

## CENTER TOWNSHIP PERMITTING GUIDELINES

### ***WHEN IS AN APPLICATION REQUIRED?***

Applications for approval of a land subdivision or land development are required in the following cases:

#### **Subdivision Approval Required**

A Subdivision generally includes the following:

- Dividing property into two (2) or more lots or parcels.
- Consolidating two (2) or more lots or parcels into one (1) lot or parcel.
- Conveying part of a lot or parcel to an adjacent owner of another lot or parcel.
- Constructing a public street or other public improvements to be dedicated to the Township.

Subdivision – The division or redivision of a lot, tract or parcel of land by any means into two (2) or more lots, tracts, parcels or other divisions of land or consolidations of parcels of land, including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development, provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

Minor Subdivision – A subdivision containing no more than three (3) lots, proposed for single family dwellings, all of which have frontage on an improved public street, and not involving any new street or road or the extension or creation of any municipal facilities or public improvements and which does not adversely affect the future development of the remainder of the parcel or any adjoining property.

#### **Land Development Approval Required**

A Land Development is defined as:

1. The improvement of one (1) lot, including the lot resulting from the consolidation of two (2) or more contiguous lots, tracts or parcels of land for any purpose involving:
  - a. A group of two (2) or more residential or non-residential buildings, whether proposed initially or cumulatively; or
  - b. A single non-residential building on a lot or lots, regardless of the number of occupants or tenure, including any change of use or building alteration; or

- c. The division or allocation of land or space, whether initially or cumulatively, between or among two (2) or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.
2. A subdivision of land.
3. Developments authorized to be excluded from the regulations of land development by Section 203 of The Land Subdivision and Land Development Ordinance no. 1-2003.

\* Non-residential buildings include any building that is used for purposes other than dwelling, including, but not limited to such buildings as churches, schools, recreation buildings, retail stores, service shops, office buildings, warehouses, manufacturing businesses and similar uses.

#### **Land Development Approval NOT Required**

- Construction of a single family dwelling or a two family dwelling on a single lot
- Residential accessory structures
- Conversion of a single family dwelling to no more than 3 dwelling units

#### ***THE PRE-APPLICATION CONFERENCE***

Prior to submitting a formal application, the applicant may request a pre-application conference with the Planning Commission. The request for a pre-application conference should be made to the Township at least FIVE (5) CALENDAR DAYS prior to the Planning Commission meeting. The Planning Commission meets regularly on the first Thursday of each month, unless rescheduled due to conflict.

The pre-application conference is voluntary and no formal application or fee is required. The purpose of the conference is to discuss applicable regulations governing the property and the feasibility and timing of an application. Except upon consent of the Planning Commission, no proposal shall be considered at more than two (2) pre-application conferences.

Because a pre-application conference is not a formal filing, the discussion will not bind the Planning Commission to approve any concept presented in the pre-application conference. If ordinances are amended between the time that a pre-application conference is held and a formal application is submitted, the ordinance amendments will apply to the formal application.

#### ***HOW TO FILE AN APPLICATION***

Application forms and checklists that identify what is needed to file a complete application are available at the Township's website ([www.ctbos.com](http://www.ctbos.com)) or at the Township Municipal Center, 224 Center Grange Road, Aliquippa, PA 15001 between the hours of 8:30 AM and 4:30 PM, Monday through Friday. For further information, call (724) 774-0271.

Ordinances and standards typically applicable to Land Subdivision and/or Land Development Applications include, but are not limited to:

- Zoning Ordinance No. 5-2012
- Subdivision and Land Development Ordinance No. 1-2003
- Grading Ordinance No. 3-2018
- Stormwater Management Ordinance No. 7-2014
- Floodplain Management Ordinance No. 1-2015
- Street Opening Ordinance No. 6-2014
- Center Township Standard Details (Latest Revision)

An application will not be considered complete unless all items specified in the appropriate checklist are submitted. THIRTEEN (13) FULL-SIZE COPIES of all application materials are required. The application filing fee and application review fee are to be provided when the application is deemed complete by Center Township.

The deadline for submitting a land subdivision and/or land development application is the day following the preceding month Regularly Scheduled Planning Commission Meeting. Planning Commission meetings are normally held on the first Thursday of every month, unless rescheduled due to conflict.

### ***THE DEVELOPMENT MEETING***

Following submission of an application, comments will be received from the Township Engineer, Township Planning Consultant, Sanitary Authority or Sewage Enforcement Officer as appropriate, Water Authority, Zoning Officer and Fire Marshal. The initial review is normally performed within two (2) weeks of submission of an application. The applicant may choose to schedule a Development Meeting with the Township Engineer, Township Planning Consultant, and Township Plan Development Coordinator to review the comments in detail in advance of attending the Planning Commission Meeting. Development Meetings are scheduled on the third Thursday of each month as necessary.

### ***THE APPROVAL PROCESS***

Usually, the review process is a two-step process: Preliminary Approval, followed by Final Approval. In certain cases (discussed below), the steps can be combined. Each step, whether Preliminary or Final or "Combined" follows the process described herein.

1. Upon receipt of an application, the Township will review the submission for completeness. If the application submission is complete, the appropriate filing and review fees are submitted, and all supporting documentation is provided. The Township will notify the applicant when the submission is complete. The Planning Commission, at their next regularly scheduled meeting, will consider a complete application as "officially received" and the timeline begins. This date shall be the "official date of filing."

2. If the application is incomplete, the Township will notify the applicant in writing of the deficiencies and return the application to the applicant.
3. The Township will submit the application and supporting documentation to the Township Engineer, Township Planning Consultant, Sanitary Authority or Sewage Enforcement Officer as appropriate, Water Authority, Beaver County Planning Commission, Zoning Officer and Fire Marshal for review. If other agencies should review the application, the Township may request additional copies from the applicant.
4. The Township will confirm property ownership information and acceptability of Proof of Proprietary Interest with the Solicitor.
5. Prior to the upcoming Planning Commission meeting, comments will be received from the Township Engineer, Township Planning Consultant, Sanitary Authority or Sewage Enforcement Officer as appropriate, Water Authority, Zoning Officer and Fire Marshal. Comments provided by the Beaver County Planning Commission will be received following the meeting in which the submission was reviewed and is dependent upon their meeting schedule and submission deadline for the application.
6. At the regular meeting of the Planning Commission, the applicant or his or her representative should appear to explain the application and receive the review comments.
7. Following the Planning Commission meeting, the applicant should address the comments provided by the Township Engineer, Planning Consultant, Sanitary Authority or Sewage Enforcement Officer as appropriate, Water Authority, Zoning Officer, Fire Marshal, and Beaver County Planning Commission. The applicant should also submit the following as applicable:
  - a. Request for Waiver or Modification;
  - b. Application for Conditional Use;
  - c. Application for Special Exception;
  - d. Appeal/Application to the Zoning Hearing Board;
  - e. Grading Permit Application;
  - f. Geotechnical Engineering Report;
  - g. Over-posted Weight Hauling Permit Application;
  - h. Excess Maintenance Agreement;
  - i. Application for Right-of-Way Encroachment;
  - j. Application for Driveway Permit;
  - k. PennDOT Highway Occupancy Permit (Pennsylvania Department of Transportation);
  - l. Sewage Facilities Planning (Pennsylvania Department of Environmental Protection);

- m. Erosion and Sedimentation Control Plan (Beaver County Conservation District);
  - n. Stormwater Management Plan (Beaver County Conservation District); and
  - o. Traffic Engineering Report.
8. The Applicant, upon addressing all comments and obtaining all necessary permits and approvals, shall submit the revised Plan to the Planning Commission for consideration and recommendation. The Planning Commission will either recommend approval to the Board of Supervisors (with or without conditions), or deny the Plan. If the Planning Commission denies the Plan, the Applicant may request a time extension in writing to address the deficiencies identified in the Plan or obtain the necessary permits and approvals required for the Plan to move forward.
  9. Within 60 days of the "official date of filing," the Planning Commission shall act on the application to recommend, recommend with conditions, or deny the application to the Board of Supervisors.
  10. A letter indicating recommendation, recommendation with conditions, or denial will be sent from the Planning Commission to the Board of Supervisors within ten (10) days of the date of the Planning Commission Meeting at which the Plan is acted on. If there are conditions attached to the recommendation, the applicant has 30 days to notify the Township Secretary if the conditions are NOT acceptable.
  11. Within 30 days of recommendation, or recommendation with conditions, by the Planning Commission, the Plan shall be forwarded to the Board of Supervisors for action. The Board of Supervisors shall act on the application to approve, approve with conditions, or deny the application.
  12. A letter indicating approval, approval with conditions, or denial will be sent from the Board of Supervisors to the applicant within ten (10) days of the date of the Board of Supervisors Meeting at which the Plan is acted on. If there are conditions attached to the approval, the applicant has 30 days to notify the Township Secretary if the conditions are NOT acceptable.
  13. If the subdivision or land development proposes the construction of public improvements (streets, sewers, etc.), a performance guarantee and Development Improvement Agreement are required before the Township officials sign the final plan for recording or the Township authorizes construction.
  14. If a subdivision or land development proposes only private improvements (landscaping, paving, stormwater management, lighting), an amenities bond and Development Improvement Agreement are required before the Township authorizes construction.

15. In the case of subdivisions, the final plan must be recorded within 90 days of the date that the Board of Supervisors acts on the application or within 90 days following completion of the conditions of approval and signature by the Board of Supervisors, whichever comes later.

### ***APPROVAL OF A MINOR SUBDIVISION***

A Minor Subdivision is a subdivision of land containing no more than three (3) lots, proposed for single family dwellings, all of which have frontage on an improved public street, and not involving any new street or road or the extension or creation of any municipal facilities or public improvements and which does not adversely affect the future development of the remainder of the parcel or any adjoining property.

The approval process for a Minor Subdivision is a one-step process resulting in "combined" preliminary and final approval, following the procedure for approval outlined above.

### ***APPROVAL OF A MAJOR SUBDIVISION***

A Major Subdivision is the division of property into four (4) or more lots (including the remaining property) whether or not there are public improvements proposed. Any subdivision that proposes public improvements, regardless of the number of lots, is a Major Subdivision.

Major Subdivisions follow a two-step process. Preliminary approval must precede final approval.

If a plan requires variances, the variances must be obtained before the application for final approval is submitted. An executed copy of the Zoning Hearing Board's decision must be submitted with the application for final approval.

### ***APPROVAL OF A LAND DEVELOPMENT***

Land Development is defined as the improvement of one (1) lot, including the lot resulting from the consolidation of two (2) or more contiguous lots, tracts or parcels of land for any purpose involving:

- A group of two (2) or more residential or non-residential buildings, whether proposed initially or cumulatively; or
- A single non-residential building on a lot or lots, regardless of the number of occupants or tenure, including any change of use or building alteration; or
- The division or allocation of land or space, whether initially or cumulatively, between or among two (2) or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.

Any Land Development application that does not require a variance and that provides all of the information required for preliminary and final approval may utilize a one-step process.

Any Land Development application that requires a variance shall be considered for preliminary approval only, subject to the granting of the necessary variances by the Zoning Hearing Board. If the variance is granted, an executed copy of the Zoning Hearing Board's decision must be submitted with the application for final approval.

If an application does not include all of the information required for preliminary and final approval (for example, a landscaping plan, lighting plan, stormwater management calculations or other detailed data), the application will be considered for preliminary approval only, subject to submission of the required information with the application for final approval.

### ***GRADING PERMIT APPROVAL***

An application for a grading permit must be submitted for any site that will be excavated, filled and/or graded, included as part of a Land Development application, except as follows:

1. Grading which is limited to mining, quarrying or stockpiling of coal, rock, sand, aggregate or clay that satisfy requirements of regulations of the Commonwealth of Pennsylvania and/or the Pennsylvania Department of Environmental Protection.
2. Grading which is limited to solid waste disposal areas or sanitary landfills operated in accordance with the requirements and rules of the Pennsylvania Department of Environmental Protection and the Commonwealth of Pennsylvania.
3. Excavation which does not exceed five (5) feet in vertical depth, does not result in a cut or fill slope steeper than three (3) horizontal to one (1) vertical and does not exceed an area of five thousand (5,000) square feet in areas of soils.
4. Fill which does not exceed five (5) feet in vertical depth at its deepest point measured from the top of such fill to the natural ground surface, does not exceed five thousand (5,000) square feet in area, and the slope of fill is not steeper than three (3) horizontal to one (1) vertical.
5. Grading authorized by a building permit properly issued by the Zoning Officer. Grading under the authorization of a building permit must follow the standards and requirements of the Center Township Grading Ordinance No. 3-2018.
6. Soil excavated under the authorization of a building permit properly issued by the Zoning Officer which is temporarily stockpiled on the same site as excavation; provided, however, that if the material from such excavation is thereafter to be used for fill purposes for which a grading permit is required, such permit must be obtained prior to such use in accordance with the requirements of this Ordinance.

In addition, if excavated material is stockpiled on a site for a period of longer than one hundred twenty (120) days, then a permit hereunder shall be required prior to making use of the fill on said site.

Complete applications for a grading permit must be submitted to the Township for review by the Township Engineer. Application forms and checklists that identify what is needed to file a complete Grading Permit application are available at the Township's website ([www.ctbos.com](http://www.ctbos.com)) or at the Township Municipal Center, 224 Center Grange Road, Aliquippa, PA 15001 between the hours of 8:30 AM and 4:30 PM, Monday through Friday.

Issuance of a Grading Permit is performed administratively upon recommendation of the Township Engineer. Upon completion of a complete grading permit application conforming to the requirements of the Center Township Grading Ordinance No. 3-2018, supply of the application fee and supply of a Completion Guarantee, a Grading Permit Placard will be issued authorizing commencement of work.

### ***STREET OPENING PERMIT APPROVAL***

An application for a Street Opening Permit must be submitted for any opening, excavation or trench under any Township street, alley, thoroughfare or right-of-way or to grave, repave or otherwise alter any Township street, alley thoroughfare or right-of-way, including those associated with a Land Development application.

Complete applications for a Street Opening Permit must be submitted to the Township for review. Application forms and checklists that identify what is needed to file a complete Street Opening Permit application are available at the Township's website ([www.ctbos.com](http://www.ctbos.com)) or at the Township Municipal Center, 224 Center Grange Road, Aliquippa, PA 15001 between the hours of 8:30 AM and 4:30 PM, Monday through Friday.

Issuance of a Street Opening Permit is performed administratively upon recommendation of the Township Engineer. Upon completion of a complete Street Opening Permit application conforming to the requirements of the Center Township Street Opening Ordinance No. 2-2014, supply of the application fee and supply of a Completion Guarantee, a Street Opening Permit will be issued authorizing commencement of work.