**RESOLUTION OF THE BOARD OF SUPERVISORS OF UPPER MILFORD TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA ESTABLISHING APPLICATION FEES, ESCROW FEES AND PROCEDURES RELATED TO THE SUBMISSION OF SUBDIVISIONS, BOUNDARY LINE ADJUSTMENTS AND LAND DEVELOPMENT PLANS.**

**WHEREAS,** Upper Milford Townhip ("Township") is a Second Class Township located in Old Zionsville, Lehigh County, Pennsylvania; and

**WHEREAS,** Section 10503 of Municipalities Planning Code, 53P.S. §10503 authorizes the Towship to charge for review fees for its professional consultants to review and report to the Township and for the creation of escrow accounts; and

**WHEREAS,** the Township is also permitted by law to levy reasonable administrative fees for processing applications of subdivisions, boundary line adjustments and land development plans.

**WHEREAS,** the Township desires to establish application fees, escrow fees and procedures related to the submission of subdivisions, boundary line adjustments and land deveolpment plans.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Supervisors of Upper Milofrd Township, Lehigh County, as follows:

**1.0** The above recitals are incorprated herein and made a part of this Resolution.

**2.0** The definitions of terms "Applicant", Developer", "Plan", "Sketch Plan", "Preliminary Plan", "Final Plan", "Subdivision", "Major Subdivision", "Minor Subdivision", and "Land Developement" as set forth in the Upper Milford Township Subdivision and Land Development Ordinance are incorporate herein and made a part of this Resolution. For purposes of this Resolution, the definition of "Aplicant" shall be synonymous with "Developer".

## 3.0 Subdivision, Land Development & Boundary Line Adjustment Application Fee Table

| | Sketch Plan | Sketch Plan with Request for Township Engineers Review | Preliminary Plan | Preliminary/Final or Final Plan | Preliminary/Final or Final Plan with Improvements Agreement |
|---|---|---|---|---|---|
| Land Development area less than one acre in size | No Fee | $200.00 | $1,000.00 + $50.00 per unit | $1,000.00 + $50.00 per unit | $2,000.00 + $50.00 per unit |
| Land Development area more than one acre in size | No Fee | $500.00 | $1,500.00 + $50.00 per unit/acre | $1,500.00 + $50.00 per unit/acre | $2,500.00 + $50.00 per unit/acre |
| Minor Subdivision | No Fee | $200.00 | $1,000.00 | $1,000.00 | $2,000.00 |
| Major Subdivision | No Fee | $500.00 | $1500.00 + $50.00 per unit/lot | $1,500.00 + $50.00 per unit/lot | $3,000.00 + $50.00 per unit/lot |

| | Preliminary/Final |
|---|---|
| Boundary Line Adjustment | $275.00 |

**There will be a resubmittal charge of $200.00 for any land development or Subdivision plan submissions after the third submission, plus a continuation of required escrow fees.**

**4.0 Sketch Plans,**

**a.** No application fee shall be levied by the Township for review of a sketch plan for a Subdivision of 3 lots or less or a Land development less than one acre in size unless the Applicant requests, in writing, that the Township Engineer review the sketch plan and provide a report. If such a request is made the applicant shall deposit, prior to review an escrow fee of $4,000.00 to the Township equivalent for the estimated costs of the Township Engineer to review the sketch plan and provide a report. All fees billed by the Township Engineer shall be deducted from the escrow fee, and any unused funds as of the completion of the sketch plan review may, at the Applicant's option, be credited towards applicable fees associated with future submissions or returned to the Applicant upon written request. Applicant is required to pay any and all review fees incurred by the Township plus a 4% administrative charge.

**b.** An application Fee of $500.00 will be required for Sketch plan Review of any Subdivision of 4 lots or more or any land development greater than 1 acre in size. The applicant shall deposit, prior to review an escrow fee of $7,500.00 to the Township equivalent for the estimated costs of the Township Engineer to review the sketch plan and provide a report. All funds billed by the Township Engineer shall be deducted from the escrow fee, and any unused funds as of the completion of the sketch plan review may, at the Applicant's option, be credited towards applicable fees associated with future submissions or returned to the Applicant upon written request. Applicant is required to pay any and all review fees incurred by the Township plus a 4% administrative charge.

**c.** All escrow accounts will be debited by all review fees incurred by the Township related to the application. The Township will further assess a 4% administrative fee on the actual amount of all incurred review fees. SEE ABOVE.

**5.0 Boundary Line Adjustments**

**a.** No application for a boundary line adjustment shall be accepted by the Township unless it is accompanied by a non-refundable application fee of $275.00. Applicant is required to pay any and all review fees incurred by the Township plus a 4% administrative charge.

**6.0 Land Development**

**a.**

No Preliminary Plan, application for a Land Development of less than 1 acre lot area without an improvements agreement shall be accepted by the Township unless it is acccompanied by a non-refundable application fee of $1,000.00 + $50.00 per unit/acre together with an escrow fee of $10,000.00 to the Township equivalent for the estimated costs of the Township Engineer to review the Preliminary Plan and provide a report. All funds billed by theTownship Engineer shall be deducted from the escrow fee, and any unused funds upon the completion of the Preliminary Plan review may, at the Applicant's option, be credited towards applicable fees associated with future submissions or returned to the Applicant upon written request. Applicant is required to pay any and all review fees incurred by the Township plus a 4% administrative charge.

**b.** No Preliminary/Final Plan or Final Plan application for a Land Development of less than 1 acre lot area with an improvements agreement shall be accepted by the Township unless it is acccompanied by a non-refundable application fee of $1,500.00 + $50.00 per unit together with an escrow fee of $10,000.00 + $200.00 per unit to the Township equivalent for the estimated costs of the Township Engineer to review the Preliminary Plan and provide a report. All funds billed by the Township Engineer shall be deducted from the escrow fee, and any unused funds as of the completion of the Preliminary/Final Plan or Final Plan review may, at the Applicant's option, be credited towards applicable fees associated with future submissions or returned to the Applicant upon written request. Applicant is required to pay any and all review fees incurred by the Township plus a 4% administrative charge.

**c.** No Preliminary Plan, application for a Land Development of more than 1 acre lot area without an improvements agreement shall be accepted by the Township unless it is acccompanied by a non-refundable application fee of $1,500.00 + $50.00 per unit/acre together with an escrow fee of $15,000.00 + $200.00 per unit/acre to the Township equivalent for the estimated costs of the Township Engineer to review the Preliminary Plan and provide a report. All funds billed by the Township Engineer shall be deducted from the escrow fee, and any unused funds upon the completion of the Preliminary Plan review may, at the Applicant's option, be credited towards applicable fees associated with future submissions or returned to the Applicant upon written request. Applicant is required to pay any and all review fees incurred by the Township plus a 4% administrative charge.

**d.** No Preliminary/Final Plan or Final Plan application for a Land Development of more than 1 acre lot area with an improvements agreement shall be accepted by the Township unless it is acccompanied by a non-refundable application fee of $2,500.00 + $50.00 per unit/acre together with an escrow fee of $15,000.00 + $200.00 per unit/acre to the Township equivalent for the estimated costs of the Township Engineer to review the Preliminary Plan and provide a report. All funds billed by the Township Engineer shall be deducted from the escrow fee, and any unused funds as of the completion of the Preliminary/Final Plan or Final Plan review may, at the Applicant's option, be credited towards applicable fees associated with future submissions or returned to the Applicant upon written request. Applicant is required to pay any and all review fees incurred by the Township plus a 4% administrative charge.

**e.** All escrow accounts will be debited by all review fees incurred by the Township related to the application. The Township will further assess a 4% administrative fee on the actual amount of all incurred review fees. SEE ABOVE.

**f.** When the escrow account balance for a Land Development of less than 1 Acre falls to $2000.00 or below, and additional review fees are anticipated to be charged to the escrow account, the Applicant shall deposit an additional $5,000.00 to the escrow account. No additional reviews will occur unless and until the Applicant replenishes the account. Any monies remaining in the escrow account shall be refunded to the Applicant within thirty (30) days of a written request that the plan is withdrawn or evidence that a final plan has been recorded. No final plan suitable for recording shall be provided by the Township to the Applicant if any outstanding review fees have not been paid. The Township shall submit to the Applicant quarterly an itemized bill showing all work performed, identifying the person performing the services and the time and date spent for each task.

g. When the escrow account balance for a Land Development of more than 1 Acre falls to $5000.00 or below, and additional review fees are anticipated to be charged to the escrow account, the Applicant shall deposit an additional $10,000.00 + $100 per unit/per acre to the escrow account. No additional reviews will occur unless and until the Applicant replenishes the account. Any monies remaining in the escrow account shall be refunded to the Applicant within thirty (30) days of a written request that the plan is withdrawn or evidence that a final plan has been recorded. No final plan suitable for recording shall be provided by the Township to the Applicant if any outstanding review fees have not been paid. The Township shall submit to the Applicant quarterly an itemized bill showing all work performed, identifying the person performing the services and the time and date spent for each task.

**7.0 Minor Subdivision**

a. No Preliminary Plan application for a Minor Subdivision of 3 lots or less without an improvements agreement shall be accepted by the Township unless it is acccompanied by a non-refundable application fee of $1,000.00 together with an escrow fee of $10,000.00 to the Township equivalent for the estimated costs of the Township Engineer to review the Preliminary Plan and provide a report. All funds billed by theTownship Engineer shall be deducted from the escrow fee, and any unused funds upon completion of the Preliminary Plan review may, at the Applicant's option, be credited towards applicable fees associated with future submissions or returned to the Applicant upon written request. Applicant is required to pay any and all review fees incurred by the Township plus a 4% administrative charge.

b. No Preliminary/Final Plan or Final Plan application for a Minor Subdivision of 3 lots or less without an improvements agreement shall be accepted by the Township unless it is acccompanied by a non-refundable application fee of $1,500.00 together with an escrow fee of $10,000.00 to the Township equivalent for the estimated costs of the Township Engineer to review the Preliminary/Final Plan or Final Plan and provide a report. All funds billed by theTownship Engineer shall be deducted from the escrow fee, and any unused funds upon completion of the Preliminary/Final Plan or Final Plan review may, at the Applicant's option, be credited towards applicable fees associated with future submissions or returned to the Applicant upon written request. Applicant is required to pay any and all review fees incurred by the Township plus a 4% administrative charge.

c. No Preliminary/Final Plan or Final Plan application for a Minor Subdivision of 3 lots or less with an improvements agreement shall be accepted by the Township unless it is acccompanied by a non-refundable application fee of $2,000.00 together with an escrow fee of $10,000.00 to the Township equivalent for the estimated costs of the Township Engineer to review the Preliminary/Final Plan or Final Plan and provide a report. All funds billed by theTownship Engineer shall be deducted from the escrow fee, and any unused funds upon completion of the Preliminary/Final Plan or Final Plan review may, at the Applicant's option, be credited towards applicable fees associated with future submissions or returned to the Applicant upon written request. Applicant is required to pay any and all review fees incurred by the Township plus a 4% administrative charge.

**d.** All escrow accounts will be debited by all review fees incurred by the Township related to the application. The Township will further assess a 4% administrative fee on the actual amount of all incurred review fees. SEE ABOVE.

**e.** When the escrow account balance for a Minor Subdivision falls to $5,000.00 or below, and additional review fees are anticipated to be charged to the escrow account, the Applicant shall deposit an additional $5,000.00 to the escrow account. No additional reviews will occur unless and until the Applicant replenishes the account. Any monies remaining in the escrow account shall be refunded to the Applicant within thirty (30) days of a written request that the plan is withdrawn or evidence that a final plan has been recorded. No final plan suitable for recording shall be provided by the Township to the Applicant if any outstanding review fees have not been paid. The Township shall submit to the Applicant quarterly an itemized bill showing all work performed, identifying the person performing the services and the time and date spent for each task.

**8 Major Subdivision**

**a.**

No Preliminary Plan application for a Major Subdivision of Greater than three (3) lots without an improvements agreement shall be accepted by the Township unless it is acccompanied by a non-refundable application fee of $1,500.00 plus $50.00 per unit/lot together with an escrow fee of $10,000.00 plus $400 per Unit/lot to the Township, equivalent for the estimated costs of the Township Engineer to review the Preliminary Plan and provide a report. All funds billed by theTownship Engineer shall be deducted from the escrow fee, and any unused funds upon completion of the Preliminary Plan review may, at the Applicant's option, be credited towards applicable fees associated with future submissions or returned to the Applicant upon written request. Applicant is required to pay any and all review fees incurred by the Township plus a 4% administrative charge.

**b.** No Preliminary/Final Plan or Final Plan application for a Major Subdivision of Greater than three (3) lots without an improvements agreement shall be accepted by the Township unless it is acccompanied by a non-refundable application fee of $2,000.00 plus $50.00 per unit/lot together with an escrow fee of $15,000.00 plus $400.00 per unit/lot to the Township, equivalent for the estimated costs of the Township Engineer to review the Preliminary/Final Plan or Final Plan and provide a report. All funds billed by theTownship Engineer shall be deducted from the escrow fee, and any unused funds upon completion of the Preliminary/Final Plan or Final Plan review may, at the Applicant's option, be credited towards applicable fees associated with future submissions or returned to the Applicant upon written request. Applicant is required to pay any and all review fees incurred by the Township plus a 4% administrative charge.

**c.** No Preliminary/Final Plan or Final Plan application for a Major Subdivision of Greater than three (3) lots with an improvements agreement shall be accepted by the Township unless it is acccompanied by a non-refundable application fee of $3,000.00 plus $50.00 per unit/lot together with an escrow fee of $15,000.00 plus $400.00 per unit/lot to the Township, equivalent for the estimated costs of the Township Engineer to review the Preliminary/Final Plan or Final Plan and provide a report. All funds billed by theTownship Engineer shall be deducted from the escrow fee, and any unused funds upon completion of the Preliminary/Final Plan or Final Plan review may, at the Applicant's option, be credited towards applicable fees associated with future submissions or returned to the Applicant upon written request. Applicant is required to pay any and all review fees incurred by the Township plus a 4% administrative charge.

**d.** All escrow accounts will be debited by all review fees incurred by the Township related to the application. The Township will further assess a 4% administrative fee on the actual amount of all incurred review fees. SEE ABOVE.

**e.** When the escrow account balance for a Major Subdivision falls to $5,000.00 or below, and additional review fees are anticipated to be charged to the escrow account, the Applicant shall deposit an additional $10,000.00 to the escrow account. No additional reviews will occur unless and until the Applicant replenishes the account. Any monies remaining in the escrow account shall be refunded to the Applicant within thirty (30) days of a written request that the plan is withdrawn or evidence that a final plan has been recorded. No final plan suitable for recording shall be provided by the Township to the Applicant if any outstanding review fees have not been paid. The Township shall submit to the Applicant quarterly an itemized bill showing all work performed, identifying the person performing the services and the time and date spent for each task.

g. Major Subdivisions may require larger escrow deposits in accordance with the associated review fees. Major Subdivision Develpoers will be notified within 7 days of original submittal of Subdivision Plan if larger escrow fees are determined to be nessacary.

## Escrow Fees

| | Sketch Plan | Sketch Plan with Request for Township Engineers Review | Preliminary Plan | Preliminary/Final or Final Plan | Preliminary/Final or Final Plan with Improvements Agreement |
|---|---|---|---|---|---|
| Land Development area less than one acre in size | Not Applicable | $4,000.00 | $10,000.00 | $10,000.00 | $10,000.00 |
| Land Development area more than one acre in size | Not Applicable | $7,500.00 | $10,000.00 + $200.00 per unit/acre | $15,000.00 + $200.00 per unit/acre | $15,000.00 + $200.00 per unit/acre |
| Minor Subdivision | Not Applicable | $4,000.00 | $10,000.00 | $10,000.00 | $10,000.00 |
| Major Subdivision | Not Applicable | $7,500.00 | $10,000.00 + $400.00 per unit/lot | $15,000.00 + $400.00 per unit/lot | $15,000.00 + $400.00 per unit/lot |

That any resolution, or part of resolution, conflicting with this resolution be and the same is hereby repealed insofar as the same affects this resolution.

**ADOPTED** this 3rd day of January, 2017

**ATTEST:**

Secretary

**Upper Milford Township**
**Board of Supervisors**

Chairman

Vice Chairman

Supervisor