

ORDINANCE NO 2 of 2014

AN ORDINANCE OF BLACK CREEK TOWNSHIP, LUZERNE COUNTY, PENNSYLVANIA, AMENDING CHAPTER 14, SUBDIVISION AND LAND DEVELOPMENT, SECTION 304(B) AND (C), SUBMISSION OF PRELIMINARY PLAN; SECTION 306(E) AND (F), SUBMISSION OF FINAL PLAN; SECTION 502(K), PRELIMINARY PLAN REQUIREMENTS – TITLE REPORT; AND SECTION 502(P), PRELIMINARY PLAN REQUIREMENTS – ADDITIONAL APPROVALS, CERTIFICATES AND DOCUMENTS

An Ordinance of Black Creek Township amending Chapter 14, Subdivision and Land Development, Section 304(B) and (C), Submission of Preliminary Plan; Section 306(E) and (F), Submission of Final Plan; Section 502(K), Preliminary Plan Requirements – Title Report; and Section 502(P), Preliminary Plan Requirements – Additional Approvals, Certificates and Documents.

The Supervisors of Black Creek Township do hereby adopt the following amendments to the Code of Ordinances:

**Chapter 14
SUBDIVISION AND LAND DEVELOPMENT**

Section 304. Submission of Preliminary Plan.

B. **Seven (7) copies** of the preliminary plan and all other required documents and information shall be submitted to the Township Secretary together with the required fees established in accord with the terms of this ordinance. The Township Secretary shall note the date of tentative receipt of the application and fees. The said tentative date of receipt is subject to the review by the Township Secretary, Township Engineer and Supervisors to determine if all required materials and fees have been submitted by the applicant. The items required for a submission to be deemed complete are outlined in this Ordinance and the most current version of the Black Creek Township Subdivision and Land Development Application package. If the application is defective or incomplete, the applicant shall be notified in writing within fourteen (14) days of the tentative date of receipt and the application shall be null and void and shall be deemed withdrawn by the applicant. If no such notice is given to the applicant that the application is defective or incomplete, it shall be assumed that the project is complete and the application will be added to the agenda of the next regular meeting of the Township Planning Commission. If the Planning Commission accepts the application as complete at the regular meeting, the meeting date will be the official date of the acceptance of a complete submission and the commencement of the Pennsylvania Municipal Planning Code required 90-day review period.

C. The Township Secretary shall distribute the plans and documents submitted by the applicant as follows:

1. Three (3) copies of the plans and other required materials to the Township Planning Commission;
2. One (1) copy of plans and all materials to the Township Engineer;
3. One (1) copy of plans and all materials to the Board of Supervisors;
4. One (1) copy of plans and all materials for the Township files; and
5. One (1) copy of plans and all materials to the Solicitor of the Planning Commission.

Section 306. Submission of Final Plan.

E. Official submission of the final plan to the Township Secretary shall consist of:

1. One (1) copy of the application for review of final subdivision or land development plan.
2. Seven (7) copies of the final plans and supporting materials to enable proper distribution and review by the Township.
3. Copies of all applications made or notices provided to Federal, State and County agencies by or on behalf of the applicant for permits, certifications, approvals or waivers required sought for either subdivision or land development as proposed in the preliminary or final plan, including, but not limited to, applications or notices provided to the U.S. Army Corps of Engineers, U.S. Department of Agriculture Soil Conservation District, U.S. Environmental Protection Agency, Commonwealth of Pennsylvania Department of Environmental Protection (PA DEP) or Pennsylvania Department of Transportation (PA DOT), and Luzerne Conservation District.

4. Payment of application fees, if required, for plan review costs.

F. The seven (7) required copies of the final plans and all required supplementary data shall be submitted to the Township Secretary together with the required fees as prescribed by resolution of the Board. The Township Secretary shall note the date of receipt and shall then forward:

1. Three (3) copies of the plans and other required materials to the Township Planning Commission.
2. One (1) copy of plans and all materials to the Township Engineer.
3. One (1) copy of plans and all materials to the Board of Supervisors.

4. One (1) copy of plans and all materials for the Township files.
5. One (1) copy of plans and all materials to the Solicitor of the Planning Commission.
6. One (1) Mylar copy of all plans intended to be recorded must be supplied to the Township prior to final approval. The Mylar copy is not required at the time of the initial application since plan revisions will most likely be required.

Section 502. Preliminary Plan Requirements.

K. Title Report

At the request of the Township Planning Commission, the applicant shall provide a current title report prepared by a title insurance or title abstract company showing all easements and encumbrances of record regarding the property which is to be subdivided or developed.

P. Additional Approvals, Certificates and Documents


1. A statement duly acknowledged before an officer authorized to take acknowledgment of deeds and signed by the owner or owners of the property, to the effect that the owner or owners consent to the subdivision or land development shown on the plan.
2. Certification of the engineer, land surveyor, landscape architect or land planner who prepared the plan that the plans are in conformity with zoning, building, subdivision and other applicable Township ordinances and regulations. In any instance where such plans do not conform, evidence shall be presented that an exception or waiver has been authorized. Certification blocks must be contained on all applicable plans as deemed appropriate by the Township Engineer.
3. A Traffic Impact Study will be required to be submitted to and approved by the Township in conformance with the standards outlined in Section 626 if the project meets the requirements for a study as outlined in Section 626.1.
4. A copy of the wetland delineation report for the entire parcel prepared by a qualified professional. If a wetland delineation report was completed more than five years prior to the initial complete submission to the Township the report will not be accepted. A wetland delineation report is not required for minor subdivisions which do not involve the construction of improvements.
5. A copy of the water system design calculations and aquifer tests that is required for the project, if applicable.
6. A copy any pressure sewer system design calculations, if applicable.

These Amendments shall take effect immediately upon their adoption.


The remaining sections of the Ordinance, as amended, shall remain the same unchanged, except as otherwise provided herein.


This Ordinance is hereby duly enacted and adopted this 3 day of June, 2014.

ATTEST:


Secretary

BLACK CREEK
TOWNSHIP SUPERVISORS:

By: 
Chairman

By: 
Vice Chairman

By: 
Supervisor