

ARTICLE IV

APPLICATION AND REVIEW REQUIREMENTS

§14-401. General

When a subdivision or land development within the Township is submitted for approval, an application for development, on a form provided by the Township, shall be submitted to the Planning Commission for review and recommendation. Said application shall be preceded by a preapplication conference; shall consist of such plans, data, certifications, and other supporting documentation and approvals, as herein enumerated; shall be filed in stages (preliminary and/or final), where applicable; shall be accompanied by such fees, and shall be subject to such conditions as hereinafter specified or otherwise provided for within this Chapter.

§14-402. Preapplication Conference

- A. Prior to the filing of an application for review and approval of a proposed subdivision and/or land development, the developer shall submit a sketch plan to the Township staff for comment on the requirements necessary to achieve conformity to the standards and other provisions of this Chapter, except as provided for in Section 14-303; as well as make the developer aware of other factors pertinent to the design and approval of the subdivision or land development. The preparation of a sketch plan shall not constitute the filing of an application for approval of a plat.
- B. Sufficient information shall be provided on the sketch plan to clearly indicate the character and extent of the proposed subdivision or land development, and its relationship to existing natural features conditions and public facilities within the area in which the land is situate. Such submissions should include a map establishing the location of the proposed plat and a plan showing any existing or proposed streets, property lines, building sites, utilities, natural features, including topographic contours, and any other significant elements within the subdivision or land development. Such plans are not required to be engineered drawings but must be drawn to scale.

§14-403. Preliminary Plans

- A. Preliminary Plan Approval Required: Except in

the case of minor subdivision (See Subsection 14-403 G), Preliminary Plan approval is required where public improvements are proposed, as a condition precedent to the filing of an application for final approval of a proposed subdivision or land development.

- B. Preliminary Plat Requirements: Preliminary plats shall be drawn on a twenty-four inch by thirty-six inch (24" x 36") or a "D" size plot, sheets of linen, mylar, or similar material and shall be accompanied by the following information in the scale or format specified:
 1. Location Map: A diagram of the surrounding area shown in a six inch by six inch (6" x 6") minimum frame, in sufficient detail to clearly indicate the location of the proposed subdivision or land development within the Township boundaries, based on a USGS 7.5 minute quadrangle with the subject parcel at the approximate center.
 2. Tract Information: A scaled drawing showing the boundaries of the entire tract to be subdivided or developed, any previous out-sales or lot transfers, the portion to be subdivided into lots or otherwise developed, and the names of owners of all abutting subdivisions or land developments.
 3. Subdivision or Land Development Plat: A plat of the lot or lots to be formed or developed, drawn to a scale not smaller than one hundred feet (100') to one inch (1"), and showing the tax parcel number, names of abutting property owners, and zoning district, plus the following information:
 - a. Existing property lines, easements and rights-of-way and the purpose for which the easements or rights-of-way have been established.
 - b. Existing streets and driveways on or adjacent to the tract, and within two hundred feet (200') of the boundary line of the tract or land development site, including name, right-of-way width and pavement width.
 - c. Existing buildings, sanitary and storm sewers, water mains, culverts, fire hydrants and other significant

- man-made features on or adjacent to the tract, and within two hundred feet (200') of the boundary line of the tract or land development site.
- d. Existing watercourses, marshes, wetlands, rock outcroppings, wooded areas and areas subject to flooding.
 - e. Existing and proposed contours at vertical intervals of five feet (5'), or in the case of relatively level tracts, at such lesser interval as shall be dictated by the Township Engineer. Datum to which contour elevation refer shall be United States Coast and Geodetic Survey datum or existing benchmarks previously recorded.
 - f. Location, width, approximate grade and name of all proposed streets and the location and purpose of all proposed easements.
 - g. Indication of the buildable area of each proposed lot, with approximate dimensions of each lot or building line; minimum building line along all streets and easements; and all parcels proposed to be dedicated or reserved for public or semi-public use.
 - h. Area of each parcel including the remaining land not proposed for platting, lot or site identification numbers, and location of any percolation tests or wells.
 - i. Location of any proposed site improvements such as curbs, sidewalks, street lighting and street trees.
 - j. Proposed site grading showing areas to be filled and areas to be cut, with approximate finished grades of slopes shown by percentage.
 - k. In the case of all multi-family and nonresidential developments, the approximate location and configuration of proposed buildings, parking areas, walkways, recreation areas and/or facilities, and other development features.
 - l. An indication of the general location and size of proposed water mains, fire hydrants, sanitary sewers and stormwater management facilities and lines. (May be shown on a separate plan.) The preliminary size of each line should be shown as well as the locations or distances to any existing line to be connected to, with the size of such existing lines indicated.
 - m. Standard map symbols (Exhibit #1 of the Center Township Standard Construction Details).
 - n. Exhibits to text or information locating known preexisting and open water, gas or oil wells, and tree masses.
 - o. Exhibits to text or information locating soils, deep-mines and/or subsurface water conditions that may affect the land surface.
 - p. A drawing which locates existing septic fields and leeching beds.
4. Plat Data: Title identifying the subdivision or land development and the municipality in which located, name and address of the developer, scale and north point of the subdivision plat (and of the tract map in separate diagram), date of plan, narrative of activity proposed, number of dwelling units and/or structures by type, certification and seal of the engineer and any other professional responsible for the plan, and including appropriately worded signature blocks.
- C. Data to be Submitted with the Preliminary Plat: Preliminary plat submission shall be accompanied by the following:
1. In cases where the preliminary plat covers only a portion of the developer's tract, a sketch plan for the entire tract shall be required.
 2. Preliminary cross sections showing the dimensions and construction of streets and any curbs and/or sidewalks.
 3. A preliminary Erosion and Sedimentation Control Plan, pursuant to the Rules and Regulations of the Pennsylvania Department of Environmental Protection and the standards of this Chapter and the County Erosion and Sediment Control

Handbook.

4. A traffic impact analysis, where in the opinion of the Planning Commission or Township Supervisors, proposed development will affect the circulation of vehicular traffic at key intersections and within the area proposed for subdivision generally.
 5. A description of the proposed method of providing potable water supply and sanitary sewerage disposal; percolation test data, when required; and/or water and sewerage engineering feasibility studies, when requested by the Planning Commission or Township Supervisors.
 6. A statement as to whether or not coal and mineral rights are to be conveyed with fee title to parcels to be sold together with any existing and proposed deed restrictions.
 7. A map overlay indicating all areas where it is known or suspected that surface or subsurface mining activities have occurred.
 8. Where the proposed subdivision or land development proposes the construction of any building or structure on or within three hundred feet (300') of any subsurface mined areas, or on or within fifty feet (50') of any surface mined area, the applicant shall submit, with his Preliminary plan, the information and data as set forth in Section 14-804 of this Chapter.
 9. A description of the method to be utilized and the organization formed for the maintenance of any common areas and facilities not to be dedicated.
- D. Review Procedure - Preliminary Plan: Applications for preliminary plat review and approval shall be submitted and processed in accordance with the following:
1. Application: Applications for preliminary plat approval shall be submitted to the Township for review by the Planning Commission. Seven (7) copies of the preliminary plat and two (2) copies of all data required to be submitted with said plat shall accompany the application. Any application filed less than fourteen (14) days prior to a regularly scheduled meeting of the Planning Commission shall not be accepted.
 2. Review by Other Agencies: Upon receipt of said application, the Planning Commission shall require the applicant to submit one (1) copy of the preliminary plat and any related documentation to the following officials and agencies, as appropriate, for their review and comment:
 - a. Board of Supervisors.
 - b. Township Engineer for review of required or proposed improvements.
 - c. Butler County Planning Commission for review and comment at the applicant's expense.
 - d. Pennsylvania Department of Transportation when the subdivision or land development will front on an existing or proposed Legislative Route, or will have a proposed street or access drive requiring access to such a route.
 - e. Pennsylvania Department of Environmental Protection for required comments relative to sanitary sewer extensions, erosion and sedimentation control or N.P.D.E.S. permits.
 - f. U.S.D.A. Soil Conservation Service for review in respect to drainage and erosion and sediment pollution control, where required.
 3. Approval of Plats - Preliminary:
 - a. The Board of Supervisors shall take action on a preliminary subdivision or land development plat within ninety (90) days of the first scheduled Planning Commission meeting following receipt of an application or after a final order of the Court remanding an application, as follows, unless a request for an extension of time, made in writing, is granted.
 - b. The action taken by the Board of Supervisors shall consist of approval, approval with conditions, or rejection of the plan, and:
 - 1) The decision of the Board of Supervisors shall be in writing and

shall be communicated to the applicant personally, or mailed to him by certified mail at his last known address not later than fifteen (15) days following the decision.

- 2) When the application is not approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite to the provision of the statute or ordinance relied upon.
 - 3) Failure of the Board of Supervisors to render a decision and communicate it to the applicant within the time and in the manner required herein shall be deemed an approval of the application in 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.
- E. Effect of Preliminary Approval: Approval of the preliminary plat by the Board of Supervisors constitutes an approval of the proposed subdivision or land in respect to the general design, density, availability of utilities to serve the lot(s), general lot dimensions, access and other planned features. Preliminary approval binds the developer to the general scheme of the plan as approved and permits the developer to begin preparation of the final plan.
1. Preliminary approval does not authorize the recording, sale or transfer of lots.
 2. In the event that the developer wishes to begin the installation of the improvements required by this Chapter, and identified in the plans, he/she shall:
 - a. Provide all information required for final plat approval as identified in Sections 14-404 B and 14-404 C of this

Article.

- b. Deposit an inspection fee cash escrow in an amount equal to fifteen percent (15%) of the estimated cost for installation of the required improvements. All costs incurred by the Township Engineer in reviewing plans and completing inspections shall be paid by the developer/applicant.
 - c. Prior to the start of installation of the required improvements, a pre-construction meeting between the developer, all appropriate Township and public utility personnel, shall be held.
 - d. Provide at least forty-eight (48) hours notice to the Township prior to the start of construction of any of the required improvements as identified in Article VI of this Chapter.
 - e. Notify the Township upon completion of the required improvements by certified mail requesting approval of the improvements. The Township shall follow the inspection and approval process as identified in Section 14-504 of this Chapter.
 - f. Upon approval of the improvements by the Township, provide a fifteen percent (15%) maintenance security with the Township, for a period of eighteen (18) months.
- F. Preliminary Plan Time Limitation: When an application for approval of a plat, whether preliminary or final, 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 accordance with the terms of such approval within five (5) years from such approval. The five-year period shall be extended for the duration of any litigation, including appeals, which prevent the commencement or completion of the development, and for the duration of any sewer or utility moratorium or

prohibition which was imposed subsequent to the filing of an application for preliminary approval of a plat. In the event of an appeal filed by any party from the approval or disapproval of a plat, the five-year period shall be extended by the total time from the date the appeal was filed until a final order in such matter has been entered and all appeals have been concluded and any period for filing appeals or requests for reconsideration have expired. Provided, however, no extension shall be based upon any water or sewer moratorium which was in effect as of the date of the filing of a preliminary application.

G. Minor Subdivision Application Option: In the case of a minor subdivision (as defined), the developer may apply directly for final plan approval in accordance with the procedures outlined in Section 14-404 of this Article and the plans and data requirements set forth herein. However, when multiple minor subdivisions within any given tract have been or are expected to be submitted for review, or when other circumstances warrant, the Board of Supervisors shall require such additional submissions, including full preliminary and final plan information in order that the purpose and intent of this Chapter may be met.

I. Minor Subdivision Plat Requirements:

- a. Location Map: A diagram of the surrounding area shown in a six inch by six inch (6" x 6") minimum frame, in sufficient detail to clearly indicate the location of the proposed subdivision or land development within the Township boundaries, based on a USGS 7.5 minute quadrangle with the subject parcel at the approximate center.
- b. Tract Information: A scaled drawing showing the boundaries of the entire tract to be subdivided or developed, any previous out-sales or lot transfers, the portion to be subdivided into lots or otherwise developed, and the names of owners of all abutting subdivisions or land developments.
- c. Subdivision or Land Development Plat: A plat of the lot or lots to be created, drawn to a scale of one hundred feet (100') to one inch (1"), showing all lot

lines; right-of-way and the cartway width of the abutting street; any other existing rights-of-way and easements; adjacent underground utility lines; natural drainageways; all building lines; percolation test sites; location and description of survey monuments, existing structures, proposed water wells, septic systems, driveways and existing natural gas or oil wells; bearings and dimensions of all property and associated right-of-way lines; and acreage of all parcels including the remaining tract; and lot identification numbers.

d. Plat Data: Title identifying the subdivision and indicating the name of the Township, name and address of the applicant, scale and north point of the subdivision plat (and of the tract map if separate diagram), date of plat, certification and seal of registered engineer or surveyor, in accordance with the Professional Engineers and Land Surveyors Registration Law, appropriate language in signature blocks, and Certificate of Recording block.

2. Data to be Submitted with Plat:

- a. Percolation test data (when required).
- b. Copies of any existing or proposed deed restrictions or protective covenants.
- c. Private agreements or recorded covenants between or among property owners.
- d. Stormwater management plan in accordance with Chapter 21, Stormwater Management.

§14-404. Final Plans

A. Relationship to Preliminary Plans: Submissions for final plan approval shall be made within one (1) year from the date of preliminary plan approval and conform in all substantive details with preliminary plans, as previously approved, or such approval becomes null and void, except that where phased approval has been requested, the final plan shall cover at least

twenty-five percent (25%) of dwelling units proposed on the total subdivision or land development approved as preliminary plan and, furthermore, any conditions specified in the approval of preliminary plans shall be incorporated in the final plans.

B. Final Plat Requirements: Final plats for the purpose of recording shall be drawn in ink on twenty-four inch by thirty-six inch (24" x 36") sheets of linen, mylar, or similar material, and shall be accompanied by the following information in the scale and format specified;

1. Location Map: A diagram of the surrounding area sufficient to clearly indicate the location of the proposed subdivision or land development within the Township boundaries.

2. Tract Information: A scaled drawing showing the boundaries of the entire tract to be subdivided or developed, any previous out-sales or lot transfers, the portion to be subdivided into lots or otherwise developed, and the names and recording data of all abutting subdivision or land developments.

3. Key Map: When final approval is sought for only a part of the plan given preliminary approval, a key map shall be provided showing the relationship of the preliminary plan to the section proposed for final approval.

4. Subdivision or Land Development Plat: A plat of the lot or lots to be formed or developed, drawn to a scale not smaller than one hundred feet (100') to one inch (1") and showing:

a. Primary control points, or description and "ties" to such control points, to which all dimensions, angles, bearings, and similar data on the plat shall be referred.

b. Final rights-of-way, easements, and property and/or building lot lines with accurate dimensions, bearing or deflection angles; and radii, arcs and central angles of all curves.

c. Edge of existing or proposed street pavement, clear sight triangle, and

building setback lines with dimensions, including the radii of the edge of pavement at intersections with existing or proposed streets or access drives.

d. Street names, purpose of easements and other rights-of-way, and block, lot and/or parcel numbers.

e. Location and description of all survey monuments and markers.

f. Location of all watercourses, wetlands and floodplains and temporary erosion and sediment pollution control facilities.

g. Location and size of stormwater detention facilities as identified in Chapter 21, Stormwater Management.

h. Location and type of wastewater disposal system.

5. Plat Data: Title identifying the subdivision or land development and the municipality in which located, name and address of the developer, scale and north point of the subdivision plat (and of the tract map if separate diagram), date of plan, narrative of activity proposed, number of dwelling units and/or structures by type, certification and seal of the engineer and any other professional responsible for the plan in accordance with the Professional Engineers and Land Surveyors Registration Law, certification of title showing that the applicant is the landowner, appropriate worded signature blocks, and Certificate of Recording block.

C. Data to be Submitted with the Final Plat: Final plat submissions shall be accompanied by the following with all plans and drawings to be on sheets twenty-four inches by thirty-six inches (24" x 36"):

1. Profiles of all existing and proposed streets showing center line grades approved by the Township Engineer in accordance with the design standards of this Chapter; and showing the existing ground line.

2. Cross sections of existing and proposed streets showing the type of construction, depth and type of base material, the width of rights-of-way, width of cartway, curb

- construction, location and width of sidewalks, and locations and size of utility lines, where applicable.
3. Plans and profiles of proposed sanitary and/or stormwater sewers, with grades and pipe sizes indicated, and a plan of any proposed water distribution system, showing pipe sizes and location of valves and fire hydrants, as applicable.
 4. A final Erosion and Sedimentation Control Plan (See Subsection 14-403 C 3) including certification that permits required by the Pennsylvania Department of Environmental Protection have been issued.
 5. A final development plan of any single or multi-family units and nonresidential development, showing the location and dimensions and configuration of all buildings, streets, parking areas, walkways, recreation areas and/or facilities, watercourses wetlands and floodplains, stands of trees and other natural or man-made development features.
 6. Certification of preliminary plan approval and signed, executed agreement to provide service from the sewer and/or water authority, area water company with jurisdiction, and/or a Pennsylvania Department of Environmental Protection-approved planning module, for proposed public or private sanitary sewerage disposal and any revision to the Township's Department of Environmental Protection Act 537 Plan. Water supply and distribution facilities being provided by the developer must be inspected by the municipal authority with jurisdiction or the Pennsylvania Department of Environmental Protection, where applicable.
 7. Certification from a qualified engineer that:
 - a. The proposed development will not cause any environmental hazard or risk of subsidence.
 - b. The Final plan incorporates all measures and practices recommended in the subsidence risk assessment and/or geotechnical investigation report, and such measures and practices shall eliminate or avoid any environmental hazards or risks of subsidence.
- c. The Final plan satisfies all relevant Federal, State, County and municipal environmental standards.
 8. Evidence that the required financial security as a performance guarantee has been deposited with the Township following review by the Solicitor.
 9. Statement by developer offering the dedication of any streets, rights-of-way and land for public uses to be so offered; and evidence that the maintenance of any private or semi-public area or facility not being offered for dedication is assured through the creation of an organization for that purpose.
- D. Review Procedure - Final Plan: Applications for final plan review and approval shall be submitted and processed in accordance with the following:
1. Application: Applications for final approval shall be submitted to the Township for review by the Planning Commission. Seven (7) copies of the final plat, and two (2) copies of all other data required to be submitted with said plat shall accompany the application. Any application filed less than fourteen (14) days prior to a regularly scheduled meeting of the Planning Commission shall not be accepted.
 - a. The final plan submission shall cover at least twenty-five percent (25%) of all dwelling units proposed on the entire subdivision or land development as shown on the approved preliminary plan. In such cases, the applicant shall submit a tentative schedule for the development of the balance of the tract. The final plan submission requirements as set forth herein and procedures must be followed for each subsequent section prior to installation of improvements, recording, and sale or transfer of lots within such sections.
 - b. Failure of the applicant to adhere to the aforesaid schedule of submission of final plats for the various sections shall

- subject any section to any and all changes in zoning, subdivision/land development and other governing ordinances enacted by Center Township subsequent to the date of the initial preliminary plan submission.
2. Review by Other Agencies: Upon receipt of said application, the Planning Commission shall require the applicant to submit one (1) copy of the final plat and any related documentation to the following officials and such others, as appropriate, for their review and comment:
 - a. Board of Supervisors for review and final approval, subject to the ninety (90) day time limit established by Pennsylvania Municipalities Planning Code, unless a time extension has been legally granted.
 - b. Township Engineer for review of required or proposed improvements.
 - c. All applications for subdivision and land development shall be forwarded by the applicant to the Butler County Planning Commission for review and comment at the applicant's expense.
 3. Approval of Plats - Final:
 - a. The Board of Supervisors shall take action on a final subdivision or land development plat within ninety (90) days of the first scheduled Planning Commission meeting following receipt of an application or after a final order of the Court remanding an application, as follows, unless a request for an extension of time, made in writing, is granted.
 - b. The action taken by the Board of Supervisors shall consist of approval, approval with conditions, or rejection of the plan, and:
 - 1) The decision of the Board of Supervisors shall be in writing and shall be communicated to the applicant personally or mailed to him by certified mail at his last known address not later than fifteen (15) days following the decision.
 - 2) When the application is not approved in terms as filed, the decision shall specify the defects found in the application and described the requirements which have not been met and shall, in each case, cite to the provision of the statute or ordinance relied upon.
 - 3) Failure of the Board of Supervisors to render a decision and communicate it to the applicant within the time and in the manner required herein shall be deemed an approval of the application in 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 or presentation of communication shall have like effect.