

# MIFFLIN TOWNSHIP

543 Municipal Road Millersburg, PA 17061  
Phone 717-362-9371

## SUBDIVISION or LAND DEVELOPMENT APPLICATION PACKET INSTRUCTIONS

### **MINOR SUBDIVISIONS**

The following narrative describes the steps to follow to obtain approvals for preliminary/final subdivision/land development review stage for simple lot add-on, two lot subdivision, and land development activities under 10,000 square feet in total area of earth disturbance. This narrative summarizes the procedures from several sections of the Mifflin Township Code of Ordinances including sections regarding Subdivision and Land Development (SALDO). Since these sections are revised from time to time, all applicants must refer to official copies of these documents to ensure that current requirements are being met.

1. At this time, the applicant must submit a completed application packet along with a check or money order made payable to Mifflin Township in the amount of \$500.00. The \$500.00 fee will be held in escrow to cover the costs of the Township's consultants. Any costs to the Township above and beyond the \$500.00 will be charged to the applicant at the current rate of the Township consultant. The Township may request the applicant to submit additional money if it appears that the costs for further reviews/correspondence will exceed the initial \$500.00. All unused funds will be returned to the applicant upon close out of the project.

The application packet shall contain five (5) copies of the Application for Subdivision or Land Development Approval, 24"x36" plans, any reports, studies, and outside agency permits conforming to the requirements of the SALDO along with a digital copies of the afore mentioned items contained on a portable digital device (i.e. usb thumb drive, CD or DVD).

The application packet shall be submitted to the Township no later than 21 calendar days prior to the regularly scheduled meeting of the Township Supervisors. Provided that the Application Package is complete, the Township will formally accept the Application Package at the the next regularly scheduled meeting of the Township Board of Supervisors and forward the application package to the Township Engineer. When the Township Engineer is satisfied that the engineered plans are sound and all required supporting documentation has been submitted, he will make a recommendation to the Board of Supervisors for consideration of preliminary/final plan application packet. Shortly thereafter, the project will be placed on an agenda for the Board of Supervisors to review at a public meeting. If the Supervisors are satisfied, preliminary/final approval will be given in the form of a resolution listing any waivers granted by the Board of Supervisors and also listing all limitations and conditions imposed by the Board of Supervisors.

2. Based on the plans approved by the Township Engineer, the applicant or their consultant may be required to prepare an estimate of the cost of public and required improvements for review and approval by the Township Engineer. The Township Engineer will prepare an Escrow Status Report showing the approved cost and retainage required to be posted. The Township Engineer will forward a copy of the Escrow Status Agreement to the Township Solicitor for his use in preparing a Developer's Agreement and Financial Agreement.
3. The applicant must arrange for financing, such as a letter of credit, or other financial security instrument acceptable to the Township Solicitor, in the amount shown on the Escrow Status Report. The applicant must provide the Township Solicitor the information contained on the attached "Basic Information for Development Agreements. The Solicitor will then prepare the Developer's Agreement for execution by the Applicant and by the Township.

4. When the Township Engineer has declared the plans to be correct, and when the Township Solicitor is satisfied that the Developer's Agreement is fully executed and the financial security is in place, the applicant must prepare the Record Plans (five paper copies) with notarized signatures and professional seals as appropriate. In addition, the applicant must submit the Record Plans, supporting documentation, permits, and reports in a digital format. The plans, supporting documentation, permits, and reports are to be submitted as.pdf files via email and/or portable digital device (i.e. usb thumb drive, CD or DVD). The Township will affix the proper signatures to the plans and record the plans at the Dauphin County Recorder of Deeds at the applicant's expense. Following the recording of the plan, the Township will retain two paper copies of the plan and will then return any remaining plans to the applicant with the recording information.
5. During each phase of construction of any required improvements, the applicant is responsible to notify the Township Engineer that the site work is ready for inspection to verify that all work has been done in accordance with the approved plans. The applicant shall not proceed to the next phase of construction without prior authorization of the Township Engineer.
6. The Township Engineer will review interim Escrow Releases of the Improvements Security, as the work progresses. Final approval of each release rests with the Board of Supervisors.

## **MAJOR SUBDIVISIONS AND LAND DEVELOPMENTS**

The following narrative describes the steps to follow to obtain approvals for major subdivisions, and land developments over 10,000 square feet in total area of earth disturbance. This narrative summarizes the procedures from several sections of the Mifflin Township Code of Ordinances including sections regarding Subdivision and Land Development (SALDO). Since these sections are revised from time to time, all applicants must refer to official copies of these documents to ensure that current requirements are being met.

Applicants may take advantage of Optional Processes to receive early input from the Township as follows:

- i. Any applicant may present a Sketch Plan to the Township for discussion. The plan is to be prepared in accordance with the Mifflin Township Subdivision and Land Development Ordinance
  - ii. Applicants proposing high-impact developments, such as shopping centers, should make a courtesy presentation of the sketch plan to the Board of Supervisors.
1. For the preliminary subdivision/land development review stage, the applicant must submit a completed application packet along with a check or money order made payable to Mifflin Township in the amount of \$1000.00. The \$1000.00 fee will be held in escrow to cover the costs of the Township's consultants. Any costs to the Township above and beyond the \$1000.00 will be charged to the applicant at the current rate of the Township consultant. The Township may request the applicant to submit additional money if it appears that the costs for further reviews/correspondence will exceed the initial \$1000.00. All unused funds will be returned to the applicant upon close out of the project.

The application packet shall contain five (5) copies of the Application for Subdivision or Land Development Approval, 24"x36" plans, any reports, studies, and outside agency permits conforming to the requirements of the SALDO along with a digital copies of the afore mentioned items contained on a portable digital device (i.e. usb thumb drive, CD or DVD).

The application packet shall be submitted to the Township no later than 21 calendar days prior to the

regularly scheduled meeting of the Township Supervisors. Provided that the Application Package is complete, the Township will formally accept the Application Package at the the next regularly scheduled meeting of the Township Board of Supervisors and forward the plan to the Township Engineer. When the Township Engineer is satisfied that the engineered plans are sound and all required supporting documentation has been submitted, he will make a recommendation to the Board of Supervisors for consideration of preliminary/final plan application packet. Shortly thereafter, the project will be placed on an agenda for the Board of Supervisors to review at a public meeting. If the Supervisors are satisfied, preliminary/final approval will be given in the form of a resolution listing any waivers granted by the Board of Supervisors and also listing all limitations and conditions imposed by the Board of Supervisors.

2. After preliminary plan approval, the applicant may proceed to the final approval stage. The applicant must submit revised plans satisfying all of the conditions set forth in the preliminary approval resolution. The revised plans are to conform to Section 306 of the SALDO. During this stage, the applicant must finalize all outside agency permits and approvals such as the US. Army Corps of Engineers, the Pennsylvania Department of Environmental Protection, PennDOT, Dauphin County Conservation District, PPL, cable, etc. The applicant will appear before the Board of Supervisors after review letters have been received from the Dauphin County Planning Commission, and outside agencies as for preliminary plan approval.
3. After final plan approval, the applicant must amend the plans in accordance with the final approval resolution issued by the Board of Supervisors. The applicant must submit two copies of the full plan set to the Township for review by the Township Engineer.
4. Based on the plans approved by the Township Engineer, the applicant's engineer must prepare an estimate of the cost of public and required improvements for review and approval by the Township Engineer. The Township Engineer will prepare an Escrow Status Report showing the approved cost and retainage required to be posted. The Township Engineer will forward a copy of the Escrow Status Agreement to the Township Solicitor for his use in preparing a Developer's Agreement and Financial Agreement.
5. The applicant must arrange for financing, such as a letter of credit, or other financial security instrument acceptable to the Township Solicitor, in the amount shown on the Escrow Status Report. The applicant must provide the Township Solicitor the information contained on the attached "Basic Information for Development Agreements. The Solicitor will then prepare the Developer's Agreement for execution by the Applicant and by the Township.

When the Township Engineer has declared the plans to be correct, and when the Township Solicitor is satisfied that the Developer's Agreement is fully executed and the financial security is in place, the applicant must prepare the Record Plans (five paper copies) with notarized signatures and professional seals as appropriate. In addition, the applicant must submit the Record Plans, supporting documentation, permits, and reports in a digital format. The plans, supporting documentation, permits, and reports are to be submitted as.pdf files via email and/or portable digital device (i.e. usb thumb drive, CD or DVD). The Township will affix the proper signatures to the plans and record the plans at the Dauphin County Recorder of Deeds at the applicant's expense. Following the recording of the plan, the Township will retain two paper copies of the plan and will then return any remaining plans to the applicant with the recording information.

6. The developer must schedule a Pre-Construction Meeting with the Township Engineer. The Pre-Construction Meeting is to be attended by the following: Developer, prime contractor and site superintendent, sub-contractors, Township Engineer, Township Building Code Official, Dauphin County Conservation District, PennDOT (if applicable), other permitting agencies (as required). Site work can begin after the Developer's Agreement and all required fees and escrows are in place and after all erosion and sedimentation controls are in place, with the approval of the Township Engineer and the Dauphin County Conservation District.

7. During each phase of construction of any required improvements, the applicant is responsible to notify the Township Engineer that the site work is ready for inspection to verify that all work has been done in accordance with the approved plans. The applicant shall not proceed to the next phase of construction without prior authorization of the Township Engineer.
8. The Township Engineer will review interim Escrow Releases of the Improvements Security, as the work progresses. Final approval of each release rests with the Board of Supervisors.
9. The dedication of public improvements will occur after all building construction has ceased, after the Township Engineer has inspected and approved all improvements, upon posting the predetermined maintenance security, and upon acceptance of the improvements by the Board of Supervisors.
10. The maintenance period shall begin after acceptance of the public improvements by the Board of Supervisors. The developer shall notify the Township Engineer of the end of the 18- month period. The Township Engineer shall conduct an inspection and present the developer with a punch list of deficiencies. After all punch list items have been corrected, and upon the recommendation of the Township Engineer, the Board of Supervisor may release the developer from his obligation and authorize the return of all security and/or escrow deposits.

## **BASIC INFORMATION FOR DEVELOPMENT AGREEMENTS**

In order to complete the development agreements for this subdivision or land development, the following information is required:

1. The full and complete legal name of the person or entity which is now holding, or which will be holding, legal title to the real estate for development purposes, and e-mail contact, and a mailing address. If a corporation, provide the state of incorporation, the name of the corporate president and corporate secretary, and a copy of the certificate of incorporation. If a partnership, provide the names of the general partners, and a copy of the partnership agreement.
2. A statement of the expected duration of the period of construction of the required municipal improvements. The financial security to be provided to Mifflin Township to secure the performance of the developer's municipal improvement obligations must be of greater duration than the estimated construction period, and the expiration date of any letter of credit must not be less than two months after the expiration of the estimated construction period. This will provide sufficient time for the developer to notify the Township concerning the completion of all improvements and adequate opportunity for inspection thereof prior to the final release of financial security.
3. The name and address of the lender or bonding company which will be providing the security, together with a statement whether the security will be in the form of a letter of credit, a mortgage escrow account, or a bond.
4. The exact name of the subdivision or land development plan as set forth on the plan to be recorded; the plan, drawing or job number as set forth the plan; the name of the engineering firm responsible for the plan as set forth on the plan; and the date of the plan the last revision date of the plan prior to recording.

The applicant is also required to ensure that the professional responsible for preparation of the land development plans has submitted engineering cost estimates for the required improvements so that a determination can be made concerning the amount of financial security that will be required. No agreement will be completed until and unless the amount of required financial security is confirmed by the Township Engineer.

As soon as the amount of financial security is determined, the Township will authorize the Township Solicitor to begin preparation of the necessary legal documents.

The applicant must also contact the Township Board of Supervisors who will explain the process by which fees due the Township shall be paid and the process by which the Township will execute the final agreements and release signed plans for recording.

Appendix A contains the approved copy of the Agreement to Provide Financial Security to Guarantee Completion of Improvements required by a land development or subdivision plan.

# MIFFLIN TOWNSHIP

2-2018

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## SUBDIVISION/LAND DEVELOPMENT APPLICATION CHECK SHEET

The application packet shall contain five (5) copies of the Application for Subdivision or Land Development Approval, 24"x36" plans, any reports, studies, and outside agency permits conforming to the requirements of the SALDO along with a digital copies of the afore mentioned items contained on a portable digital device (i.e. usb thumb drive, CD or DVD).

**SUBDIVISION/LAND DEVELOPMENT NAME:** \_\_\_\_\_

ITEM	YES	NO	N/A	REMARKS
Fee				
Escrow				
DCPC Application				
Complete Plan				
Environmental Impact Study				
Environmental Impact Statement				
E& S Application				
NPDES Application				
Sewage Facilities Planning Module				
Twp. Driveway Permit or PennDOT HOP				
Signal Permit App.				
Waivers Required				
Waiver Request Letter				

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## APPLICATION for SUBDIVISION or LAND DEVELOPMENT APPROVAL

Date of Application: \_\_\_\_\_

Review fee enclosed      Amount:\$ \_\_\_\_\_      Check # \_\_\_\_\_

Application for (check one only):

- Feasibility/Sketch Review (SALDO Sect. 302)
- Preliminary/Final Minor Subdivision (SALDO Sect. 304-307)
- Preliminary Subdivision/Land Development (SALDO Sect. 304)
- Final Subdivision/Land Development

### Applicant

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

Address: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Tel: \_\_\_\_\_ Fax: \_\_\_\_\_ e-mail address: \_\_\_\_\_

### Landowner of Record

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

Address: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Tel: \_\_\_\_\_ Fax: \_\_\_\_\_ e-mail address: \_\_\_\_\_

### Agent/Attorney

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

Address: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Tel: \_\_\_\_\_ Fax: \_\_\_\_\_ e-mail address: \_\_\_\_\_

### Engineer/Surveyor

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

Address: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Tel: \_\_\_\_\_ Fax: \_\_\_\_\_ e-mail address: \_\_\_\_\_

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### Subdivision Land Development Data

Development Name \_\_\_\_\_

Deed Book and Page: \_\_\_\_\_

Tax Parcel Number(s) \_\_\_\_\_

Number. of Lots: \_\_\_\_\_ Density \_\_\_\_\_ Ave. Lot Size \_\_\_\_\_ sq. ft.

Lot Size \_\_\_\_\_

Area in acres:

Flood Plain \_\_\_\_\_ Steep Slopes \_\_\_\_\_ Wetlands \_\_\_\_\_ Forest \_\_\_\_\_

Proposed New Streets (LF) \_\_\_\_\_

Water Supply:                      Public System                            On-Lot System        
 Sewer System:                      Public System                            On-Lot System     

List All Easements or other Encumbrances:

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Provide a copy of the current deed and any easements, restrictions, covenants, etc. that apply to the lot.  
 Provide copy of Agreement of Sale, if Applicant is equitable owner.  
 Explanatory statement of the intent of the owner with this application:

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**Consent of Entry (check one box)**

- I hereby give consent for Mifflin Township staff, and the Mifflin Township Board of Supervisors to enter the property listed above for the purposes of viewing the property and necessary fact finding in conjunction with this application provided that reasonable advance notification is given by e-mail or U.S. Postal Service mail.
- I hereby withhold consent for entry onto the property listed above.

\_\_\_\_\_  
 Print Name of Owner/Equitable Owner

\_\_\_\_\_  
 Signature of Owner/Equitable Owner

<b>FOR TOWNSHIP USE ONLY</b>
Application Package received by the Township on ____/____/_____ By _____
Application Package is complete? <input type="checkbox"/> Yes <input type="checkbox"/> No if so why not _____
Application Package forwarded to the Township Engineer on ____/____/_____ By _____                      via <input type="checkbox"/> Email <input type="checkbox"/> Mailed <input type="checkbox"/> Hand-delivered
Township Engineer recommended placement of Package on BOS meeting agenda ____/____/_____



**APPENDIX A**

**SUBDIVISION AND LAND DEVELOPMENT**

**Mifflin Township  
Dauphin County, Pennsylvania**

**AGREEMENT TO PROVIDE FINANCIAL SECURITY TO GUARANTEE  
COMPLETION OF IMPROVEMENTS REQUIRED BY A LAND DEVELOPMENT FOR  
SUBDIVISION PLAN**

THIS AGREEMENT made and entered into this DATE, by and between NAME OF DEVELOPER, having offices at ADDRESS OF DEVELOPER, hereinafter called "Developer", and

MIFFLIN TOWNSHIP, a body politic, having its offices at 543 Municipal Rd. Millersburg, Mifflin Township, Dauphin County, Pennsylvania, hereinafter called "Township", and

WHEREAS, § 108.1, of the Mifflin Township Subdivision and Land Development Ordinance provides that whenever a subdivision or development of land is desired to be effected, a plan of the layout of such subdivision shall be prepared, filed and processed according to the requirements of this ordinance; and

WHEREAS, § 306.6.A(1) of the Subdivision and Land Development Ordinance provides that no plan shall be finally approved unless the streets shown on such plat have been improved to a mud-free or otherwise permanently passable condition or improved as may be required by this Chapter and any walkways, curbs, gutters, streets, street lights, fire hydrants, shade trees, water mains, sanitary sewers, storm sewers and other improvements as may be required by this Chapter have been installed. In lieu of the completion of any improvements required as a condition for the final approval of a plat, the applicant shall provide for the deposit with the Township of financial security in an amount sufficient to cover the costs of such improvements or common amenities including, but not limited to, roads, stormwater detention and/or retention basins and other related drainage facilities, recreational facilities, open space improvements or buffer or screen plantings which may be required.

WHEREAS, the Developer has submitted the NAME OF SUBDIVISION/ DEVELOPMENT PLAN, located in Mifflin Township, Dauphin County, Pennsylvania, dated DATE OF SUBMISSION, and last revised DATE OF LAST REVISION, being identified as Plat No. #, to the Township, along with related construction drawings, which plan has been or is about to be approved; and

NOW THEREFORE, it is hereby agreed between the parties hereto, as follows:

1.
  - A. The Developer, at Developer's sole expense, will construct and install the improvements as required on the above referenced Plan, and the related

construction drawings; including, but not limited to, street construction, sidewalks, walkways, storm water controls, curbing, grading, seeding, shade trees, monuments, markers and sanitary sewers.

- B. The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements, submitted by an applicant or developer and prepared by a professional engineer licensed as such in this Commonwealth and certified by such engineer to be a fair and reasonable estimate of such cost. The Township, upon the recommendation of the Township Engineer, may refuse to accept such estimate for good cause shown. If the applicant or developer and the Township are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the Township and the applicant or developer. The estimate certified by the third engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third engineer is so chosen, fees for the services of said engineer shall be paid equally by the Township and the applicant or developer.
  - C. If the party posting the financial security requires more than one year from the date of posting of the financial security to complete the required improvements, the amount of financial security may be increased by an additional 10% for each one year period beyond the first anniversary date from posting of financial security or to an amount not exceeding 10% of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one year period by using the above bidding procedure.
2. Upon the execution of this Agreement the Developer shall deposit with the Township performance security acceptable to the Township in the amount of DOLLAR AMOUNT OF SECURITY. Said security shall be issued in a form acceptable to the Township, and shall refer to this Agreement.
  3. The Developer may request the Board of Supervisors to authorize the release, from time to time, of such portions of the performance security which reflects the value of satisfactorily completed improvements. Such requests shall be in accordance with § 306.6.A (10) of the Mifflin Township Subdivision and Land Development Ordinance. The Township shall respond to said request for release, also in accordance with § 306.6.A (10) of the Mifflin Township Subdivision and Land Development Ordinance.
  4. Developer agrees that in the event legal proceedings are successfully instituted by the Township to enforce the provisions of this Agreement, that the Developer shall be responsible for payment of all court costs, legal fees and expenses incurred by the Township, which courts costs, legal fees and expenses shall be included as part of any court order, award or decree entered in such legal proceedings.
  5. Upon completion of the improvements described herein, and acceptance thereof, the Township shall release said security and accept security to guarantee the structural integrity and functioning of said improvements pursuant

to § 306.6.B (1) of the Mifflin Township Subdivision and Land Development Ordinance.

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

ATTEST:

DEVELOPER

By: \_\_\_\_\_

By: \_\_\_\_\_

Title:

Title:

ATTEST:

BOARD OF SUPERVISORS  
MIFFLIN TOWNSHIP

By: \_\_\_\_\_

By: \_\_\_\_\_

Secretary

Chairman

(Seal)