

BOROUGH OF BATH
Northampton County, Pennsylvania

RESOLUTION #2017-020
(Duly Adopted December 4, 2017)

RESOLUTION OF THE BOROUGH OF BATH AMENDING
APPENDIX "A" OF CHAPTER 157 (SUBDIVISION AND LAND
DEVELOPMENT) OF THE CODE OF THE BOROUGH OF BATH
AND RE-ADOPTING APPENDIXES "B" AND "C" OF CHAPTER 157

WHEREAS, the Borough of Bath is a municipal corporation pursuant to the laws of the Commonwealth of Pennsylvania; and

WHEREAS, the Bath Borough Subdivision and Land Development Ordinance is found at Chapter 157 (SUBDIVISION AND LAND DEVELOPMENT) of the Code of the Borough of Bath, as amended ("Bath SALDO"); and

WHEREAS, the Bath SALDO includes Appendixes "A" (BOROUGH OF BATH APPLICATION FOR FEASIBILITY, PRELIMINARY OR FINAL PLAN REVIEW), "B" (REQUIRED SIGNATURE BLOCKS) and "C" (REQUIRED SIGNATURE BLOCKS); and

WHEREAS, Section 157-200.D of the Bath SALDO authorizes Council to amend Appendix "A" by resolution from time to time; and

WHEREAS, Section 157-301.D.17 of the Bath SALDO authorizes Council to amend Appendix "B" by resolution from time to time; and

WHEREAS, Section 157-302.C.14 of the Bath SALDO authorizes Council to amend Appendix "C" by resolution from time to time; and

WHEREAS, current Appendix "A" of the Bath SALDO does not require an electronic copy of applicant's required plans and supplemental materials to be submitted at the time hard copies are submitted to the persons and review bodies set forth in Appendix "A"; and

WHEREAS; the Bath Planning Commission recommends that Council amend Appendix “A” to require that an applicant must email a .pdf copy of applicant’s required plans and supplemental materials to Bath’s Manager at manager@boroughofbath.org at the time an applicant submits hard copies to the persons and review bodies set forth in Appendix “A”; and

WHEREAS, current Appendix “A” requires an applicant to submit a copy of applicant’s required plans and supplemental materials directly to the offices of Bath’s Engineer, Solicitor, Zoning Officer and Sewage Enforcement Officer; and

WHEREAS; current Appendix “A” requires an applicant to submit two (2) hard copies of applicant’s required plans and supplemental materials to Bath’s Manager for the Manager and Council; and

WHEREAS; the Bath Planning Commission recommends that Council amend Appendix “A” to require that an applicant submit six (6) hard copies of applicant’s required plans and supplemental materials to Bath’s Manager together with four (4) unaddressed envelopes with pre-paid postage so four (4) copies may be mailed by Bath to the offices of Bath’s Engineer, Solicitor, Zoning Officer and Sewage Enforcement Officer; and

WHEREAS; the Bath Planning Commission recommends that Council readopt Appendix “B” of the Bath SALDO for administrative convenience so Appendix “B” is included with Appendix “A” when this Resolution is provided to prospective applicants; and

WHEREAS; the Bath Planning Commission recommends that Council readopt Appendix “C” of the Bath SALDO for administrative convenience so Appendix “C” is included with Appendixes “A” and “B” when this Resolution is provided to prospective applicants; and


WHEREAS; Council has determined that it is in the best interests of the Borough to amend aforementioned Appendix "A" as recommended by the Bath Planning Commission and readopt aforementioned Appendixes "B" and "C" as recommended by the Bath Planning Commission.

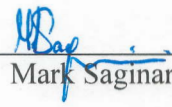
NOW, THEREFORE, BE IT ADOPTED AND RESOLVED that Council of the Borough of Bath hereby adopts Appendix "A" (BOROUGH OF BATH APPLICATION FOR FEASIBILITY, PRELIMINARY OR FINAL PLAN REVIEW), "B" (REQUIRED SIGNATURE BLOCKS) and "C" (REQUIRED SIGNATURE BLOCKS), attached hereto as Exhibit "1" and incorporated herein by reference, as Appendix "A (BOROUGH OF BATH APPLICATION FOR FEASIBILITY, PRELIMINARY OR FINAL PLAN REVIEW), "B" (REQUIRED SIGNATURE BLOCKS) and "C" (REQUIRED SIGNATURE BLOCKS) of Chapter 157 (SUBDIVISION AND LAND DEVELOPMENT) of the Code of the Borough of Bath.

DULY ADOPTED this 4th day of December, 2017, by the Council of the Borough of Bath, in lawful session duly assembled.

Attest:

COUNCIL OF THE BOROUGH OF BATH


Bradford T. Flynn, Secretary/Manager


Mark Saginario, President

(SEAL)

Approved this 4th day of December, 2017, by


Fiorella Reginelli-Mirabito, Mayor

CERTIFICATE

I, the undersigned, Secretary of the Borough of Bath, Northampton County, Pennsylvania (the "Borough") certify that the foregoing is a true and correct copy of the Resolution for the Borough which was duly enacted by affirmative vote of the majority of the members of Borough Council at a meeting duly held on December 4, 2017, and that said Resolution remains in effect, unaltered and unamended, as of the date of this certificate.

I further certify that the Council of the Borough of Bath met the advance notice requirements of Act No. 93 of the General Assembly of the Commonwealth of Pennsylvania, approved October 15, 1998, by advertising the date of said meeting and posting a notice of said meeting on the bulletin board at the Municipal Building, 215 East Main Street, Bath, Pennsylvania, the place of the meeting.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Borough this 4th day of December, 2017.



Bradford T. Flynn, Secretary/Manager



APPENDIX "A"

BOROUGH OF BATH
APPLICATION FOR FEASIBILITY, PRELIMINARY OR FINAL PLAN REVIEW

Applicant is the _____ Record Owner or _____ Contract Purchaser or Lessee

Applicant hereby applies for approval of a:

_____ Feasibility _____ Preliminary _____ Final _____ Minor _____ Major _____ Subdivision
_____ Resubdivision _____ Land Development

Date of Proposed Plans: _____

Title of Proposed Plans: _____

Property Address: _____

Zoning District: _____ Total Acreage: _____

Northampton County Tax Map No.: _____

Property Described in County Deed Book No. _____, Page _____

OWNER(S):

NAME _____
ADDRESS _____
TEL. NO. _____

APPLICANT(S):

NAME _____
ADDRESS _____
TEL. NO. _____

ENGINEER OR SURVEYOR:

NAME _____
ADDRESS _____
TEL. NO. _____

THE BOTTOM OF THIS PAGE IS FOR BOROUGH OFFICE USE ONLY

Date Received: _____

Application No.: _____

Received By: _____

Application Fee Paid: _____

Application Checked By: _____

Application Version Control Page 2017-1

Application Proposes: _____ lot(s) _____ Acres of Open Space

_____ linear feet of roadway _____ Minimum lot size

_____ linear feet of street frontage

TYPE OF DEVELOPMENT PLANNED

_____ Single-Family Detached	Number of Units	_____
_____ Single-Family Attached (Townhouses)	Number of Units	_____
_____ Semi-Detached (Townhouses)	Number of Units	_____
_____ Multi-Family(Apartments)	Number of Units	_____
_____ Mobile Home Park	Number of Units	_____
_____ Commercial*		
_____ Industrial*		
_____ Subdivision and Land Development		
_____ Subdivision or Resubdivision only		
_____ Land Development only		

*For Commercial or Industrial Development complete the following:

<u>EXISTING/NEW</u>		<u>ADDITION/AMENDMENT</u>		<u>TOTAL</u>	
Gross Floor Area	_____ sq. ft.	_____	_____ sq. ft.	_____	_____ sq. ft.
Building Height	_____ ft.	_____	_____ ft.	_____	_____ ft.
No. of Stories	_____	_____	_____	_____	_____
Parking Spaces	_____ spaces	_____	_____	_____	_____
Loading Spaces	_____ spaces	_____	_____	_____	_____
Building Coverage	_____ %	_____	_____ %	_____	_____ %
Site Coverage	_____ %	_____	_____ %	_____	_____ %

THE FOLLOWING REQUIRED PLANS AND/OR MATERIALS MUST BE SUBMITTED TO THE PERSONS OR REVIEW BODIES SET FORTH HEREIN*:

_____ Project Narrative – 14 copies	_____ Landscaping Plans and Lighting Plans – 14 prints.
_____ Plans showing lot lines, setbacks, easements and right-of-way and other information required by SALDO, § 310, <u>et seq.</u> – 14 prints	_____ HOP Application/PennDOT Plans (if applicable) – 14 copies
_____ Vicinity Sketch – 14 prints at a scale of 1" = 100' showing all properties within 500' of the subject property (Use Tax Map).	_____ Proof of submittal to LVPC – 14 copies
_____ Existing and proposed topographic site development plan (showing proposed buildings, driveway, parking areas, well and septic system locations) – 14 prints.	_____ Proof of submittal to Bath Borough Authority (if applicable) – 14 copies
_____ Sewage Planning Module (if applicable) – 4 copies	_____ Proof of submittal to Fire Chief of Bath Volunteer Firefighters – 14 copies
_____ Soil Suitability Report (if applicable) - 4 copies	_____ Proof that landowners within 200' of the proposed project were notified.
_____ Stormwater Management Plans - 14 prints (if applicable).	_____ One (1) .pdf copy of applicant's complete submission. This shall be emailed to Bath Manager at manager@boroughofbath.org
_____ Stormwater Management Report (calculations) (if applicable) – 4 copies	
_____ Soil Erosion and Sedimentation Control Plan and Narrative - 14 prints.	

***IN THE EVENT APPLICANT DOES NOT SUBMIT ALL OF THE REQUIRED PLANS OR MATERIALS TO THE PERSONS OR REVIEW BODIES SET FORTH BELOW, THIS APPLICATION AND APPLICANTS' PROPOSED PLANS MAY BE (i) REJECTED BY THE BATH BOROUGH MANAGER, (ii) RECOMMENDED FOR DENIAL BY THE BATH BOROUGH PLANNING COMMISSION AND/OR (iii) DENIED BY BATH BOROUGH COUNCIL.**

APPLICANT MUST SUBMIT THE REQUIRED PLANS AND SUPPLEMENTAL MATERIALS TO THE PERSONS OR REVIEW BODIES SET FORTH BELOW PURSUANT TO THE METHOD SET FORTH BELOW:

Bath Borough Manager (6 copies)*
121 S. Walnut St.
Bath, PA 18014
(via mail or hand delivery)

Bath Planning Commission (5 copies)**
121 S. Walnut St.
Bath, PA 18014
(via mail or hand delivery)

***4 of the copies submitted to the Bath Borough Manager must each include an unaddressed envelope with pre-paid postage so each of the 4 copies may be mailed by Bath to the following:**

****Each submission for a Bath Planning Commission member must include an unaddressed envelope with pre-paid postage so the submission may be mailed by Bath to said members.**

**Bath Engineer
Bath Solicitor
Bath Zoning Officer
Bath Sewage Enforcement Officer**

Fire Chief
c/o Bath Volunteer Firefighters
121 Center Street, Suite 2
Bath, PA 18014
(via mail only)

Applicant shall email a .pdf copy of Applicant's complete submission to Bath Manager at manager@boroughofbath.org

Information relevant to sewage disposal
DEP Northeast Regional Office
2 Public Square
Wilkes-Barre, PA 18701-1915
(via mail or hand delivery)

Bath Borough Authority
c/o Manager
160 Mill Street
P.O. Box 87
Bath, PA 18014
(via mail or hand delivery)

Northampton County Conservation District
14 Gracedale Ave. - Greystone Building
Nazareth, PA 18064-9211
(via mail or hand delivery)

Lehigh Valley Planning Commission
961 Marcon Boulevard - Suite 310
Allentown, PA 18109
(via mail or hand delivery)

APPLICATION FEE SCHEDULE AND ESCROW REQUIREMENTS:

PLEASE REFER TO THE ANNUAL SCHEDULE OF FEES THAT LISTS THE APPLICABLE APPLICATION FEES AND REQUIRED ESCROW, WHICH ANNUAL SCHEDULE OF FEES IS ADOPTED BY BATH BOROUGH COUNCIL BY RESOLUTION. IF YOU NEED A COPY OF THE APPLICABLE RESOLUTION OR HAVE ANY QUESTIONS, PLEASE CALL THE BOROUGH OFFICE AT (610) 837-1648.

Feasibility Review:

	<u>Application Fee:</u>		<u>Required Escrow:</u>
Feasibility Plan	\$ _____	Feasibility Plan	\$ _____

Subdivision Review:

	<u>Application Fee:</u>		<u>Required Escrow:</u>
Preliminary Plan	\$ _____	Preliminary Plan	\$ _____
Final Plan	\$ _____	Final Plan	\$ _____

Land Development Review:

	<u>Application Fee:</u>		<u>Required Escrow:</u>
Preliminary Plan	\$ _____	Preliminary Plan	\$ _____
Final Plan	\$ _____	Final Plan	\$ _____

Change in Lot Line Review:

	<u>Application Fee:</u>		<u>Required Escrow:</u>
Change in Lot Line	\$ _____		\$ _____

PLEASE WRITE SEPARATE CHECKS FOR THE APPLICATION FEE AND REQUIRED ESCROW PAYABLE TO THE BOROUGH OF BATH.

Check No. _____

Check No. _____

The undersigned acknowledge that the required escrow ("escrow account") is for reimbursement at the Borough's discretion for any and all engineering or legal or other expenses incurred by the Borough, exclusive of work performed by full-time Borough staff members, in processing the Feasibility, Preliminary or Final Plans. As soon as this escrow account decreases by fifty percent (50%), the developer shall make payment in an amount necessary to fully fund the account. Monies held in the escrow account will not be returned until all invoices from the Borough Engineer and Solicitor have been received by the Borough and paid by the developer. The Solicitor's and Engineer's invoices are submitted to the Borough every thirty (30) days.

The undersigned represents that to the best of his/its knowledge and belief, all the above statements are true, correct and complete, and that he/it intends to be legally bound by the terms hereof.

The undersigned further represents that, except as otherwise specifically noted on the attached sheets, all proposed improvements and facilities, as shown on the Subdivision or Land Development Plans are to be improved, constructed, and completed, or acceptable security shall be posted with the municipality in sufficient amount to cover full estimated cost of construction thereof, prior to a sale, transfer or any entry into an agreement to sell or transfer any subdivided parcel or any land development as shown on the plan.

The applicants and/or authorized agents agree to appear to present the application to any public body holding any public hearing or review session regarding the application. Ten (10) days prior to any Bath Planning Commission meeting or Bath Borough Council meeting where applicants shall present their proposed plans, applicants further agree to send notice by regular mail (with certificate of mailing) to landowners within 200 feet of the proposed project pursuant to the Borough's form **NOTICE TO LANDOWNERS WITHIN 200 FEET OF A PROPOSED SUBDIVISION OR LAND DEVELOPMENT** attached to this application and to provide written proof (copy of each certificate of mailing) to the Bath Planning Commission and Bath Borough Council that said notice was sent to said landowners.

Date

Applicant's Signature

Date

Co-Applicant's Signature

**NOTICE TO LANDOWNERS WITHIN 200 FEET OF A PROPOSED SUBDIVISION OR
LAND DEVELOPMENT**

This Notice is to notify you that an application for a subdivision or land development has been submitted for land that is located within 200 feet of your property.

The project consists of approximately _____ acres of land owned by _____
_____. The land is proposed to be developed by _____
_____.

The land underlying the proposed project is located on Northampton County Tax Parcel(s) _____
_____ and is known as _____
_____.

The development proposes the creation of _____ new residential or non-residential building lots.

The development proposes the building of _____ new non-residential buildings.

The above application is expected to be placed on the Bath Planning Commission agenda or Bath Borough Council agenda for its next regularly scheduled meeting on _____, 20____ at _____ P.M. at the Bath Borough Municipal Building located at 121 S. Walnut St., Bath, PA 18014.

If you have any questions, please call the Bath Borough Office at (610) 837-6525

This notice was sent to you by _____
pursuant to the Bath Borough Subdivision and Land Development Ordinance.

APPENDIX "B"

REQUIRED SIGNATURE BLOCKS

A. OWNER'S STATEMENT

I / We, the owner(s) of this plat or plats of land being duly sworn according to law, depose and state that I am/we are the sole owner(s) of said property in peaceful possession of it and that there are no suits pending affecting the title of same. I/we do further depose and state that I/we have complied with all the requirements and provisions of the Bath Borough Subdivision and Land Development Ordinance and shall save the Borough of Bath harmless and indemnify the Borough of Bath against any liability or loss resulting from the approval of this land development for whatever reason present or future.

Owner's Signature

Owner's Signature

SWORN TO AND SUBSCRIBED BEFORE ME

THIS _____ DAY OF _____, 20____.

SEAL

Notary Public

B. OWNER'S CONSENT FOR ON-SITE INSPECTION

Owner(s) hereby give(s) consent to and authorizes the Borough Council, Borough Planning Commission, the Borough Engineer, the Borough Solicitor and other Borough personnel, agents, representatives, officials and officers to conduct or perform an on-site inspection of the real property which is the subject matter of the within site plan, subdivision or land development during the pendency of the site plan, subdivision or land development.

Owner's Signature

Owner's Signature

C. OFFER OF DEDICATION

The undersigned Owner(s) offer to dedicate to the Borough of Bath for public use the following: the street rights-of-way for the following street(s):

_____, _____, _____ : shown on the approved plans; and all public improvements to be constructed within their limits and within any proposed public open spaces and all other improvements stated as proposed to be public on the approved plans or required to be dedicated under Borough requirements.

Owner's Signature Date

Owner's Signature Date

D. PROFESSIONAL ENGINEER'S STATEMENT

I, _____, do hereby certify that I am a professional Engineer licensed and registered to practice engineering in the Commonwealth of Pennsylvania, pursuant to the Engineer, Land Surveyor and Geologist Registration Law, Act of May 23, 1945, P.L. 913, as amended, as found at 63 P.S. Sections 148 et seq., and that the engineering aspects of the plans are true and correct to the best of my knowledge, information and belief, and I do further certify that the plans comply with the requirements of the Bath Borough Subdivision and Land Development Ordinance.

Professional Engineer's Signature

License Number

SEAL

Address

E. PROFESSIONAL LAND SURVEYOR'S STATEMENT

I, _____, do hereby certify that I am a professional Land Surveyor licensed and registered to perform land surveys in the Commonwealth of Pennsylvania, pursuant to the Engineer, Land Surveyor and Geologist Registration Law, Act of May 23, 1945, P.L. 913, as amended, as found at 63 P.S. Sections 148 et seq., and do hereby certify that the plans, prepared from field survey, correctly represent the proposed lot(s) as surveyed by me for the owners and that the plans comply with the requirements of the Bath Borough Subdivision and Land Development Ordinance.

Professional Land Surveyor's Signature

License Number

SEAL

Address

APPENDIX "C"

REQUIRED SIGNATURE BLOCKS

F. REVIEW / APPROVAL / RECORDING SIGNATURE BLOCKS

- (1) REVIEWED BY THE LEHIGH VALLEY PLANNING COMMISSION

LVPC Staff Person Responsible for Review Date

- (2) RECOMMENDED FOR APPROVAL BY THE BATH BOROUGH
PLANNING COMMISSION

Chairperson Date

Secretary Date

- (3) APPROVED BY THE BATH BOROUGH COUNCIL

President Date

Secretary Date

- (4) RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF
NORTHAMPTON COUNTY, PENNSYLVANIA ON
_____, 20____, IN MAP BOOK
VOLUME _____, PAGE _____.

Northampton County Recorder of Deeds

G. OWNER'S STATEMENT

I / We, the owner(s) of this plat or plats of land being duly sworn according to law, depose and state that I am/we are the sole owner(s) of said property in peaceful possession of it and that there are no suits pending affecting the title of same. I/we do further depose and state that I/we have complied with all the requirements and provisions of the Bath Borough Subdivision and Land Development Ordinance and shall save the Borough of Bath harmless and indemnify the Borough of Bath against any liability or loss resulting from the approval of this land development for whatever reason present or future.

Owner's Signature

Owner's Signature

SWORN TO AND SUBSCRIBED BEFORE ME
THIS _____ DAY OF _____, 20____. SEAL

Notary Public

H. OWNER'S CONSENT FOR ON-SITE INSPECTION

Owner(s) hereby give(s) consent to and authorizes the Borough Council, Borough Planning Commission, the Borough Engineer, the Borough Solicitor and other Borough personnel, agents, representatives, officials and officers to conduct or perform an on-site inspection of the real property which is the subject matter of the within site plan, subdivision or land development during the pendency of the site plan, subdivision or land development.

Owner's Signature

Owner's Signature

I. OFFER OF DEDICATION

The undersigned Owner(s) offer to dedicate to the Borough of Bath for public use the following: the street rights-of-way for the following street(s):

_____, _____, _____ : shown on the approved plans; and all public improvements to be constructed within their limits and within any proposed public open spaces and all other improvements stated as proposed to be public on the approved plans or required to be dedicated under Borough requirements.

Owner's Signature

Date

Owner's Signature

Date

J. PROFESSIONAL ENGINEER'S STATEMENT

I, _____, do hereby certify that I am a professional Engineer licensed and registered to practice engineering in the Commonwealth of Pennsylvania, pursuant to the Engineer, Land Surveyor and Geologist Registration Law, Act of May 23, 1945, P.L. 913, as amended, as found at 63 P.S. Sections 148 et seq., and that the engineering aspects of the plans are true and correct to the best of my knowledge, information and belief, and I do further certify that the plans comply with the requirements of the Bath Borough Subdivision and Land Development Ordinance.

Professional Engineer's Signature

License Number

SEAL

Address

K. PROFESSIONAL LAND SURVEYOR'S STATEMENT

I, _____, do hereby certify that I am a professional Land Surveyor licensed and registered to perform land surveys in the Commonwealth of Pennsylvania, pursuant to the Engineer, Land Surveyor and Geologist Registration Law, Act of May 23, 1945, P.L. 913, as amended, as found at 63 P.S. Sections 148 et seq., and do hereby certify that the plans, prepared from field survey, correctly represent the proposed lot(s) as surveyed by me for the owners and that the plans comply with the requirements of the Bath Borough Subdivision and Land Development Ordinance.

Professional Land Surveyor's Signature

License Number

Address

SEAL