

Article 5
Preliminary Plans for Major Subdivisions
and Certain Land Developments

501. INITIAL STEPS.

501.A. Pre-Submission Consultation. Applicants are encouraged to informally discuss their proposals with applicable Township Staff persons or other Township officials before preparing engineered plans.

501.B. Site Tour. Applicants are very strongly encouraged to cooperate in an on-site tour of the property by Township officials. This site tour should be scheduled as soon as possible after the applicant has provided copies of a map of existing conditions. At best, this would occur after a sketch plan has been submitted, but before preliminary plans have been completed.

1. This site tour is intended to informally:

- a. familiarize Township officials with the property's existing features, particularly including scenic views and the site's relationship to surrounding areas,
- b. identify potential site design issues that will need to be addressed, and
- c. discuss site design concepts, including the general layout of proposed development and open spaces.

2. Comments made during the site visit shall not be binding upon the Township, and no formal action or recommendation shall be made during the site visit.

501.C. Sketch Plan. Prior to the submission of a Preliminary Plan, applicants are very strongly encouraged to submit a Sketch Plan. **A Sketch Plan Review often allows an applicant to save substantial time and engineering costs, because many concerns about layout and issues concerning Township Ordinances can be resolved prior to detailed engineering. This can often reduce the need for future redesign at a more detailed stage, thereby saving the applicant significant money and time.** No official action is required on a sketch plan, so it will not delay the submittal of a preliminary plan.

502. SUBMISSION AND REVIEW PROCEDURE.

502.A. Preliminary Plan Submission Required.

1. **A Preliminary Plan Submission for a Major Subdivision or Land Development (except as provided in part A.2. below) meeting all of the requirements of this Article shall be filed by the Applicant and reviewed in accordance with the provisions of this Article.**

2. **A Preliminary Plan Submission is not required for the following applications, which instead shall meet the requirements in Article 7:**

- a. **a Minor Subdivision (as defined in Article 2); or**

- b. a submission that only involves a lot line adjustment (as defined in Article 2) or minor adjustments to a previously approved plan as specified in Section 704 or a merger or consolidation of lots (also referred as reverse subdivision); or**
- c. a land development that involves only involves *the addition of less than 3,000 square feet of building floor area on one lot without any additional dwelling units.***

502.B. Filing and Distribution.

1. The Applicant shall file with the Township Staff at least 19 calendar days prior to a regular Township Planning Commission meeting (not including a workshop meeting): a) the required fees, and b) copies of the information and plans required under Section 503.
 - a. Any subsequent submittal of revised plans shall be submitted at least 19 calendar days before a Planning Commission meeting where the plans are intended to be reviewed, unless permission is granted for a later submittal by the *Planning Administrator*, particularly when a revision only involves minor technical changes or corrections.
 - b. When the Township Staff accepts a submittal for review, it is conditioned upon the Planning Commission determining that the submission is complete under Section 502.C.
2. The Township Staff shall forward applicable plans and documents to the Township Planning Commission prior to or at the first regularly scheduled Planning Commission meeting after a proper submission.
3. Applicant's Distribution. The applicant is fully responsible for the following:
 - a. Contacting the appropriate utility authorities/companies, as appropriate, including the water supplier to determine availability of service,
 - b. Seeking at least an informal review by PennDOT of any proposed access onto a State road, and providing PennDOT with sufficient information for such a review,
 - c. Determining whether any permits or approvals are needed from any agency outside of the Township, including DEP (including any obstruction to a waterway) and the Army Corps of Engineers (including determining whether any "wetland" will be disturbed),
 - d. Providing a copy of the sedimentation and erosion control plans to the Lehigh County Conservation District, together with their required review fees, if any earth disturbance is proposed, unless the applicant states in writing in a signed letter to the Township that earth disturbance will not occur until approval of the Final Plan (in which case the erosion control plan may be submitted at Final Plan stage),
 - e. Adjacent Municipalities. If any portion of a major subdivision or land development: 1) is proposed within 200 feet of the boundary of another municipality or 2) would clearly have a regional impact upon another municipality as determined by the Township Planning Commission, then the applicant shall provide a copy of the layout plan to that municipality for an advisory review.
 - f. Providing a copy of the plans and required fees to the Lehigh Valley Planning Commission.
 - g. Providing copies and making submittals to the Township and review agencies as required under PA. DEP's sewage planning module process, if applicable.
 - h. Providing materials needed by the Sewage Enforcement Officer, if applicable.
4. Notice to Adjacent Landowners. At the time of initial submittal of a Preliminary Plan for any land development or major subdivision, the applicant shall mail or deliver written

notice of the proposal to all owners of property that is contiguous or directly across a road from the subject property. Such notice shall include the date, time and place of the first Planning Commission meeting at which the application is expected to be reviewed, with the phone number of the Township Building. Such notice shall include a brief description of the location of the proposed subdivision or land development, and state that copies of the proposal may be reviewed at the Township Building. The notice shall state that meetings of the Township on the proposal are open to the public.

a. The applicant or his/her agent shall provide a written and signed statement to certify that such notice was mailed or delivered.

5. Each Preliminary Plan and supporting documents should seek to incorporate any revisions recommended by the Township and Lehigh Valley Planning Commissions, the Township Engineer and other appropriate Township Officials during any Sketch Plan review.
6. Colored Layout Plan. It is suggested that the applicant provide 1 copy of the layout plan that is lightly colored to highlight major features (such as paving, trees, waterways, streets, wetlands and building locations if known) to allow clear understanding by the general public at public meetings.
7. Revisions. A detailed list of revisions from a previously submitted plan shall be provided whenever a revised plan is submitted. The developer's plan preparer shall certify that the list of revisions is complete.

502.C. Review by Township Engineer.

1. After the plans are duly submitted for review (unless the plans are significantly incomplete), the Township Engineer should review the engineering considerations of the Preliminary Plan and prepare a report on such considerations to the Planning Commission.
2. The Township Engineer may make additional reports and recommendations to the Commission and the Board of Supervisors during review of the plan.
3. The Applicant and/or his/her engineer should make reasonable efforts to resolve technical engineering considerations outside of and prior to Planning Commission meetings.
4. A copy of findings of the Township Engineer should be sent or handed in person to the applicant or his/her representative.

502.D. Review by Commission. The Planning Commission shall accomplish the following within the time limitations of the PA Municipalities Planning Code (unless the applicant grants a written time extension), while allowing a sufficient number of days within this deadline for a decision by the Board of Supervisors.

1. Review applicable reports received from any official reviewing agencies;
2. Provide a recommendation regarding whether the Preliminary Plan Submission meets the requirements of this Ordinance and other applicable ordinances;
3. Recommend any revisions to the submission that are needed to comply with this Ordinance or that would generally improve the plan;

4. Recommend approval, conditional approval, or disapproval of the Preliminary Plan Submission in writing to the Board of Supervisors.

502.E. Review and Action by Board of Supervisors. The Board of Supervisors shall:

1. Review the recommendation of the Commission and any reports that have been received from reviewing agencies;
2. Determine whether the Preliminary Plan Submission meets the requirements of this Ordinance and other ordinances;
3. Approve, conditionally approve or disapprove the Preliminary Plan Submission within the time limits required by the PA Municipalities Planning Code. (As of adoption date of this Ordinance, this law requires:
 - a. the Board of Supervisors to act not later than 90 days following the date of the first regular meeting of the Commission held after the Preliminary Plan has been properly filed for review; but in no case shall the Board of Supervisors' decision be made later than 90 days following the date the submission was accepted as being filed for review, unless the Applicant grants a written extension of time; and
 - b. that no subdivision or land development shall be granted final approval until a report is received from the County Planning Commission or until the expiration of 30 days from the date the application was forwarded to the County Planning Commission, whichever comes first.)

502.F. Decision by Board of Supervisors.

1. The decision of the Board of Supervisors shall be in writing and shall be communicated to the Applicant personally or by mail at his/her last known address not later than 15 days following the decision.
2. Approval of the Preliminary Plan Submission shall constitute approval of the subdivision or land development as to the character and intensity, but shall not: a) constitute approval of the Final Plan or b) authorize the sale of lots or construction of buildings.
3. If the Preliminary Plan Submission is disapproved, the decision shall: specify defects found in the Submission, describe requirements which have not been met and cite the provisions of the statute or ordinance relied upon in each case.
4. At the discretion of the Board of Supervisors, the Board may grant combined preliminary/final plan approval if: a) the preliminary plan submission also meets all of the requirements of a final plan submission and b) the Board determines that there are no significant outstanding matters regarding the plan.
5. Acceptance of Conditions. If conditions are placed upon an approval, it shall be the responsibility of the applicant or his authorized representative, in writing, to accept or reject the conditions within a maximum of 30 days after the date of the decision. If the applicant fails to accept or reject the conditions within such time period, then it shall be presumed that the applicant has accepted all of the conditions upon the approval. If the applicant rejects any condition within such time period, then the approval shall be rescinded, unless a decision of a court determines such condition was not valid.

- a. The applicant shall be required to show compliance with all the conditions upon the final plan approval within one year after the date of the decision by the Board of Supervisors, unless a written extension is granted by the Board of Supervisors.

502.G. Final Plan Submission Deadline.

1. An applicant shall file a Final Plan within 5 years from the date of the approval of the Preliminary Plan by the Board of Supervisors.
2. Failure to comply with this requirement shall render the Preliminary Plan null and void, and a new Preliminary Plan submission and approval shall be required.

502.H. Development in Stages. See Section 602.I.

503. PRELIMINARY PLAN REQUIREMENTS. (See Section 502.A. regarding when a preliminary plan is required.)

503.A. All of the following information and materials listed in this section are required as part of all preliminary plan submissions for any land development and any major subdivision. **This list of requirements shall serve both:**

- 1. to establish the requirements, and**
- 2. as a checklist for the applicant and the Township to use to ensure completeness of submissions.**

The applicant shall submit completed photocopies of Section 503.C. as part of the application.

503.B. The required information listed in Section 503 may be combined or separated onto different sheets, provided that all information is clearly readable.

**Section 503.C. Upper Milford Township
Preliminary Plan for Major Subdivision or Land Development**
Checklist and List of Submittal Requirements**

Applicant's Name: _____

Applicant's Address: _____

Applicant's Daytime Phone No(s): _____

Applicant's Signature: _____ Date of Submittal: _____

* Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement. A written request for any waiver or modification is also required under Section 107.

** See Section 502.A. concerning which types of "land developments" are required to submit a Preliminary Plan.

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A. GENERAL SUBMISSION ITEMS: (Note- the Township may require the submission of additional numbers of copies)

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| _____ | _____ | 1. 3 copies of Completed Township Application (see Appendix A) |
| _____ | _____ | 2. Required Township review fee(s) |
| _____ | _____ | 3. Required Township escrow funds (to fund reviews) |
| _____ | _____ | 4. 2 copies of the Preliminary Plan Checklist (using the photocopies of the pages in this Section) |
| _____ | _____ | 5. 11 print copies of the complete Preliminary Plans, with original signatures and seals of Plan Preparers on one "File Copy". |
| _____ | _____ | 6. 2 additional print copies of only the Layout Plans, black and white, at a maximum size of 11"x17" |
| _____ | _____ | 7. 2 sets of Supportive Documents |
| _____ | _____ | 8. Notification that applicant provided a copy of the plan to the Lehigh Valley Planning Commission for review. |
| _____ | _____ | 9. Aerial Photo. An applicant for a major subdivision is requested but not required to submit an aerial photo (current if available) of the site, with the boundaries of the site highlighted. |
| _____ | _____ | 10. <i>A digital copy of the Plans in PDF format, or other format acceptable to the Township.</i> |

B. DRAFTING REQUIREMENTS: All information shall be legibly and accurately presented.

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| _____ | _____ | 1. Plans prepared on a standard sized sheet (such as 18"x24", 24"x36", 30"x42" or 36"x48"). A plan shall not be smaller than 18" by 24" in size. All copies of plans should be folded to approximately 9"x12" size in such a manner that the title of the sheet faces out, except exceptionally large and thick sets of plans may be rolled. |
| _____ | _____ | 2. Plans drawn to scale of 1 inch = 50 feet or other scale pre-approved by the Township Engineer. |
| _____ | _____ | 3. All dimensions set in feet and decimal parts thereof, and bearings in degrees, minutes and seconds. |

* Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

NOT SUBMITTED SUBMITTED*		
_____	_____	4. Differentiation between existing and proposed features
_____	_____	5. Boundary line of the parcel, shown as a heavy boundary line.
_____	_____	6. If layout plans involve 2 or more sheets, a map of the layout of the entire project at an appropriate scale on one sheet, and a key map showing how the sheets connect.
_____	_____	7. If the parcel(s) crosses a municipal boundary, a map showing both the portions in Upper Milford Township and the other municipality(ies), in sufficient detail for the Township to determine how the parts will interrelate.
_____	_____	8. Required profiles shown at a scale of 1"=50' horizontal and 1"=5' vertical, or other scale pre-approved by the Township Engineer.
_____	_____	9. All sheets numbered and listed on one page.
_____	_____	10. Words "Preliminary Plan" and sheet title (such as "Layout Plan") on each sheet

C. GENERAL INFORMATION:

_____	_____	1. Name of project on each sheet
_____	_____	2. Name of landowner and developer (with addresses)
_____	_____	3. Names and addresses of abutting property owners
_____	_____	4. Lot lines of adjacent lots, and approximate locations of any buildings, common open spaces, detention basins or drainage channels existing or approved within 150 feet of the boundaries of the proposed project
_____	_____	5. Notarized Owners Statement - see Appendix B
_____	_____	6. Surveyor and plan preparer's statement - See Appendix B
_____	_____	7. Approval/review signature blocks for: Board of Supervisors, Township and Lehigh Valley Planning Commissions -see Appendix B
_____	_____	8. Location map at a standard scale (such as 1"= 2000') showing the boundaries of the project in relation to the approximate location of the following features within 500 feet from the boundaries of the parcel: existing and proposed streets, waterways, trails, preserved open spaces, parks, and municipal borders
_____	_____	9. North arrow, graphic scale, written scale
_____	_____	10. Date of plan and all subsequent revision dates (especially noting if this is a revision of a previously approved plan) with space for noting future revision dates and general type of revisions
_____	_____	11. Deed Book volume and page number from Lehigh County records
_____	_____	12. Tax map number and block and lot and property identification number for the parcel being subdivided
_____	_____	13. A statement on the plan of proposed principal uses that are intended for each lot

D. EXISTING RESOURCES AND SITE ANALYSIS MAP:

_____	_____	1. Existing contour lines shown at the same scale as the layout plan, as follows: <ul style="list-style-type: none"> a. shall be based on a field survey or photogrammetric procedure, with an established bench mark. b. The contour interval shall be sufficient to determine compliance with Township ordinances. An interval of 2 feet for slopes of less than 15% and 5 feet for slopes of 15% or greater is generally recommended.
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* Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

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_____	_____	c. Note- Contours are not required to be shown within areas of lots of 10 acres or more that are clearly not intended to be altered as a result of this proposed subdivision or land development, unless needed to determine adequacy of stormwater management
_____	_____	2. Identification of any slopes of 15 to 25%, & greater than 25%
_____	_____	3. The locations and names (if any) of watercourses, natural springs, ponds, lakes and wetlands.
		a. Detailed delineations by a qualified professional of wetlands are required with the Preliminary Plan submission, with the locations accurately shown on the plan.
_____	_____	4. Rock outcrops, stone fields, sinkholes and topical depressions
_____	_____	5. Location of any areas within the 100 year floodplain (with differentiation between floodway and floodfringe if available from official Federal floodplain maps)
_____	_____	6. Approximate locations and abbreviated names of soil types, according to the U.S. Natural Resources Conservation Service or more accurate study, with identification of those that are alluvial, hydric, have a depth to bedrock of less than 3 feet, or a seasonally high water table of less than 3 feet. If such soils do not exist, that shall be stated on the Plan.
_____	_____	7. Ridgelines and watershed boundaries.
_____	_____	8. Area and location of any proposed common open space
_____	_____	9. If any common open space is proposed: method of ownership and entity proposed to be responsible for maintenance
_____	_____	10. If any common open space is proposed: description of intended purposes, proposed improvements (such as rough grading) and any proposed recreation facilities
_____	_____	11. Any proposed recreation trails, existing trails and trail easements
_____	_____	12. Principal buildings estimated to be 80 years or older that could be impacted by the project, with name and description
_____	_____	13. Existing and proposed utility easements and restrictive covenants and easements for purposes which affect development (stating which easements and rights-of-ways are proposed for dedication to the township).
_____	_____	14. Locations of treelines and existing forested areas, with a description of the approximate average trunk diameter of the older trees on the parcel (such as "less than 12 inches")
_____	_____	15. Locations of individual mature trees of greater than 18 inches trunk diameter measured at a height of 4.5 feet above the surrounding average ground level, other than trees within forested areas and treelines (not required for areas that will not be affected by the proposed plan, if so noted on the plan)
_____	_____	16. Any proposed screening, buffer yards or earth berming (see Zoning Ordinance)
_____	_____	17. Areas of existing mature woods that are proposed to be protected and preserved or removed.

* Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

NOT SUBMITTED	SUBMITTED*	
_____	_____	18. General types, sizes and locations of any required street trees (see Section 1019), paved area landscaping (see Township Zoning Ordinance) and any other major proposed landscaping.
_____	_____	19. Any proposed fencing (including height and type) and/or landscaping around stormwater basins (see Section 1008)
E. <u>MAN-MADE FEATURES:</u> (with existing features graphically differentiated from proposed features)		
_____	_____	1. Existing and proposed lot lines
		a. The boundaries of lots (other than a residual lot of at least 10 acres) shall be determined by accurate field survey, closed with an error not to exceed 1 in 10,000 and balanced.
		b. The boundaries of any residual parcel which is 10 acres or more may be determined by deed (Any residual lot of less than 10 acres shall fully comply with this Ordinance).
_____	_____	2. Location of existing monuments and markers
_____	_____	3. Sufficient measurements of all lots, streets, rights- of-way, easements and community or public areas to accurately and completely reproduce each and every course on the ground.
_____	_____	4. Existing and proposed (if known) building locations
_____	_____	5. Overhead electric high-voltage lines and rights-of-way/easements
F. <u>ZONING REQUIREMENTS:</u>		
_____	_____	1. Applicable zoning district name, district boundaries and required minimum lot area
_____	_____	2. Minimum setback requirements shown for each lot
_____	_____	3. Statement of type of water and sewer service proposed (such as "public water and public sewer")
_____	_____	4. Required and proposed building coverage and impervious coverage (may be stated as "typical proposed" for single family detached homes)
G. <u>PROPOSED LAYOUT:</u>		
_____	_____	1. Total acreage of site and total proposed number of lots and dwelling units
_____	_____	2. Identification number for each lot (and for each building if more than 1 building per lot)
_____	_____	3. Lot width (at minimum building setback line) and lot area for each lot
_____	_____	4. Dimensions of each lot in feet
_____	_____	5. Existing rights-of-way and cartway widths and locations of existing streets, including existing streets within 200 feet of boundaries of parcel
_____	_____	6. Proposed rights-of-way & cartway widths & locations of existing & proposed streets, including streets within other developments within 200 feet of the boundaries of parcel
_____	_____	7. Street centerline information including bearings and distances

* Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

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SUBMITTED	SUBMITTED*	
_____	_____	8. Horizontal curve data including radius, tangent, or arc length and delta, cord bearing and distance. Such information may be listed in a table, using reference numbers on a plan, provided that sufficient information is provided along each course (such as radius and arc length) such that each course can be reproduced in the field.
_____	_____	9. Right-of-way and curb lines with horizontal curve radii at intersections
_____	_____	10. Beginning and end of proposed street construction
_____	_____	11. Street improvements proposed by the applicant, including any acceleration/ deceleration lanes, traffic signal, street realignment or widening of abutting streets
_____	_____	12. Any proposed curbing (place No in Not Submitted column if not proposed by applicant)
_____	_____	13. Any proposed sidewalks and/or walkways (place No in Not Submitted column if not proposed by applicant), with any proposed handicapped ramps at intersections
_____	_____	14. Any proposed bicycle paths (place No in Not Submitted column if not proposed by applicant)
_____	_____	15. Names of existing streets and proposed names of new streets
_____	_____	16. Designation which streets are proposed to be dedicated to the Township or to remain private.
_____	_____	17. Evidence that any proposed or higher category new street or driveway entrance onto a State road will meet PennDOT sight distance requirements, unless a Highway Occupancy Permit has already been approved for the use.
_____	_____	18. Sight distance triangles meeting Township requirements

H. UTILITY PLAN:

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| _____ | _____ | 1. As applicable, the following existing and proposed items shall be shown for each lot, using standard symbols that are identified on a legend. |
| | | - Well (if not connected to central water system)-with required separation distance shown from septic drain fields, and with dimensions from lot lines |
| | | - Primary drain field (with dimensions from lot lines) |
| | | - Secondary drain field - shall be perc tested, and dimensioned from lot lines |
| | | - Suitable soil probe location |
| | | - Suitable percolation test locations (2 sites required meeting DEP requirements) |
| | | - Unsuitable percolation test location(s) - if any |
| | | 2. If <u>on-lot sewage disposal service</u> is proposed: (see also "Supporting Documentation" in Section 504.O.) |
| _____ | _____ | a. proposed contour lines on same sheet as utility layout |

* Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

NOT SUBMITTED SUBMITTED*		
_____	_____	b. location of existing and proposed wells within 100 feet of the boundaries of the project
_____	_____	c. proposed or typical location of dwelling/building
_____	_____	d. locations of soils with a seasonally high water table averaging less than 3 feet (see County Soil Survey)
_____	_____	e. exact slope across primary and secondary sewage system sites
_____	_____	3. If <u>public or central sewage service</u> is proposed:
_____	_____	a. proposed contour lines on same sheet as utility layout
_____	_____	b. location and size of mains and laterals, with locations corresponding to stationing on the profile
_____	_____	c. locations of manholes, with invert elevation of flow line and grade at top of each manhole
_____	_____	d. proposed lot lines and any proposed easements or rights-of-way needed for the utilities
_____	_____	e. location of all other drainage facilities and public utilities in the vicinity of sanitary sewer lines
_____	_____	f. type, size, length and grade of sewer lines
_____	_____	4. If <u>public or central water service</u> is proposed:
_____	_____	a. location and size of existing and proposed water mains
_____	_____	b. existing and proposed fire hydrant locations
_____	_____	c. distance noted that water lines will have to be extended to reach existing lines (if not already abutting the parcel)
_____	_____	5. Any existing and proposed underground natural gas, electrical, telephone, cable TV or other utility lines, with any easements shown that will affect development
_____	_____	6. List of contacts for all underground utilities in the area, with phone numbers stated on the grading plans (as required by State Act 172)
_____	_____	I. <u>GRADING AND STORMWATER MANAGEMENT PLAN:</u>
_____	_____	<i>Note- Section 107 may allow deferral of submission of engineering details until the Final Plan stage.</i>
_____	_____	1. Existing and proposed storm drainage facilities or structures, including detention basins (with capacity), swales, pipes (with sizes), culverts and inlets
_____	_____	2. Capacity, depth, dimensions and locations of detention basins
_____	_____	3. Pre-development and post-development watershed areas for each detention basin or major drainage channel or point of concentration
_____	_____	4. Locations of any proposed or existing stormwater easements
_____	_____	5. Intended design year standards for culverts, bridge structures and/or other stormwater facilities
_____	_____	6. Schematic location of all underground utilities
_____	_____	7. Entity responsible to maintain/ own any detention basin and other stormwater facilities or conveyances
_____	_____	8. Any additional information needed under the Township Stormwater Management Ordinance.
_____	_____	9. Existing and proposed contour lines (see description under "Natural Features")

* Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

NOT

SUBMITTED SUBMITTED*

J. FOR USES OTHER THAN SINGLE FAMILY DETACHED OR TWO FAMILY DWELLINGS:

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| _____ | _____ | 1. Evidence that the project meets the density requirements of the Zoning Ordinance, stating maximum and proposed densities |
| _____ | _____ | 2. Evidence that the project will meet the off-street parking requirements of the Zoning Ordinance, including existing, minimum and proposed numbers of spaces. |
| _____ | _____ | 3. Arrangement of off-street parking spaces, parking aisles, off-street loading areas and extent of areas to be covered by gravel or asphalt |
| _____ | _____ | 4. For single family attached dwellings, any proposed methods to ensure privacy between outdoor semi-private areas (such as fences or walls or plantings between rear yards) |
| _____ | _____ | 5. Illustrative sketches of exteriors of proposed buildings (encouraged but not required) |
| _____ | _____ | 6. Location of any proposed outdoor storage areas |
| _____ | _____ | 7. Note stating total square feet of paved area, including gravel areas |

K. EROSION AND SEDIMENTATION PLAN: (may be submitted at the Final Plan stage if the applicant provides a written and signed statement that earth will not be disturbed until after Final Plan approval).

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| _____ | _____ | 1. Drawings showing locations and types of proposed erosion and sedimentation control measures, complying with the regulations and standards of the Lehigh County Conservation District and DEP. |
| _____ | _____ | 2. Narrative describing proposed soil erosion and sedimentation control methods. |

L. ROAD PLAN-PROFILES: (with profile drawings on same sheet as plan drawings; unless waived under Section 107.C.3)

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| _____ | _____ | 1. Profile of existing and proposed ground surface along centerline of street. |
| _____ | _____ | 2. Proposed centerline grade with percent on tangents and elevations at 50 foot intervals. |
| _____ | _____ | 3. All vertical curve data including length, elevations and minimum sight distance as required by Article 10. |
| _____ | _____ | 4. Cross sections as required by the Township Engineer. |

M. SANITARY SEWER AND STORM DRAIN PLAN-PROFILES: (with profile drawings on same sheet as plan drawings) (Unless waived under Section 107.C.3)

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| _____ | _____ | 1. Profile of proposed ground surface with elevations at top of manholes or inlets |
| _____ | _____ | 2. Profiles of storm sewer and sanitary sewer lines, corresponding to stationing of any street |
| _____ | _____ | 3. All line crossings of other utilities. |
| _____ | _____ | 4. Invert elevation and top of grate or manhole elevation. |

N. CONSTRUCTION DETAILS:

_____	_____	Detailed plan and cross-sectional drawings for detention or retention basins.
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* Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

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SUBMITTED SUBMITTED*

O. CONSTRUCTION DETAILS: (following any applicable Township improvement standards).

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| _____ | _____ | 1. Typical cross-section and specifications for street construction as required by Section 1004. |
| _____ | _____ | 2. Drainage swale cross-section and materials. |
| _____ | _____ | 3. Pipe bedding details. |
| _____ | _____ | 4. Storm drainage structures details, including cross-sectional drawings, any detention basin outfall structure and spillway |
| _____ | _____ | 5. Sanitary sewer structures. |
| _____ | _____ | 6. Curb and sidewalk details. |
| _____ | _____ | 7. Street tree details. |
| _____ | _____ | 8. Erosion and sedimentation details. |
| _____ | _____ | 9. Centralized water details. |

P. SUPPORTING DOCUMENTS AND ADDITIONAL INFORMATION:

- | | | |
|-------|-------|--|
| _____ | _____ | 1. Residual Lands Sketch. If the submitted plans do not include all undeveloped or underdeveloped adjacent or abutting lands owned by the same landowner or under control of the same developer, then a sketch shall be submitted at an appropriate approximate scale, on one sheet, covering all such land holdings together with a sketch of a reasonable future potential street system. Such sketch shall demonstrate that the proposed subdivision provides for the orderly development of any residual lands and/or does not adversely affect the potential development of residual lands. |
| _____ | _____ | 2. Sewage Planning. If a sewage facility planning module is required by DEP, then prior to Preliminary Plan approval, the applicant shall submit 2 complete copies for Township use, plus the Developer shall submit copies of the module and required accompanying plans to various agencies as required under State regulations. The approval of a sewage planning module is not required until final plan approval, but the applicant shall provide evidence that they are forwarding complete submittals to the proper review agencies. |
| _____ | _____ | 3. Central Water. If central water service is proposed by an existing water company or authority, the applicant shall provide a letter from such water company or authority which states that the company or authority expects to be able to adequately serve the development, that the proposed water system is acceptable. |
| _____ | _____ | 4. Public Sewage. If service is proposed by a Public Sewage provider, the developer shall submit a copy of a letter from the provider which states that the authority can adequately serve the subdivision, that the proposed sanitary sewage system is acceptable. |
| _____ | _____ | 5. Nonpublic Sewage. If service is proposed by a central sewage system that is not publicly-owned, the developer shall provide sufficient information to show that the proposed system would be feasible, within DEP regulations and maintained and operated through an acceptable system. |

* Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

		NOT
SUBMITTED	SUBMITTED*	
_____	_____	6. Access to State Roads. If access is proposed to a State highway: a) copy of any information submitted to PennDOT and any correspondence from PennDOT regarding the proposed access to State roads (this requirement applies throughout the entire approval process), and b) evidence that the proposed access will meet PennDOT sight distance requirements.
_____	_____	7. Floodplain. If the project would include any area within the 100 year floodplain or any watercourse, a statement from the Zoning Officer indicating that the proposed subdivision or land development would be in compliance with the Floodplain regulations of the Township.
_____	_____	8. A statement describing the organization, major officers and principal shareholders of a corporate developer or the general partner of a partnership that is the applicant.
_____	_____	9. Method of ensuring maintenance of any private street.
_____	_____	10. List of any Modifications or Waivers requested to this Ordinance.
_____	_____	11. Copies of the decisions of any zoning variances, or special exception use approvals that are relevant to the proposal.
_____	_____	12. Stormwater Calculations meeting the requirements of the Township Stormwater Management Ordinance.
_____	_____	13. For industrial operations or industrial storage: A written description of the proposed use in sufficient detail to indicate a) any noise, glare, smoke and fumes nuisances, b) to allow a general determination of possible fire, explosive, toxic, genetic, public health or other hazards and c) to estimate the amount, direction and times of any tractor-trailer truck traffic that is expected.
_____	_____	14. Traffic impact study if required under Article 10
_____	_____	15. Groundwater study if required under Article 10
_____	_____	16. With each revision of a previously submitted plan, the Plan Preparer shall either: <ul style="list-style-type: none"> a) certify in writing that no changes were made to the Plan, other than changes requested by the Township, or b) list the changes that were made, other than those changes requested by the Township.

504. CERTIFICATION. All certification shall comply with the State professional licensing laws. All subdivisions of land shall be certified and stamped by a Registered Land Surveyor. At least one set of all plans provided to the Township, including revisions, shall bear original signatures and original seals of plan preparers, which shall be marked as a "Township File Copy."

Article 6
Final Plans for Subdivisions
and Certain Land Developments

601. APPLICABILITY. This Article lists the requirements for final plans for a major subdivision or any land development, except that a “land development” that only involves the following may be submitted under the simplified requirements of Article 7: a) a lot line adjustment, b) an addition of up to 3,000 square feet of building floor area with no new dwelling units on an existing lot, c) minor corrections or minor revisions to a previously approved plan as specified in Section 704, or d) a merger or consolidation of lots (also referred to as reverse subdivision).
602. SUBMISSION AND REVIEW PROCEDURE.
- 602.A. Final Plan Submission Required.
1. A Final Plan Submission for each major subdivision or land development must be filed by the Applicant and reviewed in accordance with the provisions of this Article 6.
 2. A Final Plan shall only be submitted after a Preliminary Plan has been approved by the Board of Supervisors, if a Preliminary Plan is required.
- 602.B. Final Plan Submission Deadline. An applicant shall file a Final Plan Submission within 5 years from the date of the approval of the Preliminary Plan by the Board of Supervisors. Failure to comply with this requirement shall render the Preliminary Plan Submission null and void, and a new Preliminary Plan Submission must be filed under any currently applicable ordinances.
- 602.C. Filing and Distribution.
1. The Applicant shall file with the Township Staff at least 19 calendar days prior to a regular Township Planning Commission meeting (not including a workshop meeting): a) the required fees, and b) the information and plans required under Section 603. Any subsequent submittal of revised plans shall be submitted at least 19 calendar days before a Planning Commission meeting where the plans are intended to be reviewed, unless permission is granted for a later submittal by the *Planning Administrator*.
 2. The Township Staff shall forward applicable plans and documents to the Township Planning Commission prior to or at the first regularly scheduled Planning Commission meeting after a proper submission.
 3. Applicant's Distribution. It is the applicant's responsibility to:
 - a. make agreements with the appropriate utility companies to guarantee applicable provision of service,

- b. submit a complete application to PennDOT for any needed permit for access to or work within a State road right-of-way,
 - c. provide information to DEP or other agencies for any permits that might be required,
 - d. submit a copy of the soil erosion and sedimentation plan to the Lehigh County Conservation District, and pay their required review fees, if earth disturbance is proposed, and if such erosion control plan was not approved at the preliminary plan level,
 - e. provide a copy of the plans to the Lehigh Valley Planning Commission, with any required fee,
 - f. if a sewage facility planning module is required by DEP, the applicant shall submit 2 complete copies for Township use, plus shall submit copies of the module and plans to various agencies as required under State regulations. A sewage planning module shall be completed and fully approved prior to final plan approval, and
 - g. provide information needed by the Sewage Enforcement Officer, if applicable.
4. The filing of the Final Plan shall conform with the approved Preliminary Plan and any conditions and changes recommended by the Township during the Preliminary Plan review.
 5. Revisions. A detailed list of revisions from a previously submitted plan shall be provided whenever a revised plan is submitted. The developer's plan preparer shall certify that the list of revisions is complete.

602.D. Review by Township Engineer.

1. The Township Engineer *shall* review the submission and provide a report to the Planning Commission and Board of Supervisors. *Such review should be provided prior to the first Planning Commission meeting at which the submission will be discussed.*
2. The Applicant and/or his/her plan preparer should make reasonable efforts to resolve technical engineering considerations outside of and prior to Planning Commission meetings.
3. A copy of findings of the Township Engineer should be sent or handed in person to the applicant or his/her representative *and the Planning Commission.*

602.E. Review by Planning Commission. The Township Planning Commission shall accomplish the following within the time limitations of PA Municipalities Planning Code (unless the Applicant grants a written time extension), while allowing a sufficient number of days within this deadline for a decision by the Board of Supervisors.

1. Review applicable reports received from official review agencies,
2. Consider whether the Final Plan Submission meets the requirements of this Ordinance and other applicable ordinances,
3. Recommend approval, conditional approval, or disapproval of the Final Plan Submission in writing to the Board of Supervisors.

602.F. Review by Board of Supervisors. The Board of Supervisors shall:

1. Review the recommendation of the Planning Commission and any reports received from official reviewing agencies,
2. Determine whether the Final Plan Submission meets the requirements of this Ordinance and other applicable ordinances and
3. Approve, conditionally approve or disapprove the Final Plan Submission within the time limits established by the PA Municipalities Planning Code.

(As of the adoption date of this Ordinance, State law requires:

- a. The Board of Supervisors to act on the application and render its decision and communicate it to the applicant not later than 90 days following the date of the regular meeting of the Township Planning Commission next following the date the application is filed, or after a final order of the court remanding an application, provided that should the said next regular meeting occur more than 30 days following the filing of the application, or the final order of the court, the said 90-day period shall be measured from the 30th day following the day the application has been filed.
- b. No subdivision or land development shall be granted final approval until a report is received from the Lehigh Valley Planning Commission or until the expiration of 30 days from the date the application was forwarded to the Lehigh Valley Planning Commission, whichever comes first.)

602.G. Decision by Board of Supervisors.

1. Notice to Applicant. The decision of the Board of Supervisors shall be in writing and shall be communicated to the Applicant personally or mailed to him/her at his/her last known address not later than 15 days following the decision.
2. Dedications.
 - a. The approval of the Final Plan by the Board of Supervisors shall not by itself constitute an acceptance of the dedication of any street or other proposed public way, space, or area, unless the such acceptance is specified at such time.
 - b. Any such acceptance of dedication shall only occur after formal action of the Township at such time.
 - c. As part of an improvements agreement, if the Board of Supervisors elects to accept lands offered for dedication, the submission shall be accompanied by duly executed instruments of conveyance to the Township. Such instruments shall state that the title thereof is free and unencumbered.
 - d. The Board of Supervisors may require that a subdivider provide title insurance.
3. Disapproval. When a Final Plan Submission is disapproved, the decision shall specify defects found in the Submission, shall describe requirements which have not been met, and shall cite the provisions of the statute or ordinance relied upon in each case.

4. Conditions. The Board of Supervisors may attach reasonable conditions to an approval to ensure the carrying out of this Ordinance, other Township Ordinances and State laws and regulations. If conditions are placed upon an approval, it shall be the responsibility of the applicant or his authorized representative, in writing, to accept or reject the conditions within a maximum of 30 days after the date of the decision by the Board of Supervisors. If the applicant fails to accept or reject the conditions within such time period, then it shall be presumed that the applicant has accepted all of the conditions upon the approval. If the applicant rejects any condition, then the approval shall be rescinded, unless a decision of a court determines such condition was not valid.
 - a. The applicant shall be required to show compliance with all the conditions upon the final plan approval within one year after the date of the decision by the Board of Supervisors, unless a written extension is granted by the Board of Supervisors.

602.H. Development in Stages.

1. If requested by the Applicant, the Board of Supervisors may permit the undertaking of the required improvements and the preparation of the Final Plan to be completed in a series of sections or stages, each covering a portion of the proposed subdivision or land development as shown on the Preliminary Plan.
2. If Final Plans are to be filed in sections or stages, each section or stage shall provide sufficient access, utilities and amenities to allow the development to properly function if future stages are not built.
3. The boundaries of phases and the timing of related improvements shall be subject to the approval of the Board of Supervisors.

602.I. Statement of Approval. At the request of the applicant, the Township shall furnish the applicant with a signed copy of a resolution indicating approval of the applicant's final plan contingent upon the applicant providing a satisfactory financial security. The final plan will not be signed by Township officials until a satisfactory financial security is presented. The resolution of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not provided within 90 days, unless a written extension is granted by the Township.

603. FINAL PLAN REQUIREMENTS.

- 603.A. All of the information and materials listed in this section are required as part of all final plans for: 1) a major subdivision or 2) a land development. **This list of requirements shall serve as both a list of requirements, and as a checklist for the applicant and the Township to ensure completion of submissions.** The applicant shall submit completed photocopies of this section as part of the application.
- 603.B. The required information listed in this Section may be combined or separated onto different sheets, provided that the plans will be clearly readable. If a particular plan or item was submitted at the Preliminary Plan stage, and is still complete and accurate, then the applicant may reference that submittal in the Final Plan submission instead of providing additional copies.

**Section 603.C. Upper Milford Township
Final Plan for Major Subdivisions and Certain Land Developments -
Checklist and List of Submittal Requirements**

Applicant's Name: _____

Applicant's Address: _____

Applicant's Daytime Phone No.(s): _____

Applicant's Signature: _____ Date of Submittal: _____

* Place a checkmark in the applicable column below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and b) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement. A written request for a waiver or modification is also required under Section 107.

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SUBMITTED SUBMITTED*

A. GENERAL SUBMISSION ITEMS: (The Township may require the Applicant to file additional copies)

- | | | |
|-------|-------|--|
| _____ | _____ | 1. 3 copies of Completed Township Application (see Appendix A) |
| _____ | _____ | 2. Required Township review fee(s) |
| _____ | _____ | 3. Required Township escrow funds (to fund reviews) |
| _____ | _____ | 4. 2 copies of the Final Plan Checklist (using the photocopies of the pages in this Section) |
| _____ | _____ | 5. 11 print copies of the complete Final Plans, with original signatures and seals of Plan Preparers on one "File Copy". |
| _____ | _____ | 6. 1 print copy of only the Layout Plans, black and white, at a maximum size of 11"x17" |
| _____ | _____ | 7. 2 sets of Supportive Documents |
| _____ | _____ | 7. Notification that a copy of the plans were delivered by applicant to the Lehigh Valley Planning Commission |
| _____ | _____ | 8. If a sewage facility planning module is required by DEP, the applicant shall submit 3 complete copies for Township use, plus shall prove that all copies have been sent as required to review agencies. |
| _____ | _____ | 9. <i>A digital copy of the Plans in PDF format, or other format acceptable to the Township.</i> |

B. DRAFTING REQUIREMENTS: All information shall be legibly and accurately presented.

- | | | |
|-------|-------|--|
| _____ | _____ | 1. Plans prepared on a standard sized sheet (such as 18"x24", 24"x36", 30"x42" or 36"x48"). A plan shall not be smaller than 18" by 24" in size. All copies of plans should be folded to approximately 9"x12" size in such a manner that the title of the sheet faces out, except exceptionally large and thick sets of plans may be rolled. |
| _____ | _____ | 2. Plans drawn at a scale of 1 inch = 50 feet or other scale pre-approved by the Township Engineer. |
| _____ | _____ | 3. All dimensions set in feet and decimal parts thereof, and bearings in degrees, minutes and seconds. |
| _____ | _____ | 4. Differentiation between existing and proposed features |
| _____ | _____ | 5. Boundary line of the parcel, shown as a heavy boundary line |

* Place a checkmark in the applicable column below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and b) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

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- | | | | |
|-------|-------|-----|--|
| _____ | _____ | 6. | If layout plans involve more than one sheet, a map of the layout of the entire project at an appropriate scale on one sheet, with a key map showing how the layout sheets connect. |
| _____ | _____ | 7. | If the parcel(s) crosses a municipal boundary, a map showing both the portions in Upper Milford Township and the other municipality(ies), in sufficient detail for the Township to determine how the parts will interrelate. |
| _____ | _____ | 8. | Required profiles shown at a scale of 1"=50' horizontal and 1"=5' vertical, or other scale pre-approved by the Township Engineer. |
| _____ | _____ | 9. | All sheets numbered and listed on one page. |
| _____ | _____ | 10. | Words "Final Plan" and sheet title (such as "Layout Plan") on each sheet |

C. GENERAL INFORMATION:

- | | | | |
|-------|-------|-----|---|
| _____ | _____ | 1. | Name of project on each sheet |
| _____ | _____ | 2. | Name of landowner and developer (with addresses) |
| _____ | _____ | 3. | Names and addresses of abutting property owners |
| _____ | _____ | 4. | Lot lines of adjacent lots, and approximate locations of any buildings, common open spaces, detention basins or drainage channels existing or approved within 150 feet of the boundaries of the proposed project |
| _____ | _____ | 5. | Notarized Owners Statement (See Appendix B) |
| _____ | _____ | 6. | Surveyor and plan preparer's statement (See Appendix B) |
| _____ | _____ | 7. | Approval/review signature blocks for: Township Board of Supervisors, Township Planning Commission and Lehigh Valley Planning Commission (see Appendix B) |
| _____ | _____ | 8. | Location map at a standard scale (such as 1"= 2000') showing the boundaries of the project in relation to the approximate location of the following features within 500 feet from the boundaries of the parcel: existing and proposed streets, waterways, trails, preserved open spaces, parks, and municipal borders |
| _____ | _____ | 9. | North arrow, graphic scale, written scale |
| _____ | _____ | 10. | Date of plan and all subsequent revision dates (especially noting if this is a revision of a previously approved plan) with space for future revision dates and notations of general type of revisions |
| _____ | _____ | 11. | Deed Book volume and page number from Lehigh County records |
| _____ | _____ | 12. | Existing tax map number and block and lot numbers and property identification numbers for parcel being subdivided |
| _____ | _____ | 13. | A statement on the plan of proposed principal uses that are intended on each lot |

D. EXISTING RESOURCES AND SITE ANALYSIS MAP:

- | | | | |
|-------|-------|----|---|
| _____ | _____ | 1. | Existing contour lines shown at the same scale as the layout plan as follows: <ul style="list-style-type: none"> a. shall be based on a field survey or photogrammetric procedure, with an established bench mark. b. The contour interval shall be sufficient to determine compliance with Township ordinances. An interval of 2 feet for slopes of less than 15% and 5 feet for slopes of 15% or greater is generally recommended. c. Note- Contours are not required to be shown within areas of lots of 10 acres or more that the Plan states are clearly not intended to be altered as a result of this proposed approval, unless needed for stormwater management. |
|-------|-------|----|---|

* Place a checkmark in the applicable column below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and b) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

NOT

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EXISTING RESOURCES AND SITE ANALYSIS (CONT.)

_____	_____	2. Identification of any slopes of 15 to 25 percent, and greater than 25 percent
_____	_____	3. Watercourses (with any name), natural springs, lakes
_____	_____	4. Wetlands. Detailed delineations by a qualified professional of wetlands are required with a metes and bounds description and shall be dimensioned from lot lines. a. The applicant may be granted Final Plan approval conditioned upon receipt of all required Federal and State wetland permits. b. See the "supporting documentation" portion of this section regarding wetland studies.
_____	_____	5. Location of any areas within the 100 year floodplain (with differentiation between floodway and floodfringe if available from official Federal floodplain maps)
_____	_____	6. Approximate locations and names of soil types based upon the most current Lehigh County Soil Survey or more detailed professional study, with identification of the following types of soils: alluvial, hydric, depth to bedrock of less than 3 feet or a seasonally high water table of less than 3 feet.
_____	_____	7. Area and location of any proposed common open space (if none proposed, place "W" in Not Submitted Column)
_____	_____	8. If any common open space is proposed: method of ownership and entity proposed to be responsible for maintenance
_____	_____	9. If any common open space is proposed: description of intended purposes, proposed improvements (such as rough grading) and any proposed recreation facilities
_____	_____	10. Principal buildings estimated to be 80 years or older that are proposed to be impacted by the project, with name and description
_____	_____	11. Existing and proposed utility easements and restrictive covenants and easements for purposes which might affect development (stating which easements and rights-of-ways are proposed for dedication to the township)
_____	_____	12. Locations of individual mature trees of greater than 18 inches trunk diameter measured at a height of 4.5 feet above the surrounding average ground level, in addition to outlines of existing wooded areas and treelines
_____	_____	13. Any proposed evergreen screening, buffer yards or earth berming (if required by Township Zoning Ordinance)
_____	_____	14. Areas of existing mature woods that are proposed to be protected and preserved or removed
_____	_____	15. General types, sizes and locations of any required street trees (see Section 1019), paved area landscaping and any other major proposed landscaping.
_____	_____	16. Any proposed fencing (including height and type) and/or landscaping around any stormwater basin (see Section 1008)

* Place a checkmark in the applicable column below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and b) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

NOT

SUBMITTED SUBMITTED*

E. MAN-MADE FEATURES:

- | | | |
|-------|-------|--|
| _____ | _____ | 1. Existing and proposed lot lines. The boundaries of lots (other than a residual lot of at least 10 acres) shall be determined by accurate field survey, closed with an error not to exceed 1 in 10,000 and balanced. The boundaries of any residual parcel which is 10 acres or more may be determined by deed. Any residual lot of less than 10 acres shall fully comply with this Ordinance. |
| _____ | _____ | 2. Location of existing monuments |
| _____ | _____ | 3. Sufficient measurements of all lots, streets, rights- of-way, easements and community or public areas to accurately and completely reproduce each and every course on the ground. |
| _____ | _____ | 4. Existing and proposed (if known) building locations and land uses |
| _____ | _____ | 5. Overhead electrical high-voltage lines and rights-of-ways/easements |

F. ZONING REQUIREMENTS:

- | | | |
|-------|-------|---|
| _____ | _____ | 1. Applicable zoning district and required minimum lot area |
| _____ | _____ | 2. Minimum setback requirements shown for each lot |
| _____ | _____ | 3. Statement of type of water and sewer service proposed (such as "well and on-lot septic") |
| _____ | _____ | 4. Required and proposed building coverage and impervious coverage (may be stated as "typical proposed" for single family detached homes) |

G. PROPOSED LAYOUT:

- | | | |
|-------|-------|--|
| _____ | _____ | 1. Total acreage of site and total proposed number of lots and dwelling units |
| _____ | _____ | 2. Identification number for each lot (and for each building if more than 1 principal building per lot) |
| _____ | _____ | 3. Lot width (at minimum building setback line) and lot area for each lot |
| _____ | _____ | 4. Dimensions of each lot in feet |
| _____ | _____ | 5. Existing rights-of-way and cartway widths and locations of existing streets, including existing streets / roads within 200 feet of boundaries of parcel |
| _____ | _____ | 6. Proposed rights-of-way and cartway widths and locations of existing and proposed streets, including streets proposed as part of other projects within 200 feet of the boundaries of parcel |
| _____ | _____ | 7. Street centerline information, including bearings and distances |
| _____ | _____ | 8. Horizontal curve data including radius, tangent, or length and delta, cord bearing and distance. Such information may be listed in a table, using reference numbers on a plan, provided that sufficient information is provided along each course (such as radius and arc length) such that each course can be reproduced in the field. |
| _____ | _____ | 9. Right-of-way and curb lines |
| _____ | _____ | 10. Beginning and end of proposed street / road construction |
| _____ | _____ | 11. Street / road improvements proposed by the applicant (such as including any acceleration/deceleration lanes, traffic signal, street re-alignment or construction improvement) |
| _____ | _____ | 12. Any proposed curbing (place W in Not Submitted column if not proposed) |
| _____ | _____ | 13. Any proposed sidewalks or walkways (place NA in Not Submitted column if not proposed), with any proposed handicapped ramps at intersections |

* Place a checkmark in the applicable column below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and b) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

NOT

SUBMITTED SUBMITTED*

PROPOSED LAYOUT: (Cont.)

- | | | |
|-------|-------|---|
| _____ | _____ | 14. Any proposed bicycle paths (place NA in Not Submitted column if not proposed) |
| _____ | _____ | 15. Names of existing streets and initial proposed names of new streets |
| _____ | _____ | 16. Designation of streets proposed to be dedicated to the Township or to remain private. |
| _____ | _____ | 17. Evidence that a proposed new street or driveway entrance to a State road will meet PennDOT sight distance requirements, unless a valid Highway Occupancy Permit has already been issued, or an entrance to a Township road where sight distance requirements are established by Article 10. |

H. UTILITY PLAN:

- | | | |
|-------|-------|---|
| _____ | _____ | 1. Symbols. As applicable, the following existing and proposed items shall be shown for each lot, using standard symbols that are identified in a legend on the plan. |
| | | - Well (if not connected to central water system)-with required separation distance shown from septic drain fields, and with dimensions from lot lines |
| | | - Primary drain field (with dimensions from lot lines) |
| | | - Secondary drain field - shall be perc tested, and dimensioned from lot lines |
| | | - Suitable soil probe location |
| | | - Suitable percolation test locations (2 sites required meeting DEP requirements) |
| _____ | _____ | 2. If <u>on-lot sewage disposal service</u> are proposed: (See also "Supporting Documentation below) |
| _____ | _____ | a. proposed contour lines on same sheet as utility layout |
| _____ | _____ | b. location of existing and proposed wells within 100 feet of the boundaries of the project |
| _____ | _____ | c. proposed or typical location of dwelling/building |
| _____ | _____ | d. locations of soils with a seasonally high water table averaging less than 3 feet (see Soil Survey of Lehigh County) |
| _____ | _____ | e. exact slope across primary & secondary septic sites |
| _____ | _____ | 3. If <u>public or centralized sewage service</u> is proposed: |
| _____ | _____ | a. proposed contour lines on same sheet as utility layout |
| _____ | _____ | b. location and size of lines and laterals, with locations corresponding to stations on the profile |
| _____ | _____ | c. locations of manholes, with invert elevation of flow line and grade at top of each manhole |
| _____ | _____ | d. proposed lot lines and any proposed easements or rights-of-ways needed for the utilities |

* Place a checkmark in the applicable column below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and b) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

NOT SUBMITTED		SUBMITTED*	
_____	_____		e. location of all other drainage facilities and public utilities in the vicinity of sanitary sewer lines
_____	_____		f. type, size, length and grade of sewer lines
_____	_____		4. If <u>public or centralized water service</u> is proposed:
_____	_____		a. location and size of existing and proposed waterlines
_____	_____		b. existing and proposed fire hydrant locations
_____	_____		c. distance noted that water lines will have to be extended to reach existing lines (if not already abutting the parcel)
_____	_____		5. As applicable, existing and proposed underground natural gas, electrical, telephone, cable TV and any other utility lines, with any easements shown that will affect development
_____	_____		6. List of contacts for underground utilities in the area, with phone numbers stated on the grading plans, as required by State Act 172
I. <u>GRADING AND STORMWATER MANAGEMENT PLAN:</u>			
_____	_____		1. Locations of existing and proposed storm drainage facilities or structures, including detention basins (with capacity), swales, pipes (with sizes), culverts and inlets
_____	_____		2. Capacity, depth, dimensions and locations of detention basins
_____	_____		3. Watershed areas for each drainage structure or swale (for pre and post development) or point of concentration
_____	_____		4. Locations of any proposed or existing stormwater easements
_____	_____		5. Intended design year standards for culverts, bridge structures and/or other stormwater facilities
_____	_____		6. Schematic location of all underground utilities
_____	_____		7. Entity responsible to maintain/ own any detention basin
_____	_____		8. See requirements of the Township Stormwater Management Ordinance
_____	_____		9. Existing and proposed contour lines (see description under "Natural Features")
_____	_____		10. Where cuts or fills extend beyond the right-of-way, cross-sections at 50 feet intervals shall be required unless waived by the Township Engineer
J. <u>FOR USES OTHER THAN SINGLE FAMILY DETACHED OR TWO FAMILY DWELLINGS:</u>			
_____	_____		1. Evidence that the project meets the density requirements of the Zoning Ordinance, stating maximum and proposed densities
_____	_____		2. Evidence that the project will meet the off-street parking requirements of the Zoning Ordinance, including existing, minimum and proposed numbers of spaces
_____	_____		3. Arrangement of off-street parking spaces, parking aisles, paved areas and off-street loading areas
_____	_____		4. For single family attached dwellings, any proposed methods to ensure privacy between outdoor semi-private areas (such as fences between rear yard)
_____	_____		5. Illustrative sketches of proposed buildings (encouraged not required)
_____	_____		6. Number, sign area, height and location of proposed signs (may be addressed in future zoning application)
_____	_____		7. Major types and locations of outdoor lighting (may be addressed in future zoning application)
_____	_____		8. Location of any proposed outdoor storage areas
_____	_____		9. Square feet of paved area, including areas covered by stone

* Place a checkmark in the applicable column below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and b) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

NOT
SUBMITTED SUBMITTED*

K. EROSION AND SEDIMENTATION PLAN: (Unless approved at preliminary plan stage and will be unchanged)

- | | | |
|-------|-------|--|
| _____ | _____ | 1. Drawings showing locations and types of proposed measures, complying with the regulations and standards of the Lehigh County Conservation District and DEP. |
| _____ | _____ | 2. Narrative describing proposed soil erosion and sedimentation control methods. |

L. ROAD PLAN-PROFILES: (With profile drawings on same sheet as plan drawings)

- | | | |
|-------|-------|---|
| _____ | _____ | 1. Profile of existing and proposed ground surface along centerline of street. |
| _____ | _____ | 2. Proposed centerline grade with percent on tangents and elevations at 50 feet intervals. |
| _____ | _____ | 3. All vertical curve data including length, elevations and minimum sight distance as required by Article 10. |
| _____ | _____ | 4. Cross sections as required by the Township Engineer to be necessary to determine compliance with the ordinance |

M. SANITARY SEWER AND STORM DRAIN PLAN-PROFILES: (With profile drawings on same sheet as plan drawings)

- | | | |
|-------|-------|--|
| _____ | _____ | 1. Profile of proposed ground surface with elevations at top of manholes or inlets |
| _____ | _____ | 2. Profile of storm sewer and sanitary sewer lines, corresponding to stations |
| _____ | _____ | 3. All line crossings of other utilities. |
| _____ | _____ | 4. Slope and length of pipes. |
| _____ | _____ | 5. Invert elevation and top of grate or manhole elevation. |

N. ADDITIONAL FINAL PLAN REQUIREMENTS:

- | | | |
|-------|-------|---|
| _____ | _____ | 1. Protective covenants shall be placed on the land providing for: |
| _____ | _____ | a. clear sight triangle easements (see Sections 1004.H. and 1012.D. |
| _____ | _____ | b. all needed utility, drainage, maintenance, pedestrian, open space or other easements. |
| _____ | _____ | 2. Required Plan Notations. The following wording shall be required to be placed on any final subdivision or land development plan, as applicable: |
| _____ | _____ | a. If access will be provided onto a State highway and a required PennDOT Highway Occupancy Permit" has not been granted then the following or closely similar wording shall be stated: |

"NOTICE - A PennDOT Highway Occupancy Permit for Lot No(s). ___ is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the "State Highway Law," before driveway access to a state highway is permitted. Access to the state highway shall be only as authorized by a PennDOT Highway Occupancy Permit. No Building Permits, Zoning Permits or Certificates of Occupancy shall be issued for said lot until such time as a PennDOT Highway Occupancy Permit has been secured and filed with the Township. The Township shall not be held liable for damages to persons or property arising out of issuance or denial of a Highway Occupancy Permit by the PA. Department of Transportation, pursuant to Section 508 of the PA. Municipalities Planning Code."

* Place a checkmark in the applicable column below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and b) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

NOT
SUBMITTED SUBMITTED*

N. ADDITIONAL FINAL PLAN REQUIREMENTS: (Cont.)

- | | | |
|-------|-------|---|
| _____ | _____ | b. "Well and sewage disposal systems shall be constructed in accordance with standards of the Pennsylvania Department of Environmental Protection." |
| _____ | _____ | c. "Individual owners of lots must receive approval from the Township Sewage Enforcement Officer for a sewage permit prior to undertaking the construction of an on-lot sewage disposal system or building that will need to be served by such a system. Additional, no development shall occur in the alternative drain field location without the prior written approval of the Zoning Officer and Sewage Enforcement Officer." |
| _____ | _____ | d. "Upper Milford Township does not guarantee that any individual lot or location within a lot will be able to sustain any type of well or sewage disposal system." |
| _____ | _____ | e. Notations stating that the property owner is responsible for maintenance of drainage swales. |
| _____ | _____ | f. Notations stating that wetland permits may be required from the Army Corps of Engineers or PA. DEP. |
| _____ | _____ | g. Notations recognizing and stating that Upper Milford Township is not liable and is not providing any guarantee regarding any stormwater, wetland, erosion control or any other review. |
| _____ | _____ | 3. Street Lighting |
| | | a. Existing street lighting |
| | | b. Any proposed street lighting (or notation stating none is proposed), including types of poles, spacing of poles and intensity of lamps |
| _____ | _____ | 4. Proposed monument and marker locations |

O. CONSTRUCTION DETAILS: (following any applicable Township improvement standards).

- | | | |
|-------|-------|--|
| _____ | _____ | 1. Typical cross-section and specifications for street construction as required by Section 1004. |
| _____ | _____ | 2. Drainage swale cross-section and materials. |
| _____ | _____ | 3. Pipe bedding details. |
| _____ | _____ | 4. Storm drainage structures details, including cross-sectional drawings, any detention basin outfall structure and spillway |
| _____ | _____ | 5. Sanitary sewer structures. |
| _____ | _____ | 6. Curb and sidewalk details. |
| _____ | _____ | 7. Street tree details. |
| _____ | _____ | 8. Erosion and sedimentation details. |
| _____ | _____ | 9. Centralized water details. |
| _____ | _____ | 10. Design calculations prepared by a Professional Engineer for any retaining wall with a wall height exceeding 4 feet. |

P. SUPPORTING DOCUMENTS AND ADDITIONAL INFORMATION:

Supporting written and data reports submitted at the time of the preliminary plan are not required to be resubmitted unless they need to be revised to reflect changes between the preliminary and the final plans.

- | | | |
|-------|-------|--|
| _____ | _____ | 1. A copy of any "Supporting Documentation and Additional Information" that was required for the Preliminary Plan and that needed to be <u>adjusted</u> or <u>revised</u> to reflect changes between the Preliminary and the Final Plan. |
|-------|-------|--|

* Place a checkmark in the applicable column below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and b) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

NOT
SUBMITTED SUBMITTED*

P. SUPPORTING DOCUMENTS AND ADDITIONAL INFORMATION: (Cont.)

- | | | |
|-------|-------|--|
| _____ | _____ | 2. <u>If</u> the subdivision or land development was not required to submit a preliminary plan, a copy of any supporting information listed in Section 503 that is applicable to this project. |
| _____ | _____ | 3. List of Modifications or Waivers requested to this Ordinance that are needed but have not yet been granted |
| _____ | _____ | 4. Deed Restrictions. All private deed restrictions, homeowner or condominium association agreements or covenants already imposed or to be imposed as a condition to sale that may affect the subdivision or land development plan. Any homeowner or condominium association agreement regarding maintenance of utilities and common facilities may be subject to review by the Township Solicitor and acceptance by the Board of Supervisors. |
| _____ | _____ | 5. Dedicated Improvements. The developer shall provide a deed of dedication together with an 8 ½" x 11" plan of each such improvement. |
| _____ | _____ | 6. Nondedicated Streets Agreement. Agreement for any street not offered for dedication stating who is responsible for the improvement and maintenance of such streets. The developer shall be responsible for such maintenance until the condominium or homeowners association is established and operational. |
| _____ | _____ | 7. Open Space Agreement. A formal contract providing for the maintenance of open space and the method of management, together with all offers of dedication and covenants governing the reservation and maintenance of undedicated open space. This agreement is subject to the review of the Township Solicitor and acceptance by the Board of Supervisors. |
| _____ | _____ | 8. Storm Drainage Calculations. All calculations relating to facilities appearing on the Grading and Storm Drainage Plan and the Erosion and Sedimentation Plan shall be submitted for review by the Township Engineer. (see Section 1008). |
| _____ | _____ | 9. Development Schedule. A statement indicating the approximate date when construction can be expected to begin and be completed. |
| _____ | _____ | 10. State Highway Reviews. The applicant shall submit to the Township a copy of the application to PennDOT for any needed occupancy permit to have access onto a State highway, and shall also submit any review comments received from PennDOT within 5 days of receiving such comments. If a needed permit is not issued prior to Final Approval, such permit shall automatically be a condition of Final Plan approval. |
| _____ | _____ | 11. Water Certification. If water service is proposed by means other than by private individual wells owned by the owner of each lot, the applicant shall present evidence to the Township that the service will be provided by a certified public utility, a bona fide cooperative association of property owners or by a municipal corporation, authority or utility, as permitted by the Township. |
| | | a. This evidence shall include a copy of 1 or more of the following, as appropriate: a) the "Certificate of Public Convenience" from the PA. Public Utility Commission, b) a copy of an application submitted for such certificate or a cooperative agreement or c) a commitment or agreement to serve the area in question. |
| _____ | _____ | 12. Wetland Statement. The applicant shall provide a signed statement of whether areas of the parcel proposed to be altered, disturbed or developed includes "wetlands" under the applicable Federal and/or State definitions. |

* Place a checkmark in the applicable column below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and b) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

NOT
SUBMITTED SUBMITTED*

P. SUPPORTING DOCUMENTS AND ADDITIONAL INFORMATION: (Cont.)

- | | | |
|-------|-------|---|
| _____ | _____ | 13. If applicable, copy of the wetland study, and qualifications of person who prepared the study. |
| _____ | _____ | 14. Addresses. Plan showing existing street address numbers of adjacent lots and proposed street address numbers of proposed lots, as issued by the Township. |
| _____ | _____ | 15. With each revision of a previously submitted plan, the Plan Preparer shall either: <ul style="list-style-type: none"> a. certify in writing that no changes were made to the Plan, other than changes requested by the Township, or b. list the changes that were made, other than those requested by the Township (not including typographic corrections). |

Q. MATERIALS REQUIRED PRIOR TO RECORDING: The following are not required at the time of final plan submission, but are required prior to recording of the final plan and prior to the construction of any buildings.

- | | | |
|-------|-------|---|
| _____ | _____ | 1. Utilities Agreements and Permits. <ul style="list-style-type: none"> a. All signed agreements or contracts with utility companies, water companies or authorities or sewage companies or authorities for the provision of services to the project. b. Approval letters from all appropriate Federal and State agencies of any private central water supply system or private central sewage disposal system. c. Approved DEP Sewage Planning Module, if applicable d. DEP Water Quality Management Permit, if applicable |
| _____ | _____ | 2. See "Record Plan" requirements in Section 902. |

604. CERTIFICATION. All certification shall comply with the State professional licensing laws. All subdivisions of land shall be certified and stamped by a Registered Land Surveyor, as required by State law. At least one set of plans provided to the Township (including revisions) shall bear original signatures and original seals of plan preparers and shall be marked as a "Township File Copy."

Article 7
Minor Subdivisions, Certain Land Developments
and Lot Line Adjustments

701. PURPOSE. This Article provides simplified procedures for submitting and reviewing minor subdivisions, certain land developments, and lot line adjustments.
702. SUBMISSION AND REVIEW PROCEDURE. The following submission and review process shall apply for Minor Subdivisions, Lot line adjustments, merger or consolidation of lots (also referred to as reverse subdivision), land developments involving only a single non-residential building addition of less than 3,000 square feet of building floor area with no additional dwelling units, and what the Township determines to be minor corrections or minor revisions of previously approved plans under Section 704.
- 702.A. Final Plan Submission Required. A Final Plan Submission for each application under this Section shall be filed by the Applicant and reviewed in accordance with the provisions of this Article 7. A Preliminary Plan is not required for a submittal under this Article 7.
- 702.B. Filing and Distribution.
1. The Applicant shall file with the Township Staff at least 19 calendar days prior to a regular Township Planning Commission meeting (not including a workshop meeting): a) the required fees, and b) the information and plans required under this Article 7. Any subsequent submittal of revised plans shall be submitted at least 19 calendar days before a Planning Commission meeting where the plans are intended to be reviewed, unless permission is granted for a later submittal by the *Planning Administrator*.
 2. If a State road is involved, the Applicant shall forward the required information to PennDOT and apply for a highway occupancy permit. If such permit is not granted prior to Final Plan approval, then it shall automatically be a condition of Final Plan approval, and the plans shall not be signed or released for recording by the Township until the PennDOT permit is granted.
 3. Each Final Plan filed for minor subdivisions shall provide the information required by Section 703. Plans for Lot line adjustments shall provide the information required by Section 704.
 4. The applicant shall provide a copy of the plans for review to the Lehigh Valley Planning Commission with the required County review fees. A soil erosion and sedimentation control plan shall be provided to the Lehigh County Conservation District.
- 702.C. Initial Actions by the Staff.
1. The Staff shall review the Submission items filed against a checklist for completeness and shall report such review to the Commission at its next regularly scheduled meeting.

2. The Staff shall retain in the Township’s files one “File Copy” of all materials submitted by the Applicant.
3. The Staff shall forward the applicable submission information to the Township Engineer and the Township Planning Commission before the next regularly scheduled meeting of the Commission.

702.D. Review by Township Engineer. The Township Engineer should review the engineering considerations in the Plan and prepare an initial report on such considerations to the Planning Commission. The Township Engineer may make additional reports and recommendations to the Planning Commission and the Board of Supervisors during review of the Plan.

702.E. Review by Planning Commission. The Township Planning Commission should accomplish the following within the time limitations of the PA Municipalities Planning Code (unless the applicant grants a written time extension).

1. Review all applicable reports received from the appropriate review agencies and officers;
2. Determine whether the Final Plan Submission meets the requirements of this Ordinance and other applicable ordinances;
3. Review the Final Plan Submission and recommend any needed revisions so that the Submission will conform to this Ordinance and other applicable ordinances; and
4. Recommend approval, conditional approval or disapproval of the Final Plan Submission in writing to the Board of Supervisors.

702.F. Review by Board of Supervisors. The Board of Supervisors shall:

1. Review the recommendation of the Commission and any reports received from any other official reviewing agencies;
2. Determine whether the Final Plan Submission meets the requirements of this Ordinance and other applicable ordinances; and
3. Approve, conditionally approve or disapprove the Final Plan Submission within the time limits established by the PA Municipalities Planning Code.

(As of the adoption date of this Ordinance, State law requires:

- a. The Board of Supervisors to act on the application and render its decision and communicate it to the applicant not later than 90 days following the date of the regular meeting of the Township Planning Commission next following the date the application is filed, or after a final order of the court remanding an application, provided that should the said next regular meeting occur more than 30 days following the filing of the application, or the final order of the court, the said 90-day period shall be measured from the 30th day following the day the application has been filed.

- b. No subdivision or land development shall be granted final approval until a report is received from the Lehigh Valley Planning Commission or until the expiration of 30 days from the date the application was forwarded to the Lehigh Valley Planning Commission, whichever comes first.)
4. County Planning Commission Review. No subdivision or land development shall be granted final approval until a report is received from the Lehigh Valley Planning Commission or until the expiration of 30 days from the date the application was forwarded to the County Planning Commission, whichever shall occur first.

702.G. Decision by Board of Supervisors.

1. The decision of the Board of Supervisors shall be in writing and shall be communicated to the Applicant personally or mailed to him/her at the last known address not later than 15 days following the decision.
2.
 - a. The approval of the Final Plan by the Board of Supervisors shall not by itself constitute an acceptance of the dedication of any street or other proposed public way, space or area, unless such acceptance is specifically made at such time.
 - b. Any such acceptance of dedication shall be specifically stated along with the signatures required for approval.
 - c. If the Board of Supervisors elects to accept lands offered for dedication, the Submission shall be accompanied by duly executed instruments of conveyance to the Township. Such instruments shall state that the title thereof is free and unencumbered. The Board of Supervisors may require an applicant to provide title insurance.
3. If a Final Plan Submission is disapproved, the decision shall specify defects found in the Submission, shall describe requirements which have not been met, and shall cite the provisions of the statute or ordinance relied upon in each case.
4. Conditions. If conditions are placed upon an approval, it shall be the responsibility of the applicant, in writing, to accept or reject the conditions within a maximum of 30 days after the date of the decision by the Board of Supervisors. If the applicant fails to accept or reject the conditions within such time period, then it shall be presumed that the applicant has accepted all of the conditions upon the approval. If the applicant rejects any condition, then the approval shall be rescinded, unless a decision of a court determines such condition was not valid.
 - a. The applicant shall be required to show compliance with all the conditions upon the final plan approval within one year after the date of the decision by the Board of Supervisors, unless a written extension is granted by the Board of Supervisors.

703. MINOR SUBDIVISION FINAL PLAN REQUIREMENTS. All of the following information and materials listed in this section are required as part of all minor subdivision submissions, other than lot line adjustments or submittals under Section 704. **This list of requirements shall serve as both a list of requirements, and as a checklist for the applicant and the Township to ensure completion of submissions.** The applicant shall submit completed photocopies of this section as part of the application.

**Section 703 Upper Milford Township
Final Plan Checklist and List of Submittal Requirements
for Minor Subdivisions and Certain Land Developments**

Applicant's Name: _____

Applicant's Address: _____

Applicant's Daytime Phone No.: _____

Applicant's Signature: _____ Date of Submittal: _____

* Place a check in the applicable column, except: 1) insert "NA" in the "Not Submitted" column if not applicable, and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

NOT
SUBMITTED SUBMITTED*

A. GENERAL SUBMISSION ITEMS: (the Township staff may require the submission of additional numbers of copies)

- | | | |
|-------|-------|---|
| _____ | _____ | 1. 3 copies of Completed Township Application (see Appendix A) |
| _____ | _____ | 2. Required Township review fee(s) |
| _____ | _____ | 3. Required Township escrow funds (to fund reviews) |
| _____ | _____ | 4. 2 copies of the Minor Subdivision Plan Checklist (using the photocopies of the pages in this Section) |
| _____ | _____ | 5. 6 print copies of the complete Subdivision Plans, with original signatures and seals of Plan Preparers on one "File Copy". |
| _____ | _____ | 6. 2 sets of Supportive Documents |
| _____ | _____ | 7. Notification that a copy of the plan was delivered by applicant to the Lehigh Valley Planning Commission |

B. DRAFTING REQUIREMENTS: All information shall be legibly and accurately presented.

- | | | |
|-------|-------|---|
| _____ | _____ | 1. Plans prepared on a standard sized sheet (such as 18"x24", 24"x36", 30"x42" or 36"x48"). Sheets should be folded to approximately 9"x12" size, in such a manner that the title of the sheet faces out. |
| _____ | _____ | 2. Plans drawn at a scale of 1 inch equals 50 feet or other scale pre-approved by the Township Engineer |
| _____ | _____ | 3. All dimensions set in feet and decimal parts thereof, and bearings in degrees, minutes and seconds. |
| _____ | _____ | 4. Differentiation between existing and proposed features |
| _____ | _____ | 5. Boundary line of the parcel, shown as a heavy boundary line |

C. GENERAL INFORMATION:

- | | | |
|-------|-------|--|
| _____ | _____ | 1. Name and location of project (such as the "Smith Subdivision No. 2") |
| _____ | _____ | 2. Name of landowner and developer (with addresses) |
| _____ | _____ | 3. Names and addresses of abutting property owners, with abutting lot lines |
| _____ | _____ | 4. Notarized Owners Statement of Intent (see Appendix B) |
| _____ | _____ | 5. Name, address, signature, and seal of the plan surveyor and plan preparer. (See Appendix B) |

* Place a check in the applicable column, except: 1) insert "NA" in the "Not Submitted" column if not applicable, and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

NOT

SUBMITTED SUBMITTED*

C. GENERAL INFORMATION: (Cont.)

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|-------|-------|---|
| _____ | _____ | 6. Approval/review signature blocks for:
(See Appendix B) the Township Board of Supervisors, Township Planning Commission and Lehigh Valley Planning Commission staff |
| _____ | _____ | 7. Location map at a standard scale (such as 1"=2000') showing the location of the project and watercourses, municipal borders and existing and proposed streets adjacent to the parcel |
| _____ | _____ | 8. North arrow, graphic scale, written scale |
| _____ | _____ | 9. Date of plan and all subsequent revision dates (especially noting if this is a revision of a previously approved plan) |
| _____ | _____ | 10. Deed Book volume and page number from County records |
| _____ | _____ | 11. Tax map number and block and lot number and property identification number for the parcel being subdivided |

D. NATURAL FEATURES:

- | | | |
|-------|-------|---|
| _____ | _____ | 1. Contour lines shall be: <ul style="list-style-type: none"> a. based on a field survey or photogrammetric procedure at an interval of 2 feet (or other interval pre-approved by the Township Engineer) at a scale of 1"=100' or larger; b. Note- Contours are not required to be shown within areas of lots of 10 acres or more that are clearly not intended to be altered as a result of this proposed subdivision, unless needed for stormwater management |
| _____ | _____ | 2. Identification of any slopes of 15 to 25 percent, and greater than 25 percent |
| _____ | _____ | 3. Areas within any hydric soils (see Soil Survey of Lehigh County), with a notation that there are none if that is the case |
| _____ | _____ | 4. Watercourses (with any name), natural springs, lakes and wetlands. |
| _____ | _____ | 5. Areas of existing mature woods, with areas noted that are proposed to be preserved or removed |

E. MAN-MADE FEATURES:

- | | | |
|-------|-------|--|
| _____ | _____ | 1. Existing and proposed lot lines <ul style="list-style-type: none"> a. The boundaries of lots (other than a residual lot of at least 10 acres) shall be determined by accurate field survey, closed with an error not to exceed 1 in 10,000 and balanced. b. The boundaries of any residual parcel which is greater than 10 acres may be determined by deed. |
| _____ | _____ | 2. Location of existing and proposed monuments. |
| _____ | _____ | 3. Sufficient measurements of all lots, streets, rights-of-way, easements and community or public areas to accurately and completely reproduce each and every course on the ground. |
| _____ | _____ | 4. Buildings estimated to be 80 years or older that are proposed to be impacted by the subdivision, with name and description. |

* Place a check in the applicable column, except: 1) insert "NA" in the "Not Submitted" column if not applicable, and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

NOT

SUBMITTED SUBMITTED*

E. MAN-MADE FEATURES: (Cont.)

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|-------|-------|--|
| _____ | _____ | 5. Sewer lines, storm water facilities, water lines, bridges and culverts. |
| _____ | _____ | 6. Existing and proposed utility easements and restrictive covenants and easements for purposes which might affect development (stating which easements and rights-of-ways proposed for dedication to the municipality). |
| _____ | _____ | 7. Proposed (if known) and existing non-residential building locations and land uses. |
| _____ | _____ | 8. Easements/covenants addressing maintenance of stormwater easements. |

F. ZONING REQUIREMENTS:

- | | | |
|-------|-------|---|
| _____ | _____ | 1. Applicable zoning district name, zoning district boundaries and minimum lot area |
| _____ | _____ | 2. Minimum setback requirements shown for each lot |
| _____ | _____ | 3. Sufficient information to determine compliance with the Zoning Ordinance |

G. PROPOSED LAYOUT:

- | | | |
|-------|-------|--|
| _____ | _____ | 1. Total acreage of site and total proposed number of lots |
| _____ | _____ | 2. Identification number for each lot |
| _____ | _____ | 3. Lot width (at minimum building setback line) and lot area for each lot |
| _____ | _____ | 4. As applicable, the following existing and proposed items shall be shown for each lot, using standard symbols that are identified in a legend on the plan. |
| | | - Well (if not connected to central water system)-with required separation distance shown from septic drain fields, and with dimensions from lot lines |
| | | - Primary drain field (with dimensions from lot lines) |
| | | - Secondary drain field - shall be perc tested, and dimensioned from lot lines |
| | | - Suitable soil probe location |
| | | - Suitable percolation test locations |
| _____ | _____ | 5. Existing and proposed storm drainage facilities or structures |
| _____ | _____ | 6. Exact slope across proposed primary and secondary on-lot sewage system sites |
| _____ | _____ | 7. Plan showing proposed street address numbers of proposed lots, as issued by the Township. |

* Place a check in the applicable column, except: 1) insert "NA" in the "Not Submitted" column if not applicable, and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

NOT

SUBMITTED SUBMITTED*

H. PLAN NOTATIONS. The following shall be stated on the Final Plan, if applicable.

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|-------|-------|---|
| _____ | _____ | a. "Well and sewage disposal systems shall be constructed in accordance with standards of the Pennsylvania Department of Environmental Protection." |
| _____ | _____ | b. "Individual owners of lots must receive approval from the Township Sewage Enforcement Officer for a sewage permit prior to undertaking the construction of an on-lot sewage disposal system or building that will need to be served by such a system. Additional, no development shall occur in the alternative drain field location without the prior written approval of the Zoning Officer and Sewage Enforcement Officer." |
| _____ | _____ | c. "The Township does not guarantee that any individual lot or location within a lot will be able to sustain any type of well or sewage disposal system." |

I. ADDITIONAL INFORMATION: The Planning Commission may require the submission of any additional information that would be required for the Final Plan of a major subdivision under Section 603, if needed to determine compliance with this Ordinance.

- | | | |
|-------|-------|--|
| _____ | _____ | 1. Residual Lands Sketch. If the submitted plans do not include all undeveloped or underdeveloped adjacent or abutting lands owned by the same landowner or under control of the same developer, then a sketch shall be submitted at an appropriate scale, on one sheet, covering all such land holdings together with a sketch of a reasonable future road system to demonstrate that the proposed subdivision provides for the orderly development of any residual lands and/or does not adversely affect the potential development of residual lands. |
| _____ | _____ | 2. Copy of the DEP Sewage Planning Module application, if applicable, as completed by the applicant, with evidence that the application has been forwarded to the proper review agencies for comments |
| _____ | _____ | 3. See the requirements of the Township Stormwater Management Ordinance. |

704. LOT LINE ADJUSTMENTS, MERGER OR CONSOLIDATION OF LOTS (ALSO REFERRED TO AS REVERSE SUBDIVISIONS), AND MINOR REVISIONS OF APPROVED PLANS.
- 704.A. The reduced submission requirements listed in this section shall apply, together with the procedural requirements of Section 702, if either of the following apply:
1. the proposal will meet the definition of a "lot line adjustment";
 2. The proposal only involves a merger or consolidation of lots (also referred to as reverse subdivision) including two or more lots merging into one; and/or
 3. in the determination of the Township staff, which may be based upon the advice of the Township Engineer, the proposal will involve revisions to a previously approved plan and those revisions only involve changes in the supporting documentation or engineering details or to correct erroneous data or minor omissions concerning a plan previously granted final plan approval.
- 704.B. The list of requirements on the following page shall serve as both a list of requirements, and as a checklist for the applicant and the Township to ensure completion of submissions. The applicant shall submit completed photocopies of this section as part of the application. The required information listed in this Section may be combined or separated onto different sheets, provided that the plans will be clearly readable.
- 704.C. Additional Information. The Planning Commission may require that a plan under this section include the submission of specific additional information that would be required if the plan would be a final minor subdivision plan, if such specific information is necessary to determine compliance with this ordinance.
- 704.D. A merger or consolidation of lots (also referred to as reverse subdivision) under this section shall result in the formation of one new lot with one new recorded deed for that new lot.

**Section 704.E Upper Milford Township
 Lot Line Adjustments, Merger or Consolidation of Lots
 (Also referred to as Reverse Subdivisions) and Minor Revisions of Approved Plans.
Checklist and List of Submittal Requirements.**

Applicant's Name: _____

Applicant's Address: _____

Applicant's Daytime Phone No.: _____

Applicant's Signature: _____ Date of Submittal: _____

* Place a check in the applicable column, except: 1) insert "NA" in the "Not Submitted" column if not applicable, and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

NOT SUBMITTED	SUBMITTED*	
_____	_____	1. Township application/review fee(s)/escrow
_____	_____	2. 3 copies of the Completed Application (see Appendix A)
_____	_____	3. 2 copies of this Checklist (using the photocopies of the pages in this Section)
_____	_____	4. 4 print copies of the complete Final Plans
_____	_____	5. Notification of delivery by applicant of a copy of the plan to the Lehigh Valley Planning Commission
_____	_____	6. Plans prepared on a standard sized sheet (such as 18"x24", 24"x36", 30"x42" or 36"x48")
_____	_____	7. Plans drawn at a scale of 1 inch equals 50 feet or other standard scale.
_____	_____	8. All dimensions set in feet and decimal parts thereof, and bearings in degrees, minutes and seconds.
_____	_____	9. Differentiation between existing and proposed features
_____	_____	10. Boundary line of the parcel, shown as a heavy line
_____	_____	11. Words "Final Plan" and name of project on each sheet
_____	_____	12. Notarized Owners Statement - see Appendix B
_____	_____	13. Plan preparer's statement (See Appendix B)
_____	_____	14. Approval/review signature blocks for: Township Board of Supervisors, Township Planning Commission and Lehigh Valley Planning Commission (see Appendix B)
_____	_____	15. Location map at a standard scale (1"= 2000') showing the location of the project and existing and proposed streets adjacent to the parcel and watercourses and municipal borders
_____	_____	16. North arrow, graphic scale, written scale
_____	_____	17. Date of plan and all subsequent revision dates and submission dates (especially noting if this is a revision of a previously approved plan) with space for future revision dates
_____	_____	18. Existing and proposed lot lines and street rights-of-ways
_____	_____	19. Existing building locations and type of land uses
_____	_____	20. Applicable zoning district and required minimum lot area
_____	_____	21. Minimum setback requirements shown for each lot
_____	_____	22. Note stating type of water and sewer service proposed (such as "well and on-lot septic systems")

* Place a check in the applicable column, except: 1) insert "NA" in the "Not Submitted" column if not applicable, and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

NOT

SUBMITTED SUBMITTED*

- | | | |
|-------|-------|--|
| _____ | _____ | 23. Lot width (at minimum building setback line) and lot area for each lot |
| _____ | _____ | 24. Dimensions of each lot in feet |
| _____ | _____ | 25. List of any Modifications or Waivers requested to this Ordinance |

705. CERTIFICATION. Section 504 shall apply.

706. RECORDING PLANS. Article 9 shall apply.

ARTICLE 8

Improvements Guarantees

801. GUARANTEE OF IMPROVEMENTS INSTALLATION REQUIRED.

801.A. Before approving any subdivision or land development plan for recording, the Board of Supervisors shall require that the Township be assured by means of a proper *Improvement Agreement* and Performance Guarantee that the improvements required by this Ordinance and the improvements appearing on the plan will be installed in strict accordance with the standards and specifications of this Ordinance.

801.B. Purpose of Security. The security required by this Article shall stand as security for compliance with all Township ordinances, other laws, covenants, stipulations, conditions and rules applicable to the subdivision or land development for which it is filed.

801.C. No construction of permanent buildings or sales of any individual lot or condominium unit shall occur within a subdivision or land development unless:

1. there is on file, with the Township, current duly executed and approved security, or
2. all rough grading is complete and all required public improvements, utilities, streets, drainage facilities, sewers and street lights have been completed and accepted by the Board of Supervisors.

802. IMPROVEMENTS TO BE PROVIDED BY THE APPLICANT.

802.A. In all cases, the subdivider or land developer shall be responsible for the installation of all improvements required by this Ordinance.

802.B. The Township Engineer or other Township designee shall make such inspections of the required improvements at such intervals as may be reasonably necessary to assure compliance with this Ordinance. The reasonable costs of such inspection shall be borne by the subdivider or land developer.

803. IMPROVEMENT AGREEMENT.

803.A. Improvement Agreement Required.

1. All applicants proposing any subdivision or land development which provides for the installation of improvements required by this Ordinance or any improvements or amenities which appear on the Final Plan shall be required to enter into a legally binding *Improvement Agreement* with the Township prior to recording of the Final Plan, unless the applicant agrees to meet Section 801 concerning the construction of all improvements prior to the construction of any buildings or the sale of any lots or home sites.
2. The *Improvement Agreement* shall guarantee the installation of said improvements in strict accordance with all Township requirements.

803.B. Terms of Improvement Agreement. The *Improvement Agreement* shall be acceptable in legal form to the Township Solicitor and shall be acceptable in content to the Township Board of Supervisors. The Township may require that a *Improvement Agreement* include any of the following items, where applicable, and such additional items as are necessary to carry out this Ordinance:

1. The construction depicted on the approved plans, listed in itemized format, including all approved streets, drainage facilities, utility lines and other improvements.
2. A work schedule setting forth the beginning and ending dates of such work tied to the construction of the development, and provisions to allow proper inspection by the Township Engineer.
3. The provision of a Performance Guarantee for completion of required improvements in compliance with Section 804, including a detailed breakdown of the estimated costs of the improvements, including the total amount of the Performance Guarantee.
4. Provisions concerning the developer's responsibilities for damage to other property, including maintenance by the developer of public liability insurance for the duration of improvements construction, with a hold harmless clause to protect the Township from liability related to such work. A copy or other evidence of such liability coverage shall be provided to the Township prior to such work.
5. Provisions requiring that the applicant and/or other responsible entities ensure that erosion, sedimentation and stormwater management plans are complied with.
6. Provisions for the dedication of streets, water and sewer lines and any other easements or improvements proposed to be dedicated.
7. See Section 902 concerning the requirement for a "RECORD" plan.
8. Provisions for the developer to reimburse the Township for all reasonable engineering costs directly related to the review, construction and inspection of the proposed development and to the review and preparation of the *Improvement Agreements*.
9. Provisions concerning any violations of the *Improvement Agreement*.
10. Any other lawful terms which the Board of Supervisors may require to carry out the provisions of this Ordinance.
11. Signatures. The *improvement agreement* shall be signed by all responsible landowners and/or developers.

803.C. Ownership of Land and Guarantee.

1. A certificate of ownership in the form of Appendix B shall be executed in the exact name in which title is held. If the developer(s) is someone other than the landowner(s), the developer shall also execute this affidavit, along with a security agreement.

2. Change in Ownership or Developer. Any conveyance of all or a substantial portion of the unimproved lots or public improvements or streets of any subdivision or land development or change in developers, whether voluntary or by action of law or otherwise, shall require the prior approval of the Board of Supervisors to guarantee validity of the approved plan and conditions. The Board of Supervisors shall require that such new landowner and/or developer, in writing, fully assume all applicable responsibilities under the *improvement agreement*, including providing required financial security.

803.D. Utility Agreements. If a development will connect into a public water or public sanitary sewage system, the applicable authority, agency or company may also require separate *improvement agreements*.

804. PERFORMANCE GUARANTEE. The Performance Guarantee for completion of required improvements shall meet the following requirements:

804.A. Security.

1. The Guarantee shall be secured by the credit of any of the following:
 - a. An irrevocable and unconditional letter of credit of a Federal or State chartered lending institution,
 - b. A restrictive or escrow account in a Federal or State chartered lending institution, or
 - c. Such other financial security approved by the Board of Supervisors (which approval shall not be unreasonably withheld), but not including a second or third mortgage on the unimproved lands.
2. Such approved security shall provide for, and secure to the public, the completion of any improvements which may be required within 1 year of the date fixed in the *Improvement Agreement* for the completion of such improvements.
3. Such financial security shall be posted with a Federally issued or State chartered lending institution chosen by the party posting the financial security, or such other approved entity, provided such institution or entity is authorized to conduct such business within the State.
 - a. The Board of Supervisors may require that evidence be provided that such institution or entity has sufficiently adequate and secure assets to cover the security.
 - b. The Township shall be the authorized signatory on any account in which the escrow funds are held.

804.B. Amount of Security.

1. The amount of financial security to be posted for the completion of the required improvements shall be equal to 110 percent of the cost of completion estimated as of 90 days following the date scheduled for completion by the developer in the official development schedule, and within the process for increases to cover inflation as permitted by the PA Municipalities Planning Code.
2. The cost of the improvements shall be established by an estimate prepared by a PA Registered Professional Engineer, which shall be reviewed by the Township Engineer, within the arbitration process permitted by the PA Municipalities Planning Code.

3. If the party posting the financial security requires more than 1 year from the date of posting of the financial security to complete the required improvements, the amount of financial security may be increased by a maximum of an additional 10 percent for each one-year period beyond the first anniversary date from posting of financial security or to an amount not exceeding 110 percent of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one-year period by using the above procedure.
4. Inspection Fees. The amount of financial security shall also include an additional 5 percent of the estimated cost of completion of the work to guarantee payment of inspection fees and related engineering costs.

804.C. Multi-Year or Multi-Stage Development. In the case where development is projected over a period of years, the Board of Supervisors may authorize submission of final plans by phases/stages of development subject to such requirements or improvement guarantees concerning future improvements as it finds necessary for the proper functioning of each phase and for the eventual development as a whole.

805. APPROVAL OF IMPROVEMENTS.

805.A. Advance Notice by Developer of Construction of Improvements.

1. Meetings. Prior to construction or installation of improvements in any new phase or any major facet of construction, the developer or his/her representative shall contact the Township Engineer to determine whether a pre-construction meeting is needed. The Township Engineer may require that such meeting be attended by the responsible contractor(s) and responsible representatives of the developer. In addition, meetings may be required with the utility companies as needed.
2. The developer or his/her representative shall provide a minimum of 3 business days prior notice to the Township Staff prior to beginning each major facet of construction, in order to allow the scheduling of inspections. See also Section 1004.K.11, which requires 5 business days advance notice for street construction.
3. The developer should notify the Township in writing when 1/3 and 2/3rds of the total dollar value of the improvements are completed, and a list of those items completed.
4. See Section 806.A.1.b. concerning improvements completed without proper Township inspection.

805.B. Request for Release of Security. When an improvement has been completed, the party posting the financial security shall notify the Township and request in writing to the Board of Supervisors by certified or registered mail release of related financial security. The developer shall send a copy of that letter to the Township Engineer at the same time.

805.C. Engineer's Report.

1. Within 30 days of a receipt under Section 805.B., the Township Engineer shall submit a written report certifying which improvements have been completed in accordance with the approved plan to the Board of Supervisors and mail a copy of such report by certified or registered mail to the developer or his/her representative at his/her last known address.

2. This report shall be based on the inspections made according to the approved inspection schedule included in the *Improvement Agreement* and shall recommend approval or rejection of the improvements, either in whole or in part.
3. If the Township Engineer finds any or all of the improvements to be not as required, he/she shall include a statement of the reasons for recommending their rejection in the report.

805.D. Release of Security.

1. After receiving the Township Engineer's Report (but not later than 45 days of the receipt of the request) the Township staff shall review the Township Engineer's report and shall authorize release of an amount as estimated by the Township Engineer fairly representing the value of the improvements completed.
2. Until final release (completion of all improvements), the Township may require retention of a maximum of 10 percent of the cost of each completed improvement.
3. The Township shall notify the developer in writing by certified or registered mail of the decision.

805.E. Completion of Unaccepted Improvements. The developer shall complete any required improvements that the Board of Supervisors determines are not satisfactory or complete. Upon completion, the applicant may request approval in conformance with the procedures specified in Section 805.

805.F. Final Release.

1. When the developer has completed all of the required and necessary improvements, the developer shall request Final Release in conformance with the procedures specified in Section 805. See time limitations and procedures in Section 510 of the PA Municipalities Planning Code.
2. Such Final Release shall include all moneys retained under Section 805.D.3.

805.G. Appeal. Nothing herein shall be construed to limit the developer's right to contest or question by legal proceedings or otherwise any determination of the Board of Supervisors or the Township Engineer.

805.H. Certificates of Use and Occupancy and Completion of Improvements.

1. A temporary or final certificate of use and occupancy shall not be issued and a structure shall not be occupied unless all principal buildings have access to a clearly permanently passable street with at least a complete paving base course and any required curbing installed.
2. In addition to part "H.1." above, no final certificate of use and occupancy shall be issued until the structure is completed as approved with service by all required utilities and with all access onto a street completed to required standards, if applicable.

806. REMEDIES TO EFFECT COMPLETION OF IMPROVEMENTS.

806.A. Enforcement of Security.

1. The Township shall have the authority to use remedies to effect completion of required improvements as provided in Section 511 of the Pennsylvania Municipalities Planning Code. In addition, the Township may pursue civil prosecution of a violation of this Ordinance.
 - a. Construction Without Inspection. If required improvements have been completed without providing the Township Engineer or his/her representatives with proper opportunity for inspection, and as a result the Township Engineer cannot determine whether the improvements were properly constructed, then the Board of Supervisors may require that the Developer, at the Developer's expense, remove, replace, sample, test or reconstruct such improvements as necessary to determine compliance with this Ordinance and other applicable Township standards.
2. Rate of Construction. Failure of a developer to construct streets and other public improvements reasonably at the same time or prior to the construction of the buildings served by those streets or public improvements, and at the same rate in time at which buildings are completed, shall be a violation of this Ordinance and a cause for default of the security.

806.B. Completion by Township. If the proceeds of such security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the Board of Supervisors may, at its option, install or replace part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the moneys necessary to complete the remainder of the improvements.

806.C. Proceeds for Installation of Improvements. The proceeds from use of the security and/or from any legal or equitable action brought against the developer shall be used solely for the installation of the improvements covered by such security and directly related administrative costs.

807. MAINTENANCE GUARANTEE.

807.A. Maintenance Guarantee Required. All applicants proposing any subdivision or land development which provides for the dedication of improvements required by this Ordinance shall be required to provide a legally binding Maintenance Guarantee to the Township prior to acceptance of dedication of the improvements by the Township. In most cases, this Guarantee will be part of the Security Agreement.

807.B. Terms of Maintenance Guarantee. The Maintenance Guarantee shall be acceptable in legal form to the Township Solicitor and in content to the Board of Supervisors, and shall include all of the following:

1. that the Applicant make any repair or reconstruction of any improvement stipulated in the Maintenance Agreement which is specified by the Board of Supervisors if needed because of faulty construction, workmanship, or materials, prior to acceptance of such improvement by the Township;

2. that the Applicant maintain at his/her own cost all improvements stipulated in the Maintenance Agreement, up to a maximum period of 18 months from the date of completion, except for any special purpose escrow or maintenance agreements required by the Township; and
3. that the applicant post financial security to secure structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plan, for a maximum term of 18 months from the date of completion.

807.C. Public Utilities and Authorities. If water mains or sanitary sewer lines, or both and related apparatus or facilities are to be installed under the jurisdiction and under the rules and regulations of a public utility or municipal authority, financial security to assure proper completion and maintenance thereof shall be posted in accordance with the regulations of the controlling public utility or municipal authority. This amount of financial security shall not also be required by the Township if it is required by such utility or authority.

807.D. Type of Security. The Maintenance Guarantee shall be secured by the same form of security as is permitted for the improvements guarantees.

807.E Terms. Such Maintenance Guarantee shall be in the form approved by the Township Solicitor and Board of Supervisors, payable to the Township, to guarantee the maintenance and repair of the streets and other public improvements in the subdivision or land development for 18 months from the date of completion. The applicant shall prove to the satisfaction of the Board of Supervisors that there will be an acceptable system for the long-term maintenance of any stormwater detention basins.

807.F. Amount. The amount of the Maintenance Guarantee shall be determined by the applicant's engineer, conditioned upon acceptance by Board of Supervisors, but shall not exceed 15 percent of the actual cost of installation of such improvements.

807.G. Release. After a maximum of 18 months from the date of acceptance of dedication of said improvements, the Township shall release the Maintenance Guarantee to the developer (or party that posted the guarantee) if all improvements are in satisfactory condition, as determined by the Township.

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Article 9

Recording of Final Plan

901. RECORDING OF FINAL PLAN.

901.A. Deadline.

1. The Applicant is responsible to ensure that the Final Plan for any subdivision or land development as approved by the Board of Supervisors is provided to the Township Engineer in a form ready for recording within 90 days after such final approval. The Township Engineer or his / her designee shall then record the Final Plan.
2. If the Final Plan approval included official conditions that must be met prior to recording, then the plan shall be recorded within 90 days following the compliance with such conditions, up to a maximum total of one year following the final plan approval, *unless a written extension is provided by the Board of Supervisors.*

901.B. The applicant shall be required to compensate the Township for costs of the recording.

901.C. The Final Plan shall not be recorded unless the applicant proves that they have met all required conditions that the Township Staff and/or Township Engineer determine would impact the recorded Final Plan, including but not limited to, issuance of any required PennDOT highway occupancy permit.

901.D. Failure to record the Final Plan within the specified time periods shall cause the approval to become null and void.

902. RECORD PLAN. The applicant shall provide to the Township one signed reproducible and four signed paper clear and legible copies of the Record Plan, unless the County Recorder of Deeds Office may require a different format. The Township copies shall be made after recording, and shall be exact copies of those portions of the approved Final Plan that the Township requires to be recorded. Such Record Plan, at a minimum, shall include all of the following:

902.A. street right-of-ways,

902.B. common open spaces,

902.C. easements, and any covenants that the Township required to be placed on the Final Plan,

902.D. lot lines and lot dimensions,

902.E. water lines, sanitary and storm sewer lines and stormwater drainage facilities,

902.F. the required signatures of Township officials and the Lehigh Valley Planning Commission staff and the date of Township approvals,

902.G. notations stating whether the streets, any common open space and other proposed improvements are to be offered or not offered for dedication to the Township,

902.H. *buildings associated with land development applications,*

902.I. *proposed curb, sidewalk and recreation trails,*

902.J. *waivers and modifications and Zoning Hearing Board decisions, and associated conditions, and dates of such approvals, and*

902.K. additional information from the complete Final Plan that the Township may require be shown.

903. EFFECT OF RECORDING.

903.A. Private Improvements. Every street, park, or other improvement shown on a subdivision or land development plan that is recorded, as provided herein, shall be deemed to be a private street, open space, or improvement until such time it may be offered and officially accepted for dedication to the Township, or is duly condemned.

903.B. Dedication of Improvements. The Record Plan shall state by formal notation whether the streets, any common open space and other proposed improvements are proposed to be offered or not offered for dedication to the Township.