

## ARTICLE VI

### PRELIMINARY PLATS

#### SECTION 600 PLAT REQUIREMENTS

The following materials and information shall be submitted with an application for review and approval of a Preliminary Plat. In addition, any residential subdivision or land development located in and subject to the Conservation Design Overlay District (Zoning Ordinance, Article XIV) shall also comply with the requirements of Section 801 herein. Any greenway lands therein shall be subject to the design requirements of Sections 811 and 812 herein.

1. Four (4) copies of the plat in the form of a map or series of maps drawn to a scale not smaller than one hundred (100) feet to the inch and showing the following:
  - A. The limits and dimensions of the tract(s) to be subdivided or developed and the proposed name or identifying title of the subdivision or land development. The date, written and graphic scale, and north point. The tract's(s') present deed reference(s) by Book(s) and Page(s).
  - B. The applicable zoning district; any zoning boundary lines; details of any requested zoning amendments, variances, conditional use approvals and/or modifications of requirements from This Ordinance.
  - C. Existing and proposed streets, both public and private, including the name, widths of the right-of-way and cartway, and restrictions and/or conditions relating to private roads.
  - D. The location and dimensions of existing property lines, buildings, railroads, easements, rights-of-way and land reserved for public purposes; streams, and wetlands; and the location, courses and dimensions of existing sanitary and storm sewer and water facilities.
  - E. The location and dimensions of proposed easements, buildings, property lines, building setbacks, rights-of-way and land reserved for public purposes; and the location, courses and dimensions of proposed sanitary and storm sewer and water facilities.
  - F. Existing topographic contours at not more than ten-foot intervals or at such intervals that the contours shall have a maximum horizontal spacing of 100 feet. The location and elevation of the benchmark(s) to which contour elevations refer. The Planning Commission may also require supplemental plans showing proposed final contour.

- G. The name, address and telephone number of the owner and developer. The name, seal and signature, address and telephone number of the engineer, architect or surveyor who prepared the plat. The names of the owners of adjoining tracts.
  - H. A location map taken from the applicable USGS quadrangle at a scale of not less than 1" = 2,000' showing the proposed subdivision or land development in relation to adjacent properties and existing streets in that vicinity of the Township.
  - I. Existing and proposed uses of the subject property and existing uses of all adjacent properties. Existing buildings, wells and septic systems on adjacent lots within 100 feet of the subject property.
  - J. Signed certification statement by a registered surveyor or registered engineer certifying to the accuracy of the survey and plat.
  - K. Signed and notarized statement certifying that the undersigned applicant has legal or equitable title in the land shown on the respective plan, and a dedicatory statement to the Township for proposed Township streets, public utility easements and/or lines, or other proposed Township improvements.
  - L. A complete outline of existing deed restrictions or covenants applicable to the subject property.
  - M. An outline of any proposed deed restrictions or covenants.
  - N. When a plat proposes development of a property in phases, a supplementary plan shall be provided indicating the ultimate development and the individual phases. The applicant shall also provide a schedule indicating the timing of the phases. Said schedule shall be updated annually with the Township following Preliminary Plan approval.
  - O. A listing of all required Federal, State and local reviews, permits and/or approvals and the agencies involved.
  - P. Any other information deemed by the Board of Supervisors to be necessary to determine conformity of the plat with the intent and regulations of this Ordinance.
2. Four (4) copies of cross-section drawings for all proposed public streets and private streets, showing rights-of-way, cartway widths, location of sidewalks, curbs and planting strips. Four (4) copies of profile drawings of all proposed streets showing existing and proposed grades.

3. Four (4) copies of plans and profiles of proposed sanitary and storm sewer systems, water distribution systems and any other pertinent utilities. Such plans shall include tract boundaries, lot lines, existing and proposed streets, grades, elevations, pipe sizes and the location of valves, manholes, inlets and fire hydrants.
4. Three (3) copies of the appropriate sewage planning documentation pursuant to the rules and regulations of the Pennsylvania Department of Environmental Protection. Such documentation shall be prepared in accordance with the rules and regulations of the Pennsylvania Department of Environmental Protection. When deemed necessary, sewage facilities planning modules shall include, but shall not be limited to, the following information:
  - A. A plot plan indicating within the site the location of existing and proposed buildings, lot lines, sewage or sewerage systems, all sources of water supply such as wells, springs, ponds, streams, and other bodies of water, rights-of-way, streets, roadways, highways, and access routes.
  - B. Location and results of preliminary soil percolation tests, which shall be conducted by a Pennsylvania Department of Environmental Protection certified Sewage Enforcement Officer approved by the Township, in accordance with the Rules and Regulations of the Pennsylvania Department of Environmental Protection. Such soil percolation tests shall be required in conjunction with all preliminary plat applications, unless waived in advance in writing by the Township and the Department of Environmental Protection.
  - C. Information relating to the type of water supply and sewage supply provided or to be provided, including soil conditions and limitations for on-lot sewage disposal if applicable.
  - D. Information relating to adjacent properties, buildings, sources of water supply, ponds, streams, sewage, or sewerage systems, rights-of-way and streets that may have a significant effect on the environmental and sanitary aspects of the proposed subdivision or development.
  - E. Direction to north, direction of slopes and degree of slope.
  - F. Direction and distance to the nearest sewage treatment plant and information as to its present or future accessibility in terms of time, finances and load capacity, as well as the sources of this information.
  - G. Signatures of the applicant, Township Sewage Enforcement Officer, and the County Office of Planning and Development.

5. All plats shall contain a note regarding the status of wetlands on-site based upon a minimum of three factors: (1) the presence or absence of hydric soils or soils with inclusions of hydric components as classified by the USDA Natural Resource Conservation Service, (2) National Wetlands Inventory mapping, and (3) an inspection of the property by the responsible surveyor or engineer. If wetlands are present or suspected on-site, the plan shall clearly state whether or not any disturbance of these areas is proposed. Where deemed necessary by the Township Board of Supervisors upon recommendation by the Township Planning Commission, an analysis of wetland conditions on the subject property shall be performed. Such analysis shall be prepared by a recognized professional wetlands consultant and shall clearly state the existence or nonexistence of any wetlands and shall delineate the field determined boundaries of those areas should they exist. A note shall also be added which states that Hamiltonban Township assumes no responsibility with regard to wetlands analyses and delineations. Plats shall also include the location and boundaries of any 100-year floodplain and/or floodway within the subject property as identified on the latest edition of FEMA's Flood Insurance Rate Maps for the Township.
6. Whenever a subdivision or land development proposes earthmoving, construction or development of any type, the applicant shall prepare, for the use and review of the Township, two (2) copies of an Erosion and Sedimentation Control Plan, pursuant to the Rules and Regulations of the Pennsylvania Department of Environmental Protection relative to Erosion and Sediment Control (Chapter 102). If earth disturbance activities are in excess of one (1) acre, the plan shall also be submitted to the Adams County Conservation District for review and determination of adequacy. Where a site has potential to discharge to waters of the Commonwealth classified as High Quality or Exceptional Value pursuant to Chapter 93 (portions of Toms Creek and Middle Creek), a copy of the plan shall be submitted to the Conservation District for review and determination of adequacy. An NPDES Permit may be required when earth disturbance activities exceed five (5) acres or if there is a point source discharge to surface waters of the Commonwealth when earth disturbance activities exceed one (1) acre. Under any other circumstance, the Board of Supervisors may, at its discretion, request a review and determination of adequacy from the Conservation District for any Erosion and Sedimentation Control Plan. Should an NPDES Permit be required, a building permit shall not be issued until permit coverage is received.
7. Whenever a subdivision or land development is subject to the requirements of Section 806, the applicant shall submit two (2) copies of a Traffic Impact Study for the Township's review and approval. The Traffic Impact Study shall be prepared in accordance with the criteria set forth in Section 806 and the recommendations of the Township Engineer.
8. All subdivisions and land developments shall submit two (2) copies of a Groundwater Availability Study for the Township's review and approval. The Groundwater Availability Study shall be prepared in accordance with the criteria set forth in Section 807 and the recommendations of the Township Engineer.

9. The following note shall be added to every plat filed with the Township.

### **AGRICULTURAL NUISANCE DISCLAIMER**

The lands depicted on this subdivision/land development may be located adjacent to or be involved in a normal agricultural operation as defined by Pennsylvania Act 133 of 1982, as amended, "The Right To Farm Law." If you purchase land that is depicted on this subdivision/land development and said lands are involved in a normal agricultural operation or located adjacent to lands protected by Pennsylvania Act 133 of 1982, as amended, you may be prohibited from filing a nuisance action against the operators of the normal agricultural operation. In addition, owners, residents, occupants and users of this property may be subjected to, and should be prepared to accept, such inconvenience, discomfort, and the possibility of injury to property and health arising from normal agricultural practices and operations, including, but not limited to, noise, dust, odor, the operation of machinery of any kind including aircraft, the storage and disposal of manure, and the application of fertilizers, soil amendments, herbicides and pesticides.

### **SECTION 601      REVIEW PROCEDURE**

1. Upon receipt of the required plat and application materials, the Township Secretary shall forward three (3) copies to the Township Planning Commission and one (1) copy to the Township Engineer. It shall be the responsibility of the Applicant to distribute one (1) copy to the Adams County Office of Planning and Development for review and report (in accordance with Section 401 of this Ordinance), and, when applicable, one (1) copy to the Adams County Conservation District. Residential subdivisions and land developments located in and subject to the Conservation Design Overlay District (Zoning Ordinance, Article XIV) shall be also be subject to the specific review procedures set forth in Section 805 herein.
2. The Engineer shall review the plat in the context of the standards and requirements of this Ordinance and the Township Zoning Ordinance, from the standpoint of planning and engineering requirements and considerations, and shall prepare and transmit a written report thereon to the Planning Commission in such a fashion as not to delay the Planning Commission's action on the application in accordance with the provisions of this part.
3. The Planning Commission shall receive and review the report of the Township Engineer, the Adams County Office of Planning and Development (ACOPD), and, when applicable, the Adams County Conservation District. The Planning Commission shall not take action upon any application until the ACOPD review and report is received, or until the expiration of thirty (30) days from the date the application was received by the ACOPD. All other reviews and reports shall also be received prior to any action by the Planning Commission.

4. The Hamiltonban Township Planning Commission shall take action on a preliminary plat within sixty-two (62) days of the first Planning Commission meeting at which the application is considered. The Commission shall note its action on three (3) copies of the plat. The three (3) copies of the plat shall then be forwarded to the Hamiltonban Township Board of Supervisors, along with the Planning Commission's recommendation concerning the Supervisors' approval or disapproval of the preliminary plat. In the event that the Planning Commission recommends disapproval by the Board of Supervisors of the application, it shall furnish along with such recommendation a written statement of the defects in the application, citing the specific provisions and section numbers of this Ordinance and/or the Township Zoning Ordinance with which the application does not comply. Upon its approval of the preliminary plat, the Planning Commission shall also recommend to the Hamiltonban Township Board of Supervisors that the appropriate sewage planning documentation be formally adopted and submitted to the Pennsylvania Department of Environmental Protection for its review. In the event that the Planning Commission determines to recommend approval of the application subject, however, to certain conditions, the Planning Commission shall procure the applicant's written acceptance or rejection of any and all conditions proposed for imposition relative to the application, prior to submitting the application to the Hamiltonban Township Board of Supervisors. In the event of the applicant's failure to accept such conditions in writing within sixty-two (62) days of the first Township Planning Commission meeting at which the application was considered, the Planning Commission's recommended approval of the application shall be rescinded automatically.
  
5. The Hamiltonban Township Board of Supervisors shall, upon receipt of the Planning Commission's recommendation, take official action on a preliminary plat application by either approving or denying the same. Such official action by the Hamiltonban Township Board of Supervisors shall be taken within ninety (90) days of the first Township Planning Commission meeting at which the application is considered. Hamiltonban Township Board of Supervisors shall note its action on all three (3) copies of the preliminary plat application. One (1) copy shall be retained for Township use. In the event that the Hamiltonban Township Board of Supervisors denies a preliminary plat application, written notice of such denial shall be furnished to the applicant, by first class mail, postage prepaid, by the Township Secretary, which notice shall inform the applicant of the defects in the application, citing the specific provisions and section numbers of this Ordinance, or other applicable laws or regulations, with which the application does not comply. Such written notice of denial shall be mailed within the aforesaid ninety (90) day time limit. The applicant shall be likewise informed of the approval of his preliminary plat application. The Board may also conditionally approve a preliminary plat by so notifying the applicant in writing, which notification shall include a specific statement of any and all conditions proposed for imposition. In the event of the applicant's failure to accept such conditions in writing within thirty-one (31) days of the conditional approval, the proposed approval of the plat shall be rescinded automatically, provided, however, that, in such event, the Board shall comply with the requirements of this Section relating to written notice of preliminary plat denial.