

ARTICLE III PLAN PROCESSING

301 General

All plans for the subdivision and/or development of land within the corporate limits of the Township shall be submitted to and reviewed by the Township Planning Commission and other Township, State and/or County Officials as provided in this Ordinance, and shall be approved or disapproved by the Supervisors in accord with the procedures specified in this Article. The following types of plans are provided for in this Article:

- A. Sketch Plan - Sketch plans are not required but are very strongly encouraged for all types of subdivisions and land developments to facilitate the formal plan submission and review process. See §302.
- B. Preliminary Plans for Major Subdivisions - Major subdivisions require preliminary and final approval. Preliminary plans cannot be approved until all the requirements of this Ordinance are satisfied by detail on the plans or conditions of approval for such compliance are applied. Unconditioned preliminary plan approval authorizes the Applicant to proceed to completion of the subdivision as detailed on the plans. See §303.
- C. Final Plans for Major Subdivisions - Final plans for major subdivisions cannot be submitted until all conditions of approval have been satisfied, and lots in the subdivision cannot be sold until final plan approval is granted. The Applicant has the option of completing the improvements or providing a financial guarantee for the completion. See §304.
- D. Minor Subdivision Plans - Minor subdivisions require only final plan approval. See §305.
- E. Land Developments - Land developments are governed by §306, and the preliminary and final plans are combined into one stage. No use of land or structure within the land development may be initiated until a certificate of conformance has been issued.
- F. Lot Improvement Subdivisions - The combination of previously recorded lots are governed by a simplified deed recording process. Any lot improvement (*add-on*) subdivision involving the creation of new lot lines is considered a minor subdivision. See §308.
- G. Meeting Attendance - The Applicant or a duly authorized representative shall attend all meetings where any submitted plan is on the agenda. No action will be taken in the absence of the Applicant or representative, and failure of appearance shall constitute grounds for denial of the application if the time for Township action is due to expire.

302 Sketch Plan

302.1 Optional - Sketch Plans

Applicants are **VERY STRONGLY ENCOURAGED**, but not required, to submit a Sketch Plan to the Planning Commission prior to the submission of a Preliminary Plan, Land Development Plan or Minor Plan. The purpose of the Sketch Plan is to:

- A. Avoid costly revisions to detailed Preliminary Plans prepared before a general consensus on the layout is reached with the Planning Commission.
- B. Identify the overall objectives of the Applicant using a diagrammatic approach showing broad areas of development and broad areas of conservation.
- C. Determine if the plan is a major or a minor subdivision and/or land development.

- D. Assist applicants and officials to develop a better understanding of the property.
- E. Establish an overall design approach that respects its special or noteworthy features, while providing for the density permitted under the zoning ordinance.
- F. Ensure that the plan generally conforms with the provisions of this Ordinance.
- G. Demonstrate compliance with any design parameters deemed necessary by the Township for conformance to the Township comprehensive plan.

The critical part of the Sketch Plan review process is to lay the Sketch Plan on top of the Existing Resources and Site Analysis Plan, prepared in accord with the requirements of §402.3, to determine the extent to which the proposed layout of conservation areas, streets, and building lots succeeds in designing around and conserving significant site features. The Sketch Plan shall be prepared on paper and translucent material (such as tracing paper or mylar) and at the same scale as the Existing Resources/Site Analysis Map.

302.2 Contiguous Holdings

When an application includes only a portion of a landowner's entire tract, or when such portion is contiguous to an adjoining tract of the landowner, a sketch layout shall be included showing future potential subdivision of all the contiguous lands belonging to the landowner to ensure that subdivision may be accomplished in accordance with current codes and with appropriate access. Submission and review of the sketch plan described in this §302 shall not constitute approval of the future subdivision shown thereon.

302.3 Non-formal Filing

A Sketch Plan shall be considered a submission for discussion between the Applicant and the Planning Commission and shall not constitute a formal filing of a plan with the Planning Commission. All Sketch Plans submitted shall be so noted on the Plan and in the minutes of the Planning Commission.

302.4 Major Subdivisions and Land Developments - Sketch Plans

The following procedures shall apply to sketch plans for major subdivisions and land developments:

- A. Pre-Application Meeting - A pre-application meeting is encouraged between the applicant, the site designer, and the Planning Commission (and/or its planning consultant), to introduce the applicant to the Township's zoning and subdivision regulations and procedures, to discuss the applicant's objectives, and to schedule site inspections, meetings and plan submissions as described below. Applicants are also encouraged to present the Existing Resources and Site Analysis Plan at this meeting.
- B. Existing Resources and Site Analysis Plan - Applicants shall submit an Existing Resources and Site Analysis Plan, in its context, prepared in accord with the requirements of §402.3. The purpose of this key submission is to familiarize officials with existing conditions on the applicant's tract and within its immediate vicinity, and to provide a complete and factual reference for conducting a site inspection. This Plan shall be provided prior to or at the site inspection, and shall form the basis for the development design as shown on the Sketch Plan (or on the Preliminary Plan, if the optional Sketch Plan is not submitted).
- C. Site Inspection - After preparing the Existing Resources and Site Analysis Plan, applicants shall arrange for a site inspection of the property by the Planning Commission and other Township officials, and shall distribute copies of said site analysis plan at that on-site meeting. Applicants, their site designers, and the landowner are encouraged to accompany the Planning Commission. The purpose of the visit is to familiarize local officials with the property's existing conditions and special features, to identify potential site design issues, and to provide an informal opportunity to discuss site design concepts, including the general layout of designated conservation open space (if applicable), and potential locations for proposed buildings and street alignments. Comments made by Township officials or their staff and consultants shall be interpreted as being only suggestive. It shall be understood by all parties that no formal recommendations can be offered, and no official decisions can be made, at the site inspection.

- D. Pre-Sketch Conference - Following the site inspection and prior to the submission of a diagrammatic sketch plan, the applicant shall meet with the Planning Commission to discuss the findings of the site inspection and to develop a mutual understanding on the general approach for subdividing and/or developing the tract in accordance with the four-step design process described in §602, where applicable. At the discretion of the Commission, this conference may be combined with the site inspection.
- E. Sketch Plan Submission and Review
1. Ten (10) copies of a Sketch Plan, meeting the requirements set forth in §401, shall be submitted to the Planning Commission Secretary during business hours for distribution to the Supervisors, the Planning Commission, the Township Planner, the Township Engineer and applicable Township advisory boards at least ten (10) days prior to the Planning Commission meeting at which the Sketch Plan is to be discussed. The Sketch Plan diagrammatically illustrates initial thoughts about a conceptual layout for conservation open space, house sites, and street alignments, and shall be based closely upon the information contained in the Existing Resources and Site Analysis Plan. The Sketch Plan shall also be designed in accordance with the four-step design process described in §602, and with the conservation open space standards listed in §603.
 2. The Planning Commission shall review the Sketch Plan in accordance with the criteria contained in this Ordinance and with other applicable ordinances of the Township. Its review shall informally advise the applicant of the extent to which the proposed subdivision or land development conforms to the relevant standards of this Ordinance, and may suggest possible plan modifications that would increase its degree of conformance. The Commission shall submit its written comments to the Applicant. The Sketch Plan may also be submitted by the Planning Commission to the Monroe County Planning Commission for its review and comment. The reviews shall include, but not be limited to:
 - a. The location of all areas proposed for land disturbance (streets, foundations, yards, septic disposal systems, storm water management areas, etc.) with respect to notable features of natural or cultural significance as identified on the applicant's Existing Resources and Site Analysis Plan and on the Municipality's Map of Potential Conservation Lands;
 - b. The potential for street connections with existing streets, other proposed streets, or potential developments on adjoining parcels;
 - c. The location of proposed access points along the existing road network;
 - d. The proposed building density and impervious coverage;
 - e. The compatibility of the proposal with respect to the objectives and policy recommendations of the Township Comprehensive Plan; and
 - f. Consistency with the Township Zoning Ordinance.
- 302.5 Sketch Plan Review Fee - The Planning Commission Secretary shall collect a Sketch Plan filing fee as established by resolution of the Supervisors for all subdivisions.
- A. Fees shall be charged in order to cover the costs of examining plans and other administrative expenses associated with the review of Sketch Plan.
 - B. The Applicant shall pay the fee at the time of initial submission of the Sketch Plan to the Planning Commission Secretary.

303 Preliminary Plans for Major Subdivisions

All applications for preliminary plans for major subdivisions shall be submitted to the Township and processed in accord with this §303.

- A. Submissions Not Preceded by a Sketch Plan - If an applicant opts not to submit a Sketch Plan, the Preliminary Plan shall include all information required for Sketch Plans listed in §401 specifically including the Existing Resources and Site Analysis Plan, plus further details as required by this Ordinance.
- B. Site Inspection - If requested by the Planning Commission, a site inspection shall be arranged and conducted in accord with §302.4,C.

303.1 Official Submission of Preliminary Plans

303.1.1 Plan to be Filed With the Township

- A. Initial Submission - Copies of the Preliminary Plan and all required supporting documentation shall be submitted to the Planning Commission Secretary by the Applicant or authorized representative by noon at least ten (10) days prior to the Planning Commission meeting at which the Applicant applies for the "Official Date of Preliminary Plan Submission".
- B. Subsequent Submission - All materials submitted in support of an application after the initial submission, whether an amended plan, an expert or agency report or review letter, or any other data in support of an application shall be submitted to the Planning Commission Secretary or the Township Secretary (as the case may be) at least fourteen (14) days prior to the meeting at which the Applicant wishes to have those materials considered.

303.1.2 Number of Copies to be Submitted - The submission of the Preliminary Plan shall include the following: (The Township may require the Applicant to submit additional copies of any required information.)

- A. Ten (10) completed copies of the subdivision plan application.
- B. Ten (10) legible paper prints of the Preliminary Plan.
- C. Six (6) copies of the required sewage planning module(s) and associated documentation.
- D. Four (4) copies of all other required supporting data and information as required in Article IV of this Ordinance.

303.1.3 Preliminary Plan Filing Fee - The Planning Commission Secretary shall collect a preliminary plan filing fee as established by resolution of the Supervisors for all subdivisions.

- A. Fees charged shall cover the costs of examining plans and other administrative expenses associated with the review of subdivision.
- B. The Applicant shall pay the fee at the time of initial submission of the application to the Planning Commission Secretary.

303.1.4 Preliminary Plan Submission Verification and Distribution - Upon receipt of the Preliminary Plan and supporting data, the Planning Commission Secretary shall verify the submission for the required number of copies of all documents.

- A. If the submission is verified, the Secretary shall accept the said plans and documentation, complete the submission verification, noting same, and provide a copy of the plan submission verification to the Applicant. The Secretary shall then provide copies of the applicable plans and documents to:
 - 1. The Township Engineer.
 - 2. The Township Solicitor.
 - 3. The Township Planning Commission Solicitor.
 - 4. The Township Zoning Officer.
 - 5. The Township Planner.
 - 6. Any other engineer or consultant designated by the Township.
- B. If the submission is not verified, the Secretary shall complete the plan submission verification, noting any and all deficiencies or omissions in the submission, provide a copy of the plan submission verification to the Applicant, and return all documents to the Applicant.
- C. The plan submission verification shall only verify that the correct number of copies of all plans and documentation have been submitted and shall in no way be construed to be a plan submission receipt.

303.1.5 Official Date of the Preliminary Plan Submission - The official date of the Preliminary Plan submission shall be determined by the Planning Commission which shall examine the submission to determine that all documents are complete and in proper form.

- A. If the submission is not complete or not in the proper form, the Applicant shall be notified, in writing, of the deficiencies; and, the submission shall be rejected until the said deficiencies are corrected and then examined again at the next regularly scheduled or special meeting after the resubmission.
- B. If the submission is complete and acceptable, the Planning Commission Secretary shall complete an official submission receipt listing the date of the said meeting as the Official Date of the Preliminary Plan Submission and forward said receipt to the Applicant.
- C. If the first meeting of the Planning Commission following the date of submission verification occurs more than thirty (30) calendar days following the date of submission verification established in accord with §303.1.4, the ninety (90) calendar day review period shall be measured from the thirtieth (30th) calendar day following the day of said submission verification.
- D. If the application is being submitted after a final order of the court remanding the application to the Township, the ninety (90) calendar day review period shall be measured from the date of the meeting of the Planning Commission next following the final order of the court. If the first meeting of the Planning Commission occurs more than thirty (30) calendar days following the final order of the court, the ninety (90) calendar day review period shall be measured from the thirtieth (30th) calendar day following the final order of the court.

303.1.6 Distribution of the Preliminary Plan - Following the Official Date of Submission, the Planning Commission Secretary shall submit the Plan and all required supporting documentation to the Monroe County Planning Commission for review. The Applicant shall be responsible for submission of the Plan and all required supporting documentation to the Monroe County Conservation District, PennDOT, and all other agencies.

303.2 Preliminary Plan Review and Action

303.2.1 Planning Commission Review and Action Period - The Planning Commission shall review the properly submitted Preliminary Plan to determine compliance with this Ordinance and take action to reject, or recommend to Supervisors denial, approval, or approval with conditions and modifications of such plan as provided in this

§303.2. The Planning Commission shall make its recommendation to Supervisors and communicate, in writing, such recommendation to the Applicant within fifteen (15) calendar days of when the decision was made.

- A. If approval is recommended, the plan and written notice of said recommendation, along with the other documentation, shall be forwarded to Supervisors.
- B. If approval with conditions is recommended, such approval recommendation shall be communicated to Supervisors and the Applicant, in writing, along with a statement of such conditions.
- C. If denial is recommended, the specific reasons for such denial, citing specific provisions of this Ordinance or other applicable statute, and the date of the denial recommendation, shall be communicated to Supervisors and the Applicant, in writing.

303.2.2 Supervisors Review and Action Period - Upon the receipt of the Planning Commission's recommendation, Supervisors shall make its decision regarding the Preliminary Plan and communicate, in writing, such decision to the Applicant within fifteen (15) calendar days of when the decision is made. However, in no case shall the period for Township review and action, including the written communication to the Applicant, exceed ninety (90) calendar days from the *Official Date of the Preliminary Plan Submission* as established pursuant to §303.1.5.

303.2.3 Supervisors Approval with Conditions - When a Preliminary Plan is approved with conditions, such conditions shall be expressly included in the minutes of the Supervisors meeting at which the Preliminary Plan is considered and communicated, in writing, to the Applicant as provided in §303.2.2. When a Preliminary Plan has been approved subject to any conditions and/or modifications and the Applicant does not agree and accept, the said conditions and/or modifications, in writing, within fifteen (15) calendar days of receipt of said written notice, the said conditional approval of the Preliminary Plan shall become an automatic disapproval and the said plan shall be resubmitted as required by §303, including a new filing fee. The written notice to the Applicant shall include the specific terms of the approval and shall note that failure to agree and accept the conditions shall constitute a denial of the plan.

303.2.4 Supervisors Denials - When a Preliminary Plan is denied, the reasons for such denial, citing specific provisions of this Ordinance or other applicable statute, shall be expressly included in the minutes of the Supervisors meeting at which the Preliminary Plan is considered and communicated, in writing, to the Applicant as provided in §303.2.2.

303.3 Reviewing Agency and Officials Comments

The Planning Commission and Supervisors may consider the comments and the recommendations provided pursuant to §303.1.6 and may request such additional information as deemed necessary.

303.4 Monroe County Planning Commission Comments

No official action shall be taken by the Supervisors until it has received and considered the comments of the Monroe County Planning Commission or after thirty (30) calendar days following transmittal of the Preliminary Plan to the County Planning Commission.

303.5 Sewage Facilities Planning Modules

The Supervisors shall concurrently make its decision on the Sewage Facilities Planning Module; and, if approval is granted, the completed sewage planning documents shall be forwarded to the Pennsylvania Department of Environmental Protection. Preliminary Plan approval shall be conditional upon Department of Environmental Protection sewage planning approval.

303.6 Highway Occupancy Permit

If a highway occupancy permit shall be required for access to a Township or State road, approval of the preliminary major subdivision plan shall be conditional upon the issuance of a highway occupancy permit by the Township or PA DOT, as the case may be.

303.7 Soil Erosion and Sedimentation Control

Approval of the Preliminary Plan shall be conditional upon the approval of the soil erosion and sedimentation control plan by the Monroe County Conservation District and the issuance of any associated permits.

303.8 Public Hearing

The Planning Commission or Supervisors may conduct a public hearing on the proposed Preliminary Plan pursuant to public notice.

303.9 Time Extension

The time period for review of the plan may be extended by mutual agreement of the Applicant and the Township; and, any such agreement shall be in writing.

304 Final Plans for Major Subdivisions

All Final Plans for major subdivisions shall be submitted and processed in accord with this §304.

304.1 Final Plan Application

An application for Final Plan approval can be submitted only when all of the following conditions have been met:

- A. The subdivision has previously been granted an unconditional Preliminary Plan approval in accord with §303 or all conditions established by the Board of Supervisors for the Preliminary Plan approval have been fulfilled by the Applicant.
- B. All improvements, such as roads and drainage facilities (see definition of *improvement* in Article II) which are shown on the Preliminary Plan, have been completed or guaranteed in accord with Article V of this Ordinance.

304.2 Final Plan Conformation; Five-Year Protection From Ordinance Changes

The Final Plan shall conform in all principal respects to the previously approved Preliminary Plan. The Planning Commission shall determine whether a modified Final Plan shall be accepted or whether a new Preliminary Plan shall be submitted pursuant to §303. In accord with §105 of this Ordinance and §508(4)(ii) of the MPC, when a Preliminary Plan has been approved without conditions or approved by the Applicant's acceptance of conditions, no subsequent change or amendment in the zoning, subdivision or other governing ordinance or plan shall be applied to affect adversely the right of the Applicant to commence and to complete any aspect of the approved development in accord with the terms of such approval within five (5) years from such approval.

304.3 Sections

Final Plans may be submitted in sections in accord with §508(4)(v),(vi) and (vii) of the MPC, each covering a portion of the entire proposed subdivision as shown on the Preliminary Plan.

- A. Each section in the subdivision, except for the last section, shall contain a minimum of twenty-five (25) percent of the total number of lots and/or dwelling units as depicted on the Preliminary Plan, except that the Supervisors may approve a lesser percentage.
- B. When a Final Plan is proposed to be submitted by sections, a proposed layout of the sections, their boundaries, the order of submission, and a schedule of submission shall be submitted to the Township for approval prior to submission of the first section.

304.4 Official Submission of Final Plans

304.4.1 Plan to be Filed With the Township

- A. Initial Submission - Copies of the Final Plan and all required supporting documentation shall be submitted to the Planning Commission Secretary by the Applicant or authorized representative by noon at least ten (10) days prior to the Planning Commission meeting at which the Applicant applies for the "Official Date of Final Plan Submission".
- B. Subsequent Submission - All materials submitted in support of an application after the initial submission, whether an amended plan, an expert or agency report or review letter, or any other data in support of an application shall be submitted to the Planning Commission Secretary or the Township Secretary (as the case may be) at least fourteen (14) days prior to the meeting at which the Applicant wishes to have those materials considered.

304.4.2 Number of Copies to be Submitted - The official submission of the Final Plan shall include the following: (The Township may require the Applicant to submit additional copies of any required information.)

- A. Ten (10) completed copies of the subdivision plan review application.
- B. Ten (10) legible paper prints of the Final Plan. Following recommendation for approval by the Planning Commission and when all corrections have been made to the Final Plan, seven (7) paper prints shall be submitted for final signature.
- C. Six (6) copies of all required sewage disposal approvals and/or permits from the Pennsylvania Department of Environmental Protection.
- D. Six (6) copies of the applicable highway occupancy permit.
- E. Four (4) copies of all other required supporting data and information as required in Article IV of this Ordinance.

304.4.3 Final Plan Filing Fee - The Planning Commission Secretary shall collect a Final Plan filing fee as established by resolution of the Supervisors for all subdivisions.

- A. Fees charged shall cover the costs of examining plans and other administrative expenses associated with the review of subdivision.
- B. The Applicant shall pay the fee at the time of initial submission of the application to the Planning Commission Secretary.

304.4.4 Final Plan Submission Verification and Distribution - Upon receipt of the Final Plan and supporting data the Planning Commission Secretary shall verify the submission for the required number of copies of all documents.

- A. If the submission is verified, the Secretary shall accept the said plans and documentation, complete the submission verification, noting same, and provide a copy of the plan submission verification to the Applicant. The Secretary shall then provide copies of the applicable plans and documents to:
 - 1. The Township Engineer.
 - 2. The Township Solicitor.

3. The Township Planning Commission Solicitor.
4. The Township Zoning Officer.
5. The Township Planner.
6. Any other engineer or consultant designated by the Township.

- B. If the submission is not verified, the Secretary shall complete the plan submission verification, noting any and all deficiencies or omissions in the submission, provide a copy of the plan submission verification to the Applicant, and return all documents to the Applicant.
- C. The plan submission verification shall only verify that the correct number of copies of all plans and documentation have been submitted and shall in no way be construed to be a plan submission receipt.

304.4.5 - Official Date of the Final Plan Submission - The official date of the Final Plan submission shall be determined by the Planning Commission which shall examine the submission to determine that all documents are complete and in proper form.

- A. If the submission is not complete or not in the proper form, the Applicant shall be notified, in writing, of the deficiencies; and, the submission shall be rejected until the said deficiencies are corrected and then examined again at the next regularly scheduled or special meeting after the resubmission.
- B. If the submission is complete and acceptable, the Chairman of the Planning Commission shall complete an official submission receipt listing the date of the said meeting as the Official Date of the Final Plan Submission and forward said receipt to the Applicant.
- C. If the first meeting of the Planning Commission following the date of submission verification occurs more than thirty (30) calendar days following the date of submission verification established in accord with §304.4.4, the ninety (90) calendar day review period shall be measured from the thirtieth (30th) calendar day following the day of said submission verification.
- D. If the application is being submitted after a final order of the court remanding the application to the Township, the ninety (90) calendar day review period shall be measured from the date of the meeting of the Planning Commission next following the final order of the court. If the first meeting of the Planning Commission occurs more than thirty (30) calendar days following the final order of the court, the ninety (90) calendar day review period shall be measured from the thirtieth (30th) calendar day following the final order of the court.

304.4.6 Distribution of the Final Plan - Following the Official Date of Submission, the Planning Commission Secretary shall submit the Plan and all required supporting documentation to the Monroe County Planning Commission for review. The Applicant shall be responsible for submission of the Plan and all required supporting documentation to the Monroe County Conservation District, PennDOT, and all other agencies.

304.5 Final Plan Review and Action

304.5.1 Planning Commission Review and Action Period - The Planning Commission shall review the properly submitted Final Plan to determine compliance with this Ordinance and take action to reject, or recommend to Supervisors denial, approval, or approval with conditions and modifications of such plan as provided in this §304.5. The Planning Commission shall make its recommendation to Supervisors and communicate, in writing, such recommendation to the Applicant within fifteen (15) calendar days of when the decision was made.

- A. If approval is recommended, the plan and written notice of said recommendation, along with the other documentation, shall be forwarded to Supervisors.

- B. If approval with conditions is recommended, such approval recommendation shall be communicated to Supervisors and the Applicant, in writing, along with a statement of such conditions.
- C. If denial is recommended, the specific reasons for such denial, citing specific provisions of this Ordinance or other applicable statute, and the date of the denial recommendation, shall be communicated to Supervisors and the Applicant, in writing.

304.5.2 Supervisors Review and Action Period - Upon the receipt of the Planning Commission's recommendation, Supervisors shall make its decision regarding the Final Plan and communicate, in writing, such decision to the Applicant within fifteen (15) calendar days of when the decision is made. However, in no case shall the period for Township review and action, including the written communication to the Applicant, exceed ninety (90) calendar days from the *Official Date of the Final Plan Submission* as established pursuant to §304.4.5.

304.5.3 Supervisors Approval with Conditions - When a Final Plan is approved with conditions, such conditions shall be expressly included in the minutes of the Supervisors meeting at which the Final Plan is considered and communicated, in writing, to the Applicant as provided in §304.5.2. When a Final Plan has been approved subject to any conditions and/or modifications and the Applicant does not agree and accept the said conditions and/or modifications, in writing, within fifteen (15) calendar days of receipt of said written notice, the said conditional approval of the Final Plan shall become an automatic disapproval and the said plan shall be resubmitted as required by §304, including a new filing fee. The written notice to the Applicant shall include the specific terms of the approval and shall note that failure to agree and accept the conditions shall constitute a denial of the plan.

304.5.4 Supervisors Denials - When a Final Plan is denied, the reasons for such denial, citing specific provisions of this Ordinance or other applicable statute, shall be expressly included in the minutes of the Supervisors meeting at which the Final Plan is considered and communicated, in writing, to the Applicant as provided in §304.5.2.

304.6 Reviewing Agency and Officials Comments

The Planning Commission and Supervisors shall consider the comments and the recommendations provided pursuant to §304.4.6 and may request such additional information as deemed necessary.

304.7 Monroe County Planning Commission Comments

No official action shall be taken by the Supervisors until it has received and considered the comments of the Monroe County Planning Commission or after thirty (30) calendar days following transmittal of the Final Plan to the County Planning Commission.

304.8 Public Hearing

The Planning Commission or Supervisors may conduct a public hearing on the proposed Final Plan pursuant to public notice.

304.9 Planned Improvements

The Supervisors shall not approve or sign the Final Plan until such time as all the improvements shown on the Final Plan have been installed by the Developer and verified as complete by the Township Engineer; or, a performance guarantee has been provided by the Applicant pursuant to Article V of this Ordinance.

304.10 Signature of Final Plan

When all requirements and conditions have been fulfilled by the Applicant and all supplemental data and documents have been submitted and approved, the Supervisors shall endorse the Final Plan for recording purposes and shall retain at least one (1) endorsed print.

304.11 Recording of the Final Plan

The Township shall file the final record plan with the Monroe County Recorder of Deeds within ninety (90) calendar

days of the date of endorsement by the Supervisors and provide to the Applicant proof of such recording. The Township shall charge a separate fee to cover the cost of the recording, and such fee shall be established by resolution of the Board of Supervisors.

304.12 As-Built Plans

Upon the completion of all improvements, the Applicant shall provide to the Township plans certified by the Applicant's surveyor and engineer showing all such improvements as installed. Failure of the Applicant to provide the as-built plans shall constitute a violation of this Ordinance, and shall be subject to all the enforcement proceedings contained in this Ordinance.

304.13 Time Extension

The time period for review of the plan may be extended by mutual agreement of the Applicant and the Supervisors; and, any such agreement shall be in writing.

305 Minor Subdivisions

Preliminary Plans for minor subdivisions shall not be required. However, a Final Plan for all minor subdivisions shall be submitted to the Township and be processed in accord with this §305.

305.1 Official Submission of Minor Subdivision Plans

305.1.1 Plan to be Filed With the Township

- A. Initial Submission - Copies of the Minor Subdivision Plan and all required supporting documentation shall be submitted to the Planning Commission Secretary by the Applicant or authorized representative by noon at least ten (10) days prior to the Planning Commission meeting at which the Applicant applies for the "Official Date of Minor Subdivision Plan Submission".
- B. Subsequent Submission - All materials submitted in support of an application after the initial submission, whether an amended plan, an expert or agency report or review letter, or any other data in support of an application shall be submitted to the Planning Commission Secretary or the Township Secretary (as the case may be) at least fourteen (14) days prior to the meeting at which the Applicant wishes to have those materials considered.

305.1.2 Number of Copies to be Submitted - The official submission of the Minor Subdivision Plan shall include the following: (The Township may require the Applicant to submit additional copies of any required information.)

- A. Ten (10) completed copies of the subdivision plan application.
- B. Ten (10) legible paper prints of the Minor Subdivision Plan.
- C. Six (6) copies of the required sewage planning module(s) and associated documentation.
- D. Four (4) copies of all other required supporting data and information as required in Article IV of this Ordinance.

305.1.3 Minor Subdivision Plan Filing Fee - The Planning Commission Secretary shall collect a Minor Subdivision Plan filing fee as established by resolution of the Supervisors for all subdivisions.

- A. Fees charged shall cover the costs of examining plans and other administrative expenses associated with the review of subdivision.

- B. The Applicant shall pay the fee at the time of initial submission of the application to the Planning Commission Secretary.

305.1.4 Minor Subdivision Plan Submission Verification and Distribution - Upon receipt of the Minor Subdivision Plan and supporting data, the Planning Commission Secretary shall verify the submission for the required number of copies of all documents.

- A. If the submission is verified, the Secretary shall accept the said plans and documentation, complete the submission verification, noting same, and provide a copy of the plan submission verification to the Applicant. The Secretary shall then provide copies of the applicable plans and documents to:

1. The Township Engineer.
2. The Township Solicitor.
3. The Township Planning Commission Solicitor.
4. The Township Zoning Officer.
5. The Township Planner.
6. Any other engineer or consultant designated by the Township.

- B. If the submission is not verified, the Secretary shall complete the plan submission verification, noting any and all deficiencies or omissions in the submission, provide a copy of the plan submission verification to the Applicant, and return all documents to the Applicant.

- C. The plan submission verification shall only verify that the correct number of copies of all plans and documentation have been submitted and shall in no way be construed to be a plan submission receipt.

305.1.5 Official Date of the Minor Subdivision Submission - The official date of the Minor Subdivision Plan submission shall be determined by the Planning Commission which shall examine the submission to determine that all documents are complete and in proper form.

- A. If the submission is not complete or not in the proper form, the Applicant shall be notified, in writing, of the deficiencies; and, the submission shall be rejected until the said deficiencies are corrected and then examined again at the next regularly scheduled or special meeting after the resubmission.

- B. If the submission is complete and acceptable, the Chairman of the Planning Commission shall complete an official submission receipt listing the date of the said meeting as the Official Date of the Minor Subdivision Plan Submission and forward said receipt to the Applicant.

- C. If the first meeting of the Planning Commission following the date of submission verification occurs more than thirty (30) calendar days following the date of submission verification established in accord with §305.1.4, the ninety (90) calendar day review period shall be measured from the thirtieth (30th) calendar day following the day of said submission verification.

- D. If the application is being submitted after a final order of the court remanding the application to the Township, the ninety (90) calendar day review period shall be measured from the date of the meeting of the Planning Commission next following the final order of the court. If the first meeting of the Planning Commission occurs more than thirty (30) calendar days following the final order of the court, the ninety (90) calendar day review period shall be measured from the thirtieth (30th) calendar day following the final order of the court.

305.1.6 Distribution of the Minor Subdivision Plan - Following the Official Date of Submission, the Planning Commission Secretary shall submit the Plan and all required supporting documentation to the Monroe County Planning Commission for review. The Applicant shall be responsible for submission of the Plan and all required

supporting documentation to the Monroe County Conservation District, PennDOT, and all other agencies.

305.2 Minor Subdivision Plan Review and Action

305.2.1 Planning Commission Review and Action Period - The Planning Commission shall review the properly submitted Minor Subdivision Plan to determine compliance with this Ordinance and take action to reject, or recommend to Supervisors denial, approval, or approval with conditions and modifications of such plan as provided in this §305.2. The Planning Commission shall make its recommendation to Supervisors and communicate, in writing, such recommendation to the Applicant within fifteen (15) calendar days of when the decision was made.

- A. If approval is recommended, the plan and written notice of said recommendation, along with the other documentation, shall be forwarded to Supervisors.
- B. If approval with conditions is recommended, such approval recommendation shall be communicated to Supervisors and the Applicant, in writing, along with a statement of such conditions.
- C. If denial is recommended, the specific reasons for such denial, citing specific provisions of this Ordinance or other applicable statute, and the date of the denial recommendation, shall be communicated to Supervisors and the Applicant, in writing.

305.2.2 Supervisors Review and Action Period - Upon the receipt of the Planning Commission's recommendation, Supervisors shall make its decision regarding the Minor Subdivision Plan and communicate, in writing, such decision to the Applicant within fifteen (15) calendar days of when the decision is made. However, in no case shall the period for Township review and action, including the written communication to the Applicant, exceed ninety (90) calendar days from the *Official Date of the Minor Subdivision Plan Submission* as established pursuant to §305.1.5.

305.2.3 Supervisors Approval with Conditions - When a Minor Subdivision Plan is approved with conditions, such conditions shall be expressly included in the minutes of the Supervisors meeting at which the Minor Subdivision Plan is considered and communicated, in writing, to the Applicant as provided in §305.2.2. When a Minor Subdivision Plan has been approved subject to any conditions and/or modifications and the Applicant does not agree and accept the said conditions and/or modifications, in writing, within fifteen (15) calendar days of receipt of said written notice, the said conditional approval of the Minor Subdivision Plan shall become an automatic disapproval and the said plan shall be resubmitted as required by §305, including a new filing fee. The written notice to the Applicant shall include the specific terms of the approval and shall note that failure to agree and accept the conditions shall constitute a denial of the plan.

305.2.4 Supervisors Denials - When a Minor Subdivision Plan is denied, the reasons for such denial, citing specific provisions of this Ordinance or other applicable statute, shall be expressly included in the minutes of the Supervisors meeting at which the Minor Subdivision Plan is considered and communicated, in writing, to the Applicant as provided in §305.2.2.

305.3 Reviewing Agency and Officials Comments

The Planning Commission and Supervisors shall consider the comments and the recommendations pursuant to §305.1.6 and may request such additional information as deemed necessary

305.4 Monroe County Planning Commission Comments

No official action shall be taken by the Supervisors until it has received and considered the comments of the Monroe County Planning Commission or after thirty (30) calendar days following transmittal of the Minor Subdivision Plan to the County Planning Commission.

305.5 Sewage Facilities Planning Modules

The Supervisors shall concurrently make its decision on the Sewage Facilities Planning Module; and, if approval is granted, the completed sewage planning documents shall be forwarded to the Pennsylvania Department of Environmental Protection. Minor Subdivision Plan approval shall be conditional upon Department of Environmental Protection sewage planning approval.

305.6 Highway Occupancy Permit

If a highway occupancy permit shall be required for access to a Township or State road, approval of the Minor Subdivision Plan shall be conditional upon the issuance of a highway occupancy permit by the Township or PA DOT, as the case may be.

305.7 Soil Erosion and Sedimentation Control

Approval of the Minor Subdivision Plan shall be conditional upon the approval of the soil erosion and sedimentation control plan by the Monroe County Conservation District and the issuance of any associated permits.

305.8 Public Hearing

The Planning Commission or Supervisors may conduct a public hearing on the proposed Minor Subdivision Plan pursuant to public notice.

305.9 Signature of Minor Subdivision Plan

When all requirements and conditions have been fulfilled by the Applicant and all supplemental data and documents have been submitted and approved, the Supervisors shall endorse the Minor Subdivision Plan for recording purposes and shall retain at least one (1) endorsed print.

305.10 Recording of the Minor Subdivision Plan

The Township shall file the Minor Subdivision record plan with the Monroe County Recorder of Deeds within ninety (90) calendar days of the date of endorsement by the Supervisors and provide to the Applicant proof of such recording. The Township shall charge a separate fee to cover the cost of the recording, and such fee shall be established by resolution of the Board of Supervisors.

305.11 Time Extension

The time period for review of the plan may be extended by mutual agreement of the Applicant and the Supervisors; and, any such agreement shall be in writing.

306 Plans for Land Developments

- A. Applicability - All plans for land developments, except as noted in Subsection C below, shall be submitted and processed in accord with this §306.
- B. Intent - The intent of this §306 is to combine the preliminary and final plan approval stages into one step for land developments which do not involve the transfer of any interest in real estate, other than rental or short-term lease. Requiring preliminary and final approval for such land developments is not necessary because no transfer of real estate is proposed; and, the preliminary-final process is not necessary to assure the completion of improvements for the protection of individual purchasers. Occupancy of any structures which are part of the land development shall not be permitted until all required improvements have been completed by the developer and approved by the Township.
- C. Non-Qualifying Land Developments - Land developments (e.g., condominiums or townhouses transferred in fee) which involve the transfer of any interest in real estate, other than rental or short-term lease, shall comply with §303 and §304 of this Ordinance.

306.1 Land Development Plan Application

An application for Land Development Plan approval shall be submitted in accord with this §306.

306.2 Official Submission of Land Development Plans

306.2.1 Plan to be Filed With the Township

- A. Initial Submission - Copies of the Land Development Plan and all required supporting documentation shall be submitted to the Planning Commission Secretary by the Applicant or his authorized representative at least ten (10) days prior to the Planning Commission meeting at which the Applicant applies for the *Official Date of Land Development Plan Submission*.
- B. Subsequent Submission - All materials submitted in support of an application after the initial submission, whether an amended plan, an expert or agency report or review letter, or any other data in support of an application shall be submitted to the Planning Commission Secretary or the Township Secretary (as the case may be) at least fourteen (14) days prior to the meeting at which the Applicant wishes to have those materials considered.

306.2.2 Number of Copies to be Submitted - The official submission of the Land Development Plan shall include the following: (The Township may require the Applicant to submit additional copies of any required information.)

- A. Ten (10) completed copies of the land development plan review application.
- B. Ten (10) legible paper prints of the Land Development Plan. Following recommendation for approval by the Planning Commission and when all corrections have been made to the Land Development Plan, seven (7) prints shall be submitted for final signature.
- C. Six (6) copies of all required sewage disposal approvals and/or permits from the Pennsylvania Department of Environmental Protection.
- D. Four (4) copies of all other required supporting data and information as required in Article IV of this Ordinance.

306.2.3 Land Development Plan Filing Fee - The Planning Commission Secretary shall collect a Land Development Plan filing fee as established by resolution of the Supervisors.

- A. Fees charged shall cover the costs of examining plans and other administrative expenses associated with the review of land developments.
- B. The Applicant shall pay the fee at the time of initial submission of the application to the Planning Commission Secretary.

306.2.4 Land Development Plan Submission Verification and Distribution - Upon receipt of the Land Development Plan and supporting data the Planning Commission Secretary shall verify the submission for the required number of copies of all documents.

- A. If the submission is verified, the Secretary shall accept the said plans and documentation, complete the submission verification, noting same, and provide a copy of the plan submission verification to the Applicant. The Secretary shall then provide copies of the applicable plans and documents to:
 - 1. The Township Engineer.

2. The Township Solicitor.
3. The Township Planning Commission Solicitor.
4. The Township Zoning Officer.
5. The Township Planner.
6. Any other engineer or consultant designated by the Township.

- B. If the submission is not verified, the Secretary shall complete the plan submission verification, noting any and all deficiencies or omissions in the submission, provide a copy of the plan submission verification to the Applicant, and return all documents to the Applicant.
- C. The plan submission verification shall only verify that the correct number of copies of all plans and documentation have been submitted and shall in no way be construed to be a plan submission receipt.

306.2.5 Official Date of the Land Development Plan Submission - The official date of the Land Development Plan submission shall be determined by the Planning Commission which shall examine the submission to determine that all documents are complete and in proper form.

- A. If the submission is not complete or not in the proper form the Applicant shall be notified, in writing, of the deficiencies; and, the submission shall be rejected until the said deficiencies are corrected and then examined again at the next regularly scheduled or special meeting after the resubmission.
- B. If the submission is complete and acceptable, the Chairman of the Planning Commission shall complete an official submission receipt listing the date of the said meeting as the Official Date of the Land Development Plan Submission and forward said receipt to the Applicant.
- C. If the first meeting of the Planning Commission following the date of submission verification occurs more than thirty (30) calendar days following the date of submission verification established in accord with §306.2.4, the ninety (90) calendar day review period shall be measured from the thirtieth (30th) calendar day following the day of said submission verification.
- D. If the application is being submitted after a final order of the court remanding the application to the Township, the ninety (90) calendar day review period shall be measured from the date of the meeting of the Planning Commission next following the final order of the court. If the first meeting of the Planning Commission occurs more than thirty (30) calendar days following the final order of the court, the ninety (90) calendar day review period shall be measured from the thirtieth (30th) calendar day following the final order of the court.

306.2.6 Distribution of the Land Development Plan - Following the Official Date of Submission, the Planning Commission Secretary shall submit the Plan and all required supporting documentation to the Monroe County Planning Commission for review. The Applicant shall be responsible for submission of the Plan and all required supporting documentation to the Monroe County Conservation District, PennDOT, and all other agencies.

306.3 Land Development Plan Review and Action

306.3.1 Planning Commission Review and Action Period - The Planning Commission shall review the properly submitted Land Development Plan to determine compliance with this Ordinance and take action to reject, or recommend to Supervisors denial, approval or approval with conditions and modifications of such plan as provided in this §306.3. The Planning Commission shall make its recommendation to Supervisors and communicate, in writing, such recommendations to the Applicant within fifteen (15) calendar days of when the decision was made.

- A. If approval is recommended, the signed and dated plan shall be forwarded to Supervisors.

- B. If approval with conditions is recommended, the plan shall not be signed; but, such approval recommendation shall be communicated to Supervisors and the Applicant, in writing, along with a statement of such conditions.
- C. If denial is recommended, the specific reasons for such denial, citing specific provisions of this Ordinance or other applicable statute, and the date of denial shall be communicated to Supervisors and the Applicant, in writing.

306.3.2 Supervisors Review and Action Period - Upon the receipt of the Planning Commission's recommendation, Supervisors shall make its decision regarding the Land Development Plan and communicate, in writing, such decision to the Applicant within fifteen (15) calendar days of when the decision is made. However, in no case shall the period for Township review and action, including written communication to the Applicant, exceed ninety (90) calendar days from the "Official Date of the Land Development Submission" as established pursuant to §306.2.5.

306.3.3 Supervisors Approval with Conditions - When a Land Development Plan is approved with conditions, such conditions shall be expressly included in the minutes of the Supervisors meeting at which the Land Development Plan is considered and communicated, in writing, to the Applicant as provided in §306.3.2. When a Land Development Plan has been approved subject to any conditions and/or modifications and the Applicant does not agree and accept the said conditions and/or modifications, in writing, within fifteen (15) calendar days of receipt of said written notice, the said conditional approval of the Land Development Plan shall become an automatic disapproval and the said plan shall be resubmitted as required by §306, including a new filing fee. The written notice to the Applicant shall include the specific terms of the approval and shall note that failure to agree and accept the conditions shall constitute a denial of the plan.

306.3.4 Supervisors Denials - When a Land Development Plan is denied, the reasons for such denial, citing specific provisions of this Ordinance or other applicable statute, shall be expressly included in the minutes of the Supervisors meeting at which the Land Development Plan is considered and communicated, in writing, to the Applicant as provided in §306.3.2.

306.4 Reviewing Agency and Officials Comments

The Planning Commission and Supervisors shall consider the comments and the recommendations provided pursuant to §306.2.6 and may request such additional information as deemed necessary.

306.5 Monroe County Planning Commission Comments

No official action shall be taken by the Supervisors until it has received and considered the comments of the Monroe County Planning Commission or after thirty (30) calendar days following transmittal of the Land Development Plan to the County Planning Commission.

306.6 Sewage Facilities Planning Modules

The Supervisors shall concurrently make its decision on the Sewage Facilities Planning Module; and, if approval is granted, the completed sewage planning documents shall be forwarded to the Pennsylvania Department of Environmental Protection. Land Development Plan approval shall be conditional upon Department of Environmental Protection sewage planning approval.

306.7 Highway Occupancy Permit

If a highway occupancy permit shall be required for access to a Township or State road, approval of the Land Development Plan shall be conditional upon the issuance of a highway occupancy permit by the Township or PA DOT, as the case may be.

306.8 Soil Erosion and Sedimentation Control

Approval of the Land Development Plan shall be conditional upon the approval of the soil erosion and sedimentation control plan by the Monroe County Conservation District and the issuance of any associated permits.

306.9 Public Hearing

The Planning Commission or Supervisors may conduct a public hearing on the proposed Land Development Plan pursuant to public notice.

306.10 Authorization to Proceed with Land Development or to Provide a Financial Guarantee

Following any approval granted pursuant to §306.3.2 and when all requirements and conditions have been fulfilled by the Applicant to satisfy any conditional approval, the Supervisors shall provide to the Applicant a letter authorizing the Applicant to proceed with site development and construction in accord with the approved plan. In lieu of constructing the improvements, the Applicant may provide a financial guarantee in accord with Article V of this Ordinance.

306.11 Final Approval; Signature of Land Development Plan

The Supervisors shall not sign the Land Development Plan until such time as all the improvements shown on the Land Development Plan have been installed by the Applicant and have been verified as complete by the Township Engineer; or, a performance guarantee has been provided by the Applicant pursuant to Article V of this Ordinance. When all these requirements and conditions have been fulfilled by the Applicant, the Supervisors shall endorse the Land Development Plan for recording purposes.

306.12 Recording of the Land Development Plan

The Township shall file the final record plan with the Monroe County Recorder of Deeds within ninety (90) calendar days of the date of endorsement by the Supervisors and provide to the Applicant proof of such recording. The Township shall charge a separate fee to cover the cost of the recording, and such fee shall be established by resolution of the Board of Supervisors.

306.13 As-Built Plans

Upon the completion of all improvements, the Applicant shall provide to the Township plans certified by the Applicant's engineer showing all such improvements as installed. Failure of the Applicant to provide the as-built plans shall constitute a violation of this Ordinance and shall be subject to all the enforcement proceedings contained in this Ordinance.

306.14 Certificate of Conformance

No use of land or structure within the land development shall be initiated until such time as a certificate of conformance has been issued by the Board of Supervisors for the land and structure(s) in accord with this Ordinance. In cases where a financial guarantee for final approval has been provided in lieu of the construction of improvements, no certificate of conformance shall be issued until such time as all the improvements shown on the Land Development Plan have been installed by the Applicant and have been certified as complete by the Applicant's Engineer and inspected by the Township Engineer pursuant to Article V of this Ordinance, and as built plans have been provided by the Applicant.

306.15 Time Extension

The time period for review of the plan may be extended by mutual agreement of the Applicant and the Supervisors; and, any such agreement shall be in writing.

307 Reserved**308 Lot Improvement Subdivisions (Also known as *add-on subdivisions*.)**

Lot improvement subdivisions which involve the combination of lots of record which are shown on a map on file at

the office of the Monroe County Recorder of Deeds (the applicant shall certify to the Supervisors that the subject map is, in fact, on record) and which do not involve the creation of any new lot lines may be submitted directly to the Planning Commission. A new map for such lot improvements shall not be required; however, the combination shall be effected by the execution of an *Owners Affidavit* for same which shall be recorded with the Monroe County Recorder of Deeds upon the signature of the Applicant and the Supervisors. The *Owners Affidavit* shall be in such form as required by the Supervisors upon the recommendation of the Township Solicitor; and, it shall include a reference to the lot numbers of the subject lots and the Plat Book and page number where the map is recorded.

Lot improvement subdivisions which involve the creation of new lot lines shall require a new subdivision map and shall be processed in the manner set forth in §305; however, sewage planning modules may not be required unless additional, new sewage disposal areas are proposed. The applicable notes listed in §404.3,B shall be included on the map; and, the combination language shall also be included in the deed from the grantor to the grantee and made binding on the combined parcel(s) of the grantee via Articles of Restrictive Covenants.

All documents to be recorded to effect any lot improvement subdivision shall be in such form as approved by the Supervisors with the recommendation of the Township Solicitor; and, said documents shall be turned over to the Township Solicitor who shall record same. The fee for lot improvement subdivisions shall be established by resolution of the Supervisors and shall include the costs of recording.

309 Subdivision From Large Parcel

In cases where a parcel is being subdivided in order to convey one (1) or more lots, such that the parent parcel when subdivided remains ten (10) acres or more in size, the requirement that the parent parcel be surveyed may be waived by the Supervisors, provided not more than four (4) lots shall be platted from the parent parcel in any one (1) year period; and, the Applicant can demonstrate to the satisfaction of the Supervisors that an adequate description of the parent parcel is on record which may be a recorded survey map or recorded deed description. All parcel(s) subdivided therefrom shall be surveyed and platted in accord with all the requirements of this Ordinance and said parcel(s) shall front on a public road; or, evidence satisfactory to the Supervisors otherwise demonstrating access shall be provided by the Applicant. The subdivision shall in all other respects be processed in accord with this Ordinance.

310 Contiguous Municipalities

In accord with §502.1(b) of the MPC, the governing body of any municipality contiguous to the Township may appear before the Planning Commission and/or Supervisors to comment on a proposed subdivision, change of land use, or land development.