

ARTICLE 4
PRELIMINARY PLAN

SECTION 401 **INITIAL REVIEW**

The Preliminary Plan shall be reviewed to determine its completeness with regard to the standards, provisions, and requirements of this Ordinance. Any submission which is found to be incomplete shall be deemed to be invalid. The applicant shall be notified in writing as to the nature and type of additional information which must be submitted.

SECTION 402 **REVIEW BY LUZERNE COUNTY PLANNING COMMISSION**

The Board of Supervisors shall not approve a Preliminary Plan until a report is received from the Luzerne County Planning Commission or until the expiration of thirty (30) days from the date it was forwarded to the Luzerne County Planning Commission.

SECTION 403 **REVIEW AND APPROVAL/DISAPPROVAL OF PLAN**

The Board of Supervisors shall consider all official reports, comments and recommendations as provided in Section 304.2 of this Ordinance. The Board of Supervisors shall render a decision in conformance with Section 308 of this Ordinance. The following constitutes the type of action the Board of Supervisors may take:

- a. The Board of Supervisors may disapprove the Preliminary Plan, in which case it shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite the provisions of this Ordinance relied upon. The Board of Supervisors shall provide written notification to the applicant, in conformance to Section 308 of this Ordinance.
- b. The Board of Supervisors may approve the Preliminary Plan. Such approval shall constitute approval of the subdivision or land development as to the character and intensity of development, the arrangement and approximate dimensions of streets, lots, and other planned features. The approval binds the applicant to proceed with the installation of the required improvements and/or to arrange for a form of financial security to cover installation of improvements and to prepare the Final Plan. Approval of the Preliminary Plan does not authorize the sale of lots, property or the recording of the Preliminary Plan. The Board of Supervisors shall provide written notification to the applicant, in conformance to Section 308 of this Ordinance.
- c. No tree clearing, grading and/or earth disturbance (except for soil analysis for proposed sewage disposal systems) shall be permitted on a site prior to preliminary plan approval.

SECTION 404 **PRELIMINARY PLAN - DRAFTING STANDARDS**

404.1 The Preliminary Plan of a proposed subdivision or land development be labeled as such and shall be clearly and legibly drawn to a scale not greater than

- (a) one (1) inch equals fifty (50) feet for a property in excess of two (2) acres.
- (b) one (1) inch equals twenty (20) feet for a property equal to or less than two (2) acres.

404.2 The original drawing, and all submitted prints thereof shall be made on a sheet size of twenty-four (24) inches by thirty-six (36) inches.

404.3 All dimensions shall be set in feet and decimal parts thereof, and bearings in degrees, minutes and seconds.

404.4 The survey shall not have an error of closure greater than one (1) foot in ten thousand (10,000) feet.

404.5 If the Preliminary Plan requires more than one (1) sheet, a key diagram showing relative location of the several sections shall be drawn on each sheet, and appropriately labeled with match lines.

404.6 Preliminary Plans shall be so prepared and shall bear an adequate legend to indicate clearly which features are existing and which are proposed.

404.7 A block for the signatures of the Chairman and Secretary of the Planning Commission indicating the date of its recommended approval of the preliminary plan.

404.8. A block for the signatures of the Chairman of the Board of Supervisors and the Township Secretary indicating the date of approval of the preliminary plan.

SECTION 405 PRELIMINARY PLANS - EXISTING CONDITIONS

The Preliminary Plan shall contain the following information:

405.1 The name and address of record owner, with source of title by deed book and page number and certification of ownership which carries a Notarial Seal.

405.2 Name and address of applicant if different from owner.

405.3 Name of proposed subdivision or land development, labeled as the "Preliminary Plan".

405.4 Name and address of registered engineer, or registered land surveyor, responsible for the subdivision plan or land development plan, including certification of the accuracy of the plan and its conformance to the provisions of this Ordinance.

405.5 North point, graphic scale, and date including the month, day and year that the original drawing was completed and the month, day and year that the

original drawing was revised for each revision.

- 405.6 Total tract boundaries of the property being subdivided, showing bearings and distances, with bearings not less than the nearest ten (10) seconds and distances to the nearest one hundredth (.01) of a foot. The total size of the property shall be listed in both acreage and square feet.
- 405.7 The names of all adjoining landowners, including block and lot numbers from the Luzerne County Assessor's Office.
- 405.8 All existing man-made features including, but not limited to, streets, driveways, farm roads, woods, roads, buildings, foundations, walls, wells, drainage fields, utilities, fire hydrants, and storm and/or sanitary sewers. All existing streets, including streets of record (recorded but not constructed) on or abutting the tract, shall include names, right-of-way widths, cartway (pavement) widths and approximate grades.
- 405.9 All existing sewer lines, water lines, fire hydrants, utility transmission lines, utility easements, or utility right-of-ways, culverts, storm drains, bridges, railroad right-of-ways and other significant man-made features within the proposed subdivision or land development.
- 405.10 All existing building or structures within the boundaries of the proposed subdivision or land development.
- 405.11 The Zoning District or Districts, delineated upon the Plan, along with the required building setback line and/or the proposed placement of each building shall be shown, and where corner lots are involved, the required setback lines on both streets shall be shown.
- 405.12 Original topography providing the contour lines at vertical intervals of:
- not more than five (5) feet for land with an average natural slope of five (5%) percent or less.
 - not more than ten (10) feet for land with an average natural slope exceeding five (5%) percent.
 - not more than twenty (20) feet for land with an average natural slope exceeding fifteen (15%) percent.

Topography for major subdivisions or land development shall be prepared by a professional land surveyor or professional engineer from an actual field survey of the site or from stereoscopic aerial photography and shall be coordinated with official U.S.G.S. benchmarks.

- 405.13 Existing watercourses, streams, ponds, wetlands, floodplain and/or flood prone areas, rock outcrops and vegetative cover conditions on the property according to general cover type including cultivated land, permanent grass land, meadow, pasture, old field, hedgerow, woodland, and trees described by plant

community, relative age and condition within the proposed subdivision or land development.

- 405.14 With regard to wetlands, all plans must specifically address the subject of as to whether any wetlands are located upon the site. If no wetlands are located within the site, a certification of the absence of wetlands shall be so noted upon the plan, which is certified by a person with appropriate training and experience in the identification of wetlands. If wetlands are located within the site, a delineation of all wetlands boundaries, upon the site shall be provided by a person with appropriate training and experience in the identification of wetlands. The inclusion of wetlands upon the site shall require a complete survey, delineation and total acreage of said wetlands boundaries included upon the plans.
- 405.15 Soil series, types and phases, as mapped by the U.S. Department of Agriculture, Natural Resources Conservation Service in the published Soil Survey for the County, and accompanying data published for each soil relating to its suitability for construction (and, in unsewered areas, for on-site sewage disposal suitability).
- 405.16 Locations of all historically significant sites or structures on the tract.
- 405.17 Locations of trails that have been in public use (pedestrian, equestrian, bicycle, etc.).
- 404.18 All easements and other encumbrances of property which are or have been filed of record with the Recorder of Deeds of Luzerne County.
- 405.19 A location map at a scale of not greater than one (1) inch equals two thousand (2,000) feet, indicating the relation of the site to its geographic proximity within the municipality.

SECTION 406 PRELIMINARY PLANS - PROPOSED DEVELOPMENT

The Preliminary Plans shall contain and include the following information:

406.1 Lot layout and related features which shall indicate and provide:

- (a) the total number of lots proposed for the site, with identification numbers;
- (b) the dimensions and area of all lots, expressed in either square feet or acres;
- (c) the building setbacks for all lots along each street, or in the case of a land development, the proposed placement of each building along each street, and the proposed use of each building;
- (d) proposed open space, parks, playgrounds, or recreational facilities, with any governing conditions thereof;
- (e) copies of proposed deed restrictions, easements, and protective covenants referenced on the plan;

- (f) proposed contour lines at vertical intervals of five (5) feet of the entire site;
- (g) location, width and purpose of proposed easements and utility right-of-way;
- (h) In the case of wetlands, total acreage of any such acreage to be disturbed

406.2 Street and right-of-way layout which shall indicate and/or provide:

- (a) the location of all proposed streets and existing streets (public and private) within the site and abutting or adjoining the site;
- (b) the location, right-of-way, and cartway of all proposed streets, with a statement of any condition governing their use and the right-of-way and cartway of any existing streets (public or private) to which the proposed street will intersect;
- (c) suggested street names, in accordance with Section 806 of this Ordinance, the location of street signs in accordance with Section 808 of this Ordinance and the location of traffic control signs in accordance with Section 809 of this Ordinance;
- (d) the beginning and end point of proposed street construction;
- (e) location, width, and purpose of proposed easement and utility right-of-way;
- (f) the location of sidewalks.

406.3 A subdivision and/or land development, when being serviced by sanitary sewers, shall be connected to public sewers. The developer shall provide a letter of commitment from the applicable Sewer Authority providing notice that said Authority can adequately serve the proposed subdivision or land development and accept the conveyance of sewage for treatment and disposal, including any conditions required for the provision of service. If applicable, written approval from any adjoining municipality regarding the conveyance of sewage into their system to access intended conveyance of sewage to facilities of the applicable Sewer Authority shall also be required. The following information shall be provided upon the plan.

1. the layout, size and material of sanitary sewers within the site;
2. location of manholes with invert elevation of flow line and grade at the top of each manhole;
3. location of laterals.

When serviced by on-lot sewage disposal, a test pit shall be required for each lot within a proposed subdivision and/or land development. The following information shall be provided upon the plan:

1. location of test pits sites;
2. location of soil percolation test sites;
3. location and extent of various soil types within the site with DEP definitions for each;
4. proposed or typical location of building and/or structure with proposed location of wells, if applicable;
5. copy of the applicable report and findings of the Township's Sewage Enforcement Officer.

406.4 A subdivision and/or land development, when being serviced by a centralized water system shall indicate and/or provide the following:

- (a) if to be served by an existing water company or authority, a letter from the same indicating said company or authority can adequately serve the proposed subdivision or land development, including any conditions required for the provision of service;
- (b) location and size of all waterlines;
- (c) location of fire hydrants.

A subdivision and/or land development, when individual lots are serviced by individual wells shall indicate the proposed location of the subject wells upon the plans.

406.5 Storm drainage shall indicate and/or provide:

- (a) stormwater management plans, including drawings of present and proposed contours, stormwater runoff data and facilities for stormwater drainage.
- (b) the location, size and material of all storm drainage facilities;
- (c) watershed areas for each drainage facility or swale.

406.6 A letter from the applicable public utility company which provides electrical service and/or gas service to the Township, indicating said company can and shall adequately serve the proposed subdivision or land development, including any conditions required for the provision of service.

All plans shall contain the following notice in compliance with PA. Act 287:
CALL BEFORE YOU DIG!

BEFORE YOU DIG ANYWHERE IN PENNSYLVANIA
CALL 1-800-242-1776
PA ACT 287 OF 1974 REQUIRES THREE
WORKING DAYS NOTICE TO UTILITIES
BEFORE YOU EXCAVATE, DRILL OR BLAST
PENNSYLVANIA ONE CALL SYSTEM INC.

SECTION 407 ADDITIONAL MATERIALS SUBMITTED WITH
PRELIMINARY PLAN

The following material and information shall be submitted with the Preliminary Plan:

- 407.1 Proof of ownership including a copy of the existing deed.
- 407.2 Preliminary Plan Application and required fee.
- 407.3 A copy of the application for a Highway Occupancy Permit, if applicable, as required by Bear Creek Township, the Pennsylvania Department of Transportation and/or the Luzerne County Road and Bridge Department.
- 407.4 Construction Plans which include, where applicable, preliminary design, preliminary profiles, typical cross-sections and specifications for the construction or installation of streets, sidewalks, sanitary sewers, sewage treatment facilities, storm drainage facilities, water lines, bridges or culverts.
- (a) Cross-sections for proposed streets and sidewalks shall be provided at intervals of fifty (50') feet and at intersections and the limits of work.
 - (b) Engineering design of proposed bridges or culverts shall be prepared in conformance with the latest Pennsylvania Department of Transportation design manuals.
 - (c) Engineering design of a proposed central sewage system and/or central water supply and distribution system shall be accompanied by all permit applications for all respective utilities.
- 407.6 Any offers of dedication of proposed improvements, signed by the owner of the property and properly notarized.
- 407.7 A Sewage Planning Module and all accompanying data as required by the Pennsylvania Department of Environmental Protection.
- 407.8 A copy of the Soil Erosion and Sedimentation Control Plan, application and related information as required by the Luzerne County Conservation District.

- 407.9 Stormwater management plans, including drawings of present and proposed contours, stormwater runoff data and facilities for stormwater drainage. All stormwater management plans, including the design of proposed improvements thereunder must be prepared and sealed by a licensed professional engineer.
- 407.10 In the case of delineation of wetlands, the wetland boundaries, as provided by the developer, must be verified by either the U.S. Army Corps of Engineers or the Pennsylvania Department of Environmental Protection based upon a jurisdictional determination of said agencies.
- 407.11 Estimated costs by item for required improvements in accordance with Section 703 of this Ordinance.
- 407.12 Any other information deemed necessary by the Board of Supervisors, including but not limited to any Impact Analysis, as defined in Article 2 of this Ordinance.
- 407.13 An executed written agreement under which the applicant agrees to fully reimburse the Township for any and all consulting fees incurred resulting from the review of plans, applications and supporting information, data and/or reports or studies, including but not limited to, any required Impact Analysis and site inspections of the property to insure compliance with the terms of approval and required improvements.

In providing for such an agreement, the Board of Supervisors, at its discretion, may require the applicant to establish an escrow account in a manner arranged for the Township's withdrawal of funds for the payment of consulting fees incurred by the Township.