



Community Development Department

100 Parklane Drive • Eagleville, PA 19403

Phone: (610) 635-3514 • Fax: (610) 539-6347

www.lowerprovidence.org

SUBDIVISION AND LAND DEVELOPMENT PROCEDURE AND POLICY

Section 123-10 Schedule of plan processing steps

- A. All applications for approval of a subdivision or land development plan shall be made by the developer as follows:
 1. Applications for subdivision or land development accompanied by an application form, the required copies of the proposed plan and appropriate fees shall be received at the Township building.
 2. Date of acceptance required; fees; electronic copies; plans required.
 - a. The date of acceptance shall be stamped on each copy of the plan, and the appropriate fees shall be received in accordance with the current schedule of fees of both the Lower Providence Township and the Montgomery County Planning Commission.
 - b. All applications must be accompanied by an electronic copy for all plan sheets of the subdivision or land development plan in a PDF or JPEG format on a CD.
 - c. An erosion and sedimentation control plan, landscaping plan, PADOT plan, if applicable, and lighting plan must be included with all subdivision and land development plans.
 3. A cursory examination of the application will be conducted to ensure basic compliance with the plan submission requirements of this article. Incomplete applications shall be returned to the applicant with a statement of the reason(s) for rejection.
- B. The township designee shall distribute copies of the accepted plan to the following in the Township:
 1. Township Planning Commission
 2. Township Engineer
- C. The township designee may distribute additional copies of the accepted plan to other appropriate persons, agencies or groups, as needed, including the following:
 1. Township Solicitor
 2. Township Fire Marshal
 3. Township Police Chief
 4. Township Park and Recreation Board

5. Township Sewer Authority

6. Traffic Engineer

7. Lighting Engineer

8. Landscape Architect

D. It shall be the applicant's responsibility to obtain the following permits or approvals if applicable:

1. Highway occupancy permit (state, county or Township)

2. Lower Providence Township Municipal Sewer Authority approval for:

- a. Connection
- b. Extension
- c. Overall plan of development

3. Pennsylvania Department of Environmental Protection approval for:

- a. Planning module for land development
- b. Water quality management permit
- c. Stream encroachment permit
- d. National Pollutant Discharge Elimination System permit

4. Montgomery County Conservation District

5. Water Authority approval.

E. Notification procedures:

1. Refer to the property posting procedures.

Subdivision and land development plan submissions:

Subdivision and Land Development applications shall be made in writing thirty (30) days prior to the next scheduled Planning Commission meeting. Please refer to the Lower Providence Township Fee Schedule when calculating all fees.

One copy of the Application for Subdivision and Land Development and fee made payable to Lower Providence Township.

Escrow fee made payable to Lower Providence Township. Include a Federal Identification number to set up the escrow account.

Park & Recreation fee made payable to Lower Providence Township

Traffic Impact fee made payable to Lower Providence Township

One copy of the Municipal Request for Review by Montgomery County Planning Commission and fee made payable to Montgomery County Treasurer.

One copy of the Lower Providence Township Professional Services Agreement Form

One copy of the Affidavit of Posting

One copy of the Extension Agreement

Twenty (20) sets of the subdivision or land development plans. Ten (10) shall be full size and ten (10) shall be 11" x 17"

Two (2) copies of the Stormwater Management Report

Two (2) copies of the Erosion and Sedimentation Control Report

One CD/DVD or Flash Drive with all the plans in the submission set in PDF or JPEG format.

The applicant and/or authorized representative shall attend the Planning Commission meetings to present their proposal. The Planning Commission meets on the 4th Wednesday of each month.

All required submissions to outside agencies must be completed as stated in the Subdivision and Land Development Ordinance (SALDO).

It is the policy of the Township Planning Commission not to receive a revised site plan the night of the scheduled Township Planning Commission meeting. The Planning Commission will only discuss the same plan that has been reviewed by the staff and consultants.

When recommended by the Planning Commission for approval, the applicant will be placed on the Board of Supervisors' agenda once the plan is deemed ready for preliminary and/or final approval.

Once approved by the Board of Supervisors, a resolution is sent to the applicant for signature within ten (10) days of final plan approval. The applicant must return the signed/notarized resolution to the township within ten (10) days of its execution.

The applicant has ninety (90) days to record the final plan after the Board of Supervisor's approval and satisfaction of the resolution or an extension will be required.

The Township has Park and Recreation Fees and Traffic Impact Fees. Please refer to the Subdivision and Land Development Ordinance for the actual determination of these impact fees. All required Open Park and Recreation Fees and Traffic Impact Fees must be paid to the Township before recording of the plan. All other outstanding fees (engineering, legal invoices, etc.) must also be paid prior to recording of the final plan.

An Improvement Construction Agreement (IA) as well as an escrow is also submitted to the Township for review and approval. Once approved, an IA will be recorded along with the record plan.

Five (5) paper copies must be submitted to the Township for final recording.

A form of financial security is submitted to the Township for review and approval. A separate legal and construction observation escrow is posted with and managed by the Township.

Once the plan is recorded, a pre-construction meeting must occur prior to any site improvements beginning.

During the construction process, escrow release requests may occur. These may be placed once monthly on the Board of Supervisors' meetings.

Once the project is complete a request for a final inspection must be made in writing to the Township. The Township will ask the consultants to make a site inspection. A report of this inspection is written and returned to the Township and applicant. Once all items have been satisfactorily addressed, a final release may occur.

Dedications occur at this time, if required.

Maintenance bond is posted for eighteen (18) months for the public improvements.

An inspection occurs after the eighteen months, once all items are satisfactorily completed, maintenance bond is returned.

Thirty (30) days after no activity on the project, the legal and construction observation escrow is returned. Project is complete.



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APPLICATION FOR SUBDIVISION AND LAND DEVELOPMENT

Please complete all of the following sections below. All sections must be complete with the required information. If the required information is not provided, the application will not be processed. Please attach any addendums or supportive documents to this application. Twenty (20) complete sets (ten may be 11" x 17") of the site plans must be submitted to Lower Providence Township not less than thirty (30) days prior to the scheduled planning commission meeting date. Please note that any false statement or misrepresentation of fact contained within this application is a criminal offense and subject to severe penalties of the PA Criminal Codes.

Please check one only:

☐ Sketch Plan ☐ Preliminary Plan ☐ Preliminary/Final Plan ☐ Final Plan ☐ De Mimimis Plan

Please check one only:

☐ Minor Subdivision ☐ Major Subdivision ☐ Minor Land Development ☐ Major Land Development

1. Applicant information:

Name:	Address:
Phone:	Fax:
E-Mail:	

2. Name of Subdivision or Development:

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3. Main Contact Person¹:

Name:	Address:
Phone:	Fax:
E-Mail:	

¹Contact person should be permitted to make decisions pertaining to processing of application

4. Agent or Attorney (if any):

Name:	Address:
Phone:	Fax:
E-Mail:	

5. Registered Engineer or Surveyor:

Name	Address:
Phone:	Fax:
E-Mail:	

¹Contact person should be permitted to make decisions pertaining to processing of application

6. Owner of Record of Land:

Name:	Address:
Phone:	Fax:

7. Location of the property to be subdivided or developed:

8. Tax Parcel Number of the parent parcel: _____

9. Parent Parcel ---Deed Book & Page #: _____

10. Total Proposed No. of Lots or Dwelling Units: _____

11. Total area to be developed or subdivided:

Gross: _____ Acres to be disturbed: _____ Sq ft of building floor area: _____ (area calculated to center of street)	Net: _____ (area calculated to the legal right-of-way – net areas are to be used for density and land area requirements)
Project located within a stream or flood plain (if any): Yes ____ No ____ PADEP Permits required? Yes ____ No ____	

12. Density (dwelling units per acre): _____

13. Zoning classification of subject land: _____

14. Water Supply: Public system? _____. Who is the supplier _____ well? _____

15. Sewage System: Public system? _____. On-lot system? _____ EDU's required: _____

16. Please attach to this application all encumbrances and deeds involving the property.

17. Lineal Feet of New Street to be dedicated to the township: _____

18. Are waivers or modifications requested at this time from the Subdivision and Land Development Ordinance?
_____ if yes, please attach a letter to this application stating all waivers or modifications being requested.

**LOWER PROVIDENCE TOWNSHIP
CONTRACT FOR PROFESSIONAL SERVICES**

THIS AGREEMENT made this _____ day of _____, A.D., 2017, by and between **LOWER PROVIDENCE TOWNSHIP**, Montgomery County, Pennsylvania, with offices located at 100 Parkland Drive, Eagleville, PA 19403 (hereinafter referred to as "**Township**") and _____ of _____ (hereinafter referred to as "**Applicant**").

WHEREAS, Applicant is the legal or equitable owner or tenant of certain real estate consisting of Tax Map Parcel No. _____ located in Lower Providence Township within the _____ Zoning District (hereinafter referred to as the "**Site**"); and

WHEREAS, Applicant has presented to the Township plans for grading, subdivision, land development, or other building development of the Site (hereinafter referred to as the "**Project**"); and

WHEREAS, Applicant has requested and/or requires Township approval for the Project and/or review of Applicant's plans and proposals concerning the Project, and the Township is willing to authorize its professional consultants to review said plans and proposals concerning the Project upon execution of this Agreement, and upon deposit of an Escrow Account.

NOW, THEREFORE, the parties agree as follows:

1. Applicant and Township hereby authorize and direct Township's professional consultants, as defined at Section 107 of the Pennsylvania Municipalities Planning Code, to review Applicant's plans and proposals concerning the Project proposed for the Site, and to make such recommendations and specifications as may be necessary with respect to the Project in accordance with all applicable Federal, State, County, and Township statutes, ordinances, codes, rules, and regulations.

2. Applicant and Township acknowledge that Township will incur costs and fees relating to the review of the Project by Township's professional consultants, and Applicant agrees to pay and/or reimburse Township for such costs in accordance with this Agreement.

3. Applicant shall pay the professional consultant's charges and fees for the following: (a) review of any and all plans, proposals, studies, or other correspondence relating to the Project; (b) attendance at any and all meetings relating to the Project; (c) preparation of any documents related to the Project, including, but not limited to: studies, reports, engineered plans, surveys, appraisals, agreements, deeds, declarations, easements, other legal documents, or other correspondence; (d) monitoring, testing, and inspecting of the work conducted by Applicant and/or its agents, contractors, representative, or employees in conjunction with the Project.

4. Applicant hereby agrees to deposit with Township the sum of _____ Dollars (\$ _____), payable as cash in U.S. Dollars or check drawn on a Pennsylvania bank ("*Escrow Account*") as security for the payment of all Township expenses, costs, charges, and fees as set forth in Paragraph 3 above, upon execution of this Agreement, which shall be held in a non-interest-bearing account by the Township. In the event that the Escrow Account shall fall below Fifty Percent (50%) of the original posted amount, Applicant shall immediately, upon receipt of written notice from Township, deposit sums with the Township necessary to replenish the Account to its original balance. In the event that there are insufficient funds to pay current Township-incurred expenses, Applicant agrees to pay the total amount currently due for Township-incurred expenses without delay in addition to re-establishing the base escrow account balance. Township will use its best efforts to advise Applicant of the impending likelihood that its costs have exceeded the required Escrow Account sums as described above.
5. Applicant and Township agree that all unused portions of the Escrow Account shall be returned to Applicant upon written request to the Township once all of the work on the Project is completed by Applicant, including the maintenance period, if any, and all Township expenses, costs, charges, and fees as set forth in Paragraph 3 above have been paid.
6. If the project is a subdivision or land development, Applicant and Township acknowledge that the Township Subdivision and Land Development Ordinance requires Applicant to pay Township's professional consultant fees relating to this Project, and in the event that Applicant fails to provide sufficient funds in the Escrow Account upon fifteen (15) days written notice to Applicant or fails to make the initial deposit payment described above within five (5) days of the date of this Agreement, Applicant shall be in default of this Agreement and no further Professional Consultant reviews of the project will be authorized by the Township.
7. Applicant and Township further agree that all fees or costs arising out of this Agreement shall be paid prior to the issuance of any permit, occupancy or otherwise, for the use, improvement, or construction of the buildings as proposed on Applicant's final plan. Applicant agrees and acknowledges that no permit, occupancy or otherwise, or recordable plans, shall be released by Township until all outstanding professional consultant fees and costs are paid to Township, and provided that Applicant is not in default under this Agreement.
8. By execution of this Agreement, Applicant acknowledges and agrees that Township employees and professional staff, including Planning Commission members and members of the Board of Commissioners, may enter upon and inspect the Site upon 48- hours notice in order to determine compliance with Township ordinances and to facilitate appropriate planning for the Project.
9. Applicant may at any time terminate all further obligations under this Agreement by giving fifteen (15) days written notice to the Township that it does not desire to proceed with the development as set forth on the plan. Upon receipt of such written notice by Township, Applicant shall only be liable to the Township for the Township expenses, costs, charges, and fees incurred prior to the end of this 15 day notice period.

10. This Agreement shall be binding on and inure to the benefit of the successors and assigns of Applicant. Applicant shall provide Township with at least thirty (30) days advance written notice of any proposed assignment of Applicant's rights and responsibilities under this Agreement.

11. Applicant and Township acknowledge that this Agreement represents their full understanding as to Township's reimbursement for professional or consultant services. If the Project constitutes a subdivision or land development under Township ordinances, the parties acknowledge that they intend to execute Improvement and/or Financial Security Agreements in the future. Any such Improvement and Financial Security Agreements may incorporate or replace this Agreement.

12. This Agreement and the Application it is a part of shall be governed by and construed under the laws of the Commonwealth of Pennsylvania and the Ordinances of Lower Providence Township. Applicant and Township hereby consent to the exclusive jurisdiction of the Court of Common Pleas of Montgomery County, Pennsylvania regarding any dispute arising out of or in connection with this Agreement.

13. If any provision of this Agreement is determined by a court of competent jurisdiction to be illegal, invalid, unenforceable, unconstitutional, or void, for any reason, only that provision shall be illegal, invalid, unenforceable, unconstitutional, or void and the remainder of this Agreement shall be in full force and effect.

IN WITNESS WHEREOF, and intending to be legally bound, the parties have caused their signatures to be affixed and have affixed their hands and seals the day and year first above written.

APPLICANT:

Name:

Title:

Date: _____

LOWER PROVIDENCE TOWNSHIP

Date: _____

19. Please attach copies of all zoning variances or special exceptions that apply to the property or use involved with this application.

By signing this application, authorization is granted to any municipal representative of Lower Providence Township to access the above property as stated within this application at any time, without an administrative warrant, to inspect and verify the location of any proposed use and/or structure contained within this application. Furthermore, I agree as the applicant(s) representing the property owner(s) for the submission of this subdivision or land development plan being duly sworn according to law states that the above Lower Providence Township Zoning, Subdivision and Land Development Ordinance and Escrow Policy were read and the facts set forth in said application and supportive documents are true and correct to the best of my knowledge, information and belief.

DATE: _____ SIGNATURE OF APPLICANT(S) _____

PRINT NAME OF APPLICANT(S) _____

DATE: _____ SIGNATURE OF PROPERTY OWNER(S) _____

The following is for Township Use Only:

Lower Providence Township Application Fee:	\$	Ck#		\$	
Montgomery County Fee:	\$	Ck#	Escrow	\$	Ck#

<input type="checkbox"/>	Lower Providence Township Engineer	<input type="checkbox"/>	Montgomery County Planning Commission
<input type="checkbox"/>	Lower Providence Township Police Dep.	<input type="checkbox"/>	Landscaping Consultant
<input type="checkbox"/>	Lower Providence Township Parks & Rec.	<input type="checkbox"/>	Traffic Consultant
<input type="checkbox"/>	Lower Providence Township Sewer Authority	<input type="checkbox"/>	Lighting Consultant
<input type="checkbox"/>	Lower Providence Township Building Code Official	<input type="checkbox"/>	
<input type="checkbox"/>	Lower Providence Township Public Works	<input type="checkbox"/>	
<input type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/>		<input type="checkbox"/>	

Date: _____

Cursory Review: _____

Michael Mrozinski
Director of Community Development



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EXTENSION AGREEMENT

TO: Lower Providence Township Board of Supervisors

RE: Land Development and/or Subdivision Plan _____

DATE: _____

The undersigned is the applicant in respect to the above-captioned subdivision/land development plan.

In accordance with Section 508(3) of the Pennsylvania Municipalities Planning Code (MPC), I hereby waive my right to receive the decision of the Board of Supervisors on the subject subdivision/land development plan not later than ninety (90) days following the date of the regular meeting of the Township's Planning Commission following the date the application is filed.

I fully understand that I can revoke this waiver at any time after which the ninety (90) day clock will begin to run pursuant to Section 508(3) of the MPC, by signing and delivering a written revocation to the Township.

Applicant or Authorized Representative

Date

LOWER PROVIDENCE TOWNSHIP
PROFESSIONAL SERVICES
AGREEMENT FORM



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Property Posting Policy and Requirements

Pursuant to Article III Section 123-10.E of the Lower Providence Township Subdivision and Land Development Ordinance of 1985 all applicants for subdivision and/or land development are required to post the property notifying the general public of the proposed action.

E. Notification procedures.

(1) Duty to post the property. Any applicant submitting a plan of subdivision or land development, as defined by the Subdivision and Land Development Ordinance, shall be required to post the property which is the subject of the application or submission with conspicuous all-weather signs, referred to as "notification sign," of a size no less than 24 inches by 36 inches nor more than 36 inches by 48 inches, at no more than 48 inches high, upon which sign or signs shall appear the following wording:

"THIS PROPERTY IS THE SUBJECT OF A LAND DEVELOPMENT OR SUBDIVISION. PERSONS WHO MAY BE INTERESTED IN THE PLANS OR PROPOSED DEVELOPMENT SHOULD CONTACT LOWER PROVIDENCE TOWNSHIP AT (610) 635-3514 OR e-mail: planning@lowerprovidence.org"

(2) Location and number of signs. There shall be a minimum of one notification sign conspicuously placed upon each road frontage of the property which is the subject of subdivision or land development proposal submission to the Township. In addition, on each road frontage exceeding 500 linear feet in uninterrupted length on properties which are the subject of subdivision or land development application submitted to the Township, there shall be one notification sign posted for each 500 linear feet of road frontage. The signs shall be located at a maximum height of four feet above the ground as measured to the top of the sign.

(3) Affidavit of posting notification sign. An applicant for subdivision or land development approval for any property located in Lower Providence Township posting any notification signs shall, as part of the applicant's initial submission, file with the Township, as part of the initial application process, an affidavit of posting executed by the applicant, under oath, attesting to the installation of a notification sign or signs, the location of said sign or signs and the date of said installation. Simultaneously, with the filing of the affidavit of posting, the applicant shall file with the Township a photographic evidence of the placement of the notification sign or signs.

(4) Time for installation and duration of notification signs. Any notification sign or signs required to be posted in compliance with the provisions of this subsection must be installed on the premises within 72 hours of filing any subdivision or land development plans with the Township, and no application for subdivision or land development plan approval shall be deemed completed until the sign or signs are installed and an affidavit of posting has been filed with the Township. Any notification sign or signs installed as required by the provisions of this subsection shall remain posted on the premises which are the subject of the application throughout the term of the subdivision or land development review process and until a final determination on the subdivision or land development plan has been rendered by the Board of Supervisors of Lower Providence Township.



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AFFIDAVIT OF POSTING

Address: _____

Lower Providence Township

Montgomery County, PA

Tax Parcel Number: _____

Pursuant to Article III Section 123-10.E of the Lower Providence Township Subdivision and Land Development Ordinance of 1985 all applicants for subdivision and/or land development are required to post the property notifying the general public of the proposed action.

Sign Location: _____

Sign Installation Date: _____

Applicant or Applicant's Agent:

Witness

Date: _____

Date: _____

Add Photograph Here

Photographic evidence of the placement of the sign