

ARTICLE 4

PRELIMINARY PLAN SUBMISSION PROCEDURES AND REQUIREMENTS

400 PRELIMINARY PLAN SUBMISSION

- 401 Preliminary Plans, and all required supplementary data, for all proposed subdivisions and land developments shall be submitted to the Township.
- 402 Official submission of a Preliminary Plan to the Township Planning Commission shall comprise the following:
- 402.1 Submission of one (1) copy of a completed Preliminary Subdivision or Land Development Application.
 - 402.2 Submission of seventeen (17) sets of paper prints of the Preliminary Plan, which shall fully comply with provisions of this ordinance as set forth in Section 420.
 - 402.3 Submission of five (5) copies of all required supplemental information as set forth in Section 425.
 - 402.4 The Applicant shall also submit two (2) reduced copies 8 1/2" x 14" size) of the Preliminary Layout Plan to the Township. The Township shall provide one (1) copy of the reduced plan to the Township Solicitor and retain one (1) copy for the Township records.
 - 402.5 The Applicant, upon filing his plan shall prepare a list of all property owners located within two hundred (200) feet of the subdivision/land development. Applicant shall mail the notification contained in Appendix "E" of this SALDO to all property owners within 200 feet of any new lots created by the subdivision or within 200 feet of any improvements proposed on the land development plan. Property owners within 200 feet of a residual tract shown on the subdivision plan, larger than two acres in size, need not be notified.

Notifications to such property owners must be mailed by certified mail, return receipt no later than twenty-one (21) days before the date of the Planning Commission meeting at which the subdivision/land development is to be considered for the first time.

Applicant must furnish the Township with a copy of the list of all property owners to whom notifications should be mailed prior or simultaneously with submission. Proof of mailing should be provided by supplying copies of the postmarked Certified Mail Receipts.

The Applicant shall provide the Township with the proofs of notification a minimum of three (3) days prior to the Planning Commission meeting at which the subdivision/land development is to be considered.

- 402.6 All plans submitted to the Township must be folded, where possible, unless the plan is of such size that makes folding impractical, i.e. extra large sheets or sets over 10 pages.

402.7 Two (2) compact discs containing the copies of the Preliminary Subdivision and Land Development drawings, in a format suitable to Lower Nazareth Township.

403 The Township shall distribute the plans and other material as follows:

403.1 Five (5) sets of the plans and one (1) set of supplemental information to the Township Planning Commission, five (5) sets of the plans to the Board of Supervisors, one (1) set of plans and one (1) set of supplemental information to the Township Manager, two (2) sets of the plans and two (2) sets of supplemental information to the Township Engineer, one (1) set of plans to the Township Parks and Recreation Commission, one (1) set of plans to the Environmental Advisory Board, and one (1) set of plans to Hecktown Volunteer Fire Department.

403.2 The Township shall retain one (1) set of the plans and one (1) set of the supplemental material.

403.3 Additional prints of the preliminary plan shall be submitted by the developer to the Township for distribution to the respective agencies in each of the following circumstances:

403.31 Whenever a proposed subdivision or land development is located adjacent to another municipality, one (1) print of the Preliminary Plan shall be submitted for each additional or adjacent municipality to the respective municipalities.

404 The applicant shall submit one (1) set of plans, all supplemental material relevant to said agency, and required fees to the following agencies:

Lehigh Valley Planning Commission. If a review of conformity to an Act 167 stormwater management plan is required, the number of plans and calculations should be increased to two (2).

Easton Suburban Water Authority (where applicable)

The governing Sanitary Sewer Authority (where public sanitary sewer service is proposed)

Northampton County Soil Conservation District

PennDOT (whenever the property being subdivided abuts a state road).

U.S. Army Corps of Engineers (whenever the site analysis maps required by Section 425.1 indicate the presence of hydric soils or wetlands on the property).

Pennsylvania Department of Environmental Protection (whenever the site analysis maps required by Section 425.1 indicate the presence of hydric soils or wetlands on the property).

405 Official submission of a Preliminary Plan to the Township Board of Supervisors shall comprise the following:

405.1 Submission of a cover letter stating request and date the applicant wishes to be heard;

- 405.2 Submission of ten (10) sets of paper prints of the Preliminary Plan, which shall fully comply with provisions of this ordinance as set forth in Section 420.
- 405.3 Submission of five (5) copies of all required supplemental information as set forth in Section 425.
- 405.4 The Applicant shall also submit two (2) reduced copies (8 1/2" x 14" size) of the Preliminary Layout Plan to the Township. The Township shall provide one (1) copy of the reduced plan to the Township Solicitor and retain one (1) copy for the Township records.
- 405.5 All plans submitted to the Township must be folded, where possible, unless the plan is of such size that makes folding impractical, i.e. extra large sheets or sets over 10 pages.
- 406 The Township shall distribute the plans and other material as follows:
 - 406.1 Five (5) sets of the plans to the Board of Supervisors, one (1) set of plans and one (1) set of supplemental information to the Township Manager; one (1) set of plans and one (1) set of supplemental information to the Township Solicitor; two (2) sets of the plans and two (2) sets of supplemental information to the Township Engineer.
 - 406.2 The Township shall retain one (1) set of the plans and one (1) set of the supplemental material.

410 REVIEW OF PRELIMINARY PLAN

- 411 By the Township Planning Commission.
 - 411.1 When a Preliminary Plan has been submitted to the Township, such plan shall be placed on the agenda of the Planning Commission for review at a meeting to be held within sixty (60) days of the submission, provided that such submission has occurred no less than twenty-one (21) days (not counting the meeting day) prior to such meeting (if the 21st day falls on a holiday, it would be the next business day). The Planning Commission may hold a Public Hearing on the Preliminary Plan at this time. All submissions must be made by 11:00 a.m. of the cutoff date, no exceptions, complete with all supplemental information and required fees. Submissions without the required information will be considered incomplete and not eligible for placement on the agenda until the information is submitted. Submission does not guarantee a spot on the agenda.
 - 411.2 The Planning Commission shall review the Preliminary Plan to determine its conformance with the standards contained in this ordinance and other applicable municipal ordinances, and shall recommend such changes and modifications as it deems necessary.
 - 411.3 No action shall be taken by the Township Planning Commission with respect to a Preliminary Plan until it has received and considered the written report of the Lehigh Valley Planning Commission provided, however, that if the Lehigh Valley Planning Commission shall fail to report thereon within thirty (30) days after receipt of a Preliminary Plan, then the Township Planning Commission may officially act without having received and considered such report.

411.4 Within sixty (60) days after the first meeting following the submission of the Preliminary Plan, providing that such submission has occurred no less than twenty-one (21) days prior to such meeting, the Planning Commission shall recommend to the Board of Supervisors, in writing, that the Preliminary Plan be approved or disapproved together with the documented findings upon which the recommendations are based.

412 By the Board of Supervisors.

412.1 Within ninety (90) days following the date of the regular meeting of the Planning Commission, at the next meeting following the date of the application (unless the next meeting does not fall in a thirty (30) day period following the date of the application in which case the ninety (90) day period commences on the thirtieth (30th) day following the date of the application), and a complete Preliminary Plan package has been submitted to the Township, the Board of Supervisors shall, in accordance with the provisions of relevant ordinances and considering the recommendations of the Planning Commission, take action by approving or disapproving the Preliminary Plan. This time period may be extended by action of the Board of Supervisors or the Planning Commission upon the receipt of a written request for an extension of time from the applicant. The Board of Supervisors shall document the findings upon which that action is based, and communicate them to the applicant within fifteen (15) days from the date that the decision has been made. This communication shall occur within the period provided for a decision in the first sentence of this section. The decision and findings shall be communicated to:

412.2a the applicant;

412.2b the Township Planning Commission;

412.2c the Township Solicitor;

412.2d the Township Engineer.

412.2 All submissions must be made by 11:00 a.m. of the cutoff date, no exceptions, no less than fifteen (15) days (not counting the meeting day) prior to the meeting, complete with all supplemental information. Submissions without the required information will be considered incomplete and not eligible for placement on the agenda until the information is submitted. Submission does not guarantee a spot on the agenda.

420 PRELIMINARY PLAN REQUIREMENTS

421 The Preliminary Plan of a proposed subdivision shall be clearly and legibly drawn to a minimum scale of one (1) inch equals fifty (50) feet.

422 The original drawing and all submitted prints shall be made on sheets having one of the following sets of dimensions:

422.1 Twenty-four (24) inches by thirty-six (36) inches;

422.2 Thirty (30) inches by forty-two (42) inches.

- 423 If the subdivision layout requires more than one (1) sheet or if the subdivision involves more than one (1) section or phase, a title sheet shall be provided. The title sheet shall include the road and lot layout plan at a minimum scale of one-inch equals two hundred (200) feet. The plan shall illustrate the boundaries of the areas covered on the different sheets, sections and phases. If the subdivision is for a section or phase of a subdivision, the relevant section or phases shall be differentiated in pattern from the remaining sections. The plan shall also indicate roads within two hundred (200) feet of the site and shall include an index of the plans.
- 424 The Preliminary Plan shall illustrate the following data:
- 424.1 Name and address of record owner; name of developer if different from owner; names of all adjoining subdivisions, if any, and the names of owners of all adjacent unplatted land, with the deed book reference, tax map, block and lot numbers where recorded.
 - 424.2 Name of the proposed subdivision; name of the municipality or municipalities within which subdivision is proposed; total tract boundaries of the property being subdivided, showing bearings and distances, a statement of total acreage of the property, and certified by a registered Professional Land Surveyor.
 - 424.3 Name, address, license number, and seal of registered engineer or land surveyor responsible for the subdivision plan; magnetic north point, graphic scale, and date including the month, day and year that the original drawing was completed, and the month, day and year that the original drawing was revised, for each revision.
 - 424.4 A key map, for the purpose of locating the property being subdivided, drawn at a scale not smaller than one (1) inch equals one thousand (1,000) feet and showing the relation of the property, differentiated by tone or pattern, to adjoining property and to all streets, streams, municipal boundaries, and recorded subdivision plans existing within two thousand (2,000) feet of any part of the property.
 - 424.5 Tax map, block, and lot numbers within the proposed subdivision tract; all existing streets, including streets of record (recorded, but not constructed), on or adjoining the tract, including names, right-of-way widths, cartway (pavement) widths, and approximate grades.
 - 424.6 All existing buildings or other structures within the proposed subdivision tract; all existing streets, and streets proposed in the Comprehensive Plan, including streets of record (recorded, but not constructed), on or adjoining the tract, including names; existing and future right-of-way widths, cartway (pavement) widths, and approximate grades.
 - 424.7 All existing sewer lines, water lines, fire hydrants, utility transmission lines, culverts, stormwater facilities, on-lot septic systems, wells, bridges, railroads, sidewalks, or other man-made features within the proposed subdivision tract and within two hundred (200) feet of the boundaries of the proposed subdivision tract; location, width, and purpose of existing easements and utility rights-of-way within two hundred (200) feet of the proposed subdivision tract.

424.8 Contour lines at vertical intervals of not more than two (2) feet. Location and elevation of the data to which contour elevations refer shall be the closest United States Coast and Geodetic Survey established benchmark, where available; spot elevations for all low and high points, plus elevation for all closed contour lines.

424.9 The full plan of proposed development, including the following:

- a. Location and width of all streets and rights-of way, with a statement of any conditions governing their use; suggested street names and utility easement locations; all applicable design criteria under Article 7.
- b. Front, side, and rear building setback lines for each lot.
- c. Lot lines, with computed dimensions and lot sizes (in both acres and square feet).
- d. A statement of the intended use of all nonresidential lots and parcels.
- e. Lot numbers and a statement of the total number of lots, parcels, dwelling units and density.
- f. Water, sanitary sewer and storm sewer plan and profile drawings (and other drainage facilities) with the size and material of each indicated and any proposed connections with existing facilities.
- g. Parks, playgrounds and other areas dedicated or reserved for public or common use, with any conditions governing such use and any proposed improvements.
- h. Signed certificate of ownership or equitable ownership, plus a copy of the current deed of record for the property being subdivided or developed.
- i. Copies of the proposed deed restrictions, protective and restrictive covenants, referenced to the preliminary plan map.

425 The preliminary plan shall be accompanied by the following supplementary data:

425.1 Site Analysis Maps.

(Where feasible and legible, the analysis involved in Sections 425.1a through 425.1d may be illustrated on one or a combination of composite maps. The combined impact of the natural characteristics of the tract upon the development potential of the tract shall be clearly illustrated on the map or maps).

- a. A map illustrating an analysis of natural drainage patterns and water resources within the proposed subdivision tract, including delineation of streams, natural drainage swales, ponds and lakes, flood plains, permanent and seasonal high water table areas, and closed depressions, plus a metes and bounds delineation of any on-site wetlands.

- b. A map illustrating an analysis of types of soils present within the proposed subdivision tract, based on the Northampton County Soil Survey, the Lower Nazareth Township Comprehensive Plan and other sources. The map should include delineation of prime agricultural soil areas, hydric soils, aquifer recharge areas, unstable soils, soils most susceptible to erosion, soils most suitable for urban development, and soils suitable for on-lot sewage disposal.
 - c. A map illustrating the characteristics of rock formations underlying the tract, including a delineation of aquifers (specifically those locally subject to pollution) and shallow bedrock areas.
 - d. A map delineating additional significant physical features within the proposed subdivision tract, such as woodland areas, large trees, rock outcroppings, sinkholes, historical sites and features and scenic views.
- 425.2 A contour grading plan and a plan for minimizing erosion and sedimentation, in accordance with erosion and sediment control standards as set forth in Section 791; a landscape plan, according to standards as set forth in Section 792.2. A letter shall be provided from the Northampton County Conservation District which indicates that the soil erosion and sedimentation control plan conforms to the Pennsylvania Department of Environmental Protection rules and regulations.
- 425.3 Typical cross-sections for proposed streets, sanitary sewer, storm drainage and water system improvements. Preliminary street and utility plan and profile drawings and street lighting plans where required.
- 425.4 A storm drainage plan for the proposed subdivision or land development, which conforms to design requirements for storm drainage as set forth in Section 770. If the site of the subdivision or land development is within a watershed with an approved Stormwater Management Plan enacted pursuant to Act 167, the criteria in the applicable plan shall be used.
- 425.5 In the case of subdivision or land development plans to be developed in stages or sections over a period of time, a map delineating each stage or section of the proposed subdivision or land development consecutively numbered so as to illustrate phasing of development, and a schedule indicating the approximate time for which applications for final approval of each stage or section is intended to be filed.
- 425.6 Preliminary designs of any bridges or culverts which may be required. Such designs shall meet all applicable requirements of the Pennsylvania Department of Environmental Protection, the Pennsylvania Department of Transportation and the Act 167 Stormwater Management Plan, if implemented.
- 425.7 Copies of the Subdivision Sewage Disposal Report, when required according to standards as set forth in Section 750.
- 425.8 Certification of water supply systems.

- 425.81 When water service to the proposed subdivision is to be provided by an existing public system, the developer shall submit two (2) copies of a letter from the agency, authority, or utility which agrees to extend water service, subject to the execution of a service agreement.
- 425.82 When water service to the proposed subdivision is to be provided by an on-lot well, the developer shall submit two (2) copies of a letter from the applicable Water Authority that service to the site is not feasible.

425.9 Certification of sewage disposal systems.

- 425.91 When sewage disposal service is to be provided by an existing public system or extension thereof, the developer shall submit a formal request for allocation to the Township Board of Supervisors. Upon receipt of a commitment for allocation from the Township, the developer shall contact the controlling Sewer Authority regarding connections into their sewer system.

All negotiations, designs, reviews, approvals and construction will be handled by the controlling Sewer Authority in accordance with their current regulations.

- 425.92 When sewage disposal service for the proposed subdivision or land development is to be by individual sewage disposal systems, the following requirements must be followed:

- (a) Prior to submission of a Preliminary Subdivision or Land Development Plan, the applicant or developer shall submit to the Pennsylvania Department of Environmental Protection (Department), Form ER-BWQ-359, "Application for Planning Module for Land Development," commonly known as the "postcard" submission, whereby the Department will indicate to the developer which module components to complete and make other guiding recommendations, as well as establishing a Department of Environmental Protections' code number for the project.
- (b) The developer shall then meet with a representative from the Department and the Township Sewage Enforcement Officer (SEO) to discuss the subdivision or land development with relationship to the Sewage Facilities Act "Official Plan".
- (c) The developer shall provide all information as required by the Planning Module for Land Development (PMLD). The developer shall submit the completed PMLD to the Township as part of the supporting data of the Preliminary Plan submission.
- (d) The Township shall review the PMLD and take municipal action within thirty (30) days of receipt of the completed module.

- (e) Preliminary Plan shall not be approved by the municipality until written approval of the PMLD is received from the Department of Environmental Protection. Modules will be reviewed for completeness and conformance to the requirements of the Sewage Facilities Act and Regulations promulgated thereunder, Chapters 71, 72, and 73 of PA Code Title 25. Incomplete module submissions will be returned to the applicant and will not be considered for review until complete.
- (f) The number and spacing of soil profile studies and percolation tests required for module preparation shall be sufficient to justify adequate sewage facility planning for the proposed subdivision or land development and shall contain general site suitability and soil mapping designations.
- (g) All soil testing information shall be indicated and clearly represented on plans and supporting documents, for evaluation.
- (h) The developer shall retain a soil scientist, hydrogeologist, or other competent professional to perform soil evaluations, percolation tests, and additional studies if required by the Department or Township SEO. The Township SEO will function only to observe the soil tests and review submitted material in accordance with this Ordinance.
- (i) Prior to plan approval, the developer shall test and locate, on each lot, a suitable primary and secondary absorption area. These areas shall be staked in the field and protected until such time as the system(s) are constructed and final grading completed on the lot. No Permit will be issued until the site is adequately marked. Any disturbance to the site by grading, equipment traffic, or material storage may be cause for Permit denial.

- 425.10 Whenever a proposed public improvement or on-lot septic system or detention pond encroaches upon a utility line or easement, the applicant shall provide a letter from the utility verifying that the development will comply with all reasonable design criteria set by the utility.
- 425.11 Whenever a modification is requested pursuant to the provisions of Section 1050, the applicant shall provide a written request conforming to the requirements of Section 1052.
- 425.12 The applicant shall provide a copy of the opinion of title as issued by a title insurance company or an attorney, which shall set forth the names of all owners of property included in the plat and shall include a list of mortgages, judgments, liens, easements, contracts and agreements of record in the Recorder of Deeds office in Northampton County, Pennsylvania, which shall affect the property covered by such plats.

- 425.13 If the subdivision/land development involves a proposed drainage structure located on State highway rights-of-way, the applicant shall submit plans and calculations to the Pennsylvania Department of Transportation for their review and approval.
- 425.14 Traffic Impact Analysis and Report as required by the Lower Nazareth Township Traffic Impact Fee ordinance.