

**ARTICLE 5**  
**FINAL PLAN**

**SECTION 501**      **SUBMISSION AND REVIEW PROCEDURE**

**501.1** The Final Plan shall be reviewed to determine its completeness including, but not limited to, conformance with the standards and data as set forth in Article 4 and any changes or modifications required by the Board of Supervisors as a condition of granting approval of the Preliminary Plan. A narrative report listing of all changes and the basis for each change shall be submitted with the Final Plan. In the event of any changes, the procedures and requirements outlined in Section 309 of this Ordinance shall apply.

**501.2** **The applicant shall submit the Final Plan within one (1) year from the date of the approval of the Preliminary Plan by the Board of Supervisors, unless an extension in writing has been approved by the Board of Supervisors.** Failure to comply with the one (1) year time requirement shall render the Preliminary Plan and any accompanying approval as null and void, thus requiring a new submission of the Preliminary Plan.

**SECTION 502**      **REVIEW AND APPROVAL/DISAPPROVAL OF PLAN**

The Board of Supervisors shall consider the 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 Final 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 Final Plan as submitted. Such approval by the Board of Supervisors shall allow the applicant to file said Final Plan with the Luzerne County Recorder of Deeds Office. The Board of Supervisors shall provide written notification to the applicant, in conformance to Section 308 of this Ordinance.

**SECTION 503**      **FINAL PLAN DRAFTING STANDARDS**

The Final Plan of a proposed subdivision or land development shall be labeled as such and shall be subject to the drafting standards and requirements as set forth in Section 404 of this Ordinance.

The Final Plan shall include all additional information and any changes required by the Board of Supervisors in granting approval of the Preliminary Plan. It shall not be necessary to resubmit all supporting data, required under the Preliminary Plan, **provided there have been no changes**. In the event of any changes, the procedures and requirements outlined in Section 309 of this Ordinance shall apply. The following additional information shall be included on the Final Plan:

- 504.1** Drawings and/or plans shall be titled "Final Plan."
- 504.2** An accurate field boundary survey of the entire site which shall be balanced and close with an error of closure not to exceed one (1) foot in ten thousand (10,000) feet.
- 504.3** The location and material of all permanent monuments and lot markers.
- 504.4** Written certification by the responsible Qualified Professional (see definition in Article 2, which attests to the accuracy of the survey and compliance with the applicable provisions of this Ordinance.
- 504.5** A block for the signatures of the Chairman and Secretary of the Planning Commission indicating the date of its recommended approval of the final plan.
- 504.6** A block for the signatures of the Chairman of the Board of Supervisors and the Township Secretary indicating the date of approval of the final plan.
- 504.7** A block for the signatures and/or seal of the authorized persons of the Luzerne County Planning Commission indicating its review of said plan.
- 504.6** The latest source of title to the property as shown by deed, page number and book of the Luzerne County Recorder of Deeds Office.
- 504.7** The exact dimensions of all streets, including right-of-way and cartway; lot lines, areas and distances; utility and other easements; and all land to be dedicated to public use.
- 504.8** Typical final street cross-section drawings for all proposed streets and/or roads showing the following:
1. Typical cut sections.
  2. Typical fill sections.
  3. Typical super elevated sections.
  4. Typical parallel drainage.
- 504.9** Final profiles along the top of the cartway (pavement) center-line showing existing and final grade lines and printed elevations of the final grade line at fifty (50) foot intervals, unless otherwise required by this Ordinance.

- 504.10 All lot lines shall be completely dimensioned in feet if straight, and if curved, by designating length of arc and radius (in feet) and central angle (in degrees, minutes and seconds). All internal angles within the lots shall be designated to the closest second.
- 504.11 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 setback lines on both streets shall be shown.
- 504.12 All existing and offers of dedication and/or reservation of rights-of-way and land areas with conditions attached.
- 504.13 If applicable, the number of the approved Highway Occupancy Permit (Township, State or County) and date of issuance or the notation that deed restrictions prohibit development or improvements to the site or parcels to be created thereunder until the appropriate Highway Occupancy Permit is secured.
- 504.14 A space shall be provided on the lower edge of the Final Plan for acknowledge of receipt and recording of the plan by the Luzerne County Recorder of Deeds Office.
- 504.15 The following items and notes, as applicable shall be on all Final Plans
- (a) "Wells and sewage disposal systems shall be constructed in accord with the current standards of the Pennsylvania Department of Environmental Protection."
  - (b) "Individual owners of lots must apply to the Township for a sewage permit prior to the construction of any on-lot sewage disposal system."
  - (c) "In granting this approval the Township has not certified or guaranteed the feasibility of the installation of any type of well or sewage disposal system on any individual lot shown on this plan."
  - (d) "All lots shown on this plan are subject to the rules and regulations contained in the Bear Creek Township Zoning Ordinance."
  - (e) In the event the subdivision incorporates a private access street as defined in this Ordinance, the following note shall be provided: "The improvement and maintenance of any private access street shall be the sole responsibility of those persons benefiting from the use thereof."
  - (f) "Highway occupancy permits are required for access to roads under the jurisdiction of the Pennsylvania Department of Transportation pursuant to the State Highway Law (P.L. 1242, No. 428, §420).
  - (g) In the case where wetlands are present the following note shall be provided: "The Developer and/or the lot purchaser(s) assumes full responsibility for obtaining any local, state, and federal permits and/or

approvals relating to wetlands. Approval by the Board of Supervisors shall not in any manner be construed to be an approval of compliance with statutes or regulations relating to wetlands. Bear Creek Township shall have no liability or responsibility for the same to the Developer or purchaser(s)."

- (h) When on-site subsurface sewage disposal is proposed the following note shall be provided: "This approval in no way certifies or guarantees the suitability of any lot for the installation of a subsurface sewage disposal system. The PA DEP planning conducted as part of the subdivision plan Approval process is for general suitability only; and, a sewage permit will be required prior to the issuance of any building permit."

**SECTION 505      ADDITIONAL MATERIAL - SUBMITTED WITH FINAL PLAN**

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

- 505.1** Certification of ownership, certification of Plan's compliance with all applicable terms and conditions required by this Ordinance and/or the Board of Supervisors and any offer of dedication, if applicable, signed by the owner of the property and notarized.
- 505.2** Final application and required fee.
- 505.3** If applicable, a copy of the Highway Occupancy Permit, as required by Bear Creek Township, the Pennsylvania Department of Transportation and/or the Luzerne County Road and Bridge Department, or the deed restriction that prohibits development or improvements to the site or parcels to be created thereunder until the appropriate Highway Occupancy Permit is secured.
- 505.4** Copies of final deed restrictions, those existing and those to be included upon recording, if any.
- 505.5** All final covenants running with the land governing the reservation and maintenance of dedicated or undedicated land or open space.
- 505.6** Written certification from the Pennsylvania Department of Environmental Protection approving the required Planning Module and any supporting data.
- 505.7** Written certification from the Luzerne County Conservation District approving the Soils Erosion and Sedimentation Control Plan.
- 505.8** Final construction plans and subsequent "as built" drawings of all improvements, including but not limited to, sanitary sewers, water distribution and storm drainage systems, showing their exact location, size and invert elevations; the location of all manholes, inlets and culverts; and final profiles, cross-sections and specifications for proposed streets, sidewalks, sanitary sewers, water distribution systems and storm drainage systems, with written certification from the applicant's engineer which notes that the above plans and/or drawings are in compliance with the applicable governing design standards and/or have been installed in compliance with said plans or drawings.

The submission of the above referenced "as built" drawings shall precede the release of any remaining funds placed as a financial security by the developer.

- 505.9 If any streets are not offered for dedication to public use, the applicant shall submit and record with the plan a copy of the agreement made and executed on behalf of the applicant, including his heirs or assigns, subject to review by the Township's Solicitor and approval by the Board of Supervisors, establishing the conditions under which the streets may be later offered for dedication. Said conditions shall include, although not limited to, that the subject streets shall conform to the Township's design specifications at such time the offer of dedication is made or that the owners of the lots within the subject subdivision shall include with their offer of dedication sufficient funds, as estimated by the Township Engineer, to provide the needed improvements required for conformance to the Township's design specifications at the time of such dedication.
- 505.10 An agreement for any streets not offered for dedication, stating who shall be responsible for the improvements and maintenance of such streets. If a homeowners association is deemed to be responsible, such association must be legally organized prior to approval of the Final Plan.
- 505.11 A financial security, in accordance with Section 704 of this Ordinance, subject to the approval by the Planning Commission, for the installation of required improvements, unless all such improvements are installed and completed to design specifications prior to Final Plan approval.
- 505.12 A financial security for the maintenance of improvements, in accordance with Section 710 of this Ordinance.
- 505.13 If applicable, written certification from the applicable Sanitary Authority granting final approval for the acceptance of the conveyance of sewage for treatment and disposal from the proposed subdivision and/or land development.
- 505.14 Written certification from the appropriate public utility company which authorizes and approves the provision of water, gas and electrical service for the proposed subdivision and/or land development.
- 505.15 Any required permits and/or approvals from either the U.S. Army Corps of Engineers or the Pennsylvania Department of Environmental Protection for site development activities which disturbs, affects and/or crosses delineated wetlands.
- 505.16 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.

SECTION 506      RECORDING OF PLAN

The applicant shall record the Final Plan in accordance with the requirements as set forth in Section 310 of this Ordinance.