

ARTICLE III

PROCEDURE FOR APPROVAL OF MINOR SUBDIVISIONS

SECTION 301 **APPLICABILITY**

This Article shall apply only to consolidations, resubdivisions or replatting, as defined herein, and to those subdivisions which propose no more than three (3) lots, including the residual parcel, if any, all of which have frontage on an improved public street and not involving the dedication or construction of any new public street and which may or may not involve the extension or creation of any public improvements.

SECTION 302 **PRE-APPLICATION CONFERENCE**

Prior to filing an application for Preliminary Approval of a Minor Subdivision, the applicant or his representative may meet with the Township Zoning Officer to obtain application forms and to discuss application procedures and applicable ordinance requirements.

In addition, the developer may request a pre-application conference with the Planning Commission to discuss the conceptual design for the development of the property and the feasibility and timing of the application. The applicant shall contact the Township Zoning Officer at least five (5) working days prior to the regular meeting of the Planning Commission to request a pre-application conference with the Planning Commission.

The pre-application conference is voluntary and no formal application or fee is required. This opportunity is afforded to the applicant or his representative to obtain information and guidance before entering into binding commitments or incurring substantial expenses for plan preparation.

A pre-application conference shall not constitute formal filing of any application for approval of a subdivision, shall not bind the Planning Commission to approve any concept presented in the pre-application conference and shall not protect the application from any subsequent changes in ordinance provisions which may affect the proposed development between the date of the pre-application conference and the official date of filing of an application for Preliminary and Final Approval of a Minor Subdivision under the terms of this Ordinance.

SECTION 303 **PRELIMINARY AND FINAL APPLICATION SUBMISSION**

The applicant shall file eight (8) copies of an application for Preliminary and Final Approval of a Minor Subdivision required by Section 304 to the Township at least fourteen (14) calendar days prior to the regular meeting of the Planning Commission. If the fourteenth day falls on a Saturday, Sunday or holiday, the application shall be filed by the close of business on the immediately preceding working day.

The Preliminary and Final Application shall not be considered to be complete and properly filed unless and until all items required by Section 304 of this Ordinance, including the Application Fee, have been received.

Immediately upon receipt, the application shall be stamped with the date of receipt by the Township and one (1) copy of the application shall be distributed to the Township Engineer and one (1) copy to the Township Zoning Officer for review. The Zoning Officer shall transmit one (1) copy of the application to each member of the Planning Commission. Additional copies may be requested from the applicant for referral to any other appropriate review agency at the discretion of the Township Zoning Officer.

The applicant shall submit one (1) copy of the Preliminary and Final Application to the Washington County Planning Commission for review and comment and shall be responsible for payment of the prevailing County review fee. The applicant shall provide evidence of transmittal of the application to the County when the application is submitted to the Township.

In all cases, the official date of filing of the Preliminary and Final Application for a Minor Subdivision shall be the date of the Planning Commission meeting at which the Commission accepts the application as complete in content and properly filed, based on the Township Engineer's written review, as provided in Section 305.1.

SECTION 304 PRELIMINARY AND FINAL APPLICATION CONTENT FOR MINOR SUBDIVISIONS

All applications for Preliminary and Final Approval of a Minor Subdivision shall be submitted in accordance with Section 303 of this Ordinance and shall include the following information:

- A. One (1) copy of the completed application form supplied by the Township.
- B. Application filing fee, as required by Section 1101.1 of this Ordinance.
- C. Evidence of ownership or proprietary interest.
- D. A location map showing the plan name and location; major existing thoroughfares related to the site, including the distance therefrom; title, scale and North point.
- E. The section of the U.S.G.S. Topographic Map, identified by Quadrangle name and indicating a North arrow, showing contours at twenty (20) foot intervals with the boundaries of the property and the proposed subdivision clearly shown.

- F. A copy of any existing or proposed covenants, deed restrictions, modifications to this Ordinance or zoning variances granted which are applicable to the property.
- G. If applicable, Flood Hazard Zone boundaries.
- H. Eight (8) copies of a Final Plat, all drawings on sheets not exceeding thirty-four inches by forty-four inches (34"x44") accurately drawn to a scale of not less than one inch equals one hundred feet (1"=100') certified by a Pennsylvania Registered Land Surveyor as to existing features, design features and boundaries. The Final Plat shall contain the following information:
1. Date of preparation. All revisions shall be noted and dated.
 2. Title of development; North arrow; scale; County Assessor's Tax Parcel Number; the name and address of the record owner; the name and address of the applicant; the name and address, license number and seal of the person preparing the subdivision. If the owner of the premises is a corporation, the name and address of the president and secretary shall be submitted on the application.
 3. All distances shall be in feet and decimals of a foot and all bearings shall be given to the nearest ten (10) seconds.
 4. The names, as shown on current tax records, of all owners of property within two hundred (200) feet of the subdivision, together with the Tax Parcel numbers of the Washington County Assessor's Office for said property.
 5. Survey data showing boundaries of the property, building or setback lines and lines of existing and proposed streets and rights-of-way, lots, reservations, easements and areas dedicated to public use, including grants, restrictions and rights-of-way, to be prepared by a licensed land surveyor. The name, address, signature and seal of the surveyor shall be indicated.
 6. Location of existing buildings and all other structures, including walls, fences, culverts and bridges, with spot elevations of such buildings and structures. Structures to be removed shall be indicated by dashed lines; structures to remain shall be indicated by solid lines.
 7. Acreage, to the nearest thousandth of an acre of the tract to be subdivided and the acreage, in square feet, of all lots.

8. Plans of proposed sanitary and stormwater systems showing feasible connections to existing or any proposed utility systems. Pipe sizes, grades and direction of flow, locations and inlets, manholes or other appurtenances and appropriate invert and other elevations shall be indicated.
9. An indication on the plat identifying the company or authority that will provide water, sewer, gas, electric and other utility services.
10. If applicable, a notation on the plat that access to a State highway shall only be authorized by a highway occupancy permit issued by the Pennsylvania Department of Transportation under Section 420 of the State Highway Law (P.L. 1242, No. 428 of June 1, 1945).
11. Spaces for the signatures of the Chairman and Secretary of the Planning Commission, the Chairman of the Board of Supervisors, the Township Secretary and the Township Engineer.
12. Certification clauses as required by the Washington County Subdivision and Land Development Ordinance.

**SECTION 305 APPROVAL OF PRELIMINARY AND FINAL APPLICATION FOR A
MINOR SUBDIVISION**

305.1 Planning Commission Recommendation

The Township Engineer shall present a written report to the Planning Commission which states whether the application complies with the requirements of this Ordinance and that report shall be included in the minutes at the Planning Commission meeting. The Planning Commission shall not make a recommendation on the application until the report of the Township Engineer has been received.

At the first regular meeting of the Planning Commission after submission of a Preliminary and Final Application for a Minor Subdivision, the Planning Commission shall accept the application as complete in content and properly filed, based on the Township Engineer's review. The date of the Planning Commission meeting at which the Preliminary and Final Application is accepted as complete and properly filed shall be the official date of filing of the application and shall represent the beginning of the sixty (60) day period for Planning Commission review and action on the application, unless the applicant agrees, in writing, to an extension of time.

If the application is not accepted as complete in content and properly filed, the Planning Commission shall return the application to the applicant for resubmission for the next monthly meeting in accordance with the time specified in Section 303 and shall provide the applicant with a copy of the Township Engineer's written review outlining the deficiencies to be corrected in order for the application to be considered complete and properly filed.

Within sixty (60) days of the official date of filing of the Preliminary and Final Application, the Planning Commission shall make a written recommendation to the Board of Supervisors recommending approval, approval with conditions or disapproval of the Preliminary and Final Application. The recommendation of the Planning Commission shall provide reasons for the recommendation and, in the case of a recommendation for disapproval, shall cite the specific requirements of this Ordinance which have not been met.

305.2 Board of Supervisors Action

Within ninety (90) days of the official date of filing of the Preliminary and Final Application, the Board of Supervisors shall either approve, approve with conditions or disapprove the Preliminary and Final Application at a public meeting. The Board of Supervisors shall not act until the review has been received from the Washington County Planning Commission or until thirty (30) days has passed since the date that the application was submitted to the County for review. The recommendation of the Township Planning Commission and the Township Planning Commission minutes containing the report of the Township Engineer shall be made a part of the record at that meeting.

A letter indicating approval, approval with conditions or disapproval shall be sent to the applicant by regular mail within fifteen (15) days of the date of the decision. If the Preliminary and Final Application is not approved, the Board of Supervisors shall specify the defects found in the Preliminary and Final Application and cite the requirements of this Ordinance which have not been met.

305.3 Conditional Approval

If the Board of Supervisors determines that certain conditions are warranted to be attached to Preliminary and Final Approval to protect the interest and guarantee compliance with the requirements of this Ordinance, the conditions of approval shall be specified, in writing, in the notice of conditional approval required by Section 305.2 of this Ordinance. The applicant shall accept or reject the conditions attached to Preliminary and

Final Approval by giving written notice to the Township Secretary within thirty (30) days of the date of the meeting of the Board of Supervisors at which Preliminary and Final Approval is granted. If the applicant fails to give written notice to the Township regarding acceptance or rejection of the conditions attached to Preliminary and Final Approval within the required thirty (30) days, Preliminary and Final Approval shall automatically be rescinded without written notice to the applicant.

305.4 Deemed Approval

Failure of the Board of Supervisors to render a decision and communicate it to the applicant within the time and in the manner prescribed by this Ordinance shall be deemed an approval of the application in the terms as presented, unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.

SECTION 306 MEDIATION OPTION

The Township may offer the mediation option as an aid in completing the proceedings authorized by this Article in accordance with the requirements of Section 409 of this Ordinance.

SECTION 307 RECORDING OF FINAL PLAT

Upon approval of a Final Plat by the Board of Supervisors, the developer shall, within ninety (90) days of such Final Approval, record such plat in the Office of the Washington County Recorder of Deeds.

SECTION 308 REINSTATEMENT OF APPROVAL

In the event that the plat has not been recorded within the required ninety (90) days, the Township Secretary is authorized to reinstate the signatures of the proper officers of the Township indicating approval, provided there are no changes in the Minor Subdivision previously granted approval and all the requirements of this Ordinance regarding posting of a Performance Guarantee and execution of a Development Agreement, if applicable, have been met and, further, provided the plan is submitted for reinstatement of approval within one hundred eighty (180) days following the date of Preliminary and Final Approval by the Board of Supervisors.

Any request for reinstatement of Preliminary and Final Approval which is submitted after one hundred eighty (180) days from the date of the original granting of Preliminary and Final Approval by the Board of Supervisors shall be required to resubmit an application for Preliminary and Final Approval in conformance with the requirements of Sections 303 through 305 and Sections 307 through 310 of this Ordinance, including the application filing fee.

SECTION 309 FILING OF COPIES

Upon recording of the Final Plat in the Office of the Washington County Recorder of Deeds, the applicant shall deliver two (2) paper prints of the final plat as recorded, containing all required signatures and dates of approval to the Township Zoning Officer.

**SECTION 310 MINOR SUBDIVISIONS WHICH PROPOSE THE EXTENSION OR
INSTALLATION OF ANY PUBLIC IMPROVEMENTS**

Minor Subdivisions which propose the extension or installation of any public improvements, as defined by this Ordinance, shall be further subject to Section 408.4 and Sections 410 through 413 of this Ordinance governing installation of public improvements and posting of a Performance Guarantee to guarantee their proper installation.