

MILFORD TOWNSHIP
SUBDIVISION ORDINANCE
ARTICLE III
PLAN PROCESSING PROCEDURES

301 General

All plans for the subdivision and/or development of land within the corporate limits of Milford Township shall be submitted to and reviewed by the Township Planning Commission and other Township, State and/or County Officials as provided in this Ordinance, and shall be approved or disapproved by the Governing Body in accordance with the procedures specified in this Article.

302 Sketch Plan.

302.1 Sketch Plans

Applicants are urged, but not required, to submit a sketch plan to the Planning Commission prior to the submission of a Preliminary Plan. The purpose of the Sketch Plan is to establish:

- A. The overall objectives of the applicant.
- B. The extent to which the proposed plan conforms with the provisions of this Ordinance.
- C. If the said plan shall qualify as a major or a minor subdivision and/or land development.

302.2 Non-formal Filing

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

302.3 Submission at Meeting

A Sketch Plan may be presented to the Planning Commission at any regularly scheduled meeting and the Commission may review and comment on said plan at such meeting.

302.4 Detailed Review

Applicants may request, by letter to the Planning Commission, a detailed review of a Sketch Plan by the Commission. In such cases eight (8) copies of the Sketch Plan and supporting documents shall be submitted to the Planning Commission

Secretary at least fifteen (15) days prior to the Planning Commission meeting at which the plan is to be discussed.

302.4.1 Sketch Plan Distribution - The Planning Commission Secretary shall distribute the plans and supporting documentation as follows.

- A. Two (2) copies to the Milford Township Board of Supervisors.
- B. One (1) copy to the Township Engineer.
- C. One (1) copy to the Township Zoning Officer.
- D. One (1) copy to any other such Engineer or Consultant as the Commission may designate.

302.4.22 Written Comments - Comments of the Township Engineer, Township Zoning Officer and other Township consultants shall be made in writing and submitted to the Planning Commission Secretary prior to the meeting at which the Sketch Plan will be discussed.

302.4.3 Review by the Township Planning Commission

When a Sketch Plan has been properly submitted for detailed review, the plan shall be reviewed and discussed by the Township Planning Commission at the next regularly scheduled meeting.

- A. During the review of the Sketch Plan, the Township Planning Commission shall consider the written reports of the Township Engineer, the Township Zoning Officer and other Consultants before making its comments.
- B. Within fifteen (15) days after the meeting at which the Sketch Plan is reviewed and discussed by the Township Planning Commission, the Commission shall send written comments concerning changes or modifications, if any, required or recommended, that it deems necessary or advisable, to the following:
 - 1. The Applicant or his agent.
 - 2. The Township Board of Supervisors.

303 Preliminary Plans for Major Subdivisions and Land Developments

All applications for major subdivisions and land developments shall be submitted to Milford Township and processed in accord with this Section 303.

303.1 Official Submission of Preliminary Plans

303.1.1 Plan to be Filed With the Township - Copies of the Preliminary Plan and all required supporting documentation shall be submitted to the Planning Commission Secretary by the Applicant or his authorized representative at least five (5) days prior to the Planning Commission meeting when the Applicant applies for the "Official Date of Preliminary Plan Submission".

303.1.2 Number of Copies to be Submitted - The official submission of the Preliminary Plan shall include the following:

- A. Eleven (11) completed copies of the subdivision and/or land development plan review application. Twelve (12) copies are required if a state road abuts or transverses the subdivision.
- B. Eleven (11) legible blue-line paper prints of the Preliminary Plan. Twelve (12) prints are required if a state road abuts or transverses the subdivision.
- C. Six (6) copies of the zoning compliance report.
- D. Six (6) copies of the sewage disposal report whenever soil test pits and/or soil percolation tests are required.
- E. Five (5) copies of all other required supporting data and information as required in Article VI of this Ordinance.

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

- A. Fees shall be charged in order to cover the costs of examining plans and other administrative expenses associated with the review of subdivisions and land developments.
- B. The applicant shall pay the fee at the time of application for review of the preliminary plan.

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

- A. The Secretary shall complete the plan submittal verification and shall notify the Applicant of any and all deficiencies or omissions in the submittal.
- B. If the submittal is complete the Secretary shall accept the said plans and documentation and forward a copy of the plan submittal verification to the Applicant.
- C. The plan submission verification shall only verify that the correct number of copies of all plans and documentation has been submitted and shall in no way be construed to be a plan submission receipt.

303.1.5 - Official Date of the Preliminary Plan Submission - The official date of the preliminary plan submission shall be determined as follows:

- A. At the first regularly scheduled meeting of the Planning Commission following the submission to the Planning Commission Secretary of the required number of copies of all documents for the preliminary plan submittal, the Planning Commission shall examine the submittal to determine that all documents are complete and in proper form.
 - 1. If the submittal is not complete or not in the proper form the Applicant shall be notified in writing of the deficiencies and the submittal shall be rejected until the said deficiencies are corrected then examined again at the next regularly scheduled or special meeting after the resubmittal.
 - 2. If the submittal is complete and acceptable the Chairman of the Planning Commission shall complete an official submission receipt listing the date of the said meeting as the official date of the preliminary plan submission and forward it to the Applicant.

303.1.6 Distribution of the Preliminary Plan - The Planning Commission Secretary shall, immediately after the official date of submission, refer the Preliminary Plan and applicable supporting documents, after all required fees have been collected, to the following who shall provide written comments and recommendations to the Planning Commission and the Board of Supervisors:

- A. The Pike County Planning Commission

- B. The Township Engineer
- C. The Township Zoning Officer
- D. The Township Solicitor
- E. The Township Sewage Enforcement Officer
- F. The Pike County Conservation District
- G. The PA Department of Transportation when applicable.
- H. Any other Engineer or Consultant designated by the Township.

303.2 Preliminary Plan Review and Action

303.2.1 Planning Commission Review and Action Period -

The Planning Commission shall review the properly submitted Preliminary Plan to determine compliance with this Ordinance and take action to reject, or recommend to the Board of Supervisors, denial, approval or approval with conditions and modifications of such plan as provided in this Section 303.2. The Planning Commission shall make its recommendation to the Board of Supervisors within forty-five (45) days of the "Official Date of the Preliminary Plan Submission" and communicate in writing such recommendation to the applicant within fifteen (15) days of when the decision was made. If approval is recommended, the signed and dated plans along with the sewage planning documentation shall be forwarded to the Board of Supervisors. If approval with conditions is recommended, the plans shall not be signed but such approval recommendation shall be communicated to the Board of Supervisors and the Applicant in writing along with a statement of the conditions. If denial is recommended, the specific reasons for such denial and date shall be communicated to the Board of Supervisors and the Applicant.

303.2.2 Board of Supervisors Review and Action Period -

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

303.2.3 Board of Supervisors Approval with Conditions - When a Preliminary Plan is approved with conditions, such conditions shall be expressly included in the minutes of the Board of Supervisors meeting at which the Preliminary Plan is considered and communicated in writing to the applicant as provided in Section 303.2.2. When a preliminary plan has been approved subject to any conditions and/or modifications and the Applicant does not agree and accept the said conditions and/or modifications the said conditional approval of the preliminary plan shall become an automatic disapproval and the said plan shall be resubmitted as required by Section 303 of this Ordinance, including a new filing fee.

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

303.3 Reviewing Agency and Officials Comments

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

303.4 Pike County Planning Commission Comments

No official action shall be taken by the Board of Supervisors until the Township has received and considered the comments of the Pike County Planning Commission or after forty-five (45) days following transmittal of the Preliminary Plan to the County Planning Commission.

303.5 Sewage Planning Modules

The Board of Supervisors shall concurrently make its decision on the Planning Module for Land Development to amend the Township's Official Sewage Facilities Plan and if approval is granted the completed sewage planning documents shall be forwarded to the Pennsylvania Department of Environmental Resources. Preliminary Plan approval shall be conditional upon Department of Environmental Resources sewage planning approval.

303.6 Public Hearing

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

304 Final Plans for Major Subdivisions and Land Developments

All final plans for major subdivisions and land developments shall be submitted and processed in accord with this Section 304.

304.1 Final Plan Application

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

- A. The subdivision or land development has previously been granted an unconditional Preliminary Plan approval in accord with Section 303 of this Ordinance or all conditions established by the Board of Supervisors for the Preliminary Plan approval have been fulfilled by the Applicant.
- B. All improvements shown on the Preliminary Plan have been completed or guaranteed in accord with Article V of this Ordinance.

304.2 Final Plan Conformation

The Final Plan shall conform in all principal respects to the previously approved Preliminary Plan. The Township shall determine whether a modified Final Plan shall be accepted or whether a new Preliminary Plan shall be submitted pursuant to Section 303.

304.3 Sections

Final Plans may be submitted in sections, each covering a portion of the entire proposed subdivision and/or land development as shown on the Preliminary Plan.

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

304.4 Official Submission of Final Plans

304.4.1 Plan to be Filed With the Township - Copies of the Final Plan and all required supporting documentation shall be submitted to the Planning Commission Secretary by the Subdivider or his authorized representative at least five (5) days prior to the Planning Commission meeting when the Applicant applies for the "Official Date of Final Plan Submission".

304.4.2 Number of Copies to be Submitted - The official submission of the Final Plan shall include the following:

- A. Eleven (11) completed copies of the subdivision and/or land development plan review application. Twelve (12) copies are required if a state road abuts or transverses the subdivision.
- B. Eleven (11) legible blue-line paper prints of the Final Plan. Twelve (12) prints are required if a state road abuts or transverses the subdivision.
 - 1. Following recommendation for approval by the Planning Commission and when all corrections have been made to the Final Plan, four (4) blue-line prints and two (2) prints on "mylar" or similar reproducible material, shall be submitted for final signature.
- C. Six (6) copies of the zoning compliance report.
- D. Six (6) copies of the subdivision sewage disposal report whenever soil test pits and/or soil percolation tests are required.
- E. Five (5) copies of all other required supporting data and information as required in Article VI of this Ordinance.

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

- A. Fees shall be charged in order to cover the costs of examining plans and other administrative expenses associated with the review of subdivisions and land developments.

- B. The applicant shall pay the fee at the time of application for review of the Final Plan.

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

- A. The Secretary shall complete the plan submittal verification and shall notify the Applicant of any and all deficiencies or omissions in the submittal.
- B. If the submittal is complete the Secretary shall accept the said plans and documentation and forward a copy of the plan submittal verification to the Applicant.
- C. The plan submission verification shall only verify that the correct number of copies of all plans and documentation has been submitted and shall in no way be construed to be a plan submission receipt.

304.4.5 - Official Date of the Final Plan Submission - The official date of the final plan submission shall be determined as follows:

- A. At the first regularly scheduled meeting of the Planning Commission following the submission to the Planning Commission Secretary of the required number of copies of all documents for the final plan submittal, the Planning Commission shall examine the submittal to determine that all documents are complete and in proper form.
1. If the submittal is not complete or not in the proper form the Applicant shall be notified in writing of the deficiencies and the submittal shall be rejected until the said deficiencies are corrected then examined again at the next regularly scheduled or special meeting after the resubmittal.
 2. If the submittal is complete and acceptable the Chairman of the Planning Commission shall complete an official submission receipt listing the date of the said meeting as the official date of the final plan submission and forward it to the Applicant.

304.4.6 Distribution of the Final Plan - The Planning Commission Secretary shall, immediately after the

official date of submission, refer the final plan and supporting documents, after all required fees have been collected, to the following who shall provide written comments and recommendations to the Planning Commission and the Board of Supervisors:

- A. The Pike County Planning Commission
- B. The Township Engineer
- C. The Township Zoning Officer
- D. The Township Solicitor
- E. The Township Sewage Enforcement Officer
- F. The Pike County Conservation District
- G. The PA Department of Transportation when applicable.
- H. Any other Engineer or Consultant designated by the Township.

304.5 Final Plan Review and Action

304.5.1 Planning Commission Review and Action Period - The Planning Commission shall review the properly submitted Final Plan to determine compliance with this Ordinance and take action to reject, or recommend to the Board of Supervisors, denial, approval or approval with conditions and modifications of such plan as provided in this Section 304.5. The Planning Commission shall make its recommendation to the Board of Supervisors within forty-five (45) days of the "Official Date of the Final Plan Submission" and communicate in writing such recommendations to the Applicant within fifteen (15) days of when the decision was made. If approval is recommended, the signed and dated plans shall be forwarded to the Board of Supervisors. If approval with conditions is recommended, the plans shall not be signed but such approval recommendation shall be communicated to the Board of Supervisors and the Applicant in writing along with a statement of the conditions. If denial is recommended, the specific reasons for such denial and date shall be communicated to the Board of Supervisors and the Applicant.

304.5.2 Board of Supervisors Review and Action Period - Upon the receipt of the Planning Commission's recommendation, the Board of Supervisors shall make its decision regarding the Final Plan and communicate in writing such decision to the Applicant within fifteen

(15) days of when the decision is made. However, in no case shall the period for Township review and action, including written communication to the Applicant, exceed ninety (90) days from the "Official Date of the Final Plan Submission" as established pursuant to Section 304.5.

304.5.3 Board of Supervisors Approval with Conditions - When a Final Plan is approved with conditions, such conditions shall be expressly included in the minutes of the Board of Supervisors meeting at which the Final Plan is considered and communicated in writing to the applicant as provided in Section 304.5.2. When a Final Plan has been approved subject to any conditions and/or modifications and the Applicant does not agree and accept the said conditions and/or modifications the said conditional approval of the Final Plan shall become an automatic disapproval and the said plan shall be resubmitted as required by Section 304 of this Ordinance, including a new filing fee.

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

304.6 Reviewing Agency and Officials Comments

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

304.7 Pike County Planning Commission Comments

No official action shall be taken by the Board of Supervisors until the Township has received and considered the comments of the Pike County Planning Commission or after forty-five (45) days following transmittal of the Final Plan to the County Planning Commission.

304.8 Public Hearing

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

304.9 Planned Improvements

The Board of Supervisors shall not endorse the Final Plan until such time as all the improvements shown on the Final Plan have been installed and certified by the Township Engineer or a performance guarantee has been provided by the Applicant pursuant to Article V of this Ordinance.

304.10 Signature of Final Plan

When all requirements and conditions have been fulfilled by the Applicant and all supplemental data and documents have been submitted and approved, the Board of Supervisors shall endorse the Final Plan for recording purposes. The Board of Supervisors shall retain one endorsed mylar and one endorsed print, and one endorsed print shall be forwarded to the Township Planning Commission.

304.11 Recording of the Final Plan

The Subdivider shall file the final record plan with the Pike County Recorder of Deeds within ninety (90) days of the date of endorsement by the Township Supervisors. The Recorder's certificate of receipt that the approved and endorsed final record plan has indeed been recorded with the plat book and page numbers indicated shall be submitted to the Township by the Subdivider immediately after recording. If the Subdivider fails to record the final record plan in the Recorder's office and send the said receipt certificate to the Township within the required ninety (90) day period, the action of the Township Supervisors shall be deemed null and void and a resubmission of the plan shall be made to the Board of Supervisors.

305 Minor Subdivisions

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

305.1 Official Submission of Minor Subdivision Plans

305.1.1 Minor Subdivision Plans may be submitted to the Planning Commission Secretary prior to or at any regularly scheduled Planning Commission meeting by the Applicant or his authorized representative.

305.1.2 Number of Copies to be Submitted - The official submission of the Minor Subdivision Plan shall include the following:

- A. Eleven (11) completed copies of the minor subdivision plan review application. Twelve (12) copies are required if a State road abuts or transverses the subdivision.
- B. Eleven (11) legible blue line prints of the Minor Subdivision Plan. Twelve (12) copies are required if a State road abuts or transverses the subdivision.
 - 1. Following recommendation for approval by the Planning Commission and when all corrections have been made to the Minor Subdivision Plan, four (4) blue-line prints and two (2) prints on "mylar" or similar reproducible material, shall be submitted for final signature.
- C. Two (2) copies of the Zoning compliance report.
- D. Two (2) copies of the sewage disposal report.
- E. Four (4) copies of all other required supporting data and documentation as required in Article IV of this Ordinance.

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

- A. Fees shall be charged in order to cover the costs of examining plans and other administrative expenses associated with the review of minor subdivisions.
- B. The applicant shall pay the fee at the time of application for review of the Minor Subdivision Plan.

305.1.4 Official Date of the Minor Subdivision Submission - The official date of the Minor Subdivision Plan submission shall be determined as follows:

- A. The Planning Commission shall examine the Minor Subdivision submittal to determine that all documents are complete and in proper form.
 - 1. If the submittal is not complete or not in the proper form the Applicant shall be notified in writing of the deficiencies and the submittal shall be rejected until the said deficiencies are corrected then examined again at the next

regularly scheduled or special meeting after the resubmittal.

2. If the submittal is complete and acceptable the Chairman of the Planning Commission shall complete an official submission receipt listing the date of the said meeting as the official date of the Minor Subdivision Plan submission and forward it to the Applicant.

305.1.5 Distribution of the Minor Subdivision Plan

- A. The Pike County Planning Commission
- B. The Township Engineer
- C. The Township Zoning Officer
- D. The Township Solicitor
- E. The Township Sewage Enforcement Officer
- F. The Pike County Conservation District
- G. The PA Department of Transportation when applicable.
- H. Any other Engineer or Consultant designated by the Township.

305.2 Minor Subdivision Plan Review and Action

305.2.1 Planning Commission Review and Action Period -
The Planning Commission may make its decision at the meeting when the Minor Subdivisions Plans are submitted and found to be complete; or at its discretion, make its decision at a subsequent meeting so that the comments provided pursuant to Section 305.1.5 may be considered. In any case, the Planning Commission shall make its recommendation to the Board of Supervisors within forty-five (45) days of the "Official Date of the Minor Subdivision Plan Submission" and communicate in writing such recommendation to the Applicant within fifteen (15) days of when the decision was made. If approval is recommended, the signed and dated plans along with the sewage planning documentation shall be forwarded to the Board of Supervisors. If approval with conditions is recommended, the plans shall not be signed but such approval recommendation shall be communicated to the Board of Supervisors and the Applicant in writing along with a statement of the conditions. If denial is recommended, the specific reasons for such denial and

date shall be communicated to the Board of Supervisors and the Applicant.

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

305.2.3 Board of Supervisors Approval with Conditions - When a Minor Subdivision Plan is approved with conditions, such conditions shall be expressly included in the minutes of the Board of Supervisors meeting at which the Minor Subdivision Plan is considered and communicated in writing to the applicant as provided in Section 305.2.2. When a Minor Subdivision Plan has been approved subject to any conditions and/or modifications and the Applicant does not agree and accept the said conditions and/or modifications the said conditional approval of the Minor Subdivision Plan shall become an automatic disapproval and the said plan shall be resubmitted as required by Section 305 of this Ordinance, including a new filing fee.

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

305.3 Reviewing Agency and Officials Comments

The Board of Supervisors shall consider the comments and the recommendations pursuant to Section 305.1.4 and may request such additional information as deemed necessary.

305.4 Pike County Planning Commission Comments

No official action shall be taken by the Board of Supervisors until the Township has received and considered the comments of the Pike County Planning Commission or after forty-five (45) days following transmittal of the Minor Subdivision Plan to the County Planning Commission.

305.5 Sewage Planning Modules

The Board of Supervisors shall concurrently make its decision on the Planning Module for Land Development to amend the Township's Official Sewage Facilities Plan and if approval is granted the completed sewage planning documents shall be forwarded to the Pennsylvania Department of Environmental Resources. Minor Subdivision Plan approval shall be conditional upon Department of Environmental Resources sewage planning approval.

305.6 Public Hearing

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

305.7 Signature of Minor Subdivision Plan

When all requirements and conditions have been fulfilled by the Applicant and all supplemental data and documents have been submitted and approved, the Board of Supervisors shall endorse the Minor Subdivision Plan for recording purposes. The Board of Supervisors shall retain one endorsed mylar and one endorsed print, and one endorsed print shall be forwarded to the Township Planning Commission.

305.8 Recording of the Minor Subdivision Plan

The Subdivider shall file the Minor Subdivision record plan with the Pike County Recorder of Deeds within ninety (90) days of the date of endorsement by the Township Supervisors. The Recorder's certificate of receipt that the approved and endorsed Minor Subdivision record plan has indeed been recorded with the plat book and page numbers indicated shall be submitted to the Township by the Subdivider immediately after recording. If the Subdivider fails to record the Minor Subdivision record plan in the Recorder's office and send the said receipt certificate to the Township within the required ninety (90) day period, the action of the Township Supervisors shall be deemed null and void and a resubmission of the plan shall be made to the Board of Supervisors.

306 Lot Improvement Subdivisions

Lot improvement subdivisions shall be processed in the manner set forth in Section 304 of this Ordinance for Minor Subdivisions, however, sewage planning modules shall not be required.

