

## ARTICLE VII

### FINAL PLATS

#### SECTION 700 FINAL PLAT APPROVAL

The following materials shall be submitted with an application for approval of a final plat. Final plats shall substantially conform with preliminary plats as previously approved, and any conditions specified in the approval of preliminary plats shall be incorporated in the final plats. 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 802 herein.

1. Four (4) copies of the final plat in the form of a map or series of maps, drawn to a scale not smaller than 100 feet to the inch on sheets no smaller than 18 x 24 inches. Where more than one (1) sheet is required, an index map of the entire plat at a smaller scale shall be shown on a sheet of the same size. The Planning Commission may require final plats at a scale of 50 feet to the inch as a condition of preliminary plat approval to assure legibility in cases warranted by the complexity of the proposal. At least one (1) copy of such map shall be made on a stable reproducible plastic (Mylar) material, and the error of closure shall not be more than one part in 10,000. Such final plats shall show:
  - A. The items required to be shown in the preliminary plat, as specified in Section 600 of this Ordinance.
  - B. Proposed final grading of the land surface at not more than two (2) foot intervals or at such intervals that the contours shall have a maximum horizontal spacing of 100 feet.
  - C. The location of all proposed markers, monuments, street lights, traffic controls, pavement markings and street signs.
  - D. Details, conditions and applicable approval dates of any granted conditional uses, variances, zoning map changes, modifications of requirements or other special Township approvals.
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. Evidence that the plat is in conformity with all applicable Township ordinances and regulations governing the extension of utility services into the Township. In any instance where the plat does not conform, evidence shall be presented that an exception has been officially authorized and approved in writing.
5. No plat shall be finally approved unless the streets (whether public or private), walkways, curbs, gutters, street lights, fire hydrants, shade trees, parking lots, water mains, sanitary sewer facilities, storm drains, storm water detention and/or retention basins and other related drainage facilities, recreational facilities, open space improvements, buffer or screen plantings, and other on-site improvements as are required by this Ordinance or the Township Zoning Ordinance have been installed and paid for in full by the applicant in accordance with the requirements of this Ordinance. In lieu of the completion of any such improvements required as a condition for the final approval of a plat, the applicant shall deposit with the Township financial security acceptable to the Township in an amount sufficient to cover the costs of any and all such required improvements for common amenities. All matters and procedures concerning such financial security shall comport in all respects with the provisions of Sections 509, 510, and all of the "Pennsylvania Municipalities Planning Code", as amended (53 P.S. Sections 10509, 10510 and 10511), the contents of which are hereby incorporated herein by reference as fully as those set forth at length herein. All documentation concerning such financial security shall be subject to the review and approval of the Township Solicitor. The applicant shall reimburse the Township for the reasonable and necessary expense incurred for the inspection of required on-site improvements. Such reimbursement shall be based upon the same schedule, and shall be subject to the same procedures, as are set forth in Section 405 of this Ordinance.
6. Failure to complete any construction or development of the proposed subdivision or land development within five (5) years following the approval of a preliminary plat by the Township shall automatically render the approval of the plat null and void, unless an extension of time has been requested in writing by the applicant and a written approval granted by the Hamiltonban Township Board of Supervisors. Further, failure of the applicant to comply with the requirements of Section 508 (4) of the "Pennsylvania Municipalities Planning Code", as amended [53 P.S. Section 10508 (4)], the contents of which are also hereby incorporated herein by reference, shall subject the subdivision or land development to any and all changes in zoning, subdivision and other governing ordinances enacted by the Township subsequent to the date of the initial preliminary plan submission.

7. No plat which will require access to a highway under the jurisdiction of the Pennsylvania Department of Transportation shall be finally approved unless the plat contains the following notice: "A highway occupancy permit is required pursuant to Section 420 of the Act of June 1, 1945, P.L. 1242, No. 428, known as the "State Highway Law", before driveway access to a State Highway is permitted. Access to the State Highway shall be only as authorized by a Highway Occupancy Permit". (See: 53 P.S. Section 10508 (6), as amended.)
8. In any case where public improvements are required as detailed in Section 700.5, two copies of as-built drawings of all streets, stormwater management facilities, and any other required improvements shall be provided to the Township. Said as-built drawings shall be prepared, signed and sealed by a licensed engineer or surveyor. Prior to the release of any security guaranteeing said improvements, the Township shall approve the construction of the improvements following a review of the as-built drawings relative to the approved subdivision or land development plan and the findings of a site inspection. In the case of construction following Preliminary Plan approval and without guarantee for the completion of improvements, the Township shall withhold Final Plan approval until such as-built drawings are provided and the Township has approved the construction of the subject improvements based upon the approved Preliminary Plan design. When applicable, the cost of preparing said as-built drawings shall be included in the financial security provided by the applicant as a guarantee for completion of public improvements.
9. In any instance where a portion of the tract proposed for subdivision or land development comprises a cemetery, the applicant shall provide the Township with a plan detailing provisions for the perpetual care, maintenance and continued access of the area. The approved subdivision or land development plan shall clearly depict the location and boundaries of the cemetery.
10. In any instance where a private road is proposed, the applicant shall provide the Township with a copy of a private road maintenance agreement.

## **SECTION 701            REVIEW PROCEDURE**

1. Final plats, including utility maps and street profiles, received by the Township Secretary shall be transmitted to the Township Planning Commission for its review. In the event the Planning Commission finds that the applicant has made substantial changes in the plat since the preliminary plat was approved, the Commission shall so notify the applicant and shall review the plat according to the procedure for preliminary plat application. 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 807 herein.

2. The Township Secretary shall forward one (1) copy of the final plat and one (1) copy of any other supporting documentation to the Township Engineer for his review as to the plat's adequacy and estimated cost of construction of required public improvements, if any.
3. Upon receipt of the Township Engineer's Report, the Township Secretary shall notify the applicant to provide the proper form of security to guarantee the completion of any proposed public improvements in the recommended amount as detailed in Section 700 (6) of This Ordinance, if appropriate.
4. The Hamiltonban Township Planning Commission shall take action on a final 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 final 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 with which the application does not comply. 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 is 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 final 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. The Hamiltonban Township Board of Supervisors shall note its action on all three (3) copies of the final plat application. One (1) copy shall be retained for Township use. In the event that the Hamiltonban Township Board of Supervisors denies a final 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 final plat application. The Board may also conditionally approve a final 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 final plat denial.

6. Within ninety (90) days following approval of the final plat by the Hamiltonban Township Board of Supervisors, the final plat shall be recorded in the Office of the Recorder of Deed of Adams County, Pennsylvania, in accordance with the provisions of Section 301 of this Ordinance. The Recorder of Deeds shall not accept any plat for recording unless the same has been officially approved and signed by the Hamiltonban Township Board of Supervisors. It shall be the responsibility of the applicant to record the approved Final Plan. A copy of the receipt for recording shall be provided to the Township Secretary for the Township records. Failure by the applicant to record the plan within the prescribed time limit shall result in an automatic rescinding of the approval.
7. The Hamiltonban Township Board of Supervisors shall not approve a final plat prior to receipt of approval from the Pennsylvania Department of Environmental Protection of the appropriate sewage planning documentation. In the event that said documentation is disapproved by the Pennsylvania Department of Environmental Protection, the final plat application shall be denied for such reason. In the event that the Pennsylvania Department of Environmental Protection does not respond in writing to the application in a timely fashion, so far as to permit the Township to comply with the time limitations within this Ordinance and Section 508 of the "Pennsylvania Municipalities Planning Code", as amended (53 P.S. Section 10508), the applicant shall be requested to consent, in writing, to an extension of time for action on the application by the Township. In the event that such written extension of time is not executed by the applicant, the application shall be denied.