.
<b>Regulated Activity</b> - Any earth disturbance activity(ies) or any activity that involves the alteration or development of land in a manner that may affect stormwater runoff.
<b>Regulated Earth Disturbance Activity</b> - Any activity involving earth disturbance subject to regulation under 25 Pa. Code, Chapter 92.a, Chapter 102, or the Clean Streams Law, 35 P.S. §691.1 et seq.
<b>Regulated Impervious Surface</b> - Proposed impervious surface as part of a current proposed activity and all existing impervious surfaces installed after 15 January 2014.
<b>Regulatory Flood Elevation</b> - the Base Flood Elevation (BFE) or estimated flood height as determined using simplified methods plus a freeboard safety factor of one and one-half (1½) feet. The freeboard safety factor also applies to utilities and ductwork.
<b>Religious Use</b> - A nonprofit use of land or a building or buildings as a place of worship, convent, monastery, or similar religious institution, including rectory and parish houses for an organization organized solely or primarily as a religious institution.
<b>Renewable Energy Source</b> - Any method, process or substance whose supply is rejuvenated through natural processes and subject to those natural processes, remains relatively constant, including, but not limited to, biomass conversion, geothermal energy, solar and wind energy and hydroelectric energy and excluding those sources of energy used in the fission and fusion processes.
<b>Repetitive Loss – Flood</b> related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such event, on average, equals or exceeds 25% of the market value of the structure.
<b>Report</b> - Any letter, review, memorandum, compilation or similar writing made by any body, board, officer or consultant other than a solicitor to any other body, board, officer or consultant for the purpose of assisting the recipient of such report in the rendering of any decision or determination. All reports shall be deemed recommendatory and advisory only and shall not be binding upon the recipient, board, officer, body or agency, nor shall any appeal lie therefrom. Any report used, received or considered by the body, board, officer or agency rendering a determination or decision shall be made available for inspection to the applicant and all other parties to any proceeding upon request, and copies thereof shall be provided at cost o reproduction.
<b>Resident</b> – Any person who owns, leases, or occupies a property located in the Township for use as a residence.
<b>Residential Conversion</b> – The change in density and housing type of an existing dwelling, resulting in the creation of party walls and independent cooking, lavatory and sleeping facilities.
<b>Residential Establishment</b> – Any occupied single-family, two-family, or multi-family dwelling.
<b>Residual Waste</b> – Any garbage, refuse, other discarded material, or other waste, including solid, liquid, semisolid, or contained gaseous materials resulting from industrial, mining, and agricultural operations and any sludge from an industrial, mining, or agricultural water supply treatment facility, wastewater treatment facility, or air pollution control facility, provided that it is not hazardous. The term shall not include coal refuse as defined in the act of September 24, 1968 (P.L. 1040, No. 318), known as the Coal Refuse Disposal Control Act. The term shall not include treatment sludge from coal mine drainage treatment plants, disposal of which is being carried on pursuant to and in compliance with a valid permit issued pursuant to the act of June 22, 1937 (P.L. 1987, No. 394), known as The Clean Streams Law. (Pennsylvania Act 101, Section 103) as amended.
<b>Re-subdivision</b> – A change in the map of an approved or recorded subdivision plan if such change affects any street layout on such map or area reserved thereon for public use, or any lot line; or if it affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivisions.
<b>Retail Use</b> – A building that houses a shop, store or like-type establishment, that offers goods and products for retail sale to the general public.
<b>Retention Basin</b> – An impoundment that is designed to temporarily detain a certain amount of stormwater from a catchment area and which may be designed to permanently retain stormwater runoff from the catchment area; retention basins always contain water.
<b>Retention or To Retain</b> – The prevention of direct discharge of stormwater runoff into surface waters or water bodies during or after a storm event by permanent containment in a pond or depression; examples include systems which discharge by percolation to groundwater, exfiltration, and/or evaporation processes and which generally have residence times of less than three (3) days.
<b>Retention Volume/Removed Runoff</b> – The volume of runoff that is captured and not released directly into the surface waters of the Commonwealth during or after a storm event.
<b>Return Period</b> – The average interval, in years, within which a storm event of a given magnitude can be expected to occur one (1) time. For example, the twenty-five (25)-year return period rainfall would be expected to occur on average once every twenty-five (25) years; or stated in another way, the probability of a twenty-five (25) -year storm occurring in any one (1) year is four-one hundredths (0.04) (i.e., a four (4) % chance).
<b>Rights-of-Way (ROW)</b> – The area on, below or above a public roadway, highway, <i>street, sidewalk, alley, utility easement or similar property, but not including a federal interstate highway.</i>
<b>Riparian</b> – Pertaining to anything connected with or immediately adjacent to the banks of a stream or other body of water.

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<b>Riparian Buffer</b> – An area of land adjacent to a body of water and managed to maintain vegetation to protect the integrity of stream channels and shorelines, to reduce the impact of upland sources of pollution by trapping, filtering, and converting sediments, nutrients, and other chemicals, and to supply food, cover and thermal protection to fish and other aquatic species and wildlife.
<b>Riparian Forest Buffer</b> -See <b>Forested Riparian Buffer</b> .
<b>Road Maintenance</b> – Earth disturbance activities within the existing road rights-of-way, such as grading and repairing existing unpaved road surfaces, cutting road banks, cleaning, or clearing drainage ditches and other similar activities.
<b>Rooming House</b> – A building or parts of a building occupied by three or more persons providing room and Board for hire, unrelated to the tenant or occupancy residing on the premises. The term includes boarding and lodging houses and dormitories.
<b>Runoff</b> – Any part of precipitation that flows over the land surface.
<b>Runoff Curve Number (RCN) or Curve Number (CN)</b> – An empirical parameter used in hydrology for predicting direct runoff or infiltration from rainfall excess developed by the <b>USDA</b> Natural Resources Conservation Service.
<b>Rural Resource Area</b> – An area described in a municipal or multimunicipal plan within which rural resource uses including, but not limited to, agriculture, timbering, mining, quarrying and other extractive industries, forest and game lands and recreation and tourism are encouraged and enhanced, development that is compatible with or supportive of such uses is permitted and public infrastructure services are not provided except in villages.
<b>SALDO</b> - See <b>Subdivision and Land Development Ordinance</b> .
<b>Sanitary Landfill</b> - A lot or portion of a lot used for the deposit and storage of refuse and in which all exposed refuse is covered by earth every day. A sanitary landfill shall be operated in accordance with standards established by and shall be subject to inspection by the Pennsylvania Department of Environmental Protection.
<b>Screening</b> - The use of plant materials, fencing and/or earthen berms to aid in the concealment of such features as parking areas and vehicles within them, and to provide privacy between two or more different land uses which abut one another.
<b>SECCRA</b> - Southern Chester County Refuse Authority.
<b>Sediment</b> - Soil or other materials transported by, suspended in, or deposited by surface water as a product of Erosion.
<b>Self-Delivery</b> - The collection, transport, and delivery of municipal solid waste, other acceptable waste, recyclable materials, Household Hazardous Waste, or prohibited materials by a person to a state-permitted or state-approved program or facility that accepts the materials delivered.
<b>Separate Storm Sewer System</b> - A Conveyance or system of conveyances (including roads with drainage systems, Township streets, catch basins, curbs, gutters, ditches, manufactured channels, or storm drains) primarily used for collecting and conveying stormwater runoff.
<b>Sewage Facilities</b> - 1. Individual, On-site System. The disposal of sewage by safe and healthful means, within the confines of the lot on which the use is located. 2. Community Sewage Collection, Treatment and/or Disposal System. A sanitary sewage system in which sewage is carried from individual dischargers by a system of pipes to one or more common treatment and disposal facilities employing spray irrigation and/or subsurface land disposal techniques. Treatment and disposal may occur either on-site or off-site. 3. Public Sewage System: an off-site system for the treatment and disposal of sewage in which sewage is conveyed by interceptor to a municipal operated treatment plant and disposed of through means approved by the Pennsylvania Department of Environmental Protection.
<b>Shade Tree</b> - A large deciduous tree typically growing to a height of (30) thirty feet or more.
<b>Shadow Analysis</b> - A graphic representation of shadows cast by mature landscaping, screening, and structures, plotted with regard to topography, slope and direction at 9:00 a.m., noon, and 3:00 p.m. on the date of Winter Solstice.
<b>Sheet Flow</b> - A flow process associated with broad, shallow water movement on sloping ground surfaces that is not channelized or concentrated.
<b>Shopping Center</b> - A unified, multiple use of a single property for the retail sale of goods including provisions for off-street parking provided on the property.
<b>Short Term Rental</b> - A detached dwelling unit rented for the purpose of overnight lodging for a period of less than 30 days.
<b>Shrub</b> - A woody plant which is smaller than a tree and has several main stems arising at or near the ground. Large shrubs naturally grow to a height of more than four feet. Small shrubs naturally grow to a height of less than four feet.
<b>Side Yard</b> - A yard extending the full depth of the lot along a side lot line and extending in width from such side lot line to the nearest point of any building on the lot.
<b>Sight Distance</b> - The required length of roadway visible to the driver of a passenger vehicle at any given point on the roadway when the view is unobstructed by traffic. 1. Object Sight Distance: shall be measured from a point 4.5 feet above the centerline of the road surface to a point 0.5 feet above the centerline of the road surface. 2. \Vehicle Sight Distance: shall be measured from a point 4.5 feet above the centerline of the road surface to another 4.5 feet above the centerline of the road surface.
<b>Sight Triangle</b> - The required area of unobstructed vision at street intersections determined by lines of sight between points at a given distance from the intersection down the center lines of the intersecting streets.
<b>Sign</b> - Any letter, word, model, device, symbol, or representation intended as an announcement, direction, or advertisement, and may be either free standing, attached to another structure, or painted on the exterior wall of a building or other structure.
<b>Sign Faceplate</b> - That portion of a sign, which includes all graphical representations and the surrounding blank border areas. Graphical representations include but are not limited to lettering, numbers, symbols, trademarks, pictures, and illustrations.
<b>Sign, Advertising</b> - A sign which offers services or goods produced or available somewhere other than on the lot where the sign is located, including billboards.
<b>Sign, Area</b> - The face of a sign including all lettering wording, designs, and symbols, together with background, whether open or enclosed on which they are displayed including the frame, but not including any supporting framework and bracing. Where a sign consists of individual letters, numbers, characters, or symbols attached to a building, the area of the sign shall be considered that of the smallest rectangle or other regular geometric shape which encompasses all of the letters and symbols. Double-faced signs shall have only one face used to compute sign area.
<b>Sign, Business</b> - A sign which offers services or goods available on the lot where the sign is located.
<b>Sign, Directional</b> - An informational sign indicating direction, entry, exit, loading or service areas, fire lanes, parking, and other information incidental to the primary use and not itself advertising that use.
<b>Sign, Freestanding</b> - A manufactured, permanent sign composed of a sign faceplate and supporting structure, and which is located independently from any building or structure.



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<b>Sign, Official</b> - A sign erected by the State, County, or other legally constituted governmental body.
<b>Sign, Permanent</b> - A sign that is placed for an extended or infinite duration of time.
<b>Sign, Temporary</b> - A sign that is placed for a limited or finite duration of time including, but not limited to, for-sale signs, advertisements during <b>construction</b> , and political signs.
<b>Sign, Wall-Mounted</b> - A manufactured, permanent sign which is fastened to or integral with a wall on a building or structure. This sign has a sign faceplate and may include its own supporting structure. The term "integral" shall mean that the sign is in the same plane as the building or structure wall.
<b>Single and Separate Ownership</b> - The possession of real estate by one or more persons, which vested interest is separate and distinct from that of any adjoining property.
<b>Site</b> - Total area of land in the New London Township where any proposed Regulated Activity, as defined in the New London Township Ordinances, is planned, conducted, or maintained or that is otherwise impacted by the Regulated Activity.
<b>Site Element(s) Screening</b> - Restriction of objectionable views to intensive use or utility elements of a site by landscape plantings, berms, walls, and fences. The Screening is located at or near the element to be screened.
<b>Slash</b> - Woody material left after a logging operation, including logs, chunks, bark, branches, stumps, and broken understory trees or brush.
<b>Small Wireless Facilities</b> - The equipment network components, including antenna s, transmitters, and receivers, used by a wireless provider that meet the following qualifications: 1. Each antenna associated with the deployment is no more than three (3) cubic feet in volume. 2. The volume of all other equipment associated with the Wireless Facility, whether ground-mounted or pole-mounted, is cumulatively no more than twenty-eight (28) cubic feet. Any equipment used solely for the concealment of the small wireless facility are excluded in the calculation of equipment volume under this paragraph.
<b>Soil-Cover Complex Method</b> - A method of runoff computation developed by NRCS that is based on relating soil type and land use/cover to a runoff parameter called "curve number (CN)."
<b>Solar Energy</b> - Radiant energy (direct, diffused or reflected) received from the sun at wavelengths suitable for conversion into thermal, chemical, or electrical energy.
<b>Solar Energy System</b> - Any system designed to convert solar energy into another usable form of energy, such as heat or electricity. Such a system shall include all panels, wiring, and related ancillary equipment, and shall be principally designed and used to generate power to offset utility costs on the property where the system is located. A solar energy system shall most commonly function as a use accessory to a principal residential use; larger systems also may function as a use accessory to a principal agricultural, commercial, or industrial use when located on the same property and designed to offset utility costs on that property.
<b>Solar Farm</b> - A solar energy system designed to be a principal use on a parcel and designed to distribute electricity off the site on which the system is located.
<b>Solar Skyscape</b> - The space between a given location and the sun which must remain unobstructed between 9:00 a.m. and 3:00 p.m. mean solar time (Winter Solstice) in order to permit sufficient solar energy to reach that location to allow efficient solar utilization.
<b>Source Separation</b> - Shall mean the separation of recyclable materials from municipal waste at the point of origin for the purpose of recycling.
<b>Special Exception</b> - Permission, approval or authorization granted by the Zoning Hearing Board for particular uses in accordance with the provisions of Part 18, in situations where provision is made by the terms of this Compilation.
<b>Special Flood Hazard Area (SFHA)</b> - An area in the floodplain subject to a 1 percent or greater chance of flooding in any given year. It is shown on the FIRM as Zone A, AO, AI-A30, AE, A99, or, AH.
<b>Specific Plan</b> - A detailed plan for nonresidential development of an area covered by a municipal or multimunicipal comprehensive plan, which, when approved and adopted by the participating municipalities through ordinances and agreements supersedes all other applicable ordinances.
<b>Specimen, Tree</b> - A unique, rare, or otherwise specifically selected plant or tree which most typically represents a whole class or group, specifically in shape, form, historical importance, or any other characteristic which may be designated as such by the Township.
<b>Sponsor</b> - any person or entity who organizes, promotes, permits, or conducts a public gathering.
<b>Spring</b> - A place where water flows naturally from rock or soil upon the land or into a body of surface water.
<b>Stand</b> - Any area of forest vegetation whose site conditions, past history, and current species composition are sufficiently uniform to be managed as a unit.
<b>Start of Construction</b> - includes substantial improvement and other proposed new development and means the date the Permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days after the date of the permit and shall be completed within twelve (12) months after the date of issuance of the permit unless a time extension is granted, in writing, by the floodplain Administrator. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of Accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
<b>State Land Use and Growth Management Report</b> - A comprehensive land use and growth management report to be prepared by the Center for Local Government Services and which shall contain information, data and conclusions regarding growth and development patterns in this Commonwealth and which will offer recommendations to Commonwealth agencies for coordination of executive action, regulation and programs.
<b>State Water Quality Requirements</b> - The regulatory requirements to protect, maintain, reclaim, and restore water quality under Title 25, Pa. Code, and the Clean Streams Law, 35 P.S. §691.1 et seq.
<b>Stocking</b> - The degree to which an area is effectively covered with living trees.
<b>Storm Frequency Return Period</b> - See <b>Return Period</b> .
<b>Storm Sewer</b> - A system of pipes and/or open channels that convey intercepted runoff and stormwater from other sources but excludes domestic sewage and industrial wastes.
<b>Stormwater</b> - Drainage runoff from the surface of the land resulting from precipitation or snow or ice melt.
<b>Stormwater Control Measure</b> - Physical features used to effectively control, minimize, and treat stormwater runoff. [See <b>Best Management Practice (BMPs)</b> ].

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<b>Stormwater Management</b> - Procedures involved in the control of water that runs off the surface of the land from rain and melting snow.
<b>Stormwater Management (SWM) Site Plan</b> - The plan prepared by the applicant or its representative, in accordance with the requirements of the New London Township Stormwater Management Ordinance, Article IV, indicating how stormwater runoff will be managed at a particular site in accordance with New London Township Ordinances, and including all necessary design drawings, calculations, supporting text, and documentation to demonstrate that Ordinance requirements have been met, herein referred to as "SWM Site Plan." All references in this Ordinance to "final" or "approved" SWM Site Plans shall incorporate the approved SWM Site Plan and all subsequent approved revisions thereto.
<b>Stormwater Management Facility</b> - Any feature, natural or manufactured, that, due to its condition, design, or construction, conveys, stores, or otherwise affects stormwater runoff quality, rate, or quantity, including Best Management Practices (BMPs) and Stormwater Control Measures. Typical stormwater management facilities include, but are not limited to, Detention and retention basins, open channels, storm sewers, pipes, and Infiltration Facilities.
<b>Stormwater Management Practices</b> - The designed and/or constructed features which infiltrate, treat, collect, convey, channel, store inhibit, or divert the movement of stormwater; such practices include structural and non-structural practices.
<b>Story</b> - The portion of a building located between the surface of any floor and the surface of the ceiling or roof next above.
<b>Stream</b> - A natural watercourse with perennial and intermittent flow.
<b>Street</b> - Includes street, avenue, boulevard, road, highway, freeway, lane, alley, viaduct and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private.
<b>Street Line</b> - The legal right-of-way line of a public street.
<b>Street Tree</b> - A shade tree planted along public and private roads within or outside of the street line. installed for public benefits including providing shade and cooling, stormwater management, habitat, aesthetics, and sense of scale.
<b>Street Wall</b> - The wall of a building adjoining a sidewalk at the edge of the street right-of-way; or architectural and landscape architectural elements such as walls, pillars, piers, colonnades, arcades, and fences in lieu of a building wall when an existing building is already set back from the street wall line. Street trees and hedges may be considered as street wall elements when in combination with walls, pillars, piers, fences, and the like.
<b>Street, Access</b> - a local street or streets including, but not limited to, cul-de-sac and loop designs, which has only one point of intersection with an existing Township or State road or with a proposed road having more than one access point. 1. Collector Street: a street designed and located to provide means to direct traffic off local streets and to provide access for through traffic between residential neighborhoods and districts within the Township to major streets and/or a street used for access to non-residential properties, i.e., commercial, industrial, professional, etc. 2. Cul-De-Sac Street: a local street intersecting another street at one end and terminating at the other end by a permanent vehicular turnaround. 3. Local Street: a street intended to serve and provide access to the properties abutting thereon and not connecting with other streets in such a manner as to encourage through traffic. 4. Marginal Access Street: a local street, parallel and adjacent to a major street (but separated from it by a reserve strip) which provides access to abutting properties and controls intersections with major streets. 5. Major Street (Arterial): a street serving a large volume of comparatively high-speed and long-distance traffic, including all facilities classified as main and secondary highways by the Pennsylvania Department of Transportation. 6. Private Street: a local street serving only abutting lots, that is not offered or required to be offered for dedication. 7. .Single-Access Street: a local street or streets including, but not limited to, cul-de-sac and loop designs, which has only one point of intersection with an existing Township or State road or with a proposed road having more than one access point.
<b>Street, Center Line</b> - A line which is an equal distance from both street lines.
<b>Streetscape</b> - The space formed by buildings located close to the street, which is embellished with sidewalks, street trees, streetlights, curbs, on-street parking, and Cartways. The streetscape is framed by buildings which create the "outdoor room" character of a traditional neighborhood.
<b>Structural Best Management Practices</b> - See BMP ( <i>Best Management Practices MPS</i> ).
<b>Structure</b> - Any manufactured object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.
<b>Structure Height</b> - The vertical measurement from the highest point of the structure to the ground directly beneath the highest point.
<b>Subdivision</b> - The division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development. Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or any residential dwelling, shall be exempted. 1. Major - any subdivision of land into four or more lots and/or requiring the installation of public improvements. 2. Minor - a subdivision in which: A. No street is to be constructed or widened. B. No other improvement that requires a bond or escrow as a performance guarantee is to be constructed. C. No earthmoving activities will take place except those normal to construction of a single-family dwelling on each lot. D. No more than three lots are created.
<b>Subdivision and Land Development Agreement</b> - The written contract (in the form provided) between the applicant and the owner on one hand, and the Township on the other, specifying the conditions of approval by the Township.
<b>Subdivision and Land Development Ordinance</b> - <i>Subdivision</i> and <i>Land Development</i> Ordinance of New London Township, Chester County, PA, as amended.
<b>Substantial Damage</b> - Damage from any cause sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50% or more of the market value of the structure before the damage occurred.
<b>Substantial Improvement</b> - Any reconstruction, rehabilitation, or addition or other improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," or "repetitive loss" as defined herein, regardless of the actual repair work performed. The term does not, however, include either: 1. Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code Enforcement official and which are the minimum necessary to assure safe living conditions. 2. Any alteration of a "historic structure" provided that the alteration will not preclude the structure's continued designation as a "historic structure."
<b>Substantially Completed</b> - Where, in the judgment of the municipal engineer, at least 90% (based on the cost of the required improvements for which financial security was posted pursuant to section 509) of those improvements required as a condition for final approval have been completed in accordance with the approved plan, so that the project will be able to be used, occupied or operated for its intended use.

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<b>Surface Waters of the Commonwealth</b> - Any and all rivers, streams, creeks, rivulets, impoundments, ditches, watercourses, storm sewers, lakes, dammed water, <b>Wetlands</b> , ponds, springs, and all other bodies or channels of <i>Conveyance</i> of surface water, or parts thereof, whether natural or artificial, within or on the boundaries of this Commonwealth.
<b>Sustainable Landscape</b> - A landscape that balances the needs of people, the economy, and the environment. A landscape which reduces energy consumption, protects soils, improves surface water quality, reduces the need for irrigation, and protects Native Plant communities.
<b>Swale</b> - An artificial or natural waterway or low-lying stretch of land that gathers and conveys stormwater or runoff, and is generally vegetated for soil stabilization, stormwater pollutant removal, and infiltration.
<b>Swimming Pool</b> - A water filled enclosure, permanently constructed or portable, having a depth of more than 18 inches below the level of the surrounding land, or an above-ground pool, having a depth of more than 30 inches, designated, used, and maintained, for swimming and bathing.
<b>SWM Site Plan</b> - See <b>Stormwater Management Site Plan</b> .
<b>Tax Credit</b> . The tax credit granted under Section III (PROGRAM AUTHORIZATION) relating to program authorization of or Section VIII (EARNED INCOME TAX CREDIT) relating to a tax liability on earned income and net profits under Chapter 3 of the Local Tax Enabling Act.
<b>Technically Feasible</b> -The proposed placement for a small wireless facility or its design or site location can be completed by virtue of engineering or spectrum usage without a material reduction in the functionality of the small wireless facility.
<b>Timber Harvest</b> - The cutting, or removal of more than twenty (20) trees of twelve (12) inches or greater DBH from any area of woodland, whether accomplished in a single operation or in more than one operation over three (3) or fewer years. The removal of dead, dying, or diseased trees, or invasive vegetation, removal of trees pursuant to an approved subdivision or Land development plan or landscape plan, and the cutting or removal of trees as part of a Christmas tree farming or nursery operation shall not be considered Timber Harvest.
<b>Timber Operations</b> - See <b>Forest Management</b> .
<b>TND</b> - Traditional Neighborhood Development.
<b>Top of Bank</b> - The elevation at which rising waters begin to inundate the floodplain. In case of ambiguous, indefinite, or non-existent floodplain or question regarding the location, the Top of Bank shall be the Bankfull water elevation as defined by a person trained in fluvial geomorphology. "Top of Bank" shall be synonymous with "Edge of Water," where applicable.
<b>Tower</b> - See <b>"Communications Tower"</b>
<b>Township</b> - The Township of New London, Chester County, Pennsylvania.
<b>Township Engineer</b> - A professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the engineer for a municipality, planning agency, or joint planning commission.
<b>Township Landscape Consultant</b> - An Individual or agency designated and approved by the Township, who is trained and experienced in matters relating to vegetation, ecology, forestry, site design and landscape maintenance practices - The Township Landscape Consultant shall be a Landscape Architect registered in the Commonwealth of Pennsylvania or another professional with equivalent expertise.
<b>Tract</b> - One or more lots assembled for the purpose of unified development, including a planned residential development, shopping center, office, or industrial park.
<b>Tract Area, Gross</b> - he area of land within the legal metes and bounds of a tract, exclusive of: (1) any portion of the tract contained within an existing street right-of-way; (2) any area within an easement established for gas, oil, natural gas, electric or communications transmission facilities, whether below or above ground, that do not exclusively serve the tract traversed; and (3) any area within an easement established for water or wastewater facilities that do not serve the tract.
<p><b>Tract Area, Net</b> - The gross area of a tract, but excluding the following conditions and features:</p> <ol style="list-style-type: none"> <li>Any portion of the tract contained within an existing street right-of-way;</li> <li>Any area within an easement established for gas, oil, natural gas, electric, or communications transmission facilities, whether below or above ground, that do not exclusively serve the tract traversed;</li> <li>Any area within an easement established for water or wastewater facilities that do not serve the tract;</li> <li>An area comprising a lake or a pond, but not including on-lot berms.;</li> <li>That portion of the tract in which the area of any of the following features, individually or collectively, exceeds ten percent (10%) of the gross tract area (i.e., only the increment of such feature or features that is in excess of the ten percent (10%) threshold shall be excluded from the net tract area calculation): <ol style="list-style-type: none"> <li>Any area overlaid by the Steep Slope Conservation District, as established in Chapter 1, Part 12, that contains land within the Conservation Slope District, i.e., with a slope measuring twenty-five percent (25%) or greater;</li> <li>Any area overlaid by the Flood Hazard District;</li> <li>Any area designated as Wetland, except where such area already is excluded under Subsection E (2) above;</li> <li>Any area overlaid by the Riparian Corridor Conservation District, except where such area already is excluded under Subsection E (2) and/or E (3), above.</li> <li>Any area of forest Interior, as defined by this Compilation and/or as designated on the Biotic Resources Map contained in the current edition of the Comprehensive Plan of New London Township, as well as any area of the three hundred (300) foot woodland collar that surrounds the outer perimeter of the Forest interior area.</li> </ol> </li> <li>Any area subject to an existing conservation easement, the terms of which prohibit future development activity within the area in perpetuity. This provision shall not apply to existing conservation easement areas that are protecting one or more of the features being netted out in Subsect. E, above.</li> </ol>
<b>Traditional Neighborhood Development (TND)</b> - An area of land typically developed for a compatible mixture of residential units for various income levels and nonresidential commercial and workplace uses, including some structures that provide for a mix of uses within the same building. Residences, shops, offices, workplaces, public buildings and parks are interwoven within the neighborhood so that all are within relatively close proximity to each other. Traditional neighborhood development is relatively compact and oriented toward pedestrian activity. It has an identifiable center and a discernible edge. The center of the neighborhood is in the form of a public park, commons, plaza, square or prominent intersection of two or more major streets. Generally, there is a hierarchy of streets laid out with an interconnected network of streets and blocks that provides multiple routes from origins to destinations and are appropriately designed to serve the needs of pedestrians and vehicles equally.
<b>Tree</b> - A woody perennial plant, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance from the ground.

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<b>Tree Canopy</b> - The extent of coverage of the uppermost layers of leaves on a tree.
<b>Tree Mass</b> - A grouping of three or more trees each at least one and a half inch in caliper, within a one hundred square foot area.
<b>Tree Pit</b> - The underground soil area for tree roots (often with root barriers to direct roots downwards), and the surface treatment for pedestrian safety, and irrigation.
<b>Turf Grass</b> - See "Lawn."
<b>Unacceptable Waste</b> - The following categories of solid waste: 1. hazardous waste, 2. residual waste, 3. medical waste, including un-sterilized or unprocessed infectious or pathological waste, 4. chemotherapeutic waste, 5. gas cylinders, 6. explosives and ordnance materials, 7. liquid waste (i.e., containing less than 20% solids by weight or flowable), 8. drums, barrels, and buckets unless lids have been removed and interiors are cleaned and free of any residue, 9. radioactive materials, any solid waste generated outside of the Township.
<b>Understory</b> - The smaller vegetation (shrubs, seedlings, saplings, small trees) within a forest stand, occupying the vertical zone between the overstory and the herbaceous plants of the forest floor.
<b>Uniform Construction Code (UCC)</b> - The Statewide building code adopted by the Pennsylvania General Assembly in 1999 applicable to new construction in all municipalities whether administered by the municipality, a third party or the Department of Labor and Industry. Applicable to residential and commercial buildings, the Code adopted the International Residential Code (IRC) and the International Building Code (IBC), by reference, as the construction standard applicable with the Commonwealth floodplain construction. For coordination purposes, references to the above are made specifically to various sections of the IRC and the IBC.
<b>USDA</b> - United States Department of Agriculture.
<b>Use</b> - The specific purpose for which land or a building is designed, arranged, intended or for which it is or may be occupied or maintained.
<b>Utility Facility</b> – Building, other structures and equipment owned or operated by a public utility, as defined in 66 Pa.C.S. § 102 (relating to definitions), to provide service.
<b>Utility Pole</b> – A pole or similar structure that is or may be used, in whole or in part, by or for telecommunications, electric distribution, lighting, traffic control, signage or a similar function or for collocation. The term includes the vertical support structure for traffic lights but does not include wireless support structures or horizontal structures to which signal lights or other traffic control devices attached.
<b>Variance</b> - Permission, approval or authorization granted by the <b>Zoning Hearing Board</b> , constituting a modification or deviation from the exact provisions in the New London Township Ordinances, as applied to a specific property, in accordance with the provisions of Chapter 1, Part 18.
<b>Vegetation</b> - An assemblage of plant species and the ground cover they provide, considered collectively, without specific reference to particular taxa, life forms, structure, spread, or other botanical or geographic characteristics
<b>Very Steep Slopes</b> - Land areas where the gradient is 25% or greater over 6 vertical feet of contours (e.g., three consecutive 2-foot contours).
<b>Veterinarian</b> - A surgeon or physician who specializes in the treatment of diseases and disorders of farm and domestic animals.
<b>Veterinary Hospital</b> - See: <b>Animal Hospital</b> .
<b>Village</b> - an unincorporated settlement that is part of a township where residential and mixed-use densities of one unit to the acre or more exist or are permitted and commercial, industrial or institutional uses exist or are permitted.
<b>Violation</b> – 1. A violation of a New London Township Ordinance occurs when any element of that ordinance is not complied with in a timely manner. The date of violation is determined to be the date of the failure of the Individual to submit any required application form or complete any of the other requirements within the time limits required by the New London Township Ordinance. Thus, a violation begins not on the date of the discovery, but on the date the Individual failed to comply with the requirements of the New London Township Ordinance. 2. A violation means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CFR §60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (c)(4), or (c)(5) is presumed to be in violation until such time as that documentation is provided.
<b>Volunteer</b> - A member of the West Grove Fire and Ambulance Company and non-profit emergency medical services agencies which serve New London Township.
<b>Volunteer Fire Company</b> - The West Grove Fire and Ambulance Company and its non-profit emergency medical services agencies.
<b>Volunteer Service Credit Program</b> - The program established under Section X (VOLUNTEER SERVICE CREDIT PROGRAM) to determine the active status
<b>Water Body</b> - Any natural or manufactured pond, lake, wetland, impoundment, or watercourse. This shall not include any pond or facility designed and constructed solely to contain stormwater, or a swimming pool.
<b>Water Supply:</b> 1. Individual Water Supply System: a safe, healthful, and adequate supply of water to a single user from a private well on the lot of the user. 2. Central Water Supply System: a system for supplying safe, healthful and adequate water from a common source or sources to all dwellings and other <b>buildings</b> within a development. The Central System may be located on-site and/or off-site.
<b>Water Survey</b> - An inventory of the source, quantity, yield and use of groundwater and surface-water resources within municipality.
<b>Water Table</b> - The upper most level of saturation of pore space or fractures by groundwater. Seasonal high-water table refers to a water table that rises and falls with the seasons due either to natural or human-caused causes.
<b>Watercourse</b> - Any channel of conveyance of surface water having a defined bed and banks, such as a stream, river, brook, or creek, whether natural or artificial, with perennial, intermittent or seasonal flow. This shall not include any channel or ditch designed and constructed solely to carry stormwater.
<b>Waters of the Commonwealth</b> - Any and all rivers, streams, creeks, rivulets, impoundments, ditches, watercourses, storm sewers, lakes, dammed water, <b>wetlands</b> , ponds, springs, and all other bodies or channels of conveyance of surface and underground water, or parts thereof, whether natural or artificial, within or on the boundaries of the Commonwealth.
<b>Watershed</b> - Region or area drained by a river, watercourse, or other body of water whether natural or artificial.

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<p><b>Wetland (Wetlands)</b> - Those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support and which under normal conditions do support a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas.</p>
<p><b>Wind Energy Conversion System (WECS)</b> - Any system designed to convert wind energy into another usable form of energy, such as heat or electricity, for use on the property where the system is located. The system includes all turbines, towers, wind chargers, transmission lines, and any other electrical infrastructure or equipment necessary for the system to function in accordance with this the New London Township Ordinances.</p> <ol style="list-style-type: none"> <li>1. Large Wind Energy System (LWES) - a wind energy conversion system with two or more wind turbines, towers, and associated control and conversion electronics that is designed and used to generate power only to offset utility costs on the property where the system is located, except that when a parcel on which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be sold to the utility company.</li> <li>2. Residential Wind Energy System (RWES) - a wind energy conversion system consisting of a wind turbine and associated control or conversion electronics, which is primarily intended to reduce on-site consumption of utility power. A system is considered a residential wind energy system only if it supplies electrical power solely for on-site residential use, except that when a parcel on which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be sold to the utility company.</li> </ol>
<p><b>Wind Energy Conversion System Height</b> - The height of a wind energy conversion system as measured from the ground surface on which the monopole structure sits, or the ground surface on which a structure to which a WECS is affixed or mounted sits, to the tip of the rotor, blade, or similar moving part at its highest point.</p>
<p><b>Wireless Facility</b> – Equipment at a fixed location that enables wireless service between user equipment and a communications network, including any of the following: Equipment associates with wireless services and radio transceivers, antenna s, coaxial or fiber optic cables, regular and backup power supplies, or comparable equipment, regardless of technological configuration.</p> <p>The term includes a small wireless facility.</p> <p>The term does not include any of the following:</p> <ol style="list-style-type: none"> <li>1. The structure or improvements on, under or within which the equipment’s collocated.</li> <li>2. The coaxial or fiber optic cables that are not immediately adjacent to or directly associates with a particular antenna .</li> </ol>
<p><b>Wireless Infrastructure Provider</b> - A person authorized by the Pennsylvania Public Utility Commission to provide telecommunications service in this Commonwealth that builds or installs wireless communication transmission equipment, wireless facilities or wireless support structures but is not a wireless services provider.</p>
<p><b>Wireless Provider</b> – A wireless infrastructure provider or a wireless services provider.</p>
<p><b>Wireless Services</b> – Services, whether at a fixed location or mobile, using a licensed or unlicensed spectrum, provided to the public using wireless facilities.</p>
<p><b>Wireless Service Provider</b> – A person or entity who provides wireless services.</p>
<p><b>Wireless Support Structure</b> – The term shall have the same meaning given to it in the act of October 24, 2012 (P.L.1501, No.191), knowns as the Wireless Broadband Collocation Act.</p>
<p><b>Woodland</b> - Any land area of at least ¼ acre with a natural or naturalized understory and/or ground cover (excluding manicured Turf grass) and that has an average density of two or more viable trees per 1,500 square feet with a DBH of 6 inches or greater. The land area to be considered woodland shall be measured from the outer drip lines of the outer trees. Woodland shall include any area where timber has been harvested within the previous three (3) years and/or woodland disturbance has occurred within the previous three (3) years which would have met the definition of woodland prior to timber harvest or disturbances do not include orchards or old fields. A woodland may also be termed a “Forest” or “Woods.”</p>
<p><b>Woodland Disturbance</b> - Any activity which alters the existing structure of a woodland or hedgerow. Alterations include:</p> <ol style="list-style-type: none"> <li>1. the cutting or removal of Canopy trees, subcanopy trees, understory shrubs and vines, woody and herbaceous woodland floor species as well as the removal of humus or duff from the ground;</li> <li>2. any activity which constitutes a Land Disturbance (exposes soils, alters topography) within a woodland or hedgerow;</li> <li>3. where woodland Disturbance is regulated as Forestry/Timber Harvest, such activity shall not be separately regulated as woodland Disturbance.</li> <li>4. woodland Disturbance does not include the following: <ol style="list-style-type: none"> <li>A. removal of which constitutes hazardous condition(s); nor</li> <li>B. cutting or removal of non-native Invasive vegetation.</li> </ol> </li> </ol>
<p><b>Woods</b> - See Woodland</p>
<p><b>Yard Waste</b> - Leaf waste, Christmas trees, and similar organic material, including grass clippings.</p>
<p><b>Zoning and Land Use Buffer</b> - A separation between dissimilar land uses to lessen noise and light pollution, reduce spray drift, and to restrict views. The buffer involves both horizontal distance from the property line, and landscape elements to achieve the separation.</p>
<p><b>Zoning Hearing Board</b> – A body granted jurisdiction under the land use ordinance to render final adjudications for New London Township.</p>



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<b>ENACTED AND ORDAINED</b> into an ordinance this _____ of _____, 2025 by the Supervisors of the Township of New London, Chester County, in Lawful Session duly assembled. <b>BOARD OF SUPERVISORS OF NEW LONDON TOWNSHIP, CHESTER COUNTY, PA</b>	
<b>Attested</b>	<b>Township of New London</b>
_____ Secretary	_____ Chair, Board of Supervisors
Enacted: ____/____/____	_____ Vice Chair, Board of Supervisors
Effective: ____/____/____	_____ Member, Board of Supervisors