

- (5) Required permit certification which shall be accurately completed and signed by the owner(s) of the property with signature(s) dated and notarized (D-4).
- (6) Affidavit of plan submission, with the date of plan acceptance by the County Planning Commission, signed by the person who oversaw the submittal to the County (D-5).

[2] Editor's Note: Appendix D is included at the end of this chapter in Attachment 3.

G. Plan notes. The following notes shall be set forth on all campground development plans:

- (1) All water supply and distribution systems and sewage collection and disposal systems shall be designed and constructed in complete accordance with the standards of DEP.
- (2) By approval of this plan, the Township of Middle Smithfield has neither confirmed nor denied the existence and/or the extent of any wetland areas, whether or not delineated on the plan, and any encroachment thereon for any reason whatsoever shall be the sole responsibility of the developer, his heirs and assigns and shall be subject to the jurisdiction of the Army Corps of Engineers and/or DEP, and the encroachment shall conform to the rules and regulations of the jurisdictional agencies.
- (3) Permanent occupancy as a dwelling unit of a recreational vehicle or any other structure situated on a campsite shall be prohibited.
- (4) All internal streets shall remain privately owned and maintained, and shall not in the future be offered for dedication to the Township.
- (5) In the event that the plan will require access to a highway under the jurisdiction of the PennDOT, an approved and completed highway occupancy permit shall be required prior to occupancy of any campsite.
- (6) In the event that the plan will require access to a road under the jurisdiction of the Township, an approved and completed Township driveway permit shall be required prior to occupancy of any campsite.

[1] Editor's Note: See 63 P.S. § 148 et seq.

§ 170-141. Supporting documents, plans and information.

The following supporting documents, plans and information shall be submitted with all campground development plans.

A. Center-line profiles.

- (1) Profiles along the center line of all proposed streets, drawn at a scale or combination of scales (outlandish or extreme combinations of scales are to be avoided) that will clearly and accurately show the following:
  - (a) Existing ground line.
  - (b) Proposed final center line with all percentages of grade shown.
  - (c) Printed elevations of the proposed grade line at fifty-foot intervals on even stations.
  - (d) Vertical curve locations and data.
  - (e) Calculated safe stopping distances (SSD) for all crest vertical curves.
  - (f) Typical cross sections for each proposed street showing the following:
    - [1] Cut sections.
    - [2] Fill sections.
    - [3] Parallel drainage.

- [4] Construction materials.
  - [5] Dimensions.
- (2) The Township Engineer may, if he/she deems it necessary, require submission of actual cross sections of any street setting forth both the existing ground and the proposed grade, drawn to a scale of one inch equals 10 feet, both vertical and horizontal, for any portion or all of the proposed streets.
- B. Stormwater management plan: a stormwater management plan shall be submitted in conformance with the Township Stormwater Management Ordinance.
- C. Soil erosion and sedimentation control plan: an oil erosion and sedimentation control plan using measures that shall, at a minimum, meet the standards of Chapter 102 (Erosion and Sediment Pollution Control) of Title 25, Rules and Regulations of DEP.
- D. Central water supply and distribution system plan.
  - (1) A plan of the proposed distribution system and location of the supply well(s) complete and in conformance with Appendix A[1] (including evidence of supply).  
[1] Editor's Note: Appendix A is included at the end of this chapter.
  - (2) Water supply certificate. If an existing water supply system is to be utilized, a completed water supply certificate (using the form in Appendix D-15).[2]  
[2] Editor's Note: Appendix D-15 is included at the end of this chapter.
- E. Central sewage collection and disposal system plan.
  - (1) A plan of the proposed sewage collection system and location of the disposal facility complete and in conformance with Appendix B.[3]  
[3] Editor's Note: Appendix B is included at the end of this chapter.
  - (2) Sewage disposal certificate. If an existing sewage disposal system is to be utilized, a completed sewage disposal certificate (using the form in Appendix D-15).[4]  
[4] Editor's Note: Appendix D-15 is included at the end of this chapter.
- F. Adjacent holdings: a sketch of the entire adjacent holdings of the developer indicating the areas of the campground in relation to the other holdings.
- G. Deed(s) of record: a copy of the latest deed(s) of record for the campground property.
- H. Reserved areas: a copy of all existing and proposed reservation of rights-of-way, easements or land areas with conditions attached.
- I. Construction certification: a completed construction certification using the form in Appendix D-14[5] (the construction certification shall be signed prior to unconditional approval of the campground plan).  
[5] Editor's Note: Appendix D-14 is included at the end of this chapter.
- J. Plan review application: a completed and signed plan review application.
- K. If the campground meets the definition of a "Land Development," the applicant shall be required to record the plans in compliance with Section 170-151.

## ARTICLE IX. Land Development Plans

### § 170-142. Procedures.

Hereafter all plans for land development within the boundaries of Middle Smithfield Township shall be submitted to and reviewed by the Planning Commission and the Board of Supervisors and shall be approved, approved subject to specified conditions acceptable to the applicant or rejected by Middle Smithfield Township in accordance with the procedures outlined in this article.

§ 170-143. Submission of a sketch plan. Section 170-16 shall apply.

§ 170-144. Discussion of sketch plan. Section 170-17 shall also apply for a land development.

§ 170-145. Official submission of land development plan.

Submission of a land development plan for all land developments is required by this chapter, and submittal shall be as follows:

- A. Plan to be filed with the Township.
  - (1) Copies of the land development plan and all required supporting data shall be submitted to the Township Secretary by the developer.
  - (2) Plan submission. The land development plan and supporting data shall be presented to the Township Secretary at least ten business days prior to the meeting at which the subject plan is to be submitted to the Planning Commission.
- B. Land development plan review fee. The Township Secretary shall collect a land development plan review fee and escrow account deposit, as established by resolution of the Board of Supervisors for all land development plans.
  - (1) Costs covered by fees. Fees shall be charged in order to cover the costs of reviewing plans and reporting thereon and other expenses incidental to the approval, approval subject to specified conditions or rejection of land development plans.
  - (2) The developer shall pay the appropriate fee at the time of submission of the application for review of the land development plan to the Township Secretary.
- C. Number of copies to be submitted.
  - (1) The official submission of a land development plan shall be comprised of the following:
    - (a) Plan review application: 16 copies of a completed and signed plan review application (17 copies are required if the land development abuts an adjacent municipality).
    - (b) Land development plan: 16 legible paper prints of the land development plan which shall fully comply with the requirements of § 170-147 of this chapter (17 prints are required if the land development abuts an adjacent municipality).
    - (c) Modification requests: 15 copies of each request for a modification of regulations using the form in Appendix D-8.[1]  
[1] Editor's Note: Appendix D-8 is included at the end of this chapter.
    - (d) Water supply and distribution: 10 legible paper prints of any proposed central water supply and distribution systems in accordance with Appendix A[2]

(including 10 copies of the evidence of supply); if an existing water supply system is to be utilized, 10 copies of a completed water supply certificate, using the form in Appendix D-15.[3]

[2] Editor's Note: Appendix A is included at the end of this chapter.

[3] Editor's Note: Appendix D-15 is included at the end of this chapter.

- (e) Sewage collection and disposal: 10 legible paper prints of any proposed central sewage collection and disposal systems in accordance with Appendix B;[4] if an existing sewage disposal system is to be utilized, 10 copies of a completed sewage disposal certificate, using the form in Appendix D-15).[5]

[4] Editor's Note: Appendix B is included at the end of this chapter.

[5] Editor's Note: Appendix D-15 is included at the end of this chapter.

- (f) Center-line profiles: nine legible paper prints of center-line profiles of all streets and access drives in conformance with § 170-153A.
  - (g) Stormwater management plan: nine legible copies of a stormwater management plan which shall fully comply with the requirements of the Township Stormwater Management Ordinance.
  - (h) Erosion and sedimentation control plan: nine legible copies of an erosion and sedimentation control plan designed using measures that shall, at a minimum, meet the standards of Chapter 102 (Erosion and Sediment Pollution Control) of Title 25, Rules and Regulations of DEP, including nine copies of a plan submittal report from the County Conservation District.
  - (i) Sewage feasibility report: eight copies of a completed sewage feasibility report signed by the Sewage Enforcement Officer using the form in Appendix D-9[6] (when on-site subsurface sewage disposal is proposed).

[6] Editor's Note: Appendix D-9 is included at the end of this chapter in Attachment 3.
  - (j) Construction certification: eight copies of a completed construction certification using the form in Appendix D-14.[7] (The certification must be signed and enacted prior to unconditional approval of the land development plan by the Board of Supervisors.)

[7] Editor's Note: Appendix D-14 is included at the end of this chapter in Attachment 3.
  - (k) Additional data: eight copies of each of the following:
    - [1] Any proposed offers of dedication or reservation of rights-of-way or land areas with conditions attached.
    - [2] Any proposed special or unusual deed restrictions, protective and restrictive covenants referenced to the development plan or special area of the plan.
    - [3] Latest deed(s) of record for the plan property.
- (2) If the applicant presents proof at the time of submission to the Township Secretary that the plan was accepted for review by the County Planning Commission, six copies of items in Subsection C(1)(a) through (h) may be deleted; however, if the proof is not submitted, the applicant shall include the appropriate County Planning Commission plan review fee made payable to the County of Monroe.
  - (3) The applicant shall separate the foregoing submission into packets as set forth in Subsection E and label each packet for distribution.

D. Official date of the land development plan submission. The official date of the land development plan submission shall be determined as follows:

- (1) Plan acceptance. At the first regularly scheduled meeting of the Planning Commission at which a quorum is present following the submittal of all required completed plans and documents to the Township Secretary, the Commission shall accept the plan submittal or determine it is incomplete, setting the date of the meeting or the date which is 30 days following the date the submission is filed with the Township Secretary if the next meeting of the Planning Commission occurs more than 30 days after filing, whichever first occurs, as the official date of the land development plan submission.
  - (2) If, during the review process, it is determined that the submittal is not complete, the submission date shall be automatically rescinded, and a resubmission date shall reflect the date of the first regularly scheduled meeting after the missing or uncompleted plans or documents are submitted.
- E. Distribution of the land development plan.
- (1) The Township Secretary shall, after the official date of submission, refer the submitted items to the following:
    - (a) Planning Commission Chairperson: one copy of each of the items listed in Subsection C(1)(a) through (k).
    - (b) Planning Commission members: one copy of each of the items listed in Subsection C(1)(a), (b) and (c).
    - (c) Township Staff person to the Planning Commission: one copy of each of the items listed in Subsection C(1)(a) through (k), which shall be retained in the Planning Commission's records.
    - (d) Township Engineer: one copy of each of the items listed in Subsection C(1)(a) through (k).
    - (e) Township Planning Commission Solicitor: one copy of each of the items listed in Subsection C(1)(a), (b), (c), (j) and (k).
    - (f) Central Sewage Provider (if applicable): one copy of each of the items listed in Subsection C(1)(a), (b), (d), (e) and (i).
    - (g) County Planning Commission: two copies of each of the items listed in Subsection C(1)(a) through (h) (including the County plan review fee).
    - (h) Adjoining municipality: one copy of each of the items listed in Subsection C(1)(a) and (b) (for informational purposes only when the proposed land development abuts an adjoining municipality).
  - (2) If the applicant has presented proof at the time of submission of the application to the Township Secretary that the plan was accepted for review by the County Planning Commission, Subsection E(1)(g) may be deleted.

#### § 170-146. Review of land development plan.

A properly submitted land development plan shall be reviewed and commented on, then approved, approved with specific conditions acceptable to the developer or rejected in the following manner:

- A. Review by the Township Staff and/or the Township Engineer. The Township Staff and/or the Township Engineer shall review the land development plan to determine its accuracy, completeness and compliance with all applicable ordinances and regulations.
- (1) Recommendations. The Township Staff and/or the Township Engineer may recommend changes or modifications as they pertain to completeness, compliance, accuracy and design.

- (2) Report. The report of the Township Staff and/or the Township Engineer shall be in writing and shall be submitted to the Planning Commission at the meeting at which the plan is to be considered by the Commission.
- B. Comments from interested persons or parties. If any interested persons or parties desire to submit written comments on the land development plan, they shall submit their comments at or prior to the meeting at which the plan is to be considered by the Commission.
- C. Review by the Planning Commission. The Planning Commission shall review the land development plan and take action as follows:
  - (1) Planning Commission review. When the land development plan has been properly submitted, such plan shall be reviewed by the Planning Commission at the next regularly scheduled meeting at which a quorum is present or, at the sole discretion of the Planning Commission, at a special meeting held prior thereto.
  - (2) Consideration of reviews. During the review of the land development plan, the Planning Commission shall consider the written report of the Township Staff and/or the Township Engineer, the report of the County Planning Commission, if received, and all comments submitted by any and all other interested persons or properties. Verbal comments may be given at the review meeting. However, irreverent, immaterial or unduly repetitious testimony or comment may be excluded.

§ 170-147. Planning Commission recommendation on a land development plan.

The Planning Commission should make a recommendation on a properly reviewed land development plan in conformance with the following procedures:

- A. Recommendation for approval of a land development plan.
  - (1) When the Planning Commission finds the land development plan complete and in conformance with the requirements of all applicable Township ordinances and plans, all additional requirements relative to safety and welfare have been met and a motion, duly carried, is to recommend approval of the land development plan, the Secretary of the Planning Commission shall provide written notice to the applicant or the applicant(s) representative and the Board of Supervisors.
- B. Recommendation for approval of a land development plan subject to specified conditions. When the Planning Commission finds the land development plan needs only minor corrections that will not materially affect the plan and a motion, duly carried, is to recommend approval of the plan subject to specified conditions, the following shall apply:
  - (1) Applicant's acceptance of the specified conditions. See Section 170-49.C.
  - (2) The Chairperson of the Planning Commission shall endorse the signed plan review report, retain a copy for the files of the Planning Commission and present or mail a copy of the recommendation with the specified conditions included to the applicant or the applicant(s) representative.
  - (3) Corrected plan presented. The applicant may correct the land development plan to address the specified conditions and present two corrected copies to the Township Staff and/or the Township Engineer.
    - (a) The Township Staff and/or the Township Engineer shall check the plan and verify that the specified conditions have been complied with, and when he determines that the land development plan has been corrected to address the

specified conditions, he shall so note in writing to the applicant, endorse one copy of the plan as corrected and forward the copy to the Planning Commission. If the Township Engineer and the applicant cannot agree that the corrections do indeed comply with the intent of the Planning Commission's specified conditions, the applicant may resubmit the land development plan to the Commission for its reconsideration.

(b) When the plan is ready for Township signatures, the applicant shall provide five paper prints and, if applicable, two Mylar prints of the corrected land development plan.

[1] Planning Commission. One paper print of the endorsed and sealed land development plan shall be retained for the Planning Commission records.

[2] Board of Supervisors. Three paper prints and, when applicable, two Mylar prints of the endorsed and sealed land development plan shall be forwarded directly to the Board of Supervisors.

[3] Applicant. One paper print of the endorsed and sealed land development plan shall be presented to the applicant.

C. Recommendation for rejection of a land development plan. When the Planning Commission finds the land development plan needs major corrections that could materially affect the plan or violates this Ordinance and a motion, duly carried, is to recommend rejection of the land development plan, the Chairperson of the Planning Commission shall endorse the plan review report recommending rejection of the land development plan.

(1) List of defects. When the action is to recommend rejection of the land development plan, a written list of the defects found in the plan shall be provided that describes requirements which have not been met and includes a citation for each requirement to the provision of the statute or ordinance relied upon.

(2) Plan review report distribution.

(a) The endorsed plan review report containing a list of the defects shall be distributed as follows:

[1] Planning Commission. One copy of the endorsed plan review report shall be retained for the Planning Commission records.

[2] Board of Supervisors. One copy of the endorsed plan review report shall be forwarded directly to the Board of Supervisors along with a copy of the plan for consideration at a meeting.

[3] Applicant. One copy of the plan review report shall be presented or communicated to the applicant or the applicant(s) representative.

§ 170-148. Presentation of land development plan to Board of Supervisors.

A. The Board of Supervisors shall review the land development plan, after considering any recommendations by the Planning Commission.

B. When the plans are ready for endorsement by the Township, the applicant shall supply five paper prints and (when applicable) two Mylar prints.

§ 170-149. Action by Board of Supervisors on a land development plan.

The Supervisors shall review the land development plan and take action as follows:

- A. Review of a land development plan.
- (1) The Board of Supervisors shall review the land development plan and consider the recommendations of the Planning Commission and other relevant comments and reports presented to it prior to taking action on the land development plan. Verbal comments may be given by interested persons or parties at the review meeting. Irreverent, immaterial or unduly repetitious testimony or comments may be excluded.
  - (2) Public hearing. If the Board of Supervisors desires, it may hold a public hearing on the land development plan after the appropriate public notice.
- B. Approval of a land development plan. When by a motion, duly carried, the Board of Supervisors approves a land development plan, the following procedures shall apply. At this point, and after the submittal of an earth disturbance permit approval or a letter of adequacy of the erosion and sedimentation control plan from the County Conservation District, a construction and drainage permit for the subject development may be issued by the Township.
- (1) Approval requirements of plan to be recorded. When the land development plan is to be recorded in the office for the Recorder of Deeds, the following shall apply:
    - (a) When the developer desires to record the land development prior to completion of the required improvements, an executed improvements agreement in full accordance with § 170-90, shall be submitted and approved by the Board of Supervisors prior to final approval of the subject plan.
    - (b) When the developer desires to complete the required improvements in full accordance with § 170-83, prior to recording the land development plan he/she shall present a certificate of satisfactory installation from the Township Engineer to the Board of Supervisors.
  - (2) Endorsement and distribution of land development plans to be recorded. When all release requirements have been met, the Board of Supervisors shall endorse and emboss with the Township seal four paper prints and two or three (when applicable) Mylar prints of the land development plan and distribute as follows:
    - (a) Township. Two paper prints and one (when applicable) Mylar print of the endorsed and sealed land development plan shall be retained for the Township records.
    - (b) Applicant. Two paper prints and one or two (when applicable) Mylar prints of the endorsed and sealed land development plan shall be returned to the applicant.
  - (3) Endorsement and distribution of land development plans not to be recorded. When all requirements have been met and a signed construction certification submitted and approved, the Board of Supervisors shall endorse and emboss with the Township seal four paper prints of the land development plan and distribute as follows:
    - (a) Township. Two paper prints of the endorsed and sealed land development plan shall be retained for the Township records.
    - (b) Applicant. Two paper prints of the endorsed and sealed land development plan shall be returned to the applicant.
- C. Approval of a land development plan subject to specified conditions. When the Board of Supervisors finds the land development plan needs only minor corrections or additional data needs to be submitted that will not materially affect the plan and a motion, duly carried, is to grant approval of the plan subject to specified conditions, the following shall apply:



- (1) Applicant's acceptance of the specified conditions. The applicant must accept the Supervisor's specified conditions by signing a completed plan action report within 15 calendar days of the action granting approval subject to the specified conditions. When the applicant does not accept the specified conditions, the land development plan approval shall be automatically rescinded and the plan shall be rejected with no further action on the part of the Township and a new plan submission in accordance with § 170-145 (official submission of a land development plan) shall be required.
- (2) Time limitations for addressing the specified conditions.
  - (a) A time limit for addressing the specified conditions may be set by the Supervisors, and when no time limit is depicted, the specified conditions must be addressed and the plan resubmitted so action may be taken within 90 days from the date of the conditional approval. (This time limitation shall be considered a mandatory condition of approval of the plan.) The Board of Supervisors may extend the time period to meet conditions for good cause.
  - (b) When the specified conditions have not been addressed and a corrected plan submitted so action may be taken within the applicable time limitations, the subject plan shall be automatically rejected with no further action by Middle Smithfield Township.
- (3) Specified conditions accepted. When the applicant accepts the Supervisors' specified conditions and signs a completed plan action report, the following procedures shall apply:
  - (a) The Chairperson of the Board of Supervisors shall endorse the signed plan action report, retain a copy for the Township files and present or mail a copy to the applicant.
- (4) Corrected land development plan presented. The applicant may correct the land development plan to address the specified conditions and present two corrected copies to the Township Engineer and/or the Township Staff.
  - (a) The Township Engineer shall check the plan and verify that the specified conditions have indeed been complied with, and when he determines that the land development plan has been corrected, he shall so note in writing to the applicant, endorse one copy of the plan as corrected and forward the copy to the Board of Supervisors.
  - (b) If the Township Engineer and the applicant cannot agree that the corrections do indeed comply with the intent of the Board of Supervisors, the applicant may resubmit the land development plan to the Board for its reconsideration.
  - (c) When proof of compliance with the Board of Supervisor's specified conditions has been obtained from the Township Engineer, the applicant may present four paper prints and, if applicable, two or three (when applicable) Mylar prints of the corrected land development plan along with the proof of compliance to the Township Secretary.
- (5) Improvements agreement. When the land development plan is to be recorded in the office for the Recorder of Deeds, a signed construction certification or an executed improvements agreement and a performance guaranty or a certificate of satisfactory installation from the Township Engineer shall be presented to and approved by the Board of Supervisors prior to recording of the land development plan and the plan being endorsed, sealed and distributed as follows:
  - (a) Township. One paper print and, if applicable, one Mylar print of the endorsed and sealed land development plan shall be retained for Township records.

- (b) Zoning Officer. One paper print of the endorsed and sealed land development plan shall be forwarded to the Zoning Officer.
  - (c) Applicant. Two paper prints and, if applicable, one or two (when applicable) Mylar prints of the endorsed and sealed land development plan shall be returned to the applicant.
- D. Rejection of a land development plan. When the Board of Supervisors finds the land development plan needs major corrections that could materially affect the plan and a motion, duly carried, is to reject the land development plan, the Township Secretary shall endorse a plan action report attesting to the action of the Board of Supervisors rejecting the plan.
  - (1) List of defects. When the action is to reject the land development plan, a list of the defects found in the plan describing the requirements which have not been met and a citation for each requirement to the provision of the statute or ordinance relied upon shall be attached to the plan action report.
  - (2) Plan action report distribution.
    - (a) The endorsed plan action report and list of the defects found shall be distributed as follows:
      - [1] Township. One copy of the endorsed plan action report and list of defects found shall be retained for Township records.
      - [2] See "E." below.
    - (b) If the applicant is not present at the meeting when the action is taken, a copy of the plan action report with a list of the defects found attached shall be mailed, certified mail, with a return receipt, to the applicant at his last known address within 15 days following the meeting when the action was taken.
  - (3) Land development plan resubmission. Any resubmission must be considered a new submittal and shall be submitted and accepted in accordance with § 170-145 (official submission of a land development plan).
- E. Notice of Decision. The decision of the Board of Supervisors shall be in writing and shall be communicated to the applicant personally or mailed to him/her at the applicant's last known address not later than 15 days following the decision.

§ 170-150. Time limits for action by Board of Supervisors.

In any event, the Board of Supervisors shall render its decision and provide notice to the applicant within the time limits established by the MPC, unless the applicant grants a written time extension.

- A. Deemed action of the land development plan. Any of the actions described in § 170-149B, C or D shall be deemed as action by the Township and shall constitute conformance with the time limitations listed above and also relative to the review and action period as set forth in the MPC, as amended.[1]  
[1] Editor's Note: See 53 P.S. § 10101 et seq.
- B. Deemed approval of the land development plan. Failure of the Board of Supervisors to render a decision within the time limitations of the MPC and to communicate the same to the developer in the manner prescribed shall be deemed an approval of the land development plan as submitted unless the developer has agreed, in writing, to waive or extend the review and action time limitations.

- C. Deemed approved land development plan distribution.
- (1) When the plan is deemed approved, the Board of Supervisors shall, if and when the developer submits the land development plan, upon receipt of an signed construction certification or an executed improvements agreement and adequate approved improvement guaranties or a certificate of completion of all required improvements from the Township Engineer and/or the Township Staff, endorse and emboss with the Township seal four paper prints and, if applicable, two or three (when applicable) Mylar prints of the land development plan and distribute as follows:
    - (a) Township. One paper print and, if applicable, one Mylar print of the endorsed and sealed land development plan shall be retained for Township records.
    - (b) Zoning Officer. One paper print of the endorsed and sealed land development plan shall be forwarded to the Zoning Officer.
    - (c) Applicant. Two paper prints and, if applicable, one or two (when applicable) Mylar prints of the endorsed and sealed land development plan shall be presented to the applicant within 15 days of receipt of the certificate of completion or executed improvement agreement and adequate approved guaranties.
  - (2) If the deemed approved plan is not endorsed at the end of 15 days, the certificate contained in Appendix D-13[2] shall be applied to all applicable copies of the plan by the Township Secretary and the copies distributed as set forth above.  
[2] Editor's Note: Appendix D-13 is included at the end of this chapter.

§ 170-151. Recording of the land development plan.

When the land development plan is to be recorded, the developer shall file the plan with the County Recorder of Deeds within 90 days from the date of endorsement by the Board of Supervisors, unless a written extension is provided by the Supervisors for good cause. The applicant shall mail or submit written evidence of the recording to the Township Staff within one business day after the date of the recording.

- A. Failure to record the land development plan. If the developer fails to record the land development plan in the Recorder of Deed's office within the required ninety-day period (as may be extended), the action by the Township shall be deemed nullified and be voided, with no further action by the Township, and a resubmission of the plan shall be made to the Board of Supervisors if the developer so desires.
- (1) Resubmitted plan changes. Plan changes shall be considered as follows:
    - (a) Correcting errors shall not be deemed a change.
    - (b) Realignment of streets or units shall be deemed a change.
    - (c) Addition or deletion of units shall be deemed a change.
    - (d) All other changes shall be determined on a case-by-case basis by the Township.
  - (2) If the plan has been changed, a new submission to the Planning Commission shall be required in accordance with § 170-145.
- B. Unrecordable land development plans. The following plans cannot be recorded:
- (1) No land development plan may be legally recorded unless it bears original signatures of the Board of Supervisors approving the plan and an embossed Township seal.
  - (2) No land development plan may be legally recorded unless it bears a completed and signed affidavit of plan submission as contained in Appendix D-5.[1]

[1] Editor's Note: Appendix D-5 is included at the end of this chapter in Attachment 3.

§ 170-152. Elements of land development plan.

All land development plans submitted shall be prepared in accordance with the "Professional Engineers and Professional Land Surveyors Registration Law, as amended,[1] drawn in full conformance with the following, contain all of the applicable information listed and be accompanied by all pertaining documents, plans, data and material as follows:

- A. Scale. The land development plan shall be clearly and legibly drawn to a standard scale that is capable of clearly showing in sufficient detail all elements of the project.
- B. Sheet size. The land development plan and all plans submitted therewith shall be on standard-sized sheets that are no smaller than 11x17 inches and no larger than 36x48 inches.
- C. Key diagram. If the land development plan requires two or more sheets, a key diagram clearly showing the relative location of the section shown shall be labeled on each sheet.
- D. Plan information. The land development plan shall contain at least the following data and information.
  - (1) Name of the land development.
  - (2) Location map drawn at a scale of one inch equals 2,000 feet.
  - (3) Existing property and lot layout immediately adjacent to the subject development.
  - (4) Names of adjoining property owners and names of all adjoining subdivisions and land developments.
  - (5) Existing features: existing man-made and natural features, including but not limited to the following:
    - (a) Watercourses and lakes.
    - (b) Wetlands accurately shown. In all cases of wetlands containing 1/2 acre or more, a wetlands delineation shall be presented, prepared by a trained professional, which shall be performed within three years of the date of submittal of the plan.
    - (c) One-hundred-year floodplain areas.
    - (d) Contours (existing and proposed) with intervals as follows (with elevations based upon NAVD 88 datum):
      - [1] Slopes less than 5%: two-foot intervals.
      - [2] Slopes 5% to 25%: ten-foot intervals.
      - [3] Slopes 25% or greater: twenty-foot intervals.
    - (e) Steep slope areas (slopes of 15 to 25% and slopes over 25%).
    - (f) Location and extent of all soil types.
    - (g) Significant rock outcrops.
    - (h) Culverts, ditches and swales.
    - (i) Buildings, structures and all other improvements (roads, utilities, etc.).
    - (j) Location and description of any certified historical site or structure.
    - (k) All other significant man-made or natural features within the land development or immediately adjoining the development.
  - (6) Location, width and purpose of all existing rights-of-way or other easements.

- (7) The name, number, pavement and right-of-way width and location of all public or private streets within or immediately adjoining the development.
- (8) Plan data. The full plan of the proposed land development, including but not limited to the following data:
  - (a) North arrow.
  - (b) Graphic and written scale.
  - (c) Location, width and purpose of all proposed rights-of-way or other easements.
  - (d) Areas for proposed location of water supply and subsurface sewage disposal when on-site central facilities are proposed.
    - [1] Replacement areas that have been found adequate by the Sewage Enforcement Officer for central subsurface sewage disposal.
  - (e) A statement of the total area of the property being developed.
  - (f) A statement of the total number of units being proposed.
  - (g) The location of all proposed buildings and/or structure improvements.
  - (h) The location and design of all uses not requiring structures, such as off-street parking and loading areas.
  - (i) The location and minimum surface intensity of all proposed outdoor lighting.
  - (j) The location of any proposed or existing outdoor signs.
  - (k) The locations and arrangement of proposed means of access and egress, including sidewalks and driveways.
  - (l) Cross-sectional areas showing design details and construction material of proposed roadways, driveways, walkways and parking areas.
  - (m) Areas of any proposed screening.
  - (n) Building setback lines.
  - (o) Clear sight triangles shown at all intersections.
  - (p) Utility, drainage and slope easements.
  - (q) Existing zoning district designation of the affected property.
  - (r) Current County property identification number(s) (PIN) of the property from the latest tax records.
  - (s) Sufficient description or information to determine the boundaries of the property affected by the proposed use.
  - (t) A title block on the lower right corner of all plans, which shall list the date the land development plan was completed and the date of each revision.

E. Plan certifications. The following certifications shall be labeled on the land development plan using the forms in Appendix D.[2]

- (1) Certificate of ownership and acknowledgment of plan, which shall be accurately completed and signed by the owner(s) of the property with signature(s) dated and notarized (D-3).
- (2) Required permit certification, which shall be accurately completed and signed by the owner(s) of the property with signature(s) dated and notarized (D-4).
- (3) Certificate of accuracy and compliance, which shall be completed and signed by the registered professional engineer, registered professional land surveyor or registered landscape architect responsible for the plan (D-1).
- (4) Affidavit of plan submission, with the date of the acceptance of the plan and related data by the County Planning Commission and signed by the person who oversaw such submittal (D-5).

- (5) Certificate of review and recommendation by the Planning Commission (D-2) which shall be located on the right or bottom edge of the plan.
- (6) Certificate of review and approval by the Board of Supervisors (D-2) which shall be located on the right or bottom edge of the plan.

[2] Editor's Note: Appendix D is included at the end of this chapter in Attachment 3.

F. Required general notes for all land development plans. The following general notes shall be labeled on all land development plans:

- (1) All uses shown on this plan are subject to the rules and regulations as are set forth in this SALDO and the Zoning Ordinance, as both are amended.
- (2) By approval of this plan, the Township of Middle Smithfield has neither confirmed nor denied the existence and/or extent of any wetland areas, whether or not delineated on the plan, and any encroachment thereon for any reason whatsoever shall be the sole responsibility of the developer, his/hers heirs and assigns and shall be subject to the jurisdiction of the Army Corps of Engineers and/or DEP, and the encroachment shall conform to the rules and regulations of the jurisdictional agencies.
- (3) In the event that the plan will require access to a highway under the jurisdiction of PennDOT, the following: "An approved and completed highway occupancy permit shall be required prior to occupancy and/or use."
- (4) In the event that the plan will require access to a roadway under the jurisdiction of Middle Smithfield Township, the following: "An approved and completed Township driveway permit shall be required prior to occupancy and or use."

[1] Editor's Note: See 63 P.S. § 148 et seq.

§ 170-153. Land development supporting documents, plans and information.

The following supporting documents, plans and information shall be submitted with all land development plans:

A. Center-line profiles.

- (1) Profiles along the center line of any proposed street or driveway, drawn at a scale or combination of scales (outlandish or extreme combination of scales shall be avoided) that will clearly and accurately show the following:
  - (a) Existing ground line.
  - (b) Proposed grade line with percentages.
  - (c) Printed elevations of the proposed grade line on standard fifty-foot stationing.
  - (d) Vertical curve locations and data.
  - (e) Calculated safe stopping distances (SSD) for all crest vertical curves.
  - (f) Typical cross section for each proposed street showing the following:
    - [1] Cut sections.
    - [2] Fill sections.
    - [3] Parallel drainage.
    - [4] Construction materials.
    - [5] Dimensions.
- (2) The Planning Commission and/or the Board of Supervisors may, when they deem it advisable, require actual cross sections setting forth both existing ground and the proposed roadway cross section, drawn to a scale of one inch equals 10 feet, both vertical and horizontal, for any portion or all of the proposed streets.

- B. Stormwater management plan: it shall conform with all requirements contained in the Township Stormwater Management Ordinance.
- C. Soil erosion and sedimentation control plan: a soil erosion and sedimentation control plan designed using measures that shall, at a minimum, meet the standards of Chapter 102 (Erosion and Sediment Pollution Control) of DEP.
- D. Water supply and distribution plans.
  - (1) A plan of all water supply and distribution systems in accordance with Appendix A.[1]  
[1] Editor's Note: Appendix A is included at the end of this chapter.
  - (2) Water supply certificate. If an existing water supply system is to be utilized, a completed water supply certificate (using the form in Appendix D-15).[2]  
[2] Editor's Note: Appendix D-15 is included at the end of this chapter.
- E. Sewage collection and disposal plans.
  - (1) A plan of all sewage collection and disposal systems in accordance with Appendix B.[3]  
[3] Editor's Note: Appendix B is included at the end of this chapter.
  - (2) Sewage disposal certificate. If an existing sewage disposal system is to be utilized, a completed sewage disposal certificate (using the form in Appendix D-15).[4]  
[4] Editor's Note: Appendix D-15 is included at the end of this chapter.
- F. Adjacent holdings: a sketch of the adjacent holdings of the developer indicating the areas of the land development in relation to the other holdings.
- G. Deed(s) of record: the latest deed(s) of record of the land development property.
- H. Construction certification/improvements agreement: a completed construction certification / improvements agreement using the form in Appendix D-14[5] or Article V. (The construction certification/improvements agreement must be signed and enacted as an automatic condition of approval of the land development plan).  
[5] Editor's Note: Appendix D-14 is included at the end of this chapter.
- I. Plan review application: a completed and signed plan review application.

## ARTICLE X. Site Alteration Plans

### § 170-154. Submission procedures.

All plans for site alterations that involve total disturbance of greater than 20,000 square feet of land area and that are not classified as a subdivision or land development by this Ordinance shall be submitted to the Township under this Article.

### § 170-155. Submission of sketch plan. Section 170-16 shall apply. A sketch plan is not required.

### § 170-156. Discussion of sketch plan. Section 170-17 shall apply.

### § 170-157. Submission of site alteration plan.

Submission of a site alteration plan for all site alterations that disturbs more than 20,000 square feet in land area and is not classified as a subdivision or a land development is required by these regulations, and submittal shall be as follows:

- A. Plan to be filed with the Township.
  - (1) Copies of the site alteration plan and all required supporting data shall be submitted to the Township Secretary by the applicant.
  - (2) Plan submission. The site alteration plan and supporting data shall be presented to the Township Secretary at least five days prior to the meeting at which the subject plan is to be submitted to the Planning Commission.
- B. Site alteration plan review fee. The Township Secretary shall collect a site alteration plan review fee as established by resolution of the Board of Supervisors for all site alteration plans.
  - (1) Costs covered by fees. Fees shall be charged in order to cover the costs of reviewing plans and reporting thereon and other expenses incidental to the approval, approval with specific conditions or rejection of site alteration plans.
  - (2) The applicant shall pay the appropriate fee at the time of submission of the application for review of the site alteration plan to the Township Secretary.
- C. Number of copies to be submitted.
  - (1) The official submission of a site alteration plan shall be comprised of the following:
    - (a) Plan review application: nine copies of a completed and signed plan review application.
    - (b) Site alteration plan: nine legible paper prints of the site alteration plan which shall fully comply with the requirements of § 170-159.
    - (c) Modification requests: nine copies of each request for a modification of regulations using the form in Appendix D-8.[1]  
[1] Editor's Note: Appendix D-8 is included at the end of this chapter in Attachment 3.
    - (d) Center-line profiles: three legible paper prints of center-line profiles of all streets and access drives in conformance with § 170-161A.
    - (e) Stormwater management plan: five copies of a stormwater management plan (including the County plan review fee) which shall fully comply with the requirements of the Stormwater Management Ordinance.



- (f) Erosion and sedimentation control plan: three legible copies of an erosion and sedimentation control plan designed using measures that shall, at a minimum, meet the standards of Chapter 102 (Erosion and Sediment Pollution Control) of Title 25, Rules and Regulations of DEP, including three copies of a plan submittal report from the County Conservation District.
    - (g) Construction certification: four copies of a completed construction certification using the form in Appendix D-14[2] (the construction certification must be signed prior to unconditional approval of the site alteration plan).
  - [2] Editor's Note: Appendix D-14 is included at the end of this chapter.
  - (2) If proof is presented that the application was accepted for review by the County Planning Commission, two copies of the item in Subsection C(1)(e) may be deleted.
  - (3) The applicant shall separate the foregoing submission into packets as set forth in Subsection E below and label each packet for distribution.
- D. The Planning Commission should be provided with a minimum of 30 days to review the Site Alteration Plan after a complete submittal is made, unless the Planning Commission provides a review in a shorter time period.
- E. Distribution of the site alteration plan.
- (1) The Township Secretary shall, after the official date of submission, refer the submitted items to the following:
    - (a) Planning Commission Chairperson: one copy of each of the items listed in Subsection C(1)(a) through (g).
    - (b) Planning Commission members: one copy of each of the items listed in Subsection C(1)(a), (b) and (c).
    - (c) Township Staff: one copy of each of the items listed in Subsection C(1)(a) through (g), which shall be retained in the Planning Commission's records.
    - (d) Township Engineer: one copy of each of the items listed in Subsection C(1)(a) through (g).
    - (e) Planning Commission Solicitor: one copy of each of the items listed in Subsection C(1)(a), (b), (c) and (g).

#### § 170-158. Review of site alteration plan.

A properly submitted site alteration plan should be available for review by the Planning Commission at a meeting.

- A. Review by the Township Staff and/or the Township Engineer. The Township Staff and/or the Township Engineer shall review the site alteration plan to determine its accuracy, completeness and compliance with these regulations and all other applicable ordinances and plans.
- (1) Recommendations. The Township Staff and/or the Township Engineer may recommend changes or modifications to the application.
  - (2) Report. Any report of the Township Engineer shall be in writing and shall be provided to the Planning Commission and the applicant.

- B. Comments from interested persons or parties. If any interested persons or parties desire to submit written comments on the site alteration plan, they shall submit their comments to the Planning Commission.
- C. Review by the Planning Commission. The Planning Commission should review the site alteration plan and recommend to the Township Staff any issues they note regarding ordinance compliance and may make recommendations to the applicant regarding the project.

§ 170-159. Township Staff Consideration of a site alteration plan.

After any review by the Planning Commission, the Zoning Officer shall determine compliance with the Zoning Ordinance and the applicable Township Staff shall determine compliance with other Township ordinances.

§ 170-160. Elements of site alteration plan.

All site alteration plans submitted shall be prepared in accordance with the "Professional Engineers and Professional Land Surveyors Registration Law," as amended,[1] drawn in full conformance with the following, contain all of the applicable information listed and be accompanied by all pertaining documents, plans, data and material as follows:

- A. Scale. The site alteration plan shall be clearly and legibly drawn to a standard scale sufficient to clearly show in sufficient detail all elements of the proposed project.
- B. Sheet size. The site alteration plan and all plans submitted therewith shall be on standard-sized sheets that are no smaller than 11x17 inches and no larger than 36x48 inches.
- C. Key diagram. If the site alteration plan requires two or more sheets, a key diagram clearly showing the relative location of the section shown shall be labeled on each sheet.
- D. Plan information. The site alteration plan shall contain at least the following data and information:
  - (1) Name of the site alteration.
  - (2) Location map drawn at a scale of one inch equals 2,000 feet.
  - (3) Existing features: existing man-made and natural features, including but not limited to the following:
    - (a) Watercourses and lakes.
    - (b) Wetlands accurately shown. In all cases of wetlands containing 1/2 acre or more, a wetlands delineation shall be presented, prepared by a trained professional, which shall be performed within three years of the date of submittal of the plan.
    - (c) One-hundred-year floodplain areas, with flood-fringe and floodway boundaries shown if available.
    - (d) Contours (existing and proposed) with intervals as follows (with elevations based upon NAVD 88 datum):
      - [1] Slopes less than 5%: two-foot intervals.
      - [2] Slopes 5% to 25%: ten-foot intervals.
      - [3] Slopes 25% or greater: twenty-foot intervals.

- (e) Steep slope areas (slopes over 25%).
  - (f) Location and extent of all soil types.
  - (g) Significant rock outcrops.
  - (h) Culverts, ditches and swales.
  - (i) Buildings, structures and all other improvements (roads, utilities, etc.).
  - (j) Location and description of any certified historical site or structure.
  - (k) All other significant man-made or natural features within or immediately adjoining the site alteration.
- (4) Location, width and purpose of all existing rights-of-way and easements.
  - (5) The name, number and right-of-way width and location of all public or private streets within or immediately adjoining the site alteration.
  - (6) Plan data. The full plan of the proposed site alteration, including but not limited to the following data:
    - (a) North arrow.
    - (b) Graphic and written scale.
    - (c) A statement of the total area of alteration.
    - (d) Location and limits of all earth disturbance.
    - (e) Stormwater management facilities (culverts, ditches, ponds, etc.).
    - (f) Paved areas (streets, accessways, parking areas, etc.).
    - (g) The locations and arrangement of proposed means of access and egress, including sidewalks and driveways.
    - (h) Cross-sectional areas showing design details and construction material of proposed roadways, driveways, walkways and parking areas.
    - (i) Final surface treatments of all areas.
    - (j) The location and minimum surface intensity of all proposed outdoor lighting.
    - (k) Areas of any proposed screening.
    - (l) Utility, drainage and slope easements.
    - (m) Clear sight triangles shown at all intersections.
    - (n) Sufficient description or information to determine the boundaries of the property affected by the proposed alteration.
    - (o) A title block on the lower right corner of all plans, which shall list the date the site alteration plan was completed and the date of each revision.

E. Plan certifications. The following certifications shall be labeled on the site alteration plan using the forms in Appendix D.[2]

- (1) Certificate of ownership and acknowledgment of plan, which shall be accurately completed and signed by the owner(s) of the property with signature(s) dated and notarized.
- (2) Required permit certification, which shall be accurately completed and signed by the owner(s) of the property with signatures dated and notarized (D-4).
- (3) Certificate of accuracy and compliance, which shall be completed and signed by the registered professional engineer or registered professional land surveyor or registered landscape architect responsible for the plan (D-1).
- (4) Certificate of review by the Planning Commission which shall be located on the right or bottom edge of the plan.

[2] Editor's Note: Appendix D is included at the end of this chapter.

F. Required general notes for all site alteration plan. The following general notes shall be labeled on all site alteration plans:

- (1) By review of this plan, the Township of Middle Smithfield has neither confirmed nor denied the existence and/or extent of any wetland areas, whether or not delineated on the plan, and any encroachment thereon for any reason whatsoever shall be the sole responsibility of the developer, his/her heirs and assigns and shall be subject to the jurisdiction of the Army Corps of Engineers and/or DEP, and the encroachment shall conform to the rules and regulations of the jurisdictional agencies.
  - (2) In the event that the plan will require access to a highway under the jurisdiction of PennDOT, the following: "An approved and completed highway occupancy permit shall be required prior to occupancy and/or use."
  - (3) In the event that the plan will require access to a roadway under the jurisdiction of Middle Smithfield Township, the following: "An approved and completed Township driveway permit shall be required prior to occupancy and or use."
- [1] Editor's Note: See 63 P.S. § 148 et seq.

§ 170-161. Supporting documents, plans and information.

The following supporting documents, plans and information shall be with all site alteration plans:

A. Center-line profiles.

- (1) Profiles along center line of any proposed street or driveway, drawn at a scale or combination of scales (outlandish or extreme combination of scales shall be avoided) that will clearly and accurately show the following:
  - (a) Existing ground line.
  - (b) Proposed grade line with percentages.
  - (c) Printed elevations of the proposed grade line at fifty-foot stations.
  - (d) Vertical curve locations and data.
  - (e) Calculated safe stopping distances (SSD) for all crest vertical curves.
  - (f) Typical cross section for each proposed street showing the following:
    - [1] Cut sections.
    - [2] Fill sections.
    - [3] Parallel drainage.
    - [4] Construction materials.
    - [5] Dimensions.
- (2) The Township Engineer may, when he/she deems it necessary, require actual cross sections setting forth both existing ground and the proposed roadway cross section, drawn to a scale of one inch equals 10 feet, both vertical and horizontal, for any portion or all of the proposed streets.

- B. A Stormwater management plan shall be submitted if required by the Township Stormwater Management Ordinance.
  - C. Soil erosion and sedimentation control plan: a soil erosion and sedimentation control plan designed using measures that shall, at a minimum, meet the standards of Chapter 102 (Erosion and Sediment Pollution Control) of Title 25, Rules and Regulations of DEP.
  - D. Construction certification: a completed construction certification using the form in Appendix D-14[1] (the construction certification must be signed prior to unconditional approval of the site alteration plan).
- [1] Editor's Note: Appendix D-14 is included at the end of this chapter in Attachment 3.

- E. Plan review application: a completed and signed application for review of a site alteration plan and supporting data.

## ARTICLE XII. Administration, Modifications, Amendments, Appeals and Fees

### § 170-181. Records, revisions and resubdivisions.

Middle Smithfield Township shall keep records of all subdivisions/land developments and the actions taken as follows:

- A. Planning Commission records. The Planning Commission shall keep a record of all plans, review reports and recommendations made relative to all subdivision and land development plans that are submitted to it for review and recommendations. All such records shall be made available for public inspection during normal Township office hours, upon request.
- B. Board of Supervisors records. The Board of Supervisors shall keep a record of all plans and the action taken relative to all subdivision and land development plans that are submitted to it for its review and action. All such records shall be made available for public inspection during normal Township office hours, upon request.
- C. Revisions and resubdivisions. Any revision or resubdivision of an approved and/or recorded subdivision plan or an approved and/or recorded land development plan shall be considered a new subdivision or land development plan and shall comply with the following as well as all regulations of this chapter.
  - (1) Lot lines may be changed from those shown on an approved and/or recorded subdivision/land development plan, provided that in making such changes, no lot or tract of land shall be created that is smaller than the minimum dimensions required by the Zoning Ordinance, except when the lot density of the subject plan is decreased or the lot or tract is inseparably attached to adjacent lands.
  - (2) In every case wherein lot lines are changed as permitted above, the subdivider shall prepare a new record plan and shall submit the plan to the Township for recommendations by the Planning Commission and approvals and endorsement by the Board of Supervisors.
  - (3) When the new plan has changes affecting an entire recorded plan, the plan shall contain the following notation: "This plan supersedes a plan of (plan name) as recorded on (recording date) in map file (file no.)."
  - (4) When the new plan changes only a portion of the recorded plan, the plan shall contain the following notation: "This plan supersedes that portion of a plan of (plan name) as recorded on (recording date) in map file (file no.) pertaining to (lot designations)."
  - (5) A resubmission to correct erroneous data or omissions on an approved and/or recorded plan shall not be construed to be a revision or resubdivision.
  - (6) The subdivider or developer shall record the new plan in accordance with this chapter.
- D. Recording of plans. See Sections 170-151 or 170-28.

### § 170-182. Modifications and additional requirements.

The provisions of these regulations are intended as minimum standards for the protection of the public health, safety and welfare of the residents of the Township as well as to protect and preserve or enhance the natural environment. The Board of Supervisors may, based upon specific site

conditions or specific characteristics of the proposed subdivision or land development, modify one or more specific requirements in individual cases as may be necessary or advisable in the public interest. However, that such modifications or additions shall not have the effect of nullifying the intent and purpose of these regulations. The Board of Supervisors may also modify a specific requirement of this Ordinance upon request to promote use of solar energy or to result in an adjustment that will reduce impacts upon the environment without harming public safety.

A. Modifications. After allowing the Planning Commission an opportunity to make a recommendation, the Board of Supervisors may grant modifications subject to such conditions which will, in its judgment, secure substantially the objectives of the standards and/or requirements so modified.

(1) All modifications shall be requested using the form in the Appendix D-8.[1]

[1] Editor's Note: Appendix D-8 is included in Attachment 3.

(2) The recommendations of the Planning Commission and the action of the Board of Supervisors shall be entered on the request form and distributed as follows:

(a) A copy of the modification request form with the recommendations and actions listed shall be forwarded to the Planning Commission.

(b) A copy of the modification request form with the recommendations and actions listed shall be retained in the files of the Board of Supervisors.

(c) A copy of the modification request form with the recommendations and actions listed shall be communicated to the applicant or the applicant(s) representative.

B. Conditions.

(1) The Board of Supervisors may establish reasonable conditions on a proposed SALDO modification. If the applicant does not accept such conditions, the request for a modification shall be considered to be denied.

§ 170-183. Amendments to this Ordinance.

The Board of Supervisors may, from time to time, amend these regulations, subject to the procedures and requirements of the MPC, and other applicable State law.

§ 170-184. Appeals and challenges.

All appeals and challenges to these regulations shall conform to the requirements and procedures as outlined in the MPC, as amended.[1]

[1] Editor's Note: See 53 P.S. § 10101 et seq.

§ 170-185. Schedule of fees.

The Board of Supervisors shall establish, by resolution, and may revise from time to time, as deemed necessary, a schedule of fees to be paid by the applicant at the time of filing the subject plan. However, the recreation fee shall be established and revised by ordinance to comply with the MPC.

A. Posting of the fee schedule. The schedule of fees shall be available in the Township Building, or in such other places as the Board of Supervisors may designate, and shall be available upon request. An escrow account shall also be required to be funded by the applicant to cover professional review fees.

- B. Release of plans for recording. No plans shall be released for recording unless all fees and charges have been paid in full. In the event that the applicant is required to pay additional fees, such fees shall be collected by the Township Secretary prior to the release of any plan for recording.
- C. Fee refunds. There shall be no refund or credit of any portion of the fees or charges, except for unused portions of professional service escrow accounts.

§ 170-186. Restrictions on Sale of Lot before complying with this Ordinance.

No lot in a subdivision or lot or unit in a land development shall be sold or conveyed until all required improvements have been either constructed and approved or guaranteed by bonding or other security acceptable to the Board of Supervisors and the plan has been approved and recorded as provided in this chapter. See also Section 170-5.B.

§ 170-187. Responsibility of Applicants.

The subdivider and/or developer shall be responsible for observing the procedures established by these regulations and for submitting all plans, documents and data as may be required.

- A. Written notification. Where written notification is required by these regulations. Verbal notification shall not be binding on either the Township or the applicant.
- B. Additional data. When the Planning Commission and/or the Board of Supervisors require additional data or other information or documents pertaining to the submitted plan, it shall be the responsibility of the applicant to promptly furnish all items requested. If the items are not furnished within a timely manner, the Township may determine that the submission is incomplete and may reject the application.

§ 170-188. Violations and penalties.

- A. Preventative remedies. In addition to other remedies, Middle Smithfield Township may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations, to prevent unlawful construction, to recover damages and to prevent illegal occupancy of a building, structure or premises. The description by metes and bounds in the instrument or transfer or other documents used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.
  - (1) Middle Smithfield Township may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of this chapter.
    - (a) This authority to deny such a permit or approval shall apply to any of the following applicants:
      - [1] The owner of record at the time of such violation.
      - [2] The vendee or lessee of the owner of record at the time of such violation, without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.



- [3] The current owner of record who acquired the property subsequent to the time of violation, without regard as to whether such current owner had actual or constructive knowledge of the violation.
    - [4] The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation, without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
  - (b) As an additional condition for issuance of a permit or the granting of an approval to any such owner, current owner, vendee or lessee for the development of any such real property, Middle Smithfield Township may require compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real property.
- B. Any person who violates or permits a violation of this chapter shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than \$500, plus all court costs, including reasonable attorney's fees incurred by the Township in the enforcement of this chapter. No judgment shall commence or be imposed, levied or payable until the date of the determination of the violation by the Magisterial District Judge and/or Court. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Further, the appropriate officers or agents of the Township are hereby authorized to seek equitable relief, including injunction, to enforce compliance herewith.
- C. Each day that a violation continues shall constitute a separate violation, unless the Magisterial District Judge after determining that there has been a violation, further determines that there was a good faith basis for the person, partnership or corporation violating this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the Magisterial District Judge, and thereafter, each day that a violation continues shall constitute a separate violation.
- D. The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.



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## **SUBDIVISION AND LAND DEVELOPMENT**

### *170 Attachment 1*

#### **Township of Middle Smithfield**

##### **Appendix A**

##### **Central Water Supply System Procedures and Requirements**

#### **SECTION A.100. CENTRAL WATER SUPPLY SYSTEM DESIGN.**

All central water supply facilities shall be designed and constructed in accordance with regulations and requirements as set forth in the PUBLIC WATER SUPPLY MANUAL prepared by the Bureau of Water Quality Management of the Pennsylvania Department of Environmental Resources.

#### **SECTION A.200. EXISTING FACILITIES.**

When an existing central water supply facility is proposed to be extended to serve a proposed subdivision or land development, the Applicant shall furnish the Township with a complete set of plans and specifications of the proposed facility extension.

A.201. WATER SUPPLY CERTIFICATION. The Applicant shall furnish to the Township a commitment/agreement to serve the subdivision/land development in the form of a completed and signed water supply certification, using the form in Appendix D-15, from the facility that is to serve the proposed subdivision/land development.

A.202. PERMITS AND APPROVALS. The Applicant shall secure any and all permits and approvals as may be required or necessary to furnish such water supply and distribution services from the appropriate municipal and state agencies.

#### **SECTION A.300. NEW FACILITIES.**

When a new water supply facility is proposed to serve the subdivision/land development, the Applicant shall furnish a complete set of plans and specifications of the facility.

A.301. STATEMENT OF INTENT. The Applicant shall present evidence to the Township that the subdivision/land development water is to be supplied by a certificated public utility or a bona fide cooperative association of lot owners.

A COPY OF A CERTIFICATE OF PUBLIC CONVENIENCE FROM THE PENNSYLVANIA PUBLIC UTILITY COMMISSION OR AN APPLICATION FOR SUCH CERTIFICATE OR A COOPERATIVE AGREEMENT RELATING TO A LOT OWNER'S ASSOCIATION, WHICHEVER IS APPROPRIATE, SHALL BE ACCEPTABLE EVIDENCE.

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- A.303. **PERMITS AND APPROVALS.** The Applicant shall secure all permits and approvals as may be required or necessary to furnish such water supply and distribution services from the appropriate Township and/or State agencies.

### **SECTION A.400. CENTRAL WATER SUPPLY WELL SOURCES.**

Central water supply wells shall be located and constructed in accordance with the following requirements.

- A.401. **WELL LOCATION.** Wells shall be located away from potential sources of pollution and contamination.
- A. **ISOLATION DISTANCES.** All central water supply wells shall be located at least the following distances from:
1. Subsurface sewage disposal systems: 200 feet.
  2. Public or private street rights-of-way (not including private access streets, parking access drives, facility access drives, etc.): 100 feet.
  3. Exterior property lines of subdivision/land development: 200 feet.
- A.402. **WELL CONSTRUCTION.** Wells shall be constructed consistent with established standards of the water well drilling industry and guidelines of the Pennsylvania Department of Environmental Resources.
- A.403. **WELL CAPACITY.** The projected capacity of the well or wells shall be sufficient to produce the following:
- A. **RESIDENTIAL ADEQUACY.** Service to a subdivision/land development shall show adequacy of capacity to supply each residential lot or unit with a daily gallonage as required by the Pennsylvania Department of Environmental Resources.
- B. **INDUSTRIAL/COMMERCIAL ADEQUACY.** Service to industrial and commercial establishments shall show adequacy of supply to meet the needs of the said establishment.

### **SECTION A.500. CENTRAL WATER SYSTEM PLAN REQUIREMENTS.**

All central water system plans submitted shall be prepared in accordance with the ACT OF MAY 23, 1945 (P.L. 913, No. 367) known as the "PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LAW" (as amended December 19, 1990) drawn in full conformance with the following, contain all of the applicable information listed and be accompanied by all pertaining documents, plans, data and material.



## SUBDIVISION AND LAND DEVELOPMENT

- A.501. SCALE. The central water system plan shall be clearly and legible drawn to a scale that is capable of showing in sufficient detail all elements of the proposed central water system.
- A.502. SHEET SIZE. The central water system plan and all plans submitted therewith shall be on sheets either:
- 17 inches by 22 inches.
  - 22 inches by 34 inches.
- A.503. KEY DIAGRAM. If the central water system plan requires two or more sheets, a key diagram clearly showing the relative location of the said section shown shall be labeled on each sheet.
- A.504. PLAN INFORMATION. The central water system plan shall contain at least the following data and information.
- A. Name of subdivision/land development.
  - B. Name and address of the person, firm or organization that prepared and is responsible for the plan.
  - C. Lot or unit layout including the location of all proposed and existing public or private streets and drives.
  - D. One-hundred-year floodplains.
  - E. Wetlands accurately shown.
  - F. North arrow.
  - G. Graphic and written scale.
  - H. PLAN FEATURES. Man-made and natural features within the proposed subdivision/land development including, but not limited to the following:
    - 1. Watercourses and lakes.
    - 2. Buildings, structures and other improvements (roads, walkways, etc.).
    - 3. Pavement (parking areas, streets, etc.).
    - 4. Locations, dimensions (when possible) and direction of flow of existing and proposed culverts, ditches and swales.
    - 5. Utility easements.

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6. Any and all other significant man-made or natural features.
- J. PLAN DATA. The central water supply plan shall contain, but not be limited to the following data:
1. Well location(s).
  2. Water distribution system, including:
    - a. Main locations, including sizes.
    - b. Main valves.
    - c. Blow offs.
    - d. Fire hydrants (when applicable).
    - e. Service laterals, including sizes.
    - f. Curb stops.
  3. Pipe bedding design and materials.
  4. All other pertinent details.
- A.505. TITLE BLOCK. A title block on the lower right corner of all plans shall list the date the central water supply plan was completed and the date of each revision.

## **SUBDIVISION AND LAND DEVELOPMENT**

### *170 Attachment 2*

#### **Township of Middle Smithfield**

#### **Appendix B**

#### **Central Sewage Disposal System Procedures and Requirements**

#### **SECTION B.100. CENTRAL SEWAGE COLLECTION AND DISPOSAL SYSTEM DESIGN AND CONSTRUCTION.**

All central sewage disposal facilities shall be designed and constructed in accordance with regulations and requirements of the Pennsylvania Department of Environmental Resources.

#### **SECTION B.200. EXISTING FACILITIES.**

When an existing central sewage disposal facility is proposed to be extended to serve a proposed subdivision/land development, the Applicant shall furnish the Township with a complete set of plans and specifications of the proposed facility extension.

B.201. SEWAGE DISPOSAL CERTIFICATION. The Applicant shall furnish to the Township a completed and signed sewage disposal certification (use the form in Appendix D-14) from the facility that is to serve the proposed subdivision/land development.

B.202. PERMITS AND APPROVALS. The Applicant shall secure any and all permits and approvals as necessary to furnish such services from the appropriate Township and/or State agencies.

#### **SECTION B.300. NEW FACILITIES.**

When a new central sewage disposal facility is proposed to be built to serve the subdivision/land development, the applicant shall furnish to the Township a complete set of plans and specifications of the facility.

B.301. PERMITS AND APPROVALS. The applicant shall secure any and all permits and approvals as necessary to furnish such services from the appropriate Township and/or State agencies.

#### **SECTION B.400. CENTRAL SEWAGE SYSTEM PLAN REQUIREMENTS.**

All central sewage system plans submitted shall be prepared in accordance with the ACT OF MAY 23, 1945 (P.L. 913, No. 367) known as the "PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LAW" (as amended December 19, 1990), drawn in full conformance with the following, contain all of the applicable information listed and be accompanied by all pertaining documents, plans, data and material.

## MIDDLE SMITHFIELD CODE

- B.401. SCALE. The central sewage system plan shall be clearly and legibly drawn to a scale that is capable of showing in sufficient detail all elements of the said system.
- B.402. SHEET SIZE. The central sewage system plan and all plans submitted therewith shall be on sheets either:
- 17 inches by 22 inches.
  - 22 inches by 34 inches.
- B.403. KEY DIAGRAM. If the central sewage system plan requires two or more sheets, a key diagram clearly showing the relative location of the said section shown shall be labeled on each sheet.
- B.404. PLAN INFORMATION. The central sewage system plan shall contain at least the following data and information.
- A. Name of subdivision/land development.
  - B. Name and address of the person, firm or organization that prepared and is responsible for the plan.
  - C. Lot or unit layout including the location of all existing public or private streets.
  - D. One-hundred-year floodplains.
  - E. Wetlands accurately shown.
  - F. North arrow.
  - G. Graphic and written scale.
  - H. PLAN FEATURES. Man-made and natural features within the proposed subdivision/land development including, but not limited to the following:
    - 1. Watercourses and lakes.
    - 2. Buildings, structures and other improvements (roads, walkways, etc.).
    - 3. Pavement (parking areas, streets, etc.)
    - 4. Contours with intervals as follows (elevation datum/U.S.G.S. quadrangle):
      - Slopes less than 5%: two-foot intervals.
      - Slopes 5% to 25%: ten-foot intervals.
      - Slopes 25% or greater: twenty-foot intervals.

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- (5) Locations of existing and proposed culverts (with sizes), ditches and swales.
  - (6) Drainage and Utility easements.
  - (7) Any and all other significant man-made or natural features.
- J. PLAN DATA. The central sewage system plan shall contain, but not be limited to the following data:
- 1. Sewage collection system, including:
    - a. Main locations (including sizes).
    - b. Manhole locations.
    - c. Pump station locations.
    - d. Service laterals (including sizes).
  - 2. Profiles of all gravity sewer lines.
  - 3. Outfall lines.
  - 4. Pipe bedding design and materials.
  - 5. All other pertinent data and information pertaining to the said system.
- B.405. TITLE BLOCK. A title block on the lower right-hand corner of all plans shall list the date the central sewage collection and disposal system plan was completed and the date of each revision.



## SUBDIVISION AND LAND DEVELOPMENT

### *170 Attachment 3*

#### **Township of Middle Smithfield**

#### **Appendix D Certifications and Forms**

- D-1: Certificate of Accuracy and Compliance
- D-2: Township Review Certifications
- D-3: Certification of Ownership and Acknowledgment of Plan
- D-4: Required Permit Certification
- D-5: Affidavit of Plan Submission
- D-8: Request for a Modification of Regulations
- D-9: On-Site Sewage Disposal Feasibility Report
- D-12: Middle Smithfield Township Plan Action Report
- D-13: Township Certification of Deemed Approval
- D-14: Construction Certification
- D-15: Sewage Disposal and/or Water Supply Certification
- D-16: Waiver of Township Action Time Limitations

SUBDIVISION AND LAND DEVELOPMENT

Township of Middle Smithfield

Appendix D-1  
Certificate of Accuracy and Compliance

\*\*\*\*\*

**CERTIFICATE OF ACCURACY AND COMPLIANCE:**

I hereby certify that the plan shown and described hereon, as well as all related drawings and documents submitted herewith are true and correct to the accuracy required by and are in complete compliance with the MIDDLE SMITHFIELD TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT REGULATIONS and/or the MIDDLE SMITHFIELD TOWNSHIP ZONING ORDINANCE and were prepared by me or under my direct supervision and for which I accept full and complete responsibility.

\_\_\_\_\_(1)\_\_\_\_\_(2)\_\_\_\_\_

Date \_\_\_\_\_

\_\_\_\_\_(3)\_\_\_\_\_

(print name)

\*\*\*\*\*

- (1) *Insert the name, address and license number of the REGISTERED PROFESSIONAL LAND SURVEYOR or REGISTERED PROFESSIONAL ENGINEER or REGISTERED LANDSCAPE ARCHITECT responsible for the plan.*
- (2) Apply seal of the REGISTERED PROFESSIONAL LAND SURVEYOR, REGISTERED PROFESSIONAL ENGINEER *or* REGISTERED LANDSCAPE ARCHITECT responsible for the plan.

(ALL PLANS AND DOCUMENTS SUBMITTED FOR RECOMMENDATIONS AND/OR APPROVAL AND ENDORSEMENT BY THE TOWNSHIP PLANNING COMMISSION AND/OR THE BOARD OF SUPERVISORS SHALL BEAR THE EMBOSSSED PROFESSIONAL SEAL OF THE PROFESSIONAL LAND SURVEYOR, REGISTERED LANDSCAPE ARCHITECT AND/OR PROFESSIONAL ENGINEER RESPONSIBLE FOR THE SAID PLAN)

- (3) Signature of the REGISTERED PROFESSIONAL LAND SURVEYOR, or REGISTERED LANDSCAPE ARCHITECT or REGISTERED PROFESSIONAL ENGINEER responsible for the plan.



SUBDIVISION AND LAND DEVELOPMENT

Township of Middle Smithfield

Appendix D-2  
Township Review Certifications

\*\*\*\*\*

**MIDDLE SMITHFIELD TOWNSHIP PLANNING COMMISSION  
CERTIFICATE OF REVIEW:**

At an advertised public meeting held on \_\_\_\_\_, 20\_\_\_\_ the  
PLANNING COMMISSION of MIDDLE SMITHFIELD TOWNSHIP reviewed and by a  
motion, duly carried, does hereby certify that it reviewed and provided a recommendation  
concerning the said \_\_\_\_\_ (1) \_\_\_\_\_  
plan for the property of \_\_\_\_\_ (2) \_\_\_\_\_  
as shown hereon.

\_\_\_\_\_  
Chairperson

(SEAL)

\_\_\_\_\_  
Secretary

\*\*\*\*\*

**MIDDLE SMITHFIELD TOWNSHIP BOARD OF SUPERVISORS  
CERTIFICATE OF REVIEW AND APPROVAL:**

At an advertised meeting held on \_\_\_\_\_, 20\_\_\_\_ the BOARD OF  
SUPERVISORS of MIDDLE SMITHFIELD TOWNSHIP reviewed and by a  
motion, duly carried, does hereby approve, endorse and seal the said \_\_\_\_\_  
\_\_\_\_\_ (1) \_\_\_\_\_ plan for the property of \_\_\_\_\_  
\_\_\_\_\_ (2) \_\_\_\_\_ as shown hereon.

\_\_\_\_\_  
Chairperson

(SEAL)

\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
Supervisor

\*\*\*\*\*

- (1) Insert type of plan: preliminary subdivision — major subdivision — minor subdivision — planned  
residential development — cluster housing development — mobile home park — campground —  
land development
- (2) Insert: name(s) of property owner(s)

SUBDIVISION AND LAND DEVELOPMENT

Township of Middle Smithfield

Appendix D-3

Certification Of Ownership And Acknowledgment Of Plan

\*\*\*\*\*

COMMONWEALTH OF PENNSYLVANIA

County of Monroe

ss.

On this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned officer, personally appeared \_\_\_\_\_, who being duly sworn, according to law, doth depose and say that \_\_\_\_\_

the \_\_\_\_\_ (1) \_\_\_\_\_, of the property shown and depicted on this plan, that the \_\_\_\_\_ (2) \_\_\_\_\_ plan thereof was made at \_\_\_\_\_ direction, that \_\_\_\_\_ acknowledge the same to be by

\_\_\_\_\_ own act and plan \_\_\_\_\_ (3)

\_\_\_\_\_ (4)

\_\_\_\_\_ (5) \_\_\_\_\_ (5)

\_\_\_\_\_  
(print name and title)

\_\_\_\_\_  
(print name and title)

(6)

(7)

\*\*\*\*\*

- (1) Insert either: owner(s) — officer(s) of the (name of the corporation) which is the owner.
- (2) Insert type of plan: preliminary subdivision — subdivision — planned residential development — cluster housing development — mobile home park — campground — land development — site alteration — storm water management.
- (3) Whenever applicable, insert: and desires the same to be recorded according to law.
- (4) Whenever applicable and desired by the Applicant, insert: and hereby dedicates all additional width, as shown hereon, of Township Route # \_\_\_\_\_ beyond the existing right-of-way to Middle Smithfield Township as a public street.
- (5) Signatures of: individual(s) — partners — an officer of the corporation.
- (6) Whenever appropriate: corporate seal.
- (7) Seal of the notary public or other officer.

SUBDIVISION AND LAND DEVELOPMENT

Township of Middle Smithfield

Appendix D-4  
Required Permit Certification

\*\*\*\*\*

COMMONWEALTH OF PENNSYLVANIA

County of Monroe

ss.

On this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned officer, personally appeared \_\_\_\_\_, who being duly sworn, according to law, doth depose and say that \_\_\_\_\_ the \_\_\_\_\_ (1) \_\_\_\_\_ of the property shown and depicted on this plan, hereby certify that \_\_\_\_\_ heirs or assigns will implement all requirements and obtain all permits as required by any and all local, state or federal agencies and do also agree and realize that if the said permits are not obtained as required any and all approvals given by MIDDLE SMITHFIELD TOWNSHIP will become nullified and be violated with no further action on the part of the Township.

\_\_\_\_\_ (2) \_\_\_\_\_ (2)

\_\_\_\_\_  
(print name and title)

\_\_\_\_\_  
(print name and title)

(3)

(4)

\*\*\*\*\*

- (1) Insert either: Owner(s) — officer(s) of the (name of the corporation) which is the owner.
- (2) Signatures of the individual(s) — of partners — of the officer of the corporation.
- (3) Whenever appropriate: corporate seal.
- (4) Seal of the notary public.

SUBDIVISION AND LAND DEVELOPMENT

Township of Middle Smithfield

Appendix D-5  
Affidavit of Plan Submission

\*\*\*\*\*

AFFIDAVIT OF PLAN SUBMISSION:

This \_\_\_\_\_ (1) \_\_\_\_\_ plan was submitted to the  
MONROE COUNTY PLANNING COMMISSION for review on \_\_\_\_\_ (2) \_\_\_\_\_,  
20\_\_\_\_ and the County's review fee was paid.

\_\_\_\_\_  
(3)

\_\_\_\_\_  
(print name)

\*\*\*\*\*

- (1) Insert either: subdivision or land development
- (2) Insert date the plan was submitted to the Monroe County Planning Commission for review and comment.
- (3) Signature of the Applicant or His/Her Authorized Representative *who provided the submittal.*

SUBDIVISION AND LAND DEVELOPMENT

Township of Middle Smithfield

Appendix D-6  
Affidavit of Plan Submission

A REQUEST IS HEREBY MADE FOR A MODIFICATION OF THE SUBDIVISION AND  
LAND DEVELOPMENT REGULATIONS AND/OR THE PUBLIC ROAD REGULATIONS

\*\*\*\*\*

NAME OF PROJECT \_\_\_\_\_

APPLICANT(s) \_\_\_\_\_ PHONE NO. \_\_\_\_\_

ADDRESS \_\_\_\_\_

EMAIL ADDRESS(ES) \_\_\_\_\_

ORDINANCE SECTION/SUBSECTION INVOLVED \_\_\_\_\_

MODIFICATION REQUESTED \_\_\_\_\_

\_\_\_\_\_

REASON FOR MODIFICATION \_\_\_\_\_

\_\_\_\_\_

ATTACH ADDITIONAL PAGE(S) AS NECESSARY TO EXPLAIN THE REQUEST AND ANY ALTERNATIVE  
STANDARD THAT IS PROPOSED.

\*\*\*\*\*

**APPLICANTS DECLARATION OF MODIFICATION REQUEST:**

I HEREBY DECLARE THAT THE ABOVE REQUESTED MODIFICATION IS THE MINIMUM REQUIRED TO  
COMPLETE THE ABOVE PROJECT IN FULL ACCORDANCE WITH ALL REMAINING STANDARDS,  
REGULATIONS AND REQUIREMENTS OF MIDDLE SMITHFIELD TOWNSHIP.

Date of application \_\_\_\_\_, 20\_\_\_\_ (signature) \_\_\_\_\_  
(name and title) \_\_\_\_\_

\*\*\*\*\*

**MIDDLE SMITHFIELD TOWNSHIP PLANNING COMMISSION: (recommendations/action)**

- MODIFICATION RECOMMENDED FOR APPROVAL.
- MODIFICATION RECOMMENDED SUBJECT TO SPECIFIED CONDITIONS.
- MODIFICATION RECOMMENDED TO BE REJECTED.

Date of application \_\_\_\_\_, 20\_\_\_\_  
(Chairperson, Planning Commission)

\*\*\*\*\*

**MIDDLE SMITHFIELD TOWNSHIP BOARD OF SUPERVISORS: (action)**

- MODIFICATION APPROVED.
- MODIFICATION APPROVED SUBJECT TO SPECIFIED CONDITIONS.
- MODIFICATION REJECTED.

Date of action \_\_\_\_\_, 20\_\_\_\_  
(Chairperson, Planning Commission)

\*\*\*\*\*

THE GRANTING OF OR REJECTION OF THE ABOVE REQUESTED MODIFICATION IN NO WAY RELIEVES THE  
APPLICANT OF RESPONSIBILITY OF CONFORMANCE WITH ALL OTHER ORDINANCES, STANDARDS,  
REGULATIONS AND REQUIREMENTS OF MIDDLE SMITHFIELD TOWNSHIP.

\*\*\*\*\*

SUBDIVISION AND LAND DEVELOPMENT

Township of Middle Smithfield

Appendix D-9  
On-Site Sewage Disposal Feasibility Report

\*\*\*\*\*  
APPLICATION IS HEREBY MADE FOR A REVIEW OF THE ATTACHED LAND DEVELOPMENT PLAN  
AND RELATED DATA BY THE MIDDLE SMITHFIELD TOWNSHIP SEWAGE ENFORCEMENT OFFICER TO  
VERIFY SITE FEASIBILITY RELATIVE TO SUBSURFACE SEWAGE DISPOSAL.  
\*\*\*\*\*

PROJECT NAME \_\_\_\_\_

PROPERTY OWNER(s) \_\_\_\_\_ PHONE NO. \_\_\_\_\_

ADDRESS \_\_\_\_\_

EMAIL ADDRESS(ES) \_\_\_\_\_ PHONE NO. \_\_\_\_\_

PLAN PREPARER \_\_\_\_\_

ADDRESS \_\_\_\_\_ PHONE NO. \_\_\_\_\_

TOTAL NUMBER OF UNITS PROPOSED \_\_\_\_\_

TOTAL SEWAGE FLOW OF PROJECT (gallons per day) \_\_\_\_\_

TOTAL ACREAGE OF THE PROJECT \_\_\_\_\_

ADDITIONAL COMMENTS ABOUT THE PLAN (attach on separate sheet(s))

\*\*\*\*\*

**PROPERTY OWNER'S ACKNOWLEDGMENT OF APPLICATION:**

As owner(s) of the property described in this application we hereby acknowledge the said application and agree with the submittal of all accompanying plans and data for comments by the Township Sewage Enforcement Officer

Date \_\_\_\_\_  
(signature) (signature)

(print name & title) (print name & title)

\*\*\*\*\*

**ATTACH COPIES OF "SITE INVESTIGATION AND PERCOLATION TEST REPORTS" FOR THE PROJECT.**

ATTACH A COPY OF THE LAND DEVELOPMENT PLAN FOR THE PROJECT SHOWING AT LEAST THE FOLLOWING:

- Location of all soil profile excavations.
- Location of all percolation test sites.
- Slope at each test site.
- Soil types and boundaries.
- Location of all existing and proposed buildings and streets.
- Location of existing and proposed water supply sites.
- Existing and proposed contour lines.
- Location of all flood plain areas on the proposed site or within 50 feet of subsurface disposal areas.
- Location of all wetlands on the proposed site or within 50 feet of subsurface disposal areas.
- Any and all additional data and/or testing requested by the Township Sewage Enforcement Officer.

NOTE: ALL TESTING MUST BE FIELD VERIFIED BY THE SEWAGE ENFORCEMENT OFFICER.

---

(Below this line to be completed by the Township Sewage Enforcement Officer)

- Subject to the submission of an adequate design the use of on-site subsurface sewage disposal systems on this project is feasible.
- The use of on-site subsurface sewage disposal systems on this project is not feasible.

Signature of the Sewage Enforcement Officer \_\_\_\_\_

Date \_\_\_\_\_, 20\_\_\_\_

SUBDIVISION AND LAND DEVELOPMENT

Township of Middle Smithfield

Appendix D-12

Middle Smithfield Township, 147 Municipal Drive, East Stroudsburg PA 18302

Middle Smithfield Township Plan Action Report

NAME OF PLAN: \_\_\_\_\_

Applicant \_\_\_\_\_ Phone No. \_\_\_\_\_

Email Address(es) \_\_\_\_\_

\_\_\_\_\_  
(Below this line to be completed by the Township)

AT AN ADVERTISED MEETING HELD ON \_\_\_\_\_, 20\_\_\_\_, THE MIDDLE SMITHFIELD TOWNSHIP (check off)

\_\_\_\_ BOARD OF SUPERVISORS      \_\_\_\_ PLANNING COMMISSION (recommendations)

\_\_\_\_ APPROVED THE ABOVE REFERENCED PLAN

\_\_\_\_ APPROVED THE ABOVE REFERENCED PLAN SUBJECT TO SPECIFIED CONDITIONS

\_\_\_\_ REJECTED THE ABOVE REFERENCED PLAN

SPECIFIED CONDITIONS:    \_\_\_\_ LISTED BELOW      \_\_\_\_ ATTACHED

\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_

DATE \_\_\_\_\_

ATTEST: \_\_\_\_\_  
(Secretary Middle Smithfield Township)

THIS PLAN ACTION REPORT SHALL SERVE AS AN OFFICIAL NOTIFICATION OF TOWNSHIP ACTION ON THE ABOVE REFERENCED PLAN AS REQUIRED BY THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE AS AMENDED, AND THE MIDDLE SMITHFIELD SUBDIVISION AND LAND DEVELOPMENT REGULATIONS.