

# Upper Makefield Township

1076 Eagle Road | Newtown, PA 18940 | p 215.968.3340 | f 215.968.9228 | [www.uppermakefield.org](http://www.uppermakefield.org)

## APPLICATION FOR MAJOR OR MINOR SUBDIVISION, LAND DEVELOPMENT, SKETCH PLAN OR LOT CHANGE

Date of Application:			TAX MAP PARCEL NUMBER: 47-_____	
Type of Application:	Preliminary: <input type="checkbox"/> Final: <input type="checkbox"/>			
<b>Subdivision Information</b>				
Name of Subdivision:		Location of Subdivision:		
<b>Owner of Record Information</b>				
Name:		Email:		
Address:		Phone#:		
City/Zip:				
<b>Applicant Information</b>				
Name:		Email:		
Address:		Phone#:		
City/Zip:				
<b>Registered Engineer or Surveyor Information</b>				
Name:		Email:		
Address:		Phone#:		
City/Zip:				
<b>Subject Land Information</b>				
Zoning Classification:	Total Acreage:		Number of Lots:	
Minimum Lot Size:		Lineal Feet of New Streets:		
Water Supply:	Public System: <input type="checkbox"/>	On Lot System: <input type="checkbox"/>	Sewerage:	Public System: <input type="checkbox"/> On Lot System: <input type="checkbox"/>
<b>Annexed Exhibit Requirements</b>				
<b>Exhibit A:</b> Set forth restriction, covenants, & c., under which lots will be sold. If none, so state:				
<b>Exhibit B:</b> Improvements proposed. The period required for completion of the improvements (Years and Months) <input type="text"/> If none, so state:				
<b>Exhibit D:</b> A complete description of the land as set forth in owner's deed. Owner's deed was recorded in Deed Book: <input type="text"/> Page: <input type="text"/> on <input type="text"/> (DATE)				
<b>Exhibit E:</b> Where only a portion of the describe land is being subdivided, provide an additional separate descripton of the protion to be subdivided.				

### Documentation Requirements

1. For Sketch Plan attach a copy of signed Sketch Plan Review Agreement.
2. Twenty-Four copies are to be submitted with the Preliminary Plan and must be submitted a minimum of thirty (30) days prior to the Planning Commission Meeting date.
3. For Sketch Plan attach a copy of signed Sketch Plan Review Agreement.

### Notice

***Any sums due and owing to Upper Makefield Township for greater than thirty (30) days after the invoice date shall incur interest at the rate of 1/5% per month or fraction thereof that the money remains unpaid.***

### Certifications and Signatures

☐ I hereby certify that I have read and understand this Subdivision Application, subdivision procedures (flow chart), and attached Check List.

Applicants Signature \_\_\_\_\_

Date \_\_\_\_\_

Owner Signature \_\_\_\_\_

Date \_\_\_\_\_

Applications and supporting documents can be submitted via email to [codeoffice@uppermakefield.org](mailto:codeoffice@uppermakefield.org)

**UPPER MAKEFIELD TOWNSHIP  
DEPARTMENT OF CODE ENFORCEMENT**

1076 Eagle Road • Newtown, PA 18940 • (215) 968-2868

**FLOW CHART DIAGRAM  
Subdivision, Land Development and  
Lot Line Change Review Procedure**

Day 1 - Planning and Zoning Department  
Application Receipt

14 Day Review Period

ACCEPT

1. Letter to applicant - copy to Manager & Solicitor/note receipt date.
2. FAX notice of plan acceptance to Engineer (Plans and accompanying documents, ready for pick-up by Engineer for review by Planning Commission.)
3. Applicant mails to Bucks County Planning, Application & Plans
4. Applicant mails to B.C. Soil Conservation Service, application and plan.
5. Twp. Mails Water report with letter to Consultant.
6. Deposit Applicant's check

REJECT

1. Letter to Applicant outlining deficiencies, copy Solicitor.
2. Return Application check to applicant including all material submitted with application.

**DAY 14**

1. Set Agenda for Planning Commission
2. Administration copy Agenda to Code Enforcement Officer
3. C.E.O. delivers plan to Admin. for Distribution to Planning Commission
4. FAX Agenda to Solicitor, Engineer and R.E. Wright
5. Distribute Planning Commission packets

(Continued)

## Planning Commission Meets

### Recommendation for Approval or Rejection

1. Planning Commission reports recommendation for approval or rejection to Manager and C.E.O.
2. Directed to Board of Supervisors Meeting.

### Recommendation for Continued Review

1. Chairman of P.C. reports to C.E.O.
2. C.E.O. copies manager
3. When C.E.O. notifies Manager, 20 copies of Revised plans and reports must be received at least 21 days prior to the next meeting to be placed on the Agenda.

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## **SUBDIVISION/LAND DEVELOPMENT 90 DAY REVIEW WAIVER**

Date: \_\_\_\_\_

Township Manager/Code Dept.  
Upper Makefield Township  
1076 Eagle Rd.  
Newtown, PA 18940

RE: Subdivision/Land Development Plan of \_\_\_\_\_

On \_\_\_\_\_, I/we submitted of official filing, the above referenced Plan  
Date  
of Subdivision/Land development.

Please be advised that, notwithstanding any contrary provision of the Pennsylvania Municipalities Planning Code or Upper Makefield Township Code, this letter will serve as notice to Upper Makefield Township that the requirement that action be taken on the Subdivision/Land Development within ninety (90) days is hereby waived, without limitation as to time.

This waiver can be revoked upon thirty (30) days written notice, delivered by certified mail to Upper Makefield Township.

Very truly yours,

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Applicant Printed Name

-----  
Email: [codeoffice@uppermakefield.org](mailto:codeoffice@uppermakefield.org)

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## **SEWAGE FACILITIES PLANNING MODULES 60 DAY REVIEW WAIVER**

Date: \_\_\_\_\_

Township Manager/Code Dept.  
Upper Makefield Township  
1076 Eagle Rd.  
Newtown, PA 18940

RE: Sewage Facilities Planning Module for the plan of \_\_\_\_\_

On \_\_\_\_\_, I/we submitted of official filing, the above referenced  
Date  
Planning Module for the Subdivision/Land development.

Please be advised that, notwithstanding any contrary provision of the Pennsylvania Municipalities Planning Code or Upper Makefield Township Code, the Department of Environmental Protection Code or the Bucks County Department of Health Codes, this letter will serve as notice to Upper Makefield Township that the requirement that action be taken on the Planning Module within ninety (60) days is hereby waived, without limitation as to time.

This waiver can be revoked upon thirty (30) days written notice, delivered by certified mail to Upper Makefield Township.

Very truly yours,

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Applicant Printed Name

  
Email: [codeoffice@uppermakefield.org](mailto:codeoffice@uppermakefield.org)



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## SUBDIVISION, LOT LINE CHANGE AND LAND DEVELOPMENT CHECKLIST

THE PLANNING COMMISSION MEETS AT 7:00 P.M. ON THE FOURTH WEDNESDAY OF EACH MONTH IN THE TOWNSHIP MEETING ROOM AT 1076 EAGLE ROAD. IN ORDER TO BE PLACED ON THE AGENDA FOR A PLANNING COMMISSION MEETING, ALL SUBMISSIONS MUST BE DELIVERED TO THE CODE ENFORCEMENT DEPARTMENT FOUR (4) WEEKS PRIOR TO THE MEETING. INCOMPLETE SUBMISSIONS WILL NOT BE ACCEPTED.

**PLAN NAME:** \_\_\_\_\_

**NAME OF OLD SUBDIVISION:** \_\_\_\_\_

**APPLICANT:** \_\_\_\_\_

- ☐ 1. Twenty (20) copies of the subdivision plan accompanied by the Township application form signed by the applicant and property owner. Plans must also be submitted in electronic format on a CD disk in JPG format.  
Each set of plans shall:
  - be “**folded**” to a size of 10” x 14”. Rolled plans are unacceptable.
  - bear the subdivision name, preparation date and type of plan submitted, i.e., lot line change, minor or major subdivision, or land development.
  - bear the seal, name, address and telephone number of the surveyor, engineer or architect participating in the preparation of the plans, owner and developer.
  - contain a location map, tract boundaries and lots numbered.
- ☐ 2. Contract for Professional Services Agreement (PSA), signed and dated. PSA fee in the form of a check made payable to Upper Makefield Township
- ☐ 3. Application and fees for filing and review escrow. Application fees and escrow should be paid with two (2) separate checks made payable to Upper Makefield Township.
- ☐ 4. All waivers from any Township Ordinances or submission requirements shall be submitted in writing.
- ☐ 5. Three (3) copies of the Deed of Record conveying premises to the present owners
- ☐ 6. Three (3) copies of the Title Report.
- ☐ 7. Twenty (20) copies of the Agreement of Sale.
- ☐ 8. Twenty (20) copies of the Water Quality Report (\*required when 3 or more lots or 1,000 g.p.d. or more withdrawal / disposal.)
- ☐ 9. Twenty (20) copies of the Transportation (Traffic) Impact Statement (\*required when 10 or more lots.)

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- ☐ 10. Twenty (20) copies of the Environmental Impact Assessment Report (\*required for all subdivisions with five (5) or more dwelling units and all land developments.)
- ☐ 11. Seven (7) copies of the Storm Water Management Plan required for all minor and major subdivision and land development (\*not required for lot line changes.)
- ☐ 12. Twenty (20) sets of photographs of the subject property. A set shall include a minimum of four (4) panoramic views of the property taken from the street frontage and views of any extraordinary features of the property. Photographs must also be submitted on a CD in JPG format.
- ☐ 13. Seven (7) copies of the hydro geological study (\*required when 3 or more lots or 1,000 g.p.d. or more withdrawal / disposal.)
- ☐ 14. Landscape plan required for all major subdivision and land developments; not required for minor subdivision and lot line change.
- ☐ 15. Bucks County Department of Health Modules Component I, II or III where applicable.
- ☐ 16. Signed Right to Enter acknowledgement form.
- ☐ 17. One (1) copy of the application to the Bucks County Conservation District.
- ☐ 18. One (1) copy of the application to the Bucks County Planning Commission.
- ☐ 19. One (1) copy of the cover letter to the Council Rock School District accompanying the plans to the School District for the review.
- ☐ 20. One (1) copy of the cover letter to the UMT Historic Advisory Commission requesting a list of approved street names relevant to the considered property.
- ☐ 21. A copy of the approved list of street names provided by the HAC within 15 days after submission.
- ☐ 22. One (1) copy of the Letter of Certification of Notice to adjoining property owners within five hundred feet (500') including a list of notified property owners, a copy of the notice sent and return receipt cards.
- ☐ 23. One (1) copy of the Sewage Facilities Planning Modules 60 Day Review Waiver.
- ☐ 24. One (1) copy of the Subdivision / Land Development 90 Day Review Waiver.
- ☐ 25. W-9, Request for Identification Number and Certification Form\*. (\*Required to report interest income from escrow account.)

Note: *An electronic format on a CD in JPG format of the mylar following signing by the Board is required to be submitted within 10 days of the signing.*

*This checklist is not an all-inclusive list of subdivision requirements. Reference to the Subdivision and Land Development Ordinance is required to ensure compliance.*



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## UPPER MAKEFIELD TOWNSHIP SKETCH PLAN REVIEW AGREEMENT

This Agreement made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between \_\_\_\_\_ (hereinafter called "Applicant" and Upper Makefield Township, a Township of the Second Class with offices at 1076 Eagle Road, Newtown, Pennsylvania 18940 (hereinafter called "Township").

### **BACKGROUND**

1. Applicant has submitted a sketch plan entitled \_\_\_\_\_ which the Township has agreed to review.
2. The Township and Applicant have mutually agreed that it would be helpful to have the plans reviewed by the Township's consultants as well as by the Township Engineer and Township.
3. The Applicant is willing to reimburse the Township for its reasonable out-of-pocket costs for the sketch plan review, recognizing the advantage to the Applicant by having a thorough review at the sketch plan stage before the Applicant undertakes the major cost involved in preparing preliminary plans.
4. The Applicant shall attach this agreement, for all of the properties affected by the application. If the applicant claims to be the equitable owner of the property or properties, the applicant shall attach to the application a true and correct copy of the Agreement(s) with the legal owner that created the Applicant's equitable ownership.

NOW THEREFORE, in consideration of the mutual promises contained and intending to be legally bound, the parties hereto hereby agree as follows:

1. Applicant shall reimburse Township for all reasonable out-of-pocket costs incurred in the review of its sketch plan at the standard rates which they charge the Township, plus ten percent (10%) for administrative costs within thirty (30) days of receiving an invoice for the costs. The Township's consultants, Engineer and Solicitor shall submit itemized bills for the development which shall be forwarded to the Applicant with the Township's invoice.
2. The Applicant acknowledges that the plans being reviewed by the Township are sketch plans and that the Township is under no duty to approve or deny the plans and that there are not time limits for review of the plans. Applicant may or may not choose to eventually submit preliminary plans to the Township. The time limit for reviewing preliminary plans will begin when an application and the plans filed with the Township in conformity with the Township's Zoning and Subdivision ordinances, the filing fee is paid and the application plans and filing fee are accepted by the Township for filing.

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## UPPER MAKEFIELD TOWNSHIP SKETCH PLAN REVIEW AGREEMENT

3. Either party may terminate this Agreement on one week's written notice in which event Applicant will be responsible for reimbursing the Township's reasonable out-of-pocket costs plus the ten (10%) administrative fees incurred up to and including the date of termination.

IN WITNESS whereof, the parties hereto, intending to be legally bound have hereunto set their hands and seals the day and year first written above.

ATTEST: \_\_\_\_\_

APPLICANT: \_\_\_\_\_

UPPER MAKEFIELD TOWNSHIP  
BOARD OF SUPERVISORS:

ATTEST: \_\_\_\_\_

\_\_\_\_\_  
CHAIRMAN/MANAGER



Effective March 1, 2019

## BUCKS COUNTY CONSERVATION DISTRICT

1456 FERRY ROAD, SUITE 704  
DOYLESTOWN, PA 18901-5550  
P (215)345-7577 F (215)345-7584

*In Pursuit of Environmental Excellence*

### E&S APPLICATION / GENERAL INFORMATION FORM

This form must be completed and submitted along with the required plans and fees for both first time E&S reviews and resubmissions. Please see page 2 for instructions regarding the number of copies required for various submissions.

**PLEASE SUBMIT FOLDED PLANS TO THE DISTRICT. ROLLED PLANS WILL NOT BE ACCEPTED.**

Project Municipality \_\_\_\_\_ Project Name \_\_\_\_\_

Tax Parcel Number \_\_\_\_\_ Project Address \_\_\_\_\_

\*TOTAL ACREAGE \_\_\_\_\_ \*ACRES TO BE DISTURBED \_\_\_\_\_ #Lots \_\_\_\_\_ #Units \_\_\_\_\_  
\*(Do not use square feet. Square feet divided by 43,560 = Total Acres)

Watershed \_\_\_\_\_ Receiving Stream \_\_\_\_\_ Stream Classification \_\_\_\_\_

Applicant Name \_\_\_\_\_ Applicant Company \_\_\_\_\_

Applicant Address \_\_\_\_\_

Applicant City/State/Zip \_\_\_\_\_

Applicant Phone \_\_\_\_\_ Applicant Email \_\_\_\_\_

Submitted By: ☐ Engineering Firm/Plan Designer ☐ Contractor ☐ Landowner ☐ Municipality

Engineer Name: \_\_\_\_\_ Engineering Company \_\_\_\_\_

Engineer Address: \_\_\_\_\_

Engineer City/State/Zip \_\_\_\_\_

Phone# \_\_\_\_\_ Email Address \_\_\_\_\_

Plan Date OR Most Recent Revision Date: \_\_\_\_\_ NEW PLAN ☐ RESUBMISSION ☐

ADMINISTRATIVE INCOMPLETE INFO ONLY (\$250.00 RE-FILE FEE) ☐ NPDES MINOR AMENDMENT (\$250.00 FEE) ☐

INCLUDED WITH SUBMISSION ARE: ☐ PLANS/NARRATIVES ☐ FEE(S) ☐ NPDES/E&S PERMIT APPLICATION

**\*\*FEE SCHEDULE FOR E&S REVIEWS (BASED ON *DISTURBED* ACRES ONLY)\*\***

**SINGLE FAMILY HOME (1 RESIDENCE) WITH UNDER 1 ACRE OF DISTURBANCE = \$200.00**

#### **ALL OTHER EARTH DISTURBANCE:**

.02296 to 0.99 acres = \$650.00

1.0 to 1.99 acres = \$1,350.00

2.0 to 4.99 acres = \$2,000.00

5.0 to 9.99 acres = \$3,000.00

10.0 to 19.99 acres = \$5,000.00

20+ acres = \$6,000.00 +

Additional \$100.00 per acre for each acre over 20

(Fractions of an acre are rounded up to the next whole acre.)

#### **TIMBER HARVEST**

0.0-24.99 ACRES = \$200.00; ≥25.0 ACRES = E&S PERMIT

#### **E&S PERMIT**

≥25.0 ACRES = \$650 (PLUS FEES ASSOCIATED WITH NPDES INDIVIDUAL PERMIT, SEE PAGE 2, "NPDES INFORMATION")

**SMALL POND WORK E&S FEE = \$200.00 (MAY REQUIRE NPDES PERMIT, SEE PAGE 2, "NPDES INFORMATION")**

**\*\*FOR PROJECTS WITH EARTH DISTURBANCE OF ONE (1) ACRE OR MORE IT IS REQUIRED THAT AN NPDES APPLICATION (NOI) BE SENT WITH THE E&S SUBMISSION.**

**\*\*PLEASE READ PAGE 2 OF THIS APPLICATION UNDER "EXEMPTIONS AND EXCEPTIONS"**

*BCCD USE ONLY BEYOND THIS POINT*

ENTRY # \_\_\_\_\_

DATE SENT BACK \_\_\_\_\_

E&S FEE REC'D \$ \_\_\_\_\_ CHECK# \_\_\_\_\_

DEP CWF FEE \$ \_\_\_\_\_ CHECK# \_\_\_\_\_

EXPEDITED FEE\$ \_\_\_\_\_ CHECK# \_\_\_\_\_

P&H FEE \$ \_\_\_\_\_ CHECK# \_\_\_\_\_

NPDES FEE \$ \_\_\_\_\_ CHECK# \_\_\_\_\_

NPDES # ASSIGNED \_\_\_\_\_



#### GENERAL INFORMATION:

Incomplete E&S applications will not be accepted.

BCCD DOES NOT ACCEPT CASH OR CREDIT CARDS.

E&S reviews are processed in the order they are received. The District is required to complete its review within 30 days.

The BCCD Office DOES NOT process Chapter 105 General Permits 1 – 9 & 15. They must be submitted to the Southeast Regional DEP Office, 2 East Main Street, Norristown, PA 19401. 484-250-5900. Please refer to the DEP website ([www.dep.state.pa.us](http://www.dep.state.pa.us)) for any further information.

If a meeting with the BCCD is needed, PLEASE CALL AHEAD TO SCHEDULE AN APPOINTMENT.

E&S Review letters are sent to the Landowner, appropriate Municipal government, Bucks County Planning Commission, and Engineer / Plan Designer. **PLEASE NOTE:** If copies of review letters are needed by any other entities please attach names and addresses.

**Failure to begin earth moving within 2 years from date of BCCD's Adequate E&S Review Letter will require a resubmission and will be subject to a full E&S fee.**

#### E&S FEE EXEMPTIONS AND EXCEPTIONS:

County agencies, volunteer fire stations, volunteer ambulance services, conservation co-operator farms, & plans with lot subdivision only and no earth moving involved are exempt from fees. Municipalities and Public Schools please submit One half (1/2) of the fee listed under "ALL OTHER EARTH DISTURBANCE" fee schedule.

FEEs ARE REQUIRED FOR ALL OTHER SUBMISSIONS.

THERE ARE NO EXEMPTIONS FROM EXPEDITED REVIEW FEES.

E&S submissions and resubmissions require one (1) plan set, one (1) General Information Form, and appropriate fee. MAKE CHECKS PAYABLE TO "BUCKS COUNTY CONSERVATION DISTRICT" OR "BCCD."

Withdrawal of a submission prior to a response from the BCCD is subject to a fee of either fifteen percent (15%) of the current fee or \$150.00, whichever is less. Plans withdrawn for any reason will require a full fee when resubmitted.

#### RESUBMISSION GUIDELINES:

All resubmissions are required to submit an E&S Application and associated fee.

Any submission involving a Major Revision from a previously reviewed plan shall be required to submit the FULL E&S Fee. A MAJOR change or revision on a plan may include, but is not limited to: a change in use, lot layout, street layout, grading changes, or basin revisions. If you have any questions, please call the BCCD office.

A Fee of 50% of the CURRENT FEE or \$1000.00, whichever is less, will be charged for each resubmission without major changes.

New revision dates noted on the plans require a resubmission to BCCD, including an application and resubmission fee. A new review letter is required with corresponding plan dates.

#### NPDES INFORMATION:

A separate federally mandated NPDES General Permit is needed if proposed earth disturbance is one (1) acre or greater. The fee for this permit is \$500.00, payable to "BCCD-CWF"

An NPDES Individual Permit is needed if the project is one (1) acre or greater and located in High Quality (HQ) or Exceptional Value (EV) Watershed. Please refer to Chapter 93, Water Quality Standards, Title 25 of PA CODE. The fee for this permit is \$1500.00, payable to "BCCD-CWF".

**With every NPDES Submission, please include 1 copy of plans and narratives for review.** For NPDES Individual Permits, additional plan sets will be requested by the BCCD once a submission is found to be administratively complete. All submissions also require a check for \$100.00 per disturbed acre (rounded to the nearest whole acre), made payable to the "PA-CWF". DISTURBED ACRE FEES ARE COLLECTED BY THE BCCD AND DELIVERED TO THE PA DEP WEEKLY.

BCCD requires a \$250.00 Re-filing fee for NPDES applications found to be incomplete on the first submission. Required information must be submitted to BCCD within 60 days of notice or the application and all associated plan sets will be considered withdrawn.

NPDES minor amendments will be charged a flat fee of \$250.00.

ALL APPLICATIONS FOR NPDES PERMITS ARE PROCESSED BY BCCD OFFICE. PLEASE INCLUDE THEM WITH THE E&S SUBMISSION IN THEIR ENTIRETY.

Projects requiring NPDES Applications (NOI) will be reviewed for Administrative and Technical completeness within 15 Business days of receipt. If the NOI is considered to be Administratively and Technically Complete, the E&S review will follow within 22 Business days. Re-submittals will be processed within 17 business days of receipt.

FOR E&S FORM, NPDES FORMS, AND POLICIES PLEASE VISIT [www.buckscdd.org](http://www.buckscdd.org) OR [www.dep.state.pa.us](http://www.dep.state.pa.us)



# Request for Taxpayer Identification Number and Certification

Give Form to the  
requester. Do not  
send to the IRS.

► Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

Print or type.  
See Specific Instructions on page 3.

<b>1</b> Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
<b>2</b> Business name/disregarded entity name, if different from above	
<b>3</b> Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only <b>one</b> of the following seven boxes.  <input type="checkbox"/> Individual/sole proprietor or single-member LLC  <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► _____ <b>Note:</b> Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is <b>not</b> disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.  <input type="checkbox"/> Other (see instructions) ► _____	<b>4</b> Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):  Exempt payee code (if any) _____  Exemption from FATCA reporting code (if any) _____  <i>(Applies to accounts maintained outside the U.S.)</i>
<b>5</b> Address (number, street, and apt. or suite no.) See instructions.	Requester's name and address (optional)
<b>6</b> City, state, and ZIP code	
<b>7</b> List account number(s) here (optional)	

## Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

**Note:** If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

<b>Social security number</b>									
				-			-		
<b>or</b>									
<b>Employer identification number</b>									
				-					

## Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

**Sign  
Here**

Signature of  
U.S. person ►

Date ►

## General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

## Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding*, later.

**Criminal penalty for falsifying information.** Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

**Misuse of TINs.** If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

## Specific Instructions

### Line 1

You must enter one of the following on this line; **do not** leave this line blank. The name should match the name on your tax return.

If this Form W-9 is for a joint account (other than an account maintained by a foreign financial institution (FFI)), list first, and then circle, the name of the person or entity whose number you entered in Part I of Form W-9. If you are providing Form W-9 to an FFI to document a joint account, each holder of the account that is a U.S. person must provide a Form W-9.

a. **Individual.** Generally, enter the name shown on your tax return. If you have changed your last name without informing the Social Security Administration (SSA) of the name change, enter your first name, the last name as shown on your social security card, and your new last name.

**Note: ITIN applicant:** Enter your individual name as it was entered on your Form W-7 application, line 1a. This should also be the same as the name you entered on the Form 1040/1040A/1040EZ you filed with your application.

b. **Sole proprietor or single-member LLC.** Enter your individual name as shown on your 1040/1040A/1040EZ on line 1. You may enter your business, trade, or "doing business as" (DBA) name on line 2.

c. **Partnership, LLC that is not a single-member LLC, C corporation, or S corporation.** Enter the entity's name as shown on the entity's tax return on line 1 and any business, trade, or DBA name on line 2.

d. **Other entities.** Enter your name as shown on required U.S. federal tax documents on line 1. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on line 2.

e. **Disregarded entity.** For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a "disregarded entity." See Regulations section 301.7701-2(c)(2)(iii). Enter the owner's name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on line 2, "Business name/disregarded entity name." If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

### Line 2

If you have a business name, trade name, DBA name, or disregarded entity name, you may enter it on line 2.

### Line 3

Check the appropriate box on line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box on line 3.

IF the entity/person on line 1 is a(n) . . .	THEN check the box for . . .
• Corporation	Corporation
• Individual • Sole proprietorship, or • Single-member limited liability company (LLC) owned by an individual and disregarded for U.S. federal tax purposes.	Individual/sole proprietor or single-member LLC
• LLC treated as a partnership for U.S. federal tax purposes, • LLC that has filed Form 8832 or 2553 to be taxed as a corporation, or • LLC that is disregarded as an entity separate from its owner but the owner is another LLC that is not disregarded for U.S. federal tax purposes.	Limited liability company and enter the appropriate tax classification. (P= Partnership; C= C corporation; or S= S corporation)
• Partnership	Partnership
• Trust/estate	Trust/estate

### Line 4, Exemptions

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space on line 4 any code(s) that may apply to you.

#### Exempt payee code.

- Generally, individuals (including sole proprietors) are not exempt from backup withholding.
- Except as provided below, corporations are exempt from backup withholding for certain payments, including interest and dividends.
- Corporations are not exempt from backup withholding for payments made in settlement of payment card or third party network transactions.
- Corporations are not exempt from backup withholding with respect to attorneys' fees or gross proceeds paid to attorneys, and corporations that provide medical or health care services are not exempt with respect to payments reportable on Form 1099-MISC.

The following codes identify payees that are exempt from backup withholding. Enter the appropriate code in the space in line 4.

1—An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2)

2—The United States or any of its agencies or instrumentalities

3—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities

4—A foreign government or any of its political subdivisions, agencies, or instrumentalities

5—A corporation

6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or possession

7—A futures commission merchant registered with the Commodity Futures Trading Commission

8—A real estate investment trust

9—An entity registered at all times during the tax year under the Investment Company Act of 1940

10—A common trust fund operated by a bank under section 584(a)

11—A financial institution

12—A middleman known in the investment community as a nominee or custodian

13—A trust exempt from tax under section 664 or described in section 4947

**1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983.** You must give your correct TIN, but you do not have to sign the certification.

**2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983.** You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

**3. Real estate transactions.** You must sign the certification. You may cross out item 2 of the certification.

**4. Other payments.** You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

**5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), ABLE accounts (under section 529A), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions.** You must give your correct TIN, but you do not have to sign the certification.

## What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account) other than an account maintained by an FFI	The actual owner of the account or, if combined funds, the first individual on the account <sup>1</sup>
3. Two or more U.S. persons (joint account maintained by an FFI)	Each holder of the account
4. Custodial account of a minor (Uniform Gift to Minors Act)	The minor <sup>2</sup>
5. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee <sup>1</sup>
b. So-called trust account that is not a legal or valid trust under state law	The actual owner <sup>1</sup>
6. Sole proprietorship or disregarded entity owned by an individual	The owner <sup>3</sup>
7. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(b)(2)(i)(A))	The grantor <sup>4</sup>
For this type of account:	Give name and EIN of:
8. Disregarded entity not owned by an individual	The owner
9. A valid trust, estate, or pension trust	Legal entity <sup>4</sup>
10. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
11. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
12. Partnership or multi-member LLC	The partnership
13. A broker or registered nominee	The broker or nominee

For this type of account:	Give name and EIN of:
14. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
15. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulations section 1.671-4(b)(2)(i)(B))	The trust

<sup>1</sup> List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

<sup>2</sup> Circle the minor's name and furnish the minor's SSN.

<sup>3</sup> You must show your individual name and you may also enter your business or DBA name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

<sup>4</sup> List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships*, earlier.

**\*Note:** The grantor also must provide a Form W-9 to trustee of trust.

**Note:** If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

## Secure Your Tax Records From Identity Theft

Identity theft occurs when someone uses your personal information such as your name, SSN, or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Pub. 5027, Identity Theft Information for Taxpayers.

Victims of identity theft who are experiencing economic harm or a systemic problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

### Protect yourself from suspicious emails or phishing schemes.

Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

**UPPER MAKEFIELD TOWNSHIP**  
**CONTRACT FOR PROFESSIONAL SERVICES**

**THIS AGREEMENT MUST BE COMPLETED AND SIGNED BY THE DEVELOPER/APPLICANT PRIOR TO SUBMISSION OF THE SUBDIVISION/LAND DEVELOPMENT APPLICATION AND PLANS, PLANNING MODULES, OR ANY OTHER SUBMISSION WHICH REQUIRES TOWNSHIP CONSULTANT REVIEW.**

***THIS AGREEMENT*** made this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_, by and between ***UPPER MAKEFIELD TOWNSHIP***, Bucks County, Pennsylvania, with offices located at 1076 Eagle Road, Newtown, PA 18940 (hereinafter referred to as "***Township***") and \_\_\_\_\_ of \_\_\_\_\_ (hereinafter referred to as "***Developer***").

**WITNESSETH:**

***WHEREAS***, the Developer is the legal or equitable owner of certain real estate bearing Bucks County Tax Map No. 47-\_\_\_\_\_, located at \_\_\_\_\_, within the \_\_\_\_\_ Zoning District; and

***WHEREAS***, the Developer has presented to the Township plans for subdivision, land development, building development or other plans for the use of their land to the Township, or has applied for a building permit to the Township; and

***WHEREAS***, the Developer has requested and/or requires the Township approval and/or review of its proposed plans, and the Township is willing to authorize its professional consultants to review said plans and/or proposals upon execution of this agreement, and upon deposit of an escrow account according to the current Upper Makefield Township Fee Schedule.

***NOW, THEREFORE***, the parties agree as follows:

1. The Developer and Township hereby authorize and direct the Township's professional consultants, as defined at Section 107 of the Pennsylvania Municipalities Planning Code to review Developer's plans or proposals to use its property, and to make such recommendations and specifications as may be necessary with respect to such plans in accordance with all applicable Township ordinances, and State and Federal rules and regulations.



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

3. The Developer shall pay the professional consultant's charges and fees for the following: (a) review of any and all development plans, proposals, studies, or other correspondence relating to the development; (b) attendance at any and all meetings relating to Developer's plan or proposal; (c) preparation of any studies, reports, engineered plans, surveys, appraisals, legal documents, or other correspondence relating to Developer's plan or proposal; and (d) a monthly administrative charge of Fifty Dollars (\$50.00) for Township-incurred expenses relating to the administration of this agreement. It is understood by the execution of this agreement that the Developer specifically accepts the Fee Schedule currently in effect in the Township.

4. The Developer hereby agrees to deposit with the Township the sum of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_), payable as cash in U.S. Dollars or check drawn on a Pennsylvania bank, as security for the payment of all costs and expenses, 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 above deposited escrow fund shall fall below fifty percent (50%) of the original deposit, the Developer shall immediately, upon receipt of written notice from the Township or its agent(s), deposit sums with the Township necessary to replenish the account to its original balance. In the event that this is insufficient to pay current Township-incurred expenses, Developer agrees to pay the total amount currently due for Township-incurred expenses without delay in addition to re-establishing the base escrow account balance. The Township will use its best efforts to advise the Developer of the impending likelihood that its costs have exceeded the required escrow account sums as described above.

5. Developer and Township agree that upon completion of the Township's review of Developer's plan or proposal, all unused portions of the escrow account as described above shall be returned to the applicant upon written request to the Township Manager. If the plan or proposal constitutes a subdivision or land development for which a Development and/or Financial Security Agreement is required by the Township, Developer shall execute a new Development Agreement which will estimate the professional consultant's costs for the period

governing the beginning of construction through the end of dedication. The parties acknowledge and agree that any new Development Agreement shall provide a schedule for periodic release of professional consultant fees for the construction and dedication phase of the project.

6. Developer and Township acknowledge that Sections 22-203 of the Upper Makefield Township Subdivision and Land Development Ordinance require Developer to pay Township's professional consultant fees relating to this plan or project, and in the event that Developer fails to provide sufficient funds in the above-described revolving escrow account upon fifteen (15) days written notice to the Developer or make the initial deposit payment described above within five (5) days of the date of this agreement, Developer shall be in default of this agreement and in violation of the above Sections of the Subdivision and Land Development Ordinance.

In the event of Developer's default as described above, the Township may refuse to issue any permit or grant any approval necessary to further improve or develop the subject site until such time as the terms of this agreement are strictly met by Developer.

7. Developer and the 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 the Developer's final plan or project. The Developer agrees and acknowledges that no permit, occupancy or otherwise, or recordable linens, shall be released by the Township until all outstanding professional consultant fees and costs are paid to the Township, and provided that the Developer is not in default under this agreement.

8. The Developer 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 and upon receipt of such written notice by the Developer to the Township, the Developer shall be liable to the Township for its costs and expenses incurred to the date and time of its receipt of the notice, plus the applicable administrative costs and expenses as outlined in Paragraph 3 above.

9. The Developer and the Township further agree that the Township shall have the right and privilege to sue the Developer or then property owner in assumpsit for reimbursement or to lien the property or both, in its sole discretion, for any expense in excess of the then current balance of funds on deposit with the Township in accordance with this agreement incurred by the

Township by reason of any review, supervision and inspection of Developer's project by its professionals including, but not limited to, the Township Engineer and Solicitor. The Township's election of its remedies under this paragraph shall not constitute a waiver of any other remedies the Township may have.

10. The Developer and the Township acknowledge that this agreement represents their full understanding as to the Township's reimbursement for professional or consultant services and that the parties intend to execute Development and Financial Security Agreements if the project constitutes a subdivision or land development under Township ordinances. Any such Development and Financial Security Agreements may incorporate or replace the parties agreement and escrow fund established under this contract.

11. This agreement shall be binding on and inure to the benefit of the successors and assigns of Developer. The Township shall receive thirty (30) days advance written notice from Developer of any proposed assignment of Developer's rights and responsibilities under this Contract for Professional Services.

*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.

UPPER MAKEFIELD TOWNSHIP:  
BOARD OF SUPERVISORS

\_\_\_\_\_  
Name: Thomas F. Cino  
Title: Chairman

Date: \_\_\_\_\_

DEVELOPER: \_\_\_\_\_  
Name

HOMEOWNER: \_\_\_\_\_  
Name:

Date: \_\_\_\_\_

PART 7  
PROCEDURE

**§701. SKETCH PLANS FOR MAJOR SUBDIVISION OR LAND DEVELOPMENTS.**

1. Purpose.

- A. The purpose of the sketch plan is afford the applicant the opportunity to consult early and informally with the Planning Commission before preparation of the preliminary plan and formal application.
- B. Submission of the sketch plan shall not be required and shall be considered to be an informal and unofficial stage, and shall not commence the running of any review time period pursuant to §508 of the Pennsylvania Municipalities Planning Code, being Act No. 247 of 1968, as amended. All discussions and recommendations are for the benefit of the applicant and are not binding on any party.
- C. A sketch plan shall primarily serve to informally review the general lot lay-out and density and to informally express views and ideas.

**[Ord. 59]**

2. Procedure (recommended only).

- A. The applicant shall submit five (5) copies of the sketch plan and application form (no fees required) at least one (1) week prior to a regularly scheduled meeting.
- B. The Township Secretary shall immediately distribute copies of the sketch plan and application to the following persons as follows:
  - (1) The Board of Supervisors, one (1) copy.
  - (2) The Planning Commission, two (2) copies.
  - (3) The County Planning Commission, one (1) copy.
  - (4) One (1) copy shall be retained for the Township files.
- C. Within no specific time period, the Planning Commission shall review the plan and consider any recommendations and comments of the County Planning Commission and the Board of Supervisors.
- D. As promptly as possible, but within no specific time period, the Planning Commission, or its agent, shall advise the applicant of the result of its review and any recommendations it deems appropriate.

(Ord. 53, 12/6/1977; as amended by Ord. 59, 8/8/1978, §24)



## SUBDIVISION AND LAND DEVELOPMENT

### §702. PRELIMINARY PLANS FOR MAJOR SUBDIVISIONS OR LAND DEVELOPMENTS.

1. Purpose. The purpose of the preliminary plan is to require formal conditional approval in order to minimize changes and revisions before final plans.
2. Submission Generally. A preliminary plan shall be submitted, including changes recommended during the sketch plan procedure, if desired. The preliminary plan and all information and procedures relating thereto shall in all respects be in compliance with all applicable ordinances and regulations. Submission of a preliminary plan is required for all major subdivisions and land development.
3. Procedure.
  - A. The applicant shall submit the number of preliminary plans, applications and other required materials as may be set by resolution of the Board of Supervisors from time to time to the Township Secretary at the Township Building. One (1) set of plans shall be reproducible (Sepia).
  - B. The Township Secretary shall check submission for completeness and, if submission is incomplete, shall immediately return all submissions to the applicant and indicate the deficiencies. If the submission is complete, he shall accept the application plan and other required materials. This procedural step shall be considered to be only a convenience for the applicant and no acceptance by the Township Secretary of submission shall be binding upon the Township.
  - C. When the applicant is requesting a modification to a provision or provisions of this Part, a written request shall accompany the plan submission. The request shall cite the Section(s) of this Part to be modified, the extent of modification and reasons for the modification. Refer to §209, "Modifications." [Ord. 150]
  - D. Upon receipt of the preliminary plans, applications, other required materials and the required fees, the Township Secretary shall immediately distribute copies of the preliminary plan, application and required materials to:
    - (1) The County Planning Commission.
    - (2) The County Soil and Water Conservation District.
    - (3) The Pennsylvania Department of Transportation.
    - (4) Any other applicable State or County agencies.
    - (5) The Board of Supervisors.
    - (6) The Planning Commission.
    - (7) The Township Engineer.

- (8) The Township Zoning Officer.
  - (9) The Township Solicitor.
  - (10) One (1) copy shall be retained for Township files.
- E. As promptly as possible following receipt of plans from the Township Secretary, the Township Engineer shall:
- (1) Review the engineering and considerations in the applicant's submission; and,
  - (2) Prepare a report for the Planning Commission and Board of Supervisors.
- F. The Planning Commission shall schedule a hearing on the proposed preliminary plan at a regularly scheduled meeting or a special meeting called for that purpose following the applicant's submission of a completed application. Notification of the time and place of all such hearings shall be given to the applicant by mail at the address endorsed on the application form. Notice of the time and place of all such hearings may be given by publishing the same in a newspaper of general circulation without the Township at least five (5) days prior to the date of the hearing if such hearing is held at a special meeting.
- G. The conduct of such hearing shall be as follows:
- (1) Burdens. The applicant shall produce all documents, plans and witnesses and shall have the burden of establishing that the plan meets all required standards and specifications.
  - (2) Representation. The applicant shall have the right to be represented by counsel or other agent and shall be afforded the opportunity to respond and present evidence and cross-examine adverse witnesses on all relevant issues.
  - (3) Rules of Evidence. Formal rules of evidence shall not apply, but irrelevant, immaterial or unduly repetitious evidence may be excluded.
- H. The applicant may request a further hearing before the Commission to respond to questions raised by the Commission in its report and to respond to the recommendations of the Commission. The Commission may in its discretion grant a further hearing, but only after the applicant has signed a waiver of the maximum ninety (90) day review period.
- I. The report and recommendations of the Commission shall be filed with the Board of Supervisors. The Board shall consider the preliminary plan at any regularly scheduled meeting of the Board or at a special meeting called for that purpose.
- J. The Board shall not take additional evidence or make a further record except on a specific motion of the Board. The applicant shall have no right to make a further record before the Board.

## SUBDIVISION AND LAND DEVELOPMENT

- K. The Board of Supervisors shall render a final decision on the approval or disapproval of the preliminary plan based on the report and the recommendations of the Commission and such other evidence as the Board in its discretion considers. As promptly as possible, but within the time limit requirements provided in §508 of the Pennsylvania Municipalities Planning Code, being Act No. 247 of 1968, as amended, the Board or its agent shall advise the applicant in writing of the results of the review and decision and, if the submission is disapproved, the reason therefor. [Ord. 59]
- L. The Board may require such alterations, changes or modifications in any preliminary plan submitted to it as it deems necessary to carry out the purposes of this Chapter, and may refuse its approval until all such alterations, changes or modifications in the plan have been made. The Board shall disapprove any preliminary plan requiring alterations, changes or modifications unless the applicant signs a waiver of the ninety (90) day maximum review period. Upon execution of such a waiver, the applicant may resubmit the preliminary plan with the required alterations, changes or modifications to the Board of review.
- M. The decision of the Board of Supervisors shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address within the time period required by §508 of the Pennsylvania Municipalities Planning Code. [Ord. 59]
- N. A decision rendered by the Board on a preliminary plan shall become void unless the applicant submits a final plan for approval within ninety (90) days of the decision. If a decision becomes void, the applicant shall be required to submit a new preliminary plan and a new ninety (90) day review period shall be applicable.
- O. If the Board, in its discretion, deems it desirable or necessary, the Board may eliminate all reviews by the Commission and may undertake such reviews and procedures itself at any stage of the proceedings.

(Ord. 53, 12/6/1977; as amended by Ord. 59, 8/8/1978, §§25, 26; and by Ord. 150, 8/16/1989, §11)

### §703. FINAL PLANS FOR MAJOR SUBDIVISIONS OR LAND DEVELOPMENTS.

**1. Purpose.** The purpose of the final plan is to require formal approval by the Board of Supervisors before plans for any subdivision or land development are recorded.

**2. Submission Generally.** A final plan shall be submitted conforming to the changes recommended during the preliminary plan procedure. The final plan and all information and procedures relating thereto shall in all respects be in compliance with the provisions of these subdivision regulations and all existing subdivision and land development ordinances. Any final plan submitted without the inclusion of recommendations made by the Board on the preliminary plan shall be considered to be a new submission of a second preliminary plan.

3. Procedure.

- A. The applicant shall submit the number of final plans, applications and other required materials as may be set by resolution of the Board from time to time to the Township Secretary at the Township Building. One (1) set of plans shall be reproducible (Sepia).
- B. The Township Secretary shall check submission for completeness and, if submission is incomplete, shall immediately return all submissions to the applicant and indicate the deficiencies. If the submission is complete, he shall accept the application plan and other required materials. This procedural step shall be considered to be only a convenience for the applicant and no acceptance by the Township Secretary of submission shall be binding upon the Township.
- C. Upon receipt of the final plans, applications, other required materials and the required fees, the Township Secretary shall immediately distribute copies of the final plan, application and required materials to:
  - (1) The County Planning Commission.
  - (2) The County Soil and Water Conservation District.
  - (3) The Pennsylvania Department of Transportation.
  - (4) Any other applicable State or County agencies.
  - (5) The Board of Supervisors.
  - (6) The Planning Commission.
  - (7) The Township Engineer.
  - (8) The Township Zoning Officer.
  - (9) The Township Solicitor.
  - (10) One (1) copy shall be retained for Township files.
- D. As promptly as possible following receipt of plans from the Township Secretary, the Township Engineer shall:
  - (1) Review the engineering considerations in the applicant's submission; and,
  - (2) Prepare a report for the Planning Commission and Board.
- E. No further hearings shall be held unless required by the Board or the Commission. If a hearing is required, the procedures for scheduling a hearing on the final plan, notice of the hearing, conduct of the hearing, and the decision on the final plan shall conform to the provisions of §702(3).



## SUBDIVISION AND LAND DEVELOPMENT

- F. If no hearing is held pursuant to subsection (3)(E), hereof, at a regular meeting or special meeting, the Planning Commission shall:
- (1) Review the applicant's submission.
  - (2) Review all reports of State and County agencies.
  - (3) Review the report of the Township Engineer.
  - (4) Evaluate applicant's submission, the Township Engineer's report and the reports of all State and County agencies.
  - (5) Determine whether the final plan meets the objective and requirements of these regulations and all other Township ordinances.
  - (6) Prepare a report for use by the Board.
  - (7) Submit its report and recommendations to the Board.
- G. Following receipt of the Commission's report and recommendation, the Board shall consider the applicant's submission at any regularly scheduled or special meeting. The Board shall:
- (1) Evaluate applicant's submission, the Township Engineer's report and the reports of all State and County agencies.
  - (2) Determine whether the final plan meets the objectives and requirements of these regulations and all other Township ordinances.
  - (3) Inform the applicant in writing of the final decision and reasons therefor.
- H. If the board approves the final plan, an approved duplicate copy of each final subdivision or land development plan shall be recorded by the developer in the office of the County Recorder of Deeds. Proof of such filing shall be submitted to the Township before any permits are issued for the plan. [Ord. 189]
- I. After a subdivision plan has been officially recorded, the streets, parks and other public improvements shown thereon shall be considered to be a part of the official plan of the Township.

- J. Every street, park or other improvement shown on a subdivision plan that has been recorded shall be deemed to be a private street, park or improvement unless the same has been accepted for dedication to the Township, or until such time as it has been condemned for use as a public street, park or other improvement.
- L. Approved final subdivision plans containing parcels of land composed of contiguous lots having areas, widths and/or depths less than those required by the Zoning Ordinance shall, at the expiration of three (3) years from the date of final subdivision plan approval, be resubdivided, or such contiguous lots combined, to conform to the area, width and/or depth regulations of the applicable provisions of the Zoning Ordinance.
- M. If the Board, in its discretion, deems it desirable or necessary, the Board may eliminate all reviews by the Commission and may undertake such reviews and procedures itself at any stage of the proceedings.
- N. The time period for review of final plans and all decisions regarding final plans shall conform to §508 of the Pennsylvania Municipalities Planning Code, being Act No. 247 of 1968, as amended. [Ord. 59]
- P. At the request of the applicant the Township shall furnish the applicant with a signed copy of a resolution indicating approval of the applicant's final plan contingent upon the applicant obtaining a satisfactory financial security. The final plan will not be signed by the Board of Supervisors until a satisfactory financial security is presented. The resolution of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within ninety (90) days, unless a written extension is granted by the Board of Supervisors. [Ord. 150]

(Ord. 53, 12/6/1977; as amended by Ord. 59, 8/8/1978, §§19, 27; by Ord. 150, 8/16/1989, §7; and by Ord. 189, 2/7/1996, §I)

#### §704. MINOR SUBDIVISION.

- 1. Purpose. In the case of minor subdivision, it is the purpose of this Part to provide a simplified procedure by which minor subdivisions may be submitted and approved.
- 2. Generally.
  - A. Minor subdivision plans may be submitted for a single lot, tract or parcel of land, not previously subdivided as an exempt ten (10) acre subdivision or as a large lot subdivision pursuant to §708 of this Part to divide the lot, tracts or parcels of land without the necessity of full compliance with the final plan requirements of these regulations; provided, that there are created no new public improvements such as streets, sanitary sewers, community sewage disposal systems or storm drainage facilities. [Ord. 110]

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B. Should the applicant desire a hearing concerning the proposed minor subdivision, then the provisions of this Part shall not be applicable and the applicant shall be required to comply with the requirements of §703.

3. Applicability. The provisions of this Part on minor subdivisions shall be applicable, provided that the Board determines that all the following conditions have been met:

- A. The proposed lots have adequate frontage on or adequate access to an existing road and no new public or private street will be required.
- B. The owner shall comply with Part 5 when construction of any drainage facility, sewer facility or other public improvement or facility is required or provide such access and street openings, as the Township Engineer recommends and the Board deems necessary in order to carry out the purposes of these regulations.
- C. If approval of the proposed subdivision is granted, but such subdivision is inconsistent with or does not conform to the Zoning Ordinance or if the proposed subdivision impedes development of the owner's other grounds, approval of the proposed subdivision shall be granted subject to the condition that restrictions or agreements limiting subdivision of the lots in question or prohibiting or limiting subdivision of the owner's remaining ground are recorded by the Board, or its duly authorized agent, in the office of the County Recorder of Deeds.

[Ord. 110]

4. Procedure.

- A. The applicant shall submit the number of final plans, applications and other required materials may be set by resolution of the Board from time to time to the Township Secretary at the Township Building. One (1) set of plans shall be reproducible (Sepia).
  - B. The Township Secretary shall check each submission for completeness and if the submission is incomplete, he shall immediately return all submissions to the applicant and indicate the deficiencies. If the submission is complete he shall accept the application plan and the required materials. This procedural step shall be considered to be only a convenience for the applicant and no acceptance by the Township Secretary of submission shall be binding upon the Township.
  - C. When the applicant is requesting a modification to a provision or provisions of this Part, a written request shall accompany the plan submission. The request shall cite the section(s) of this Chapter to be modified, the extent of modification and the reasons for the modification. Refer to §209 "Modifications." [Ord. 150]
- Upon receipt of the final plans, applications, other required materials and the required fees, the Township Secretary shall immediately distribute copies of the final plan, application and required materials to:

- (1) The County Planning Commission.

(2) The Soil and Water Conservation District.

(3) The Pennsylvania Department of Transportation.

(4) Any other applicable State or County agencies.

(5) The Board of Supervisors.

(6) The Planning Commission.

(7) The Township Engineer.

(8) The Township Zoning Officer.

(9) The Township Solicitor.

(10) One (1) copy shall be retained for Township files.

E. As promptly as possible following receipt of plans from the Township Secretary, the Township Engineer shall:

(1) Review the engineering considerations in the applicant's submission.

(2) Prepare a report for the Commission and Board of Supervisors.

F. The Planning Commission shall schedule an informal conference with the applicant at a regular meeting or at a special meeting called for that purpose. Notice of the conference shall be given to the applicant in writing or orally. [Ord. 59]

G. At the informal conference, the Commission shall:

(1) Receive and review the applicant's submission.

(2) Receive and review the reports of the Township Engineer and of the applicable State and County agencies.

(3) Listen to applicant's presentation.

(4) Discuss the plan with the applicant.

H. The applicant shall have no right to a formal hearing on any minor subdivision plan. If the applicant desires such a formal hearing, then the subdivision shall not be considered a minor subdivision and the applicant shall be required to meet all the provisions of these regulations pertaining to major subdivisions.

I. The Commission may render a decision on the plan at the conference, or the Commission may render a decision on the plan at a time after the conference. Upon rendering a decision, the Commission shall submit a report on the

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conference and its recommendations concerning the minor subdivision plan to the Board.

J. Following receipt of the Commission's report, the Board shall do the following at a regularly scheduled meeting or at a special meeting:

- (1) Receive and review the applicant's submission.
- (2) Receive and review the reports of the Commission, the report of the Township Engineer and the reports of all applicable State and County agencies.

K. Within ninety (90) days following the receipt by the Township Secretary of the applicant's complete submission, the Board shall:

- (1) Evaluate applicant's submission, the Township Engineer's report and the reports of all State and County agencies.
- (2) Determine whether the final plan meets the objectives and requirements of this Chapter and all other Township ordinances.
- (3) Inform the applicant in writing of the final decision and reasons there for.

L. [Reserved.] [Ord. 189]

M. The time period for all plan review and the time period for and manner of decisions shall conform to §508 of the Pennsylvania Municipalities Planning Code, being Act No. 247 of 1968, as amended. [Ord. 59]

N. If the Board approves the final plan, an approved duplicate copy of each final minor subdivision plan shall be recorded by the developer in the office of the County Recorder of Deeds. Proof of such filing shall be submitted to the Township before any permits are issued for the plan. [Ord. 136]

O. If the Board, in its discretion, deems it desirable or necessary, the Board may eliminate all reviews by the Commission and may undertake such reviews and procedures itself at any stage of the proceedings.

(Ord. 53, 12/6/1977; as amended by Ord. 59, 8/8/1978, §§28, 29; by Ord. 110, 10/17/1984, §§4, 5; by Ord. 136, 1/20/1988, §§1, 2; by Ord. 150, 8/16/1989, §12; and by Ord. 189, 2/7/1996, §II)

### §705. "AS-BUILT" PLANS FOR ALL SUBDIVISIONS OR LAND DEVELOPMENTS.

1. **Purpose.** The purpose of the "as-built" plan is to keep the Township informed as to any deviations from the approved final plan during the actual construction of improvements.

2. **Generally.** "As-built" plans shall be adjustments to the approved final plan and shall be kept in the Township files. All such adjustments shall conform to §805. Submission of

an "as-built" plan is required for all subdivisions and land developments whenever there is a deviation from the approved final plan in the construction of improvements. The submission and filing of an "as-built" plan shall not be deemed to be an acceptance of any deviations by the Township.

3. Procedure.

- A. Notice of any and all deviations from the approved final plan during construction of any improvement shall be filed with the Township Engineer within thirty (30) days after the completion of the improvement. Such notice may be in any written form which is sufficient to advise the Township Engineer which part or parts of the approved final plan have been altered and the precise deviation from the approved final plan.
- B. Prior to the acceptance by the Township of dedication of any streets, roads or other improvements, the applicant shall show all such changes and deviations from the approved final plan kept in the Township files. All such adjustments to the approved final plan shall be made by the applicant, and shall conform to the requirements of §805.

(Ord. 53, 12/6/1977)

§706. DEDICATIONS.

- 1. Upon completion of all improvements referred to in the improvement agreement to the satisfaction of the Township, and compliance by the developer with all other provisions of the improvement agreement, and the payment of all costs or expenses incurred by the Township for necessary inspection, engineering and legal fees, plus ten (10) percent of the amount of said bills as aforesaid, the developer shall execute and offer to the Township deeds of dedication in a form approved by the Solicitor for Township for all streets and other improvements, if any, to be dedicated. All lands to be dedicated to the Township shall be conveyed with good and marketable title and such as will be insured by a reputable title insurance company reasonably satisfactory to the Township. Said title insurance shall be obtained at the sole cost and expense of the developer and shall guarantee ownership of the lands dedicated to the Township free and clear of all liens and encumbrances, except those created by virtue of final plan approval. The Township's title shall be protected from any action of mortgage foreclosure and from any execution or judicial sale at no cost or expense to the Township. All costs in connection with dedication and acceptance of dedication are to be borne by the developer.
- 2. The Township shall accept dedication and will release the balance of the financial security being held by the Township upon:
  - A. The completion of all improvements referred to in the improvement agreement which are to be dedicated for public use.
  - B. The receipt of a satisfactory title insurance policy.



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- C. The posting with the Township of financial security in the amount of fifteen (15) percent of the actual cost of the improvements to be dedicated to guarantee the structural integrity of the improvements as well as the functioning of the improvements as well as the functioning of the improvements in accordance with the design and specifications as depicted on the final plan of the work performed by the developer for a period of eighteen (18) months from acceptance of dedication of the improvements. All work required to secure the structural integrity of the improvements as well as the functioning of the improvements in accordance with the design and specifications as depicted on the final plan are to be commenced within fifteen (15) days from the time of notice from the Township to do so, legal holidays and Sundays excepted (except in the case of an emergency requiring immediate action), and upon default, the Township may make such repairs and to anything necessary to maintain such construction and recover the expense and cost thereof, upon the submission of a bill or bills from the financial security.
3. The Township may collect the financial security prior to the Township's performance of the work based upon estimates received by the Township from the Engineer for Township for the completion of the work. If the cost incurred by the Township exceeds the amount of money received by the Township from the financial security, then the developer shall be liable to the Township for said exceed costs and will pay the same forthwith to the Township.
4. If developer complies with all the terms of the improvement agreement then the Township shall, at the expiration of the eighteen (18) month guaranty period as required by the improvement agreement, release and terminate the financial security. However, in no event, shall the financial security be terminated without the express written consent of the Township.

(Ord. 53, 12/6/1977; as amended by Ord. 155, 3/7/1990, §3)

### §707. LOT LINE CHANGES.

1. Generally. The adjustment or relocation of one (1) existing boundary line between two (2) adjacent lots or the shifting of boundary lines to increase the area of an existing lot is permitted; provided, that the lot line change results in the same number or fewer lots as existed prior to the lot line change. Such an adjustment or relocation shall be permitted without the applicant complying with the provisions of this Chapter pertaining to major and minor subdivisions; provided, that the following conditions are met:
- A. Neither lot involved is reduced in size below the size permitted by the Zoning Ordinance and the lots involved comply with all the applicable performance regulations, area and dimensional regulations and environmental performance standards set forth in the Zoning Ordinance.
- B. The application is signed by the owners of record of both lots for which the adjustment or relocation of the boundary line is proposed.

If any of the preceding conditions is not met, then the proposed lot line change shall be considered a subdivision or land development and shall be subject to the provisions of this Chapter pertaining to major and minor subdivisions, whichever is applicable.

[Ord. 110]

2. Procedure.

A. The applicant shall prepare and submit the following to the Township Secretary:

- (1) Eight (8) copies of a survey or plan of the ground to be transferred.
- (2) Eight (8) copies of a survey or plan showing the lot line as adjusted.
- (3) Eight (8) copies of a survey or deed plot of both lots involved in the proposed lot line change.

B. Upon receipt from the applicant, the Township Secretary shall distribute copies of the plans submitted by the applicant to the County Planning Commission and the Township Planning Commission for review. The Township Planning Commission may hold an informal discussion with the applicant and shall forward its recommendation on the proposed lot line change to the Board of Supervisors.

C. If the Board approves the proposed lot line change, an approved duplicate copy of the survey or plan of the lot line as adjusted shall be recorded by the applicant in the office of the County Recorder of Deeds. Proof of such filing shall be submitted to the Township before any permits are issued for the plan. [Ord. 136]

(Ord. 53, 12/6/1977; as amended by Ord. 110, 10/17/1984, §§6, 7; and by Ord. 136, 1/20/1988, §3)

§708. LARGE LOT SUBDIVISIONS.

1. Purpose. The purpose of this procedure is to exempt from formal review those divisions of land which qualify as large lot subdivisions under this Section.

2. General Requirements. A large lot subdivision is the division of land into lots, each lot having a lot area of ten (10) acres or more, for the purpose of agricultural use; provided, that: [Ord. 110]

A. No streets or roads other than private driveways, and no new easements of access are involved.

B. No extension or installation of municipal facilities is required.

C. Improvement of each of the parcels does not or will not involve the installation of driveways, parking areas or other facilities for public or common use, normally

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associated with multiple building, dwelling or rental unit projects, or public or semipublic establishments, to render the land suitable for the use proposed.

D. The subject tract of land is situated in the R-1, R-2 or R-3 Residential District.

### 3. Procedure.

A. The procedure for Township action on a proposed large lot subdivision shall be formal, and the Township shall not be bound to any specific time limits.

B. The applicant shall prepare a sketch plan containing the following information:

- (1) A location map at a scale not smaller than one thousand (1,000) feet to the inch.
- (2) The proposed layout of lots within the subject tract legibly drawn to a scale not smaller than two hundred (200) feet to the inch, with an additional notation of metric scale equivalents for each map provided by the applicant.
- (3) The name and address of the record owner.
- (4) The name of the developer if different from the owner.
- (5) The name of the registered engineer, surveyor, architect and landscape architect responsible for the sketch plan.
- (6) A north arrow, graphic scale and the date of drawing.
- (7) The tract boundaries and a statement of the total acreage of the tract.
- (8) Each lot shown on the plan, numbered and the area of each lot shown in acres and square feet.
- (9) The zoning district in which the subject tract is located.
- (10) The approximate location of all existing buildings and all other principal structures and parking areas.
- (11) The location and dimensions of all existing streets and roads.
- (12) An accompanying statement setting forth in detail all contemplated land uses.

C. The applicant shall file the number of copies of plans and accompanying materials, to be determined by resolution of the Board of Supervisors, with the Township Secretary at the Township Building. The applicant shall note on each application form that the application is for a large lot subdivision, and the applicant shall pay the required fees. At the time of filing an application, the applicant shall also file a metes and bounds description of the tract of land to be

subdivided. The metes and bounds description shall be based upon an actual onsite survey of the tract. Plans shall clearly show which lots, if any, qualify as rural residences under the "Pennsylvania Sewage Facilities Act," as amended.

- D. At a regular or special meeting of the Board of Supervisors, the Board shall examine the applicant's application and sketch plan and shall determine whether the plan qualifies as a large lot subdivision, and that no violations have been created thereby. If that is the case, the applicant may proceed directly, without further review, to the preparation of a linen plan in the manner prescribed by the office of the County Recorder of Deeds. The linen plan shall be recorded by the applicant in the office of the County Recorder of Deeds at the expense of the applicant. Proof of such filing shall be submitted to the Township before any permits are issued for the plan. [Ord. 136]
- E. One (1) copy of the linen plan shall be filed with the Township Secretary, to be made a part of the Township records.

(Ord. 53, 12/6/1977; as amended by Ord. 59, 8/8/1978, §6; by Ord. 75, 1/5/1981; by Ord. 110, 10/17/1984, §8; and by Ord. 136, 1/20/1988, §4)

#### **§709. CONDITIONAL APPROVAL.**

1. An application may be granted preliminary or final approval subject to specific conditions which must be accepted or rejected by the applicant in accordance with subsection (2), hereof; provided, the applicant grants an extension of thirty (30) days within which the Township can take action if the conditions are rejected. These conditions shall be included in a written communication to the applicant.
2. Within seven (7) days of the applicant's receipt of the grant of conditional approval by the Board of Supervisors, the applicant shall notify the Township in writing of the applicant's acceptance or rejection of the conditions of approval. If the applicant does not so notify the Township within seven (7) days, approval of the plan shall automatically be rescinded. If the conditions are rejected, the Township shall take official action on the application within the time limit established by the extension of time.

(Ord. 53, 12/6/1977; as added by Ord. 150, 8/16/1989, §4)

#### **§710. DISCLOSURE REQUIREMENTS.**

1. Applicability. The requirements of this Section shall apply to the seller, owner, developer or agent of the owner (the "seller") of a vacant subdivided residential lot, a newly constructed home, or a single, undeveloped lot located within this municipality ("new residential property or properties") to a member (s) of the general public (the "buyer").

This applies to any undeveloped parcels at the time of enactment of this Section. This

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Section is not intended to duplicate any information included in disclosures made under the Uniform Planned Community Act or the Uniform Condominium Act, and where there is any conflict, these State Acts take precedence.

2. Intent. These requirements are intended to inform the buyer of important facts pertaining to the new residential property, including but not limited to, the general nature of the subdivision and/or land development project (the "project") in which the new residential property is located, limitations, easements, and restrictions.
3. Disclosure Requirements.
  - A. Before signing a sales agreement for any new residential property, the seller shall obtain from the buyer a signed disclosure statement that verifies that the seller has provided, reviewed, and explained to the buyer the information that is required by this Section.
  - B. The seller of any new residential property shall display the record plan of the subdivision and/or land development in the location where property sales are transacted by the seller. The approved plans for the subdivision and/or land development must be reviewed with and made available to the buyers. The seller must inform the buyer that a copy of the plan may also be seen at the Upper Makefield Township Municipal Building.
  - C. The seller shall present to the buyer a copy of the proposed grading plan of the buyer's individual lot depicting the street upon which the residence will front, the building envelope with front, rear and side yards shown, and the proposed first floor elevation for the property.
  - D. The information listed below shall be clearly shown or noted on the record plan and/or summarized in a text narrative, and a full size copy of the record plan and/or a text narrative shall be given to the buyer.
    - (1) Common areas, such as parklands, streets, open space, bike paths, walking trails, and other amenities which are part of the subdivision or adjacent to the lot and/or building being sold.
    - (2) All lot lines within the subdivision.
    - (3) Membership in a common ownership regime such as a condominium association, or homeowners association, if applicable. Copies of the declaration documents and bylaws shall be provided to and reviewed with the buyer prior to the signing of an agreement of sale.
    - (4) All uses permitted within the subdivision by the current Zoning Ordinance, including accessory uses, and all limitations, easements, deed restrictions, and other restrictions of record, at this time, which affect the development of lots and their use.

- (5) All current dimensional requirements for the primary use on each lot, such as setback requirements, building coverage, impervious coverage, and height limits.
- (6) All current dimensional requirements for the accessory uses permitted on each lot, such as size, setback requirements, and height limits.
- (7) The location of all areas which are classified as either wetlands or floodplains by current governmental law, rule, regulation or ordinance, with a notation that such Federal, State, and local laws and regulations govern the use of property within wetlands and floodplains, which may limit the use and development of these areas.
- (8) The location of all stormwater management facilities, including detention/retention basins, stormwater management easements, and the ownership and maintenance responsibilities for such facilities and easements.
- (9) The date of the Zoning Ordinance [Chapter 27] and subdivision and land development regulations the plan is being developed under shall be provided to the buyer. If the plan is being developed by stipulation, a copy of the stipulation, including all amendments shall be provided to the buyer.
- (10) The existence, location, and maintenance responsibilities of any on-site wells and/or on-site sanitary sewage facilities or systems, and notice that local authorities may make connection to public water and sewer systems mandatory in the future, and that tapping/connecting fees and/or easements may apply.
- (11) The present zoning classification of the project and property which abuts the subdivision or land development, and a description of the permitted uses of the abutting property.
- (12) The disclosure of any known environmental surveys, water quality studies or reports done on the property of the record plan including, but not limited to, the following: wastewater alternative analysis reports, hydrogeological reports, and environmental impact assessment reports. These reports are to be made available to the buyer for review prior to the signing of an agreement of sale.
- (13) The buyer of any new residential property which is located within one hundred (100) yards of a natural gas or petroleum transmission line must be informed in writing of the existence, location, and owner of record of the line, and the possibility that the right-of-way of said line may be used to expand, enlarge or modify the lines.
- (14) The location or designation of applicable historic zones, preservation



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restrictions or ordinances or any archeological designation associated with the property.

4. Residential Disclosure Statement. The buyer shall complete the disclosure statement and the seller shall provide the buyer with a copy of the disclosure statement prior to the signing of an agreement of sale. The seller shall provide a copy of the signed disclosure statement to the Code Enforcement Officer prior to the issuance of a certificate of occupancy. The seller shall retain a copy for a period of not less than three (3) years. The disclosure statement shall be in the following form:

THIS DOCUMENT IS FOR YOUR PROTECTION. READ IT CAREFULLY BEFORE SIGNING.

Upper Makefield Township Ordinance No. 2001-238 requires that the seller of any new residential property provide the buyer with certain specific information regarding the property to be sold prior to the signing of any Agreement of Sale. This information is intended to benefit the buyer by clearly defining the nature of the property, inclusive of any restrictions or conditions that may affect its desirability, suitability, and/or current or future value.

The checklist below is required by Upper Makefield Township to make certain that you have been shown the information required by this ordinance. It is your obligation to evaluate the information and to consider its implications relative to your situation. The importance of understanding the material presented to you cannot be overstressed.

If you have any questions, you are advised that the seller or the sellers agents may not be qualified to render explanations or interpretations of the information required to be disclosed and that the seller may be biased. You are advised to seek the assistance of an unbiased professional prior to signing the agreement of sale.

The seller must make available the current information, required by this document, in effect as of the date of the subdivision or land development approval and to thereafter update the required disclosures so that at the time the information is made available, the information is current.

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systems, and the maintenance requirements of these particular systems. The buyer has been provided with copies of any groundwater studies, the water quality of his particular well, and the estimated annual cost of water treatment and septic maintenance costs pursuant to the Township's Septic System Maintenance Ordinance. The buyer has been informed of any potential mandatory connection to public water or sewer systems. Tapping, connecting fees and/or easements may apply. The buyer is aware that auxiliary water pressure pumps and/or sewage grinder pumps may be necessary to provide adequate water and sewer to the dwelling.

\_\_\_\_ (11) The zoning classification of the development and the property which abuts the development, and a description of permitted uses.

\_\_\_\_ (12) The buyer has seen and reviewed any known environmental surveys, studies or reports done on the property of the record plan.

\_\_\_\_ (13) The buyer is aware of any natural gas or petroleum transmission line which is located within one hundred (100) yards of the property. The buyer has been given in writing the location and owner of record of the line, and has been made aware that the right of way of said line may be used to expand, enlarge, or modify the lines.

\_\_\_\_ (14) The location or designation of applicable historic zones, preservation restrictions or ordinances or any archeological designation associated with the property.

I/We the undersigned, acknowledge that I/We have received a full size copy of the record plan, and a text narrative, if applicable, detailing the scope of the subdivision and/or land development plan of which the considered property is a part, as well as a separate lot plan of my/our property and understand and agree to the constraints imposed therein with regard to my/our property. I/We also understand that signing this disclosure statement does not release me/us from meeting requirements imposed by Upper Makefield Township.

\_\_\_\_ Buyer \_\_\_\_\_ Owner or Authorized Agent

\_\_\_\_ Buyer

\_\_\_\_ Date

The Township will make a good faith effort to provide information necessary for the seller to comply with this Section in a timely manner.

(Ord. 53, 12/6/1977; as added by Ord. 238, 9/5/2001, §I)