

BLOOMING GROVE TOWNSHIP

MAJOR SUBDIVISION/LAND DEVELOPMENT SUMMARY

- A. **Definition of a Major Subdivision.** (Article II, § 204, Blooming Grove Township Subdivision and Land Development Ordinance of 1992 (“SALDO”))

-The division or redivision of a lot, tract or parcel of land by any means into two (2) or more lots, tracts, parcels or other divisions of land, including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership of buildings or lot development, and:

Creating more than ten (10) lots; *or*, requiring the construction or extension of any streets or municipal facilities; *or*, creating public or private community facilities such as, but not limited to, storm water controls, a central water supply and/or central sewage disposal system.

- B. **Definition of a Land Development.** (Article II, § 204, SALDO)

-(1) A subdivision of land; or (2) The improvement of one (1) lot or two (2) or more contiguous lots, tracts or parcels of land for any purpose involving:

- (a) A group of two (2) or more residential or non-residential buildings, whether proposed initially or cumulatively, or a single non-residential building on a lot or lots, regardless of the number of occupants or tenure; or
- (b) The division or allocation of land or space, whether proposed initially or cumulatively, between or among two (2) or more existing or prospective occupants by means of, or for the purpose of, streets, common areas, leaseholds, condominiums, building groups or other features.

*A Land Development does *not* include the conversion of an existing single-family detached dwelling or a single family semi-detached dwelling into not more than three (3) residential units, unless such units are intended to be a condominium; *or* the addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building.

C. **General Procedure.** (Article III, §§ 301.1, 303, SALDO)

1. The owner, or his or her representative, (the "Applicant") may submit a Sketch Plan for informal or detailed review and comment by the Blooming Grove Township Planning Commission (the "PC"). This step is optional, and is not required by the SALDO. See § 302 on Sketch Plans for more details.

2. The Applicant submits a Preliminary Plan, all required supporting documents and the applicable filing fee to the PC Secretary. The Secretary checks only to see if the submission includes the required number of copies of all of the documents. The Secretary then sends out a Plan Submittal Verification (the "Verification") to the Applicant either accepting the submission as complete or advising the Applicant of any deficiencies or omissions. The date of this Verification is the "Submittal Date." (§ 303.1.4)

3. The Applicant must submit the following documents: (§§ 301.2, 303.1.2, 303.1.3)

- (a) Evidence of ownership of the property;
- (b) A notarized statement by the owner identifying his or her representatives and certifying their authority to act on the owner's behalf;
- (c) Eleven (11) copies of the Major Subdivision/Land Development Plan Review Application;
- (d) Eleven (11) copies of the Preliminary Plan (See § 402 for Plan Requirements);
- (e) Six (6) copies of the Zoning Compliance Report;
- (f) Six (6) copies of the Sewage Planning Module;
- (g) Five (5) copies of all other supporting data/ documents required under Article VI of the SALDO, if any; and
- (h) The applicable filing fee.

4. The Secretary distributes the submission (the "Preliminary Plan") to the following agencies/individuals for review and comment: (§ 303.1.6)

- (a) Pike County Planning Commission;
- (b) Township Engineer;
- (c) Township Zoning Officer;
- (d) Township Solicitor;
- (e) Township Sewage Enforcement Officer ("SEO");
- (f) Pike County Conservation District; and

- (g) Any other Engineer, consultant or agency designated by the Township.

The SALDO actually requires the PC to send the Plan out; however, due to time constraints, it is more practical for the Secretary to send the Plan out as soon as possible after the Submittal Date. (§ 303.1.6)

5. The Secretary places the project on the agenda for the next PC meeting; however, a Plan must be received at least ten (10) days prior to the PC meeting for it to be reviewed at that month's meeting. (§ 303.1.1)

6. The PC reviews the Plan at a public meeting to ensure its completeness and that all submitted documents are in the proper form. If the PC finds that the Plan is technically complete, it must provide the Applicant with a written receipt listing the date of that meeting as the "Official Date of Plan Submission." This is the date from which the ninety (90) day review period runs (with one exception listed below). (§ 303.1.5)

7. If the Plan is incomplete, the PC can reject it, but the PC must provide the Applicant with a written list of the deficiencies and/or omissions. (§ 303.1.5)

8. Generally, the Official Date of Plan Submission will be the date of the first PC meeting following the Submittal Date. However, if the next PC meeting is scheduled more than thirty (30) days from the Submittal Date, then the ninety (90) day review period begins to run on the thirtieth (30th) day *after* the Submittal Date—and that date—not the date of the next PC meeting—becomes the Official Date of Plan Submission. (§ 303.1.5)

9. The PC may make its recommendation on the Plan at the initial meeting (i.e., the Official Date of Plan Submission) or at a subsequent public meeting. The PC's recommendation may be for approval of the Plan, approval with conditions, or denial. The PC must communicate its recommendation in writing to the Blooming Grove Township Board of Supervisors (the "BOS") and the Applicant within fifteen (15) days of its recommendation. All conditions or reasons for denial must be set forth in this written recommendation. (§ 303.2.1)

10. The Secretary places the project on the agenda for the next BOS meeting. At its option, the BOS can either hold a public hearing (with advertised notice) or simply review the Plan at its next meeting. (§ 303.7)

11. The decision by the BOS must be made at a public meeting, and must be communicated in writing to the Applicant within fifteen (15) days of the date of that decision, and in no event more than ninety (90) days from the Official Date of Plan Submission. (§ 303.2.2) No official action shall be taken by the BOS until the Board has received and considered the comments of the Pike County Planning Commission, or until after thirty (30) days following transmittal of the Plan to the Pike County Planning Commission. (§ 303.4)

12. The decision by the BOS may be for approval of the Plan, approval with conditions, or denial. If approval is conditional, all conditions imposed by the BOS must be set forth in its written decision. If the Applicant does not consent to these conditions in writing within fifteen (15) of receipt of the BOS's decision, the Plan is deemed denied. (§ 303.2.3) If the Plan is denied, the reasons for the denial, including the relevant Ordinance or statutory provisions, must be stated in the written decision. (§ 303.2.4)

13. The BOS may grant a waiver of or a modification to the requirements of the SALDO upon a showing by the Applicant that literal compliance with the Ordinance is unreasonable under the circumstances; that compliance will cause undue hardship as it applies to that particular property; *or* that an alternative proposal will provide equal or better results. Requests for waivers and/or modifications must be in writing. (§§ 902.1, 902.3) *See* § 902 on Waivers/Modifications for more details.

14. Upon approval, the Sewage Planning Module is forwarded to the Pennsylvania Department of Environmental Protection ("DEP"). All Plan approvals are conditioned upon approval by DEP of the Sewage Planning Module and obtaining a Highway Occupancy Permit from the Pennsylvania Department of Transportation (PennDOT), if applicable. (§§ 303.5, 303.6)

15. If the Preliminary Plan is approved, the Applicant must either complete the construction of all of the proposed improvements *or* post a guarantee for their completion. (*See* Article V, SALDO, for more detail)

16. Upon the Applicant's satisfaction of any and all conditions for the Preliminary Plan *and* the Applicant's completion of construction of all of the proposed improvements *or* the posting of the guarantee as required in Article V of the SALDO, the Applicant must then submit a Final Plan, all required supporting documents and the applicable filing fee to the PC Secretary. The Secretary checks only to see if the submission includes the required number of copies of all of the documents. The Secretary then sends out a Plan Submittal Verification (the "Verification") to the Applicant either accepting the submission

as complete or advising the Applicant of any deficiencies or omissions. The date of this Verification is the "Submittal Date." (§§ 304.1, 304.4.1, 304.4.4)

17. The Final Plan must conform to the previously approved Preliminary Plan. (§ 304.2) Final Plans may be submitted in sections – with each section covering a portion of the entire proposed Major Subdivision or Land Development. See § 304.3 for more details and requirements.

18. The Applicant must submit the following documents: (§§ 301.2, 304.4.1, 304.4.2, 304.4.3)

- (a) Evidence of ownership of the property;
- (b) A notarized statement by the owner identifying his or her representatives and certifying their authority to act on the owner's behalf;
- (c) Eleven (11) copies of the Major Subdivision/Land Development Plan Review Application;
- (d) Eleven (11) copies of the Final Plan (See § 403 for Plan Requirements) – When the Final Plan is ready for approval (after all corrections) – at least five (5) copies and one (1) mylar shall be submitted for signature;
- (e) Six (6) copies of the Zoning Compliance Report;
- (f) Six (6) copies of all required approvals and/or permits from DEP for sewage disposal;
- (g) Five (5) copies of all other supporting data/ documents required under Article VI of the SALDO, if any; and
- (h) The applicable filing fee.

19. The Secretary distributes the submission (the "Preliminary Plan") to the following agencies/individuals for review and comment: (§ 304.4.6)

- (a) Pike County Planning Commission;
- (b) Township Engineer;
- (c) Township Zoning Officer;
- (d) Township Solicitor;
- (e) Township Sewage Enforcement Officer ("SEO");
- (f) Pike County Conservation District; and
- (g) Any other Engineer, consultant or agency designated by the Township.

The SALDO actually requires the PC to send the Plan out; however, due to time constraints, it is more practical for the Secretary to send the Plan out as soon as possible after the Submittal Date. (§ 304.4.6)

20. The Secretary places the project on the agenda for the next PC meeting; however, a Plan must be received at least ten (10) days prior to the PC meeting for it to be reviewed at that month's meeting. (§ 304.4.1)

21. The PC reviews the Plan at a public meeting to ensure its completeness and that all submitted documents are in the proper form. If the PC finds that the Plan is technically complete, it must provide the Applicant with a written receipt listing the date of that meeting as the "Official Date of Plan Submission." This is the date from which the ninety (90) day review period runs (with one exception listed below). (§ 304.4.5)

22. If the Plan is incomplete, the PC can reject it, but the PC must provide the Applicant with a written list of the deficiencies and/or omissions. (§ 304.4.5)

23. Generally, the Official Date of Plan Submission will be the date of the first PC meeting following the Submittal Date. However, if the next PC meeting is scheduled more than thirty (30) days from the Submittal Date, then the ninety (90) day review period begins to run on the thirtieth (30th) day *after* the Submittal Date—and that date—not the date of the next PC meeting—becomes the Official Date of Plan Submission. (§ 304.4.5)

24. The PC may make its recommendation on the Plan at the initial meeting (i.e., the Official Date of Plan Submission) or at a subsequent public meeting. The PC's recommendation may be for approval of the Plan, approval with conditions, or denial. The PC must communicate its recommendation in writing to the Blooming Grove Township Board of Supervisors (the "BOS") and the Applicant within fifteen (15) days of its recommendation. All conditions or reasons for denial must be set forth in this written recommendation. (§ 304.5.1)

25. The Secretary places the project on the agenda for the next BOS meeting. At its option, the BOS can either hold a public hearing (with advertised notice) or simply review the Plan at its next meeting. (§ 304.8)

26. The decision by the BOS must be made at a public meeting, and must be communicated in writing to the Applicant within fifteen (15) days of the date of that decision, and in no event more than ninety (90) days from the Official Date of Plan Submission. (§ 304.5.2) No official action shall be taken by the BOS until the Board has received and considered the comments of the Pike County Planning Commission, or until after thirty (30) days following transmittal of the Plan to the Pike County Planning Commission. (§ 304.7)

27. The decision by the BOS may be for approval of the Plan, approval with conditions, or denial. If approval is conditional, all conditions imposed by the BOS must be set forth in its written decision. If the Applicant does not consent to these conditions in writing within fifteen (15) of receipt of the BOS's decision, the Plan is deemed denied. (§ 304.5.3) If the Plan is denied, the reasons for the denial, including the relevant Ordinance or statutory provisions, must be stated in the written decision. (§ 304.5.4)

28. The BOS may grant a waiver of or a modification to the requirements of the SALDO upon a showing by the Applicant that literal compliance with the Ordinance is unreasonable under the circumstances; that compliance will cause undue hardship as it applies to that particular property; *or* that an alternative proposal will provide equal or better results. Requests for waivers and/or modifications must be in writing. (§§ 902.1, 902.3) *See* § 902 on Waivers/Modifications for more details.

29. The BOS shall not approve or sign the Final Plan until all of the improvements shown on the Final Plan have been installed by the Applicant and have been certified as complete by the Township Engineer, *or* a Performance Guarantee has been provided by the Applicant in accordance with Article V of the SALDO. (§ 304.9)

30. When all of the requirements of the SALDO and any conditions on final approval have been fulfilled by the Applicant, the BOS will then sign the Final Plan and retain one (1) copy for the BOS and one (1) copy for the PC. (§304.10) The Applicant must record the approved Final Plan in the Pike County Recorder of Deeds Office within ninety (90) days of signature by the BOS; otherwise, the Plan is void. (§ 304.11)