

## ARTICLE 5

### FINAL PLAN SUBMISSION PROCEDURES AND REQUIREMENTS

#### 500 FINAL PLAN SUBMISSION

- 501 Unless the final plan submission is made within five (5) years of the date of the preliminary plan approval or unless the Board of Supervisors grant an extension, in response to a written request which is submitted within five (5) years of the date of the preliminary plan approval, the preliminary plan approval shall be considered void. A new preliminary plan submission will be required if the previous approval is void. The new plans shall conform to current regulations.
- 502 The Final Plan shall conform in all significant respects to the Preliminary Plan as previously approved, but shall incorporate all modifications required by the Board of Supervisors. The Township Planning Commission may, however, accept a Final Plan modified so as to reflect any substantial changes, which have occurred on the site of the proposed subdivision, or in its surroundings, since the time of the Preliminary Plan approval.
- 503 Official submission of the Final Plan to the Township Planning Commission shall comprise the following:
- 503.1 Submission of one (1) copy of a completed Final Subdivision and Land Development Application.
  - 503.2 Submission of eleven (11) sets of paper prints of the Final Plan, which shall fully comply with provisions of this ordinance as set forth in Section 420.
  - 503.3 Submission of four (4) copies of all required supplemental information as set forth in Section 425.
  - 503.4 All plans submitted to the Township must be folded, where possible, unless the plan is of such a size that makes folding impractical, i.e. extra large sheets or sets over 10 pages.
  - 503.5 Two (2) compact discs containing the copies of the Final Subdivision and Land Development drawings, in a format suitable to Lower Nazareth Township.
- 504 The Township shall distribute the plans and other material as follows:
- 504.1 Five (5) sets of the plans and one (1) set of the supplemental information to the Township Planning Commission. Two (2) sets of plans and two (2) sets of supplemental information to the Township Engineer, one (1) set of plans to the Township Solicitor, and one (1) set of plans to the Easton Suburban Water Authority.
  - 504.2 The Township shall retain one (1) set of the plans and one (1) set of the Supplemental information.
- 505 Additional prints of the Final Plan shall be provided by the developer to the Township for distribution to the respective agencies in each of the following circumstances:

- 505.1 Whenever a proposed subdivision or land development is located adjacent to another municipality, one (1) print of the Final Plan shall be submitted for each additional or adjacent municipality to the respective municipalities.
- 506 The applicant shall submit one (1) set of plans, all supplemental material relevant to said agency, and required fees to the agencies set forth in section 404 if revisions were required by said agencies.
- 507 Official submission of the Final Plan to the Township Board of Supervisors shall comprise the following:
- 507.1 Submission of a cover letter stating request and date the applicant wishes to be heard;
- 507.2 Submission of ten (10) sets of paper prints of the Final Plan, which shall fully comply with provisions of this ordinance as set forth in Section 420.
- 507.3 Submission of four (4) copies of all required supplemental information as set forth in Section 425.
- 507.4 All plans submitted to the Township must be folded, where possible, unless the plan is of such a size that makes folding impractical, i.e. extra large sheets or sets over 10 pages.
- 508 The Township shall distribute the plans and other material as follows:
- 508.1 Five (5) sets of the plans and one (1) set of the supplemental information to the Township Board of Supervisors. Two (2) sets of plans and two (2) sets of supplemental information to the Township Engineer, one (1) set of plans to the Township Solicitor, and , one (1) set of plans to the Township Manager.
- 504.2 The Township shall retain one (1) set of the plans and one (1) set of the Supplemental information.

## **510 REVIEW OF FINAL PLAN**

- 511 By the Township Planning Commission.
- 511.1 When a Final 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 prior to such meeting (if the 21<sup>st</sup> day falls on a holiday, the next business day). The Planning Commission may hold a Public Hearing on the Final 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.

- 511.2 The Planning Commission shall review the Final 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.
- 511.3 No action shall be taken by the Township Planning Commission with respect to a Final 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 Final Plan by the Lehigh Valley Planning Commission may officially act without having received and considered such report.
- 511.4 Within sixty (60) days after the first meeting following the submission of the Final 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 Final Plan be approved or disapproved together with the documented findings upon which the recommendations are based.

512 By the Township Board of Supervisors.

512.1 Within ninety (90) days following the date of the regular meeting of the Planning Commission next 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 Final 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 Final Plan. 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. The-review 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:

- a. the Applicant;
- b. the Township Planning Commission;
- c. the Township Engineer;

Action by the Board of Supervisors to approve the Final Plan shall be made in the form of a resolution, which is duly passed by the Board. The resolution shall include stipulations as to the terms of approval including the improvements agreement if one

is called for. No subdivision plan shall be approved unless the review fees, recreation fees, and other fees required under the terms of this Subdivision and Land Development Ordinance have been paid in full, and unless the improvements agreement, if one is called for, has been executed.

The applicant shall sign the resolution agreeing to the stipulations as to the terms of approval not less than five (5) days before the end of the statutory review period. Failure to sign the resolution by the applicant shall void the resolution forthwith. The Board of Supervisors shall then act to disapprove the application.

- 512.2 Action by the Board of Supervisors to approve or disapprove the Final Plan shall be made in the form of a motion, which is duly passed by the Board.
- 512.3 If approved, the motion passed by the Board shall include stipulations as to the terms of approval, including the improvements agreement if one is called for. The conditions for approval shall be made in writing and conveyed to the applicant.
- 512.4 If disapproved, the motion passed by the Board shall include the reason(s) for disapproval and shall be conveyed, in writing, to the Applicant.
- 512.5 No Final Subdivision Plan shall be signed and processed for recording unless the review fees, and other fees required under the terms of this ordinance have been paid in full, and unless the improvements agreement, if one is called for, has been executed.

## **520 FINAL PLAN RECORDING**

- 521 Within thirty (30) days of the execution of the resolution approving the subdivision, the applicant shall supply to the Township two (2) mylar reproducible prints and five (5) paper prints of each plan in the set of final plans.
- 522 The Township shall distribute the plans for signature by the Board of Supervisors, the Township Planning Commission, and the Lehigh Valley Planning Commission.
- 523 Upon the placement of the signatures on the plan as required by Section 522 and within ninety (90) days of the approval of the subdivision or land development, the Township shall file the plan at the Northampton County Recorder of Deeds office in the form prescribed by the Recorder of Deeds. Proof of recording shall be furnished to the Township.
- 524 The Township shall retain the mylar set of plans and shall distribute one (1) set of the approved plans each to the Township Planning Commission, the Board of Supervisors, and the Township Engineer.
- 525 A completed and executed copy of the Subdivision and/or Land Development Improvements Agreement shall be supplied prior to plan recording.

**530 FINAL PLAN REQUIREMENTS**

- 531 The Final Plans shall conform to standards and data requirements as set forth for Preliminary Plans in Section 420 of this Ordinance.
- 532 It shall not be necessary to resubmit supporting maps and data submitted with the Preliminary Plan, provided there has been no change.
- 533 The following additional data shall be illustrated on the Final Plan.
  - 533.1 The latest source of title to the land, as shown by the deed, page number, and book of the Northampton County Recorder of Deeds.
  - 533.2 The total tract boundary lines of the area being subdivided, with accurate distances to hundredth of a foot and bearings to the nearest second. These boundaries shall be determined by accurate survey in the field, to an error of closure not to exceed one (1) foot in ten thousand (10,000) feet. The tract boundary shall be subsequently closed and balanced. However, the boundary or boundaries adjoining additional unplotted land of the subdivider (for example, between separately-submitted Final Plan sections) are not required to be based upon field survey and may be calculated. The location of all boundary line (perimeter) monuments shall be indicated, along with a statement of the total area of the property being subdivided. In addition, the surveyor shall certify to the accuracy of the survey, the drawn plan, and the placement of the perimeter monuments.
  - 533.3 The following data for all proposed and existing streets:
    - a. the name, proposed name, or number of the street;
    - b. the cartway width of the street;
    - c. the right-of-way width and right-of-way lines of the street;
    - d. locations of all required street and traffic signs.
  - 533.4 Block and lot numbers, and a statement of the total number of lots; all lot lines shall be completely dimensioned in feet if straight, and if curved by designating length of arc and radius (in feet) and chord bearing and distance. All internal angles within the lots shall be designated to within the nearest second. The proposed front, side and rear building setback lines, and the proposed placement of each building and driveway shall be shown. The area of each lot shall be noted in both square feet and acres.
  - 533.5 Officially established house/building numbers for street addresses as assigned by the Township Engineer.
  - 533.6 All easements or rights-of-way and any limitations on such easements or rights-of-way. Rights-of-way shall be shown and accurately identified on the plan, and easements shall either be shown or specifically described on the Plan, including geometric location on the Plan. Easements should be located in cooperation with the appropriate public utilities; the exact location of all utility line installations also shall be shown. The terms of all easements or rights-of-way shall be stated in notes on the Plan.

- 533.7 Such covenants, conditions and deed restrictions as may be imposed upon the grantees, their heirs, executors and assigns, together with a statement of any restrictions previously imposed which may affect the title to the land being subdivided or developed. All such covenants and restrictions shall be summarized in notes on the record plan and shall include, as a minimum, the following:
- a. After their construction, grantees shall repair and be responsible for maintaining all swales and detention ponds. Once established and approved, the extent and grades of all swales and detention ponds shall be maintained in perpetuity. Maintenance shall include, but not be limited to, regular lawn mowing, removal of trash/debris, plus repair of all sinkholes.
  - b. All drainage swales within street rights-of-way and drainage/utility easements shall be maintained in a grassed or otherwise improved condition in accordance with the grades and designs shown on the approved plans. All these easements and roadside drainage swales shall be kept free of all obstructions including but not limited to such obstructions such as fill, temporary or permanent structures, and landscaping materials (other than grass).
  - c. All electric, telephone, and cable TV utility distribution lines shall be installed underground.
- 533.8 A statement of the intended use of all non-residential lots or parcels, with reference to restrictions of any type which exist or will exist as covenants in the deed for the lots or parcels contained in the subdivision, and if covenants are recorded, including the book and page number of the Northampton County Recorder of Deeds.
- 533.9 If the subdivision fronts on a State Route, a note reading as follows shall be placed on the plan. "A highway occupancy permit 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 or roadway access to a State highway is permitted.
- 533.10 The location of all existing and proposed street monuments, as required by Section 915; a certification of ownership, acknowledgment of plan, and offer of dedication and an acceptance clause for the Board of Supervisors shall be lettered on the plan, duly acknowledged and signed by the owner of the property, and notarized; a certificate for approval of the Plan by the Township Board of Supervisors shall be provided; a certificate for the recommendation for approval by the Township Planning Commission shall be provided; a certificate indicating review of the Plan by the Lehigh Valley Planning Commission shall be provided; space shall be left along the lower edge of the sheet, in order that the Northampton County Recorder of Deeds may acknowledge receipt and recording of the Plan when it is presented; if the Final Plan requires more than one sheet, a key diagram showing the relative location of the several sections shall be drawn on each sheet.

533.11 The final subdivision or land development plan shall contain the following legend:

Prior to the issuance of a building permit or commencement of construction for any individual lot or parcel shown hereon, the applicant shall submit to the Township Engineer for review and approval, three copies of a final grading plan drawn at a scale of 1"=20'. The grading plan shall be sealed by the Professional Engineer or Land Surveyor responsible for the preparation of the plan. The plan shall contain the following information:

- a. Lot lines with bearings and distances, lot area, locations of all existing and proposed lot corner monumentation, and tax parcel identification number for the subject property.
- b. Existing and proposed contour elevations at intervals of 2 feet, including the subject lot, adjoining street(s) and fifty (50) feet beyond the subject property, as approved on the final grading plan. If the average slope of the property is less than 3%, contour elevations at intervals of 1 foot shall be provided.
- c. Spot elevations for the first floor level of any structure, primary on-lot sewage disposal systems (where applicable), finished road elevations at point of entry, and any other area as deemed necessary by the Township Engineer.
- d. North reference, building restriction lines, easements and rights-of-way within or adjacent to the subject property.
- e. Location, size and elevations of all existing or proposed storm drainage structures within or adjacent to the subject property.
- f. All property adjoiners and names of adjoining street(s).
- g. Locations of all percolation test holes and soil probes and the locations and dimensions of primary and secondary on-lot sewage disposal systems, where applicable.
- h. The exact location and dimensions of any proposed structure, appurtenant structure, road or driveway, with tie-in dimensions to property line.
- i. Individual lot soil erosion and sedimentation controls in accordance with the approved subdivision plan or current conservation district standards.
- j. All covenants and conditions from the plan of record, if the subject property is part of an approved and recorded subdivision plan. The easement maintenance covenant from Section 784 shall be incorporated into the grading plan submission.

- 534 The Final Plan shall be accompanied by the following:
- 534.1 A Plan showing the following information:
- a. Location, size and invert elevation of storm drainage systems, and the location of all manholes, inlets and culverts, and where applicable, all sanitary sewer and water distribution systems.
  - b. Final plan and profile drawings, typical sections and specifications for proposed streets, storm drainage systems, and where applicable, sanitary sewers and water distribution systems each shown on one or more separate sheets. The submission shall include a design of the pavement system according to current PennDOT Superpave standards and Township specifications.
  - c. 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.
- 534.2 A completed and executed copy of the Subdivision and/or Land Development Improvements Agreement shall be in place before recording of the plan.
- 534.3 Financial security to cover the costs set forth in the improvements agreement. The financial security shall conform in all respects to the requirements of Section 930.
- 534.4 A copy of the highway occupancy permit for any road or driveway requiring access to a State Route, which is appropriate for the type of access required.
- 534.5 The original deed for any areas proposed for dedication in relation to the subdivision or land development.
- 534.6 An analysis establishing traffic signing and speed limits for any roads created by the subdivision. All traffic and street signage shall be shown on the final plan.
- 535 In the case of a subdivision or land development proposed to be built in stages or sections over a period of years, Final Plan requirements as listed in Sections 534.1 through 534.4 shall apply only to the stage or section for which final approval is being sought. However, the Final Plan presented for the stage or section must be considered as it relates to information presented for the entire subdivision or land development in the application for preliminary approval.
- 536 Prior to the commencement of construction, there shall be a pre-construction conference with all necessary agencies, including but not limited to, Lower Nazareth Township, Northampton County Soil Conservation District, Utilities, Easton Suburban Water Authority, Contractors, Subcontractors, PADOT, PADEP, and Engineers to discuss the construction process/schedule. The Township reserves the right to add or delete attendees and to waive this requirement.