



LOWER POTTS GROVE TOWNSHIP

Subdivision/Land Development Application Process

TOWNSHIP CODES

Subdivisions, lot consolidations, lot line changes, new development or substantive changes to approved land development plans require full subdivision or land development review and approval, per the Lower Pottsgrove Township Subdivision and Land Development Ordinance (SALDO), Zoning Ordinance, and Stormwater Management Ordinance. Amendments to approved land development plans require an amended site plan review, per these ordinances. Development or additions to a single family dwelling on an individual lot are not required to go through either land development or site plan reviews; however, they must apply for appropriate building and other permits.

All subdivisions and land developments must comply with the Lower Pottsgrove SALDO, Zoning Ordinance, and Stormwater Management Ordinance. In all subdivision and land development applications, the entire site must be brought into compliance with all ordinance requirements.

The SALDO and the Zoning Ordinance are on the Township's web site, www.lowerpottsgrove.org under Planning & Development. Copies also may be purchased at the Township Building for \$30 and \$40, respectively.

STAGES & TYPES OF SUBDIVISION/LAND DEVELOPMENT REVIEW

Prior to submission of a subdivision or land development application, it is highly recommended that an applicant meet with Township staff to informally discuss the application. Township staff will work with the applicant to identify aspects of the application that may trouble the review parties and/or help the applicant understand what reviews may be necessary for the project. A subdivision and land development application can be expected to follow the following stages, each of which will require the filing of a separate application with the Township:

Sketch Plan: This is an optional, but strongly recommended, phase of the subdivision and land development process where the applicant can bring sketches and ideas to the Planning Commission for a conceptual review and/or a recommendation for any necessary zoning relief. Usually there are no specified steps, decisions or required notifications. However, when the Zoning Ordinance mandates, or the applicant requests, a recommendation from the Planning Commission about an application for a variance or special exception before the Zoning Hearing Board, the Planning Commission votes on the recommendation and the applicant is notified of the result in writing.

Preliminary Plan: This is the first official stage of the formal subdivision or land development process. Applicants submit a full set of plans, as required in the SALDO. After the review by the Planning Commission, which usually extends over several meetings, the Planning Commission can either recommend approval, approval with conditions, or denial due to failure to comply with specified ordinance provisions. The Board of Commissioners will then consider the application and make a decision for approval, approval with conditions, or denial.

Final Plan: After receiving preliminary approval and addressing all conditions and remaining issues from that phase, applicants submit a full set of plans, as required in the SALDO for Township Staff, Planning Commission and Board of Commissioner review. Final approval will not be granted until all conditions have been satisfied.

Minor Plan or Site Plan Amendment: Smaller projects, if approved by Township Staff, can merge the preliminary plan and final plan stages. Approval of the preliminary plan is treated as a final approval. However, final approval will not be granted until all conditions have been satisfied.

APPLICATION REVIEW

Sketch Plan submissions do not have a time clock, but for Preliminary and Final Plan applications, the Township has 90 days for each type of application to have all necessary parties review the application, make recommendations, and render a decision. The 90-day period starts at the first regular Planning Commission meeting or 30 days after application submission, whichever occurs first. If the Township needs more time, the Township must request an extension and the applicant must approve the extension in writing.



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Preliminary Plan applications are sent to the Montgomery County Planning Commission (MCPC), with the required form and fee, as required by the Pennsylvania Municipalities Planning Code (MPC). The MCPC has 30 days to review the plans. No decision of the Lower Pottsgrove Planning Commission or the Board of Commissioners may be rendered on an application until a review letter is received or the 30-day review period expires. A Sketch Plan is sent to the MCPC if the applicant requests it. Final Plans are sent only if significant changes are made from the preliminary plans.

All plans are sent to professional consulting firms for a full ordinance review. Applicants must agree to reimburse the Township for the cost of the consultant's reviews when they submit a signed application.

Waivers from provisions in the SALDO may be granted in the appropriate circumstances at the discretion of the Board of Commissioners. Requests for waivers must be in writing and include reasons why the waiver should be granted. If a waiver is granted, it must be noted on the Final Plans. Any relief requested from the requirements of the Zoning Ordinance must be sought from the Zoning Hearing Board or the Board of Commissioners, as required by law.

Applications deemed to have regional impact must also be submitted to the Pottstown Area Regional Planning Commission for review and comment.

It is the applicant's responsibility to secure all required approvals from outside agencies, such as PennDOT for a Highway Occupancy Permit or the Montgomery County Conservation District for the erosion and sedimentation control plan or NPDES permit.

APPLICATION SUBMISSION

Applicants are encouraged to meet with staff before starting the subdivision or land development process for an informal meeting where sketches and ideas are discussed. To be placed on the agenda of the Planning Commission for the initial review, a Subdivision and Land Development Application must be submitted to the Township at least three weeks before the Planning Commission meeting which is usually the third Monday of the month at 6:30 p.m.

The submission must include:

- 8 sets of
 - Completed and signed application form
 - Narrative summary of the project
 - Plans as required in the SALDO
 - Other related materials as appropriate
- 2 signed copies of the Agreement for Professional Plan Review Services
- 2 copies of Stormwater Management Report
- 2 copies of Traffic Study (if appropriate)
- 3 copies of the Planning Module (if appropriate)
- Completed Montgomery County Planning Commission Municipal Request for Review Form and Fee (optional for sketch plans)
- Payment of Township fee (See Schedule of Fees)
- Payment of Township escrow (See Schedule of Fees)

Each time an applicant submits information regarding an application; it shall be submitted to the Township in the quantities established above.

Applicants will be notified prior to the meeting that their application is on the agenda. Agendas are posted on the Township's web site prior to the meeting.

PLANNING COMMISSION MEETINGS

Subdivision and Land Development applications are initially presented to the Lower Pottsgrove Planning Commission. The Planning Commission holds one meeting each month, typically on the third Monday of the month. The public is welcome to attend and comment on any matter on the agenda. The schedule for the year is published on Lower Pottsgrove Township's web site (www.lowerpottsgrove.org).



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Applicants or their representatives (e.g. attorneys, architects, or engineers) present their plans to the Planning Commission. After each applicant's initial presentation, Planning Commission members ask questions and then offer anyone in attendance the opportunity to comment. Minutes summarizing the proceedings are taken and, after approval at a subsequent meeting, posted on the Township's web site.

Usually the application will be carried over to the agenda of the next meeting where Planning Commission members will discuss remaining issues about the plan. If the Planning Commission requires more information, applicants are expected to submit eight (8) copies at least one week before the next regular meeting. (Packets with plans and related materials are sent to Planning Commission members one week before each meeting.)

Depending on the issues involved in an application, additional Township review may be conducted by: the Sewer Authority, Zoning Hearing Board, Pottstown Area Regional Planning Committee, or other appropriate Township-appointed review agencies. Applicants are notified if any such reviews are necessary. Members of the reviewing bodies may visit the site while the application is pending before them.

DECISIONS

The Planning Commission makes a recommendation to the Board of Commissioners on all applications except Sketch Plans. After the Planning Commission's recommendation, an application is considered by the Board of Commissioners. Subdivision and Land Development applications are usually considered on the first Monday of the month. Before that meeting, applicants will be given a proposed resolution outlining any conditions the Township requires for approval of the application. The applicant will be asked to review and submit two original signed copies of consent to the proposed resolution prior to the Board of Commissioners' meeting. Additional information may be requested one week prior to the meeting for inclusion in the Commissioners' information packets, including the most recent rendering of the project plan.

Applicants receive notification of the Board of Commissioner's decision in writing.

COMPLETING THE PROCESS

After final approval of the plans, a Subdivision and Land Development Agreement and Financial Security Agreement must be signed and financial security must be posted for the cost of public improvements.

First, the project's engineer submits cost estimates for public improvements to the Township Engineer. After the Township Engineer approves these figures, the Township Solicitor provides with multiple copies of the Financial Security Agreement for the applicant to complete and sign. Financial security may be provided in accordance with the MPC and the Applicant shall provide the following information about the financial institution holding the escrow: institution, contact, address, phone, fax, account number and any other pertinent identifying information. At the same time, the Township Solicitor will provide multiple copies of the Subdivision and Land Development Agreement for the applicant to sign and submit to the Township. Both the Subdivision and Land Development Agreement and Financial Security Agreement will be recorded along with any easements or other documents required by the Township for approval of the application.

Final subdivision and land development plans shall be recorded. Once the Subdivision and Land Development Agreement is signed and escrow is in place, the applicant has ninety days to record the subdivision or land development plans. Six paper and two Mylar copies of the record plan must be signed by the property owner and notarized. The Township then will sign the plans and forward them to the Montgomery County Planning Commission for their signature and the Montgomery County Recorder of Deeds for recording. When the recorded plans are returned to the Township, one copy will be sent to the applicant.

After plans are recorded, the applicant may apply for a grading permit. Before a grading permit is issued and site work can begin, a pre-construction meeting is held with the Township, all affected agencies, the applicant, and contractor. Applicants proposing the erection, addition, or alteration of any building or portion of a building must apply for a building permit before commencing construction or occupying the building.