

BOROUGH OF MANSFIELD

APPLICATION AND PROCEDURAL PACKAGE

FOR

SUBDIVISION AND LAND DEVELOPMENT
APPROVAL

(A Guide for the Potential Developer)

BOROUGH OF MANSFIELD

TIOGA COUNTY

PENNSYLVANIA

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SUBDIVISION & LAND DEVELOPMENT PROCEDURAL GUIDELINES

PURPOSE:

The Borough of Mansfield has enacted an Ordinance (Chapter 141 of the Code of the Borough) that provides for the control of the subdivision and development of land and the approval of plats and re-plats of land within the jurisdiction of the Borough. The approval of subdivision and development of land as defined in this Ordinance is vested in the Borough Planning Commission for Minor and the Borough Council for Major. The purpose of this package is to provide a guideline for the subdivision and development of land approval process and plan submittal requirements as specified in the Ordinance.

FOR ASSISTANCE IN COMPLETING AN APPLICATION AND/OR FOR ANY QUESTIONS, PLEASE CONTACT ANY OF THE FOLLOWING @ 717 662-2315:

CODE ENFORCEMENT OFFICER - SHAWN D. FORREST

BOROUGH MANAGER - ED GRALA

PLANNING COMMISSION CHAIRMAN - FRANCES KOLLAR

WHAT IS LAND DEVELOPMENT AND/OR A SUBDIVISION

(As defined in §141-5 of the Ordinance)

LAND DEVELOPMENT (DEVELOPMENT OF LAND):

- (1) The improvement of one (1) lot or 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 nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots, regardless of the number of occupants or tenure; or
 - (b) 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 as defined in this Chapter;
- (3) The following are excluded from the definition of "Land Development:"

- (a) The conversion of an existing single-unit detached dwelling or single-unit semidetached dwelling into not more than three (3) residential units, unless such units are intended to be a condominium;
- (b) The addition of an accessory building, including farm buildings on a lot or lots subordinate to an existing principal building.

LAND DEVELOPMENT, MINOR - A Land Development that meets the following criteria:

- (1) The Lot or site encompasses one (1) acre or less;
- (2) The total proposed building area is less than 10,000 square feet; or
- (3) The proposal involves less than a ten percent (10%) expansion of any existing use or building.

SUBDIVISION -- The division or re-subdivision of a lot, tract or parcel of land by any means into two (2) or more lots, tracts, parcels or other divisions of land including changes in existing lot line for the purpose, whether immediate or future, of lease, transfer of ownership of building or lot development.

- (1) The enumerating of lots in a Subdivision shall include as a lot that portion of the original tract remaining after other lots have been subdivided therefrom.
- (2) The combining of two (2) or more recorded lots into one (1) lot via the creation of a new deed shall not constitute subdivision, provided that no existing lot is divided by any means.

SUBDIVISION, MAJOR — All subdivisions that do not meet the definition of a Minor Subdivision.

SUBDIVISION, MINOR — The division of any single lot, tract or parcel of land, or any part thereof, into less than five (5) lots, tracts or parcels of land including changes in street lines or lot lines, for the purpose, whether immediate or future, of transfer of ownership only for single unit dwellings , where any such lot, tract or parcel of land abuts a street of sufficient width and such change or transfer does not require that a street be laid out through unimproved land.

LAND DEVELOPMENT AN SUBDIVISION APPLICATION PROCESS

SKETCH PLAN

*(Except in the case of lot annexations/sketch plan for record **submission of a Sketch Plan is optional**)*

- PURPOSE: For informal discussion
- REQUIRED DATA: See § 141-17
- SUBMISSION DATE: 28 days prior to regularly scheduled Planning Commission meeting
- SUBMISSION DATA: 9 copies of Sketch Plan
9 copies of supporting/supplemental information
filing fee
6 copies of the Application
- REVIEW PROCESS:
1. Review & recommendation by Planning Commission, within 30 days of submission.
 2. Action by Borough Council within 90 days of Planning Commission meeting.
 3. Notification of action to Applicant within 15 days of decision.

PRELIMINARY PLAN

- PURPOSE: Required submittal of plan and supporting documentation
- REQUIRED DATA: See § 141-18
- SUBMISSION DATE: 28 days prior to regularly scheduled Planning Commission meeting
- SUBMISSION DATA: 5 Copies of an Application
10 Preliminary Plan Prints - complying with requirements of § 141-18
8 copies of supporting information and plans per § 141-18
Filing fee
Affidavit of ownership or legal proof of authority
Phasing schedule if installation of improvements will exceed 5 years

REVIEW PROCESS:

1. Borough Engineer Review - determination if submittal meets requirements of § 141-18
2. Borough Code Enforcement Officer Engineer Review - determination if submittal meets requirements of § 141-18 and Chapter 162, Zoning
3. Borough Manager Review - determination if submittal meets requirements of § 141-18
4. Borough Planning Commission Review:

MINOR LAND DEVELOPMENT/SUBDIVISION

Planning Commission action within 90 days of submission - including steps 5, 6 and 8

If submittal meets all requirements for a Final Plan

MAJOR LAND DEVELOPMENT/SUBDIVISION

Planning Commission recommendation to Borough Council.

5. Review by County Planning Commission - no action by Borough until 30 day time frame has ended
6. Optional Public Hearing - upon public notice
7. Action by Borough Council within 90 days of Planning Commission meeting at which the Application is first reviewed.
8. Notification of action to Applicant within 15 days of decision.
9. Planning Commission and/or Borough Council, whichever is the approving body, may impose conditions and time frames for same to be met
10. **APPROVAL OF A PRELIMINARY PLAN DOES NOT AUTHORIZE RECORDING OR CONSTRUCTION OF PLAN - FINAL PLAN SUBMISSION IS REQUIRED**

FINAL PLAN

PURPOSE:

Final submittal of all required plans and supporting documentation

REQUIRED DATA:

See § 141-19

SUBMISSION DATE: 28 days prior to regularly scheduled Planning Commission meeting and within 12 months of Preliminary Plan Approval

SUBMISSION DATA: 5 Copies of an Application
10 Preliminary Plan Prints - complying with requirements of § 141-18
8 copies of supporting information and plans per § 141-18
Evidence of review erosion and sedimentation control plan by Tioga County Conservation District
Evidence that Final Plan has been submitted to utility companies that will serve development
Affidavit of ownership or legal proof of authority

REVIEW PROCESS:

1. Borough Code Enforcement Officer Engineer Review - determination if submittal meets requirements of § 141-19, Chapter 162, Zoning, and conforms to Preliminary Plan as modified by Borough action - failure to comply shall be grounds for the CEO to reject Plan for review
2. Borough Engineer Review - determination if submittal meets requirements of § 141-19
3. Borough Manager Review - determination if submittal meets requirements of § 141-19
4. Borough Planning Commission Review:

MINOR LAND DEVELOPMENT/SUBDIVISION

Planning Commission action within 90 days of submission - including steps 5, 6 and 8

MAJOR LAND DEVELOPMENT/SUBDIVISION

Planning Commission recommendation to Borough Council.

5. Review by County Planning Commission - no action by Borough until 30 day time frame has ended
6. Optional Public Hearing - upon public notice
7. Action by Borough Council within 90 days of Planning Commission meeting at which the Application is first reviewed.
8. Notification of action to Applicant within 15 days of decision.

9. Planning Commission and/or Borough Council, whichever is the approving body, may impose conditions and time frames for same to be met
10. **APPROVAL OF A PRELIMINARY PLAN DOES NOT AUTHORIZE RECORDING OR CONSTRUCTION OF PLAN - FINAL PLAN SUBMISSION IS REQUIRED**
11. **FINAL PLAN SHALL NOT BE RECORDED, OR ANY ZONING OR BUILDING PERMITS ISSUES UNTIL THE REQUIREMENTS OF COMPLETION AND GUARANTEE OF IMPROVEMENTS HAVE BEEN MET.**

COMPLETION AND GUARANTEE OF IMPROVEMENTS

No Final Plan shall be endorsed by the Borough Council or Planning Commission unless an IMPROVEMENT AGREEMENT in a form acceptable to the Borough Council and Borough Solicitor has been executed.

COMPLETION OF IMPROVEMENTS

No Final Plans shall be endorsed by the Borough Council unless all improvements required by the Land Development and Subdivision Ordinance and the Improvements Agreement have been installed, inspected and approved in accordance with the Ordinance and Agreement.

IMPROVEMENT GUARANTEE

SECURITY - In lieu of completion of all improvements as specified above, the subdivider/developer shall deposit a financial security in an amount sufficient to cover the cost of **all** improvements (as submitted by the Applicant and certified to by the Applicant's Engineer) required by the Ordinance and Improvement Agreement. The financial security may be in the form of an irrevocable letter of credit or restrictive or escrow account in a federal or commonwealth chartered lending institution, and/or other such security as the Borough council approves.

CASH DEPOSIT - shall be required to cover the cost of improvement materials and labor to be provided by the Borough pursuant to an Improvement Agreement.

RELEASE OF SECURITY - When all necessary and appropriate improvements pursuant to the Improvements Agreement have been completed and inspected and approved by the Borough Engineer, the security shall be released.

PREPARATION OF AS-BUILT DRAWINGS - as-built drawings for all improvements within the subdivision or land development listed in the Improvements Agreement shall be submitted to the Borough by the developer/subdivider within 30 days of inspection and approval of same, and prior to the release of security.

MAINTENANCE GUARANTEE - Borough may require a Maintenance Guaranty for any improvements it accepts for dedication.

RECORDING OF PLAN

Within 90 days of endorsement of the Final Plan the developer/subdivider shall record the Plan in the office of the Recorder of Deeds.

NOTE - PLEASE SEE § 141-16 FOR INFORMATION ON PLANS THAT ARE EXEMPT FROM THE STANDARD PROCEDURES