

MEMO

TO: Prospective Developers

SUBJECT: Subdivision and Land Development Ordinance Submission and Procedure

The following sets forth the submissions necessary for application to the Subdivision and Land Development Ordinance process in Towamencin Township.

NOTE: The following criteria may allow for exclusion of a project from the land development process by waiver from the Board of Supervisors: (refer to Section 3A, 4A, and 4B for **relief of land development requirements**)

- 1) No increase in impervious surface.
- 2) No significant change to traffic pattern inclusive of egress and ingress.

PLEASE REFERENCE THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE IN CONJUNCTION WITH THE FOLLOWING:

➤ **Sketch Plan**

A sketch plan is strongly recommended for the initial submission of all but the most simple subdivision and/or land development.

For a sketch plan to be placed on a Planning Commission meeting agenda, 8 full-size sets (+1 set if in Village Overlay District), 20 half-size sets and one (1) electronic copy on a compact disc, must be submitted to the Township four weeks prior to the scheduled Planning Commission meeting.

See current Fee Schedule for escrow fee required for sketch plan submission and submission does not start the time period for review as estimated by the Pennsylvania Municipalities Planning Code, at last amended.

The Planning Commission will review and discuss sketch plans in broad scope, conceptual terms, not for specifics relative to the requirements of the Zoning Ordinance, the Subdivision and Land Development Ordinance, or any other ordinances of the Township.

If the Planning Commission recommends major changes to a sketch plan, revised sketch plans must be submitted at least four weeks prior to the next scheduled Planning Commission meeting in order to be placed on the meeting's agenda. The Planning Commission will review and discuss the revised sketch plan at the applicable meeting.

➤ **Preliminary Plan**

- 1) Preliminary plans must conform with the standards and criteria as set forth by the Township Subdivision and Land Development Ordinance, Township Zoning Ordinance, construction requirements for sanitary sewers and appurtenances and detailed drawings for Towamencin Municipal Authority, Stormwater Management ordinance, as last amended, and requirements for obtaining sewage service and dedicating sewer facility within Township's Act 537 Planning Area; Resolution 87-45, as last amended. In addition to the above requirements, all development within the Towamencin Village Overlay District must conform to the requirements of the Township Village Land Use and Design Manual. The Township Reserves the right to reject incomplete plans.

- 2) In order to provide sufficient time for review by all reviewing bodies, a preliminary plan submission must be made to Towamencin Township at least four weeks prior to the Planning Commission meeting.
- 3) Plan submission must include all of the following:

- A) Initial submission and revised Planning Commission Submissions: 8 full-size sets (+1 set if in VO District), 10 half-size sets
Board of Supervisors Submissions: 8 full-size sets (+1 set if in VO District), 10 half-size sets

The Township may request additional copies during the course of the approval process.

1. All submissions require electronic submission of all plans and documents on a CD.
 2. Submitted plans must comply with all sections of the Subdivision and Land Development Ordinance and/or Towamencin Village Land Use and Design Manual. Any sections of the ordinance with which the plans are not in compliance must be listed on the plan as a request for waiver, referencing the appropriate section of the Subdivision and Land Development Ordinance and the relevant requirements from which relief is requested. Failure to do this from the onset of plan submission could result in the delay of Preliminary or Final Plan Approval. Should the issue remain undisclosed and, therefore, undiscussed, it could require the return of the plan to the Planning Commission and/or the Board of Supervisors for discussion and for additional vote on the issue by the Board of Supervisors.
 3. Requirements of the Zoning Ordinance for the zoning district in which the development is located, as well as those from other sections of the Zoning Ordinance that are applicable to the development, should be listed on the plan along with the proposed statistic of that plan's compliance with those provisions.
 4. Relief granted by, or sought from, the Zoning Hearing Board from the provisions of any section of the Township Zoning Ordinance should be listed on the plan. Decision of the Zoning Hearing Board should be identified by date and section of the Zoning Ordinance from which relief was granted/sought, and the extent of the relief granted.
- B) Subdivision and Land Development Identification Information Form.
 - C) Towamencin Township application for Plan Approval, along with applicable subdivision and land development fee per current Township fee schedule and waiver of ninety (90) day review period, if applicable (check payable to Towamencin Township).
 - D) Montgomery County Planning Commission application for plan review. Please complete and submit the MCPC application to the Township. **DO NOT SUBMIT MCPC FEES TO THE TOWNSHIP.** Towamencin Township will upload the application to the MCPC portal and MCPC will bill the applicant for their review.
 - E) Towamencin Municipal Authority application for Plan Approval, along with applicable fee per current TOWAMENCIN MUNICIPAL AUTHORITY fee schedule (check payable to Towamencin Municipal Authority).
 - F) A sewage Facilities planning module where applicable. The applicant is responsible for obtaining required signatures from the Montgomery County Planning Commission, the Montgomery County Health Department, and the Towamencin Municipal Authority relative to Sewage Facilities Planning Module Approval and submitting same to Township along with the appropriate DEP resolution form for Planning Module Approval the Board of Supervisors.
 - G) A copy of the deed/deeds of the property to be subdivided/developed.

- H) A written statement from the property owner giving the right to speak on his/her behalf and the right to make decisions relative to the development of the property/properties to the applicant, if the applicant is not the property owners.
 - I) Color photos and a color video on a compact disc of the site inclusive of the following and indexed to a written key to be submitted with the video.
 - 1. All natural features of the site.
 - 2. Staking of the perimeter of the site.
 - 3. Staking of all street locations of the development with the ultimate right-of-way and curb line indicated.
 - 4. Existing roadways abutting the site to be developed.
 - 5. Staking of perimeter of all open areas to be dedicated to the Township.
 - 6. Video cover shall extend 500 feet from perimeter of property in all directions and through adjacent properties and on both sides of street where applicable.
 - J) A traffic impact study must be submitted for all subdivision of ten (10) or more lots, non-residential land development, and land developments and rezoning request subsequent to the initial discussion of the plans by the Planning Commission unless, upon the recommendation of the Township Engineer, the Planning Commission determined that such a study is not required.
 - K) A landscape plan prepared by a registered Landscape Architect must be submitted for all residential land development involving ten (10) or more acres and for all non-residential land development.
- 4) Plan sets will be forwarded to the following for review:
- 1. Township Engineer
 - 2. Township Zoning Officer
 - 3. Montgomery County Planning Commission
 - 4. Towamencin Municipal Authority
 - 5. All Planning Commission Members
 - 6. Township Emergency Services consultant
 - 7. Township Fire Chief
 - 9. Board of Supervisors
 - 10. Township Traffic Engineer
 - 11. Township Landscape Architect/Consultant, if deemed necessary by Towamencin Township administration.
 - 12. Township Sewer Engineer (if applicable)
- 5) Applicant is responsible for sending plans to the Montgomery County Conservation District (application and fee schedule attached), the North Penn Water Authority, PA DEP, PennDOT, and other applicable reviewing agencies.
- 6) Applications and plans will be reviewed by the Community Development Director for completion. Incomplete applications may delay review period. The required ninety (90) day review period begins on the day of submission if the application is deemed complete. Officially accepted applications will be reviewed and discussed by the Planning Commission approximately one (1) month later.

The applicant and the applicant's engineer will be sent a meeting agenda and copies of all review letters several days prior to the Planning Commission meeting at which the plans will be reviewed and discussed.

- 7) Per the outcome of No. 6, the number of revised plans in 3A, accompanied by a written statement from the applicant's engineer documenting all changes made to the plans and certifying in that statement that the documented changes are the only alternations to the plan as previously submitted, must be submitted to the Township at last four weeks prior to the next scheduled monthly Planning Commission meeting in order to be placed on the agenda of that meeting. The revised plans will be forwarded to the reviewing bodies by the Township.
- 8) Planning Commission will review/discuss the revised plans. At this point, a motion of recommendation to the Board of Supervisors for approval of the plan, with conditions to be satisfied and with recommendations for or against the granting of the requested waiver/waivers may be voted upon by the Planning Commission, if they feel that further review by them is not necessary. If the Planning Commission wishes further review, and does not make a recommendation, No. 7 must be repeated.
- 9) Subsequent to a vote of recommendation by the Planning Commission, the number or sets in 3A must be provided to the Township to be scheduled for a Board of Supervisors meeting. The applicant and the applicant's engineer will be sent an agenda a few days prior to the meeting.
- 10) If, at this meeting, the Board of Supervisors requests, a resolution for approval of the preliminary plan will be prepared by Township staff to be voted upon at the following Work Session or Regular Monthly meeting of the Board of Supervisors. The applicant will be sent a copy of the resolution several days prior to the meeting.

If the Board does not request that a resolution for Preliminary Plan Approval be prepared, the application is requested to return to another meeting for further discussion/review of the plan with the Board of Supervisors.

Once a resolution is prepared, the Board of Supervisors will vote on the Preliminary Plan Resolution at a Work Session or Regular Monthly meeting.

- 11) If the Board of Supervisors votes to approve the Preliminary Plan Resolution, that resolution of approval must be signed by the applicant within two (2) weeks of the Board's vote or automatic denial of the application and preliminary plan results.

➤ Final Plan

- 1) Per conditions set for the in the resolution for Preliminary Plan Approval, the applicant's staff prepares revised plans and secures necessary permits. The number of sets in 3A along with any other applicable documentation, and an electronic copy on compact disc of the plans and supporting documentation, are then submitted to Township for review by staff as to their acceptability as final plans.
- 2) The applicant completes the planning module for the project by securing all necessary approvals (see 3G). Upon receipt of complete planning module by the Township, the Board of Supervisors votes on a resolution to approve the planning module for submission to PA DEP. PA DEP must approve the planning module prior to the Final Plan Approval.

- 3) Applicant secures development agreement directly from Township Solicitor. The agreement shall include all documents for dedication of streets, open space, easements, and sanitary sewers.
- 4) Three (3) paper copies, plus any copies that applicant wants to keep, of the final plans, signed and notarized by the owner/applicant, must be submitted along with three (3) executed copies of the development agreement, an electronic copy of record plan on compact disc, and any escrow agreements, to Township staff at least ten (10) days prior to a Board of Supervisors meeting. (See memorandum regarding recording requirements for plans and documents from John T. Dooley, Esq. (11/23/15).) A recording fee, all sewer connection fees, all open space fees, and all special contributions are required to be paid at this time.
- 5) Board of Supervisors votes on resolution of Final Plan Approval and, if approved, sign plans and development agreement.
- 6) Township Solicitor records plan and recording information is forwarded to applicant.
- 7) Township Manager prepares “green light” letter to all staff identifying the development, that the appropriate permits are allowable, and listing the appropriate fees (traffic impact or special fee) to be collected with each building permit application.
- 8) Township staff will assign mailing addresses for all lots of the development and forward same to applicant/developer and property owner as well as fire and police departments, 911 coordination, Township staff, post office, school district, school district transportation department, phone company, utility companies, cable company, and Montgomery County Board of Assessments. All permits are to be referenced with assigned addresses. (Corner lots to be addressed per street of driveway entrance.)
- 9) Grading permits, building and subcontractor permits, and Certificate of Occupancy permits are granted during the construction process.
- 10) Per development agreement, escrow funds are periodically released upon phased completion of improvements.
- 11) Inspection by Township Engineer of development to prepare punch list of items to be completed prior to offer for dedication. When list is complete a one and one half (1 ½) year maintenance bond is prepared for roadways and other public improvements.
- 12) Board of Supervisors accepts dedication of streets and easements by resolutions and, if acceptable, will be recorded at the Montgomery County Court House by Township staff.

SUBDIVISION / LAND DEVELOPMENT IDENTIFICATION INFORMATION

1) **NAME OF SUBDIVISION / LAND DEVELOPMENT:** _____

2) **LOCATION OF PROPERTY:** _____

3) **OWNERSHIP :** _____ **Own** _____ **Equitable Owner**
Name: _____ Phone #: _____
Email: _____ Fax #: _____
Address: _____

4) **APPLICANT/DEVELOPER**
Name: _____ Phone #: _____
Email: _____ Fax #: _____
Address: _____

Applicant's interest in property:

_____ Legal Owner _____ Equitable Owner _____ Tenant
_____ Other (Specify): _____

Official Spokesperson for Applicant: _____
Address and Phone # (if different from above) _____

5) **ATTORNEY**
Name: _____ Phone #: _____
Email: _____ Fax#: _____
Address: _____

6) **CIVIL ENGINEER**
Name: _____ Phone #: _____
Email: _____ Fax#: _____
Address: _____

7) **TRAFFIC ENGINEER**
Name: _____ Phone #: _____
Email: _____ Fax#: _____
Address: _____

**TOWAMENCIN TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA
PLAN APPROVAL APPLICATION**

Name of Subdivision / Land Development: _____

Application is here by submitted for approval by the Board of Supervisors for the following:

Please Check All that Apply

- _____ A) Sketch Plan Review
- _____ B) Preliminary Plan Review
- _____ C) Final Plan Review
- _____ D) Waiver of Land Development request

- _____ 1) Residential subdivision or land development.
- _____ 2) Non-Residential land development
- _____ 3) Non-Residential subdivision
- _____ 4) Minor plan of subdivision or land development

Submitted with this application is _____ full sets of plans including the record plan and construction improvement plan. The applicant deposits herewith the sum of \$ _____ for the application fee.

Additionally, the applicant deposits herewith the sum of \$ _____ with the Township for any and all reasonable engineering, legal, or administrative costs and charges incurred in review of the plans. This fund shall be replenished when requested by the Township; failing which the Township shall have the right to terminate its review.

Applicant does _____, does not _____, waive the ninety (90) day time period, required under Act 247, within which the Township Board of Supervisors is either to approve or disapprove this Preliminary Plan.

In the event the applicant wishes to have the review by the Township discontinued, written notification will be made to the Township and processing of the review will be terminated upon receipt of such written notification by the Township, it being understood that all bills accrued to the date of termination will be paid from the escrow and the balance, if any, will be returned to the applicant.

Number of Lots _____ Acreage _____

Source of Water: _____ Sewage: _____

Township Official: _____ Date Received: _____

**SAMPLE LETTER (if necessary)
WAIVER OF TIME LIMITATION – NO LIMIT**

_____ (date)

Township Manager
Towamencin Township
P.O. Box 303
Kulpsville, PA 19440

RE: SUBDIVISION / LAND DEVELOPMENT of _____

Dear _____:

On, _____ I/we submitted for official filing of the referenced Land Development.

Please be advised that notwithstanding any contrary provision of the Pennsylvania Municipalities Planning code or the Towamencin Township Code, this letter will serve as notice to Towamencin Township that the requirement that action be taken on this proposal within (90) ninety days, is hereby waived, without limitation as to time. This waiver is granted to permit us to make such adjustments or revisions to the plans as may be required during a plan review process. Furthermore, you are hereby assured that we will give Towamencin Township (30) thirty days prior notice if I/we should determine that limiting the time of the review process becomes necessary.

Sincerely,

**SAMPLE LETTER (if necessary)
WAIVER OF TIME LIMITATION – LIMITED TIME EXTENSION**

_____ (date)

Township Manager
Towamencin Township
P.O. Box 303
Kulpsville, PA 19440

RE: SUBDIVISION / LAND DEVELOPMENT of _____

Dear _____:

On, _____ I/we submitted for official filing of the referenced Land Development.

Please be advised that notwithstanding any contrary provision of the Pennsylvania Municipalities Planning Code or the Towamencin Township Code, this letter will service as notice to Towamencin Township that we are granting an extension of time to _____ for the Township Board of Supervisors to take formal action on this Land Development application.

Sincerely,

PLANNING COMMISSION 2022 MEETING SCHEDULE

Applicant Submission Deadlines	Review Letters Due	Packet Distribution	Planning Commission Meeting Dates
12/03/2021	12/31/21	01/03/22	01/10/22
01/06/22	01/28/22	01/31/22	02/07/22
02/03/22	02/26/22	02/28/22	03/07/22
03/02/22	04/01/22	04/03/22	04/04/22
04/06/22	04/29/22	05/01/22	05/02/22
05/04/22	05/27/22	05/29/22	06/06/22
06/01/22	06/30/22	07/02/22	07/11/22
07/06/22	07/29/22	07/31/22	08/01/22
08/03/22	09/09/22	09/11/22	09/12/22
09/14/22	09/30/22	10/02/22	10/03/22
10/05/22	10/28/22	10/30/22	11/14/22
11/02/22	12/01/22	12/04/22	12/05/22
12/07/22	12/29/22	12/31/22	01/09/23

MONTGOMERY COUNTY PLANNING COMMISSION (MCPC)

Act 247 Review Guidelines and Fee Schedule

For reviews in accordance with the Pennsylvania Municipalities Planning Code (Act 247) as amended

Effective January 1, 2018

Required Fees and Time Limits

To determine the applicable fee and review time limit for MCPC reviews, reference the appropriate section of the Pennsylvania Municipalities Planning Code as follows:

	Act 247 Section	Fee	Time Limit (days)
301.3	Comprehensive Plan Amendments	No	45
304	Public Facilities	No	45
305	School Facilities	No	45
408	Official Map	No	45
502	Subdivision and Land Developments	Yes	30
505	Subdivision & Land Development Ordinance Amendments	No	30
609	Zoning Ordinance or Map Amendments	Yes*	30
609.1	Curative Amendments	Yes*	30

*** Fees will be charged for private petitions (developer/landowner) for zoning ordinance/map amendments and curative amendments. (See fee schedule)**

- A time limit may be extended if requested by the applicant or by the municipality. If a municipality requests a time extension, it must be in concurrence with the applicant.
- Whenever applications require more than one type of review or otherwise fall under more than one section of the Pennsylvania Municipalities Planning Code, the Montgomery County Planning Commission will attempt to complete all reviews within the shortest official time limit. However, MCPC reserves the right to use the maximum permitted time limit if needed.

Application Procedure

1. The applicant submits the plans, a completed Municipal Request for Review form, and the county fee to the local municipality. The county fee must be in the form of a check or money order made payable to the MONTGOMERY COUNTY TREASURER. The county fee is not to be combined with the municipal fee. The applicant's canceled check serves as the receipt.
2. The municipality will forward an application consisting of the county fee, the Municipal Request for Review form signed by the appropriate municipal official, and the plans to MCPC along with any other relevant information.

3. The review time limit will officially begin when MCPC receives all necessary information and applicable fees.
 4. In the event of a returned check, the MCPC review and its corresponding time limit will stop as of the date we receive notification. MCPC will notify the applicant and municipality. The review process will restart on the date MCPC receives the required fee.
-

Fee Information

Resubmissions

The fee schedule and time limits will apply regardless of whether the submitted application is for the review of a tentative sketch, preliminary plan, or final plan. Once the initial fee has been received, MCPC charges a fee for the resubmission of subdivisions and land developments that are essentially the same as the former submission. A flat fee of \$125 is required for all residential subdivisions/land developments. No fee is required for residential subdivisions/land developments of 3 lots/units or less. A flat fee of \$190 is required for the resubmission all non-residential subdivisions/land developments. No fee is required for non-residential subdivisions/land developments of 3 lots or 3,000 square feet or less respectively. MCPC does not charge any additional fees for a staged development unless the original overall proposal has been substantially altered. A subsequent plan is NOT a resubmission and requires full fee payment if it is more than 5 years after the previous submission, the proposed land use is changed, or the number of dwelling units or square footage has changed by more than 40% from the prior submission.

Waiver of Fees

Fees are waived for an application filed under the name of a governmental subunit of the United States or the Commonwealth of Pennsylvania, including school districts and authorities. This exemption does not apply to private nonprofit organizations except for volunteer fire companies and ambulance squads.

Refunds

If MCPC fails to complete its review within the required time limits, the fee will be returned to the applicant upon request, except in those instances involving an incorrect fee or incomplete application or when MCPC has been granted a time extension for the review.

Informal Reviews and Special Circumstances

Meetings with MCPC to discuss applications, either prior to or during the formal review process, are encouraged and free of charge. If the applicant requests the meeting, the local municipality will also be invited. Meetings and informal reviews do not replace the official formal review by MCPC. In addition, if a municipality requests any meetings, court appearances, redesigns, or other special events that are related to the MCPC review, no extra fees will be charged. Similar requests by developers will be charged appropriately in accordance with fees for staff services.

Applicant Request for County Review

This request should be filled out by the applicant and submitted to the municipality where the application is being filed along with digital copies of all plan sets/information. Municipal staff will electronically file the application with the county, and a notice for the prompt payment of any fees will be emailed to the Applicant's Representative.



Date: _____

Municipality: _____

Proposal Name: _____

Applicant Name: _____

Address: _____

City/State/Zip: _____

Phone: _____

Email: _____

Applicant's Representative: _____

Address: _____

City/State/Zip: _____

Business Phone (required): _____

Business Email (required): _____

Type of Review Requested:

(Check All Appropriate Boxes)

- Land Development Plan
- Subdivision Plan
- Residential Lot Line Change
- Nonresidential Lot Line Change
- Zoning Ordinance Amendment
- Zoning Map Amendment
- Subdivision Ordinance Amendment
- Curative Amendment
- Comprehensive / Other Plan
- Conditional Use
- Special Review*

**(Not included in any other category - includes parking lot or structures that are not associated with new building square footage)*

Type of Plan:

- Tentative (Sketch)
- Preliminary / Final

Type of Submission:

- New Proposal
- Resubmission*

** A proposal is NOT a resubmission if A) The proposed land use changes, or B) The amount of residential units or square footage proposed changes more than 40%, or C) The previous submission was over 5 years ago.*

Zoning:

Existing District: _____

Special Exception Granted Yes No

Variance Granted Yes No For _____

Plan Information:

Tax Parcel Number(s) _____

Location *(address or frontage)* _____

Nearest Cross Street _____

Total Tract Area _____

Total Tract Area Impacted By Development _____

(If the development is a building expansion, or additional building on existing development, or only impacts a portion of the tract, please provide a rough estimate of the land impacted, including associated yards, drives, and facilities.)

Land Use(s)	Number of New		Senior Housing		Open Space Acres*	Nonresidential New Square Feet
	Lots	Units	Yes	No		
Single-Family						
Townhouses/Twins						
Apartments						
Commercial						
Industrial						
Office						
Institutional						
Other						

**Only indicate Open Space if it will be on a separate lot or deed restricted with an easement shown on the plan.*

Additional Information: _____

Montgomery County Conservation District
143 Level Road
Collegeville, PA 19426
Phone: (610) 489-4506 | Fax: (610)489-9795
www.montgomeryconservation.org

For District Use Only

Entry #: _____
NPDES Permit #: _____
Chapter 102 Review Fee: _____ Check #: _____
NPDES Fee: _____ Check #: _____
Disturbed Acre Fee: _____ Check #: _____
Expedited Fee: _____ Check #: _____

APPLICATION FOR CHAPTER 102 and/or NPDES PERMIT REVIEW

PROJECT INFORMATION:

Application Type: New: _____ 1st Revision: _____ 2nd + Revision: _____ Renewal: _____ Modification: _____
Corrective Action Plan: _____ DEP ePermitting: _____ DEP ePermit Number: _____

PROJECT NAME: _____ MUNICIPALITY: _____

SITE LOCATION: _____ CITY: _____ ZIP+4: _____

PROJECT ACRES: _____ CUMULATIVE DISTURBED ACRES: _____
(Project Acres is the total acreage of the planned project including support areas such as staging, borrow, or spoil areas).

Watershed: _____ Receiving Stream: _____ Chapter 93 Classification: _____

APPLICANT INFORMATION (Print or Type)

NAME: _____
FIRM: _____
ADDRESS: _____
CITY: _____ STATE: _____
ZIP+4: _____ PHONE: _____
EMAIL: _____

PLAN PREPARER (Print or Type)

NAME: _____
FIRM: _____
ADDRESS: _____
CITY: _____ STATE: _____
ZIP+4: _____ PHONE: _____
EMAIL: _____

Type of earth disturbance activity: Single Family Residential: _____ Residential: _____ Industrial/Commercial: _____
Utility: _____ Government: _____ Pond/Stream: _____ Public Road: _____ Agriculture: _____ Other: _____

FEES: (See pages 2-4 for explanation of applicable fees)

- Chapter 102 Plan Review Fee payable to: "Montgomery County Conservation District" \$ _____
- NPDES Permit Administrative Filing Fee payable to: "MCCD - Clean Water Fund" \$ _____
- Disturbed Acre Fee payable to: "Commonwealth of Pennsylvania Clean Water Fund" \$ _____

The Applicant agrees to comply with all requirements of TITLE 25, CHAPTER 102, EROSION AND SEDIMENT CONTROL RULES AND REGULATIONS as set forth by the Pennsylvania Department of Environmental Protection, and further agrees to obtain all necessary federal, state, county and local permits associated with the above project.

Date: _____

GENERAL INFORMATION

1. Applications are date stamped upon receipt. Applications received after 3:00P.M. will be stamped as received the next business day. The last business day of each month will have applications received after 2:00P.M. stamped for the next business day. The application will be reviewed following the Department of Environmental Protection’s current Standard Operating Procedures.
2. The review process will not begin until the applicant has provided the correct fees required for the submitted plan review.
3. The fee schedule will apply when an earth disturbance activity is required to be submitted for an adequacy review of the Chapter 102 regulations.
4. The fee charged for adequacy review will cover the initial review. A cover letter based on the initial review letter, which details the corrections made item by item, must be included with the revised plan. All changes (revisions) made on the resubmitted drawing sets must be highlighted. Additional fees for subsequent reviews will be required (see Revisions section on page 3).
5. For larger projects to be developed as separate phases, each resubmission of a different project area (different phases) on the same tract of land will be charged an additional fee for the earth disturbance in that phase.
6. The Montgomery County Conservation District and DEP recommends a pre-application meeting with the District prior to submitting the application for a NPDES permit. The Applicant is required to attend the pre-application meeting.
7. The District will email all correspondence unless another method is indicated.

FEES

AN NPDES PERMIT FOR EARTH DISTURBANCE ASSOCIATED WITH CONSTRUCTION ACTIVITIES IS REQUIRED FOR EARTH DISTURBANCE ACTIVITY OF ONE (1) ACRE OR MORE OVER THE LIFE OF THE PROJECT:

1. All submissions will require a Chapter 102 Plan Review Fee payable to “Montgomery County Conservation District” (See below). **Please note that NPDES Permitted projects will also require two additional checks for the NPDES Permit Administrative Filing Fee and a Disturbed Acre Fee.**
2. All new and renewal submissions require a NPDES Permit Administrative Filing Fee payable to “MCCD - Clean Water Fund” for **\$500.00** for a General NPDES Permit or **\$1,500.00** for an Individual NPDES Permit.
3. A Disturbed Acre Fee payable to “Commonwealth of Pennsylvania Clean Water Fund,” which is equal to the number of disturbed acres, rounded to the nearest whole acre, at **\$100** per disturbed acre.
4. Requests for an additional set of “adequate stamped” plans will be charged a \$95 processing fee. The plans to be stamped must be the exact set of plans that were originally stamped. Modifications to the plan sets do not qualify for this fee.

Chapter 102 Plan Review Fee Schedule:

<u>DISTURBED ACRES</u>	<u>FEE FOR SERVICE</u>
0.1 to .99	\$455.00
1 to 4.99	\$1,950.00
5 to 9.99	\$3,095.00
10 to 19.99	\$4,510.00
20+	\$4,510.00 plus \$100.00 per acre over 20 (round to nearest whole acre)

Single Residential Lot:

A fee of **\$200.00** will be charged for a single residential lot with minimal earth disturbance (½ ac. or less), on less than 3% slope.

Agriculture Construction:

The above fee schedule will apply for agricultural earth disturbance other than agricultural “plowing or tilling” and animal heavy use areas. The NPDES permit requirement may also apply depending on acres to be disturbed.

Chapter 105 or other Water Quality Permit:

Chapter 102 Plan review for a Chapter 105 Permit will be charged **\$200.00** per encroachment unless the application is part of a larger project plan being reviewed by the Conservation District.

ADJUSTMENT OF FEES for the Chapter 102 adequacy review of Project Plans

Only PennDOT is exempt from the Chapter 102 Plan Review fee, NPDES Permit Application fee and the Disturbed Acre Fee. PennDOT must be the applicant for fees to be waived.

Timber Harvesting:

- A. Select Cutting: A fee of **\$95.00** for Select Timber Harvesting will be charged.
- B. Clear Cutting: A fee based on 10% of the entire timber sale project area in acres will be assumed to be the disturbed area. The fee would then be based on this calculated 10% of the project. Example: 25-acre timber harvest fee would be 10% of 25 acres or 2.5 acres, which equals \$1,950.00 (1 to 4.99 ac.).
- C. Clear cutting for the purpose of land development does not qualify as Timber Harvesting; this is considered earth disturbance associated with construction activity.

Corrective Action Plan:

A Corrective Action Plan (CAP) fee based on the BMP tributary area in acres will be assumed to be the disturbed area. The fee would then be based on this calculated tributary drainage area. Example: A CAP for a BMP having a tributary drainage area of 3.0 acres would have a CAP review fee of \$1,950.00.

Revisions:

District Inadequate Letter: Applications determined to be inadequate to meet compliance with Title 25 – Chapter 102, Erosion & Sediment Control, which may require a second review and have more than minor or “verbal” review comments, will be subject to a review fee of 50% of the review fee in effect at the time of submission. Minor or “verbal” comments are those comments where the planned or implemented BMPs are adequate to minimize accelerated erosion and sedimentation, and/or will not require verifying calculations or other in-depth review. Minor or “verbal” comments may include, but are not limited to a CAD file layer not turned on, a missing scale, failure to include required notes and/or details, minor design revisions, etc. This is at the discretion of the reviewer.

District Adequate Letter: Applications which receive a letter of adequacy and are resubmitted with amendments will be processed as either a minor amendment or a major amendment following PA DEP’s current guidance on minor v. major amendments. For purposes of determining the Chapter 102 Plan Review Fee for an amendment, plans with insignificant changes (such as where the planned or implemented BMPs are adequate to minimize accelerated erosion and sedimentation, and/or will not require verifying calculations or other in-depth review & approval) will be subject to a \$95.00 processing fee, and plans which are resubmitted as a minor or major amendment will be subject to a review fee of 50% of the review fee in effect at the time of resubmittal to the District. The District reserves the right to charge a full fee if the changes are deemed significant. A full fee will be charged on all additional acreage.

Renewals:

For NPDES permitted projects that are being submitted for renewal with no changes to the originally permitted application and meet the current regulations of Chapter 102, a fee of **\$250** will apply. NPDES permitted projects submitted for permit renewal, which require and/or propose changes, will be charged a fee of 50% of the review fee in effect at the time of re-submittal to the District. When renewing NPDES permitted projects, an NPDES Permit Administrative Filing Fee (**\$500.00** for a General NPDES Permit or **\$1,500.00** for an Individual NPDES Permit) must be paid. The Disturbed Acre Fee does not need to be paid if there are no additional acres of disturbance. A Disturbed Acre Fee would be needed for any additional proposed disturbance.

Cancelled Projects:

The application fee for the NPDES permit and/or adequacy review of the Chapter 102 Plans will be returned upon receipt of a written correspondence from the applicant requesting withdraw of the application. The correspondence must be received prior to the District initiating the completeness review and/or technical review, respectively.

E & S Plan Information: (Please use the E & S Pollution Control Technical Review Checklist located in the E & S Pollution Control Manual pages 355-356). All plans must be folded. Rolled plans will not be accepted without prior approval.

Non-Permit Application: (Earth disturbance activity of less than one (1) acre)

Typically, this refers to E & S Plans submitted for review per municipal ordinance, compliance, or E & S plans submitted as a requirement or condition of other state or federal water quality permits. Two (2) sets of all documents (application, drawings/designs, narrative, and calculations) are required.

The District adequate letter for the Erosion & Sediment Control plan for less than one (1) acre of earth disturbance is valid for three years from the date of the District adequate letter.

NPDES PERMIT INFORMATION

1. For NPDES Permit application; all information as indicated on the Notice of Intent form must be included with this application form:

GENERAL NPDES:	One (1) paper and one (1) electronic copy of all documents
INDIVIDUAL NPDES:	One (1) paper and one (1) electronic copy of all documents
2. All NPDES permit applications must contain a Post-Construction Stormwater Management (PCSM) Plan as a separate narrative and separate drawings labeled as PCSM Plan. The (PCSM) Plan must address all items listed in the permit application checklist.
3. Applications which receive a letter of adequacy are valid until the NPDES permit expiration date or the Notice of Termination has been acknowledged, provided no changes to the plan or implementation of the plan have occurred which alter the effectiveness of the BMPs.
4. If the NPDES application is not administratively complete, the first resubmission of requested information will be handled at no additional fee. If additional resubmissions are deemed appropriate, each resubmission will be subject to a **\$500.00** fee.

ADDITIONAL INFORMATION/ DEFINITIONS

1. Total Project Area: The entire parcel of land controlled by the Landowner/Developer will represent the total project area for the proposed improvements. Open space areas are to be included in the total project area.
2. Disturbed Area: That portion of the total project area which will be disturbed for any reason throughout the life of the construction project until final stabilization has been achieved.
3. Off-Site Earth Disturbance: Off-site areas of earth disturbance associated with the project require a written Erosion & Sediment Control plan (>5,000 sq. ft), and implementation of the plan. NPDES permit requirements may also apply.
4. Single Residential Lot: Single family home built on individual lot, including driveways/roads.
5. Commercial, Industrial: Includes office buildings, retail stores, restaurants, hotels/motels, manufacturing, warehouses, parking lot, athletic fields, golf courses, etc.
6. Utility Lines: Review fee is based on the total disturbed area (length x width) converted to acres.
7. Agriculture Construction Activity: Review fee is based on the total earth disturbance.
8. General NPDES Permit: For earth disturbance activity of one (1) acre or more not draining into a special protection watershed.
9. Individual NPDES Permit:
 - a. For earth disturbance activity of one (1) acre or more in a Special Protection Watershed (High Quality or Exceptional Value).
 - b. If the project has the potential to discharge toxic pollutants.
 - c. Where the requirements of Chapter 102 are not able to be met and the proposed application has the potential to cause significant adverse environmental impact.
10. Corrective Action Plan: There are two main types of PCSM compliance situations that may lead to the development of a corrective Action Plan (CAP). The first scenario deals with Earth Disturbance activities that are done without a required permit, and the second deals with situations where there is a permit, but the permittee has either not followed the approved plan or there are enough failures and issues that cannot be addressed through normal operation and maintenance that a new one needs to be developed. For additional information, please see the DEP Bureau of Clean Water Standard Operating Procedure (SOP) - Compliance Strategy for Post Construction Stormwater Management, BCW-ENF-005, July 2018.