

ARTICLE VI

PROCEDURE FOR APPROVAL OF A LAND DEVELOPMENT

601 APPLICABILITY

- A. This Article shall apply to the following:
1. The construction of two (2) or more residential or non-residential buildings on a single lot, excluding single family and two-family dwellings.
 2. The improvement of one (1) lot for one (1) non-residential building, or one (1) multi-family residential building regardless of the number of tenants.
 3. Any addition to or structural enlargement of a non-residential structure which results in either:
 - a. An increase in the gross floor area of the building of 5,000 square feet or more; or
 - b. An increase in the impervious area of the lot of paved parking and/or building roof.
 4. The division or allocation of land or space among two (2) or more occupants by leasehold or condominium.
- B. This Article shall not apply to the following:
1. Improvement of one (1) lot for a single family or a two-family dwelling.
 2. The conversion of an existing single family or two-family dwelling into not more than three (3) dwelling units, unless such units are intended to be a condominium.
 3. The addition of an accessory building which is not for the same use as, or part of the use of the principal building, but which is for a use subordinate to, or supplementary to that of the principal building. Examples; Residential; garage, lawn and garden tool shed, children's play house. Commercial/Industrial; garage for company car, guardhouse, scale house. Any such structure should be of less than 625 square feet. If a building is added to a business or industry site, and if it is part of the prime function of the principal building, it is not

considered an accessory building. An accessory building is usually placed on the same lot as the principal building. However, the accessory building may go on another lot if for a good reason such as lack of space, problems with the contour of the principal lot or with its soils, etc.

4. The addition of a farm building.
5. The addition or conversion of buildings or rides within an amusement park.
6. Any addition to or structural enlargement of a non-residential structure which results in either:
 - a. An increase in the gross floor area of the building of less than 5,000 square feet ; or
 - b. An increase in the pervious area of the lot of less than 7,500 square feet.

602 PRE-APPLICATION CONFERENCE

Prior to filing an application for preliminary approval of a Land Development, the applicant or his representative may meet with the County Planning Director to obtain application forms and to discuss application procedures and applicable ordinance requirements.

The applicant shall contact the local Municipality in which the proposed Land Development is located to determine which local ordinances affect the proposed development and to obtain the necessary application forms for submitting the required applications to the local Municipality, if any. At the time that Preliminary Application for approval of a Land Development is filed with the Greene County Planning Commission, the applicant shall provide written evidence that he or she has contacted the local Municipality and has determined the applicability of all local ordinances affecting the proposed Land Development.

ANo plat which will require access to a highway under the jurisdiction of the Department of Transportation shall be finally approved unless the plat contains a notice that a highway occupancy permit is required pursuant to Section 402 of the act of June 1, 1945 (P.L. 1242, No. 428), known as the AState Highway Law, before driveway access to a State highway is permitted. If the Municipality in which the proposed development is located has adopted a Zoning Ordinance, evidence of zoning approval from the Municipal Zoning Officer shall be submitted with an application for Preliminary Approval of a Land

Development.

While no formal application is required for a pre-application conference, the applicant should provide one (1) copy of readily available information with the request for a pre-application conference which will show the location of the property and any special features such as streams, floodplains or other conditions that may affect the development of the property. Readily available resources which may be used include the deed for the property, a property survey, the Tax Maps prepared by the Greene County Assessor's Office, U.S.G.S. Quadrangle Map showing natural features and topography, the National Flood Insurance Administration (NFIA) Flood Hazard Boundary Maps, Natural Resources Conservation Service Maps of soil types and the U.S. Bureau of Mines coal mine maps.

The pre-application conference with the County Planning Director is voluntary and no formal application or fee is required. This opportunity is afforded to the applicant or his representative to obtain information and guidance before entering into binding commitments or incurring substantial expenses for plan preparation.

A pre-application conference with the County Planning Director shall not constitute formal filing of any application for approval of a Land Development, shall not bind the Planning Commission to approve any concept presented in the pre-application conference and shall not protect the applicant from any subsequent changes in ordinance provisions which may affect the proposed development between the date of the pre-application conference and the official date of filing of an application for Preliminary or Final Approval of a Land Development under the terms of this Ordinance.

603 PRELIMINARY APPLICATION SUBMISSION

The applicant shall file the application for Preliminary Approval of a Land Development required by Section 604 to the County Planning Director at least thirty (30) calendar days prior to the regular meeting of the Planning Commission. If the thirtieth day falls on a Saturday, Sunday or holiday, the application shall be filed by the close of business on the preceding working day immediately preceding.

The Preliminary Application shall not be considered to be complete and properly filed unless and until all items required by Section 604 of this Ordinance, including the Application Fee, have been received.

Upon receipt, the application shall be stamped with the date of receipt by the County Planning Director. Upon receipt, two (2) copies of the application shall be distributed to the Municipal Secretary of the local Municipality in which the proposed development is located and, if they have an engineer they can send them a copy, two (2) copies to the Greene County Conservation District for review by the District and the Natural Resources Conservation Service. Additional copies may be

requested for referral to any other appropriate review agency at the discretion of the County Planning Director.

The fee for these reviews shall be paid by the applicant in accordance with Section 1102.2 of this Ordinance.

During the review period between the date of receipt of the Preliminary Application by the County Planning Director and the next regular Planning Commission meeting, the County Planning Director shall provide a written review of the Preliminary Application to the applicant with a copy to the Chairman of the Planning Commission. The County Planning Director's review letter shall require a written and/or graphic response and submission of the corrected Preliminary Application from the applicant by the close of business three (3) working days prior to the Planning Commission meeting, not including the day of the meeting in order for the Preliminary Application to be considered complete and officially filed by the Planning Commission at their next regular meeting.

At least three (3) working days prior to the regular meeting of the Planning Commission, the County Planning Director shall forward the complete and properly filed Preliminary Application to the Chairman of the Planning Commission along with a copy of his or her review and any comments from other review agencies or consultants.

In the event that the applicant fails to meet the deadline for submission of additional information or revised drawings, the Preliminary Application shall be tabled until the next regular meeting of the Planning Commission.

In all cases, the official date of filing of the Preliminary Application shall be the date of the Planning Commission meeting at which the Commission accepts the application as complete in content and properly filed, subject to the County Planning Director's written review. The official date of filing represents the beginning of the ninety (90) day period for review and action by the Planning Commission. When possible, the Planning Commission may take action on the plan at the next regular meeting.

604 PRELIMINARY APPLICATION CONTENT FOR LAND DEVELOPMENTS

The application for Preliminary Approval of a Land Development shall be submitted in accordance with Section 603 of this Ordinance and shall include the following information:

- A. One (1) copy of the completed application form supplied by the County Planning Director.

- B. Application filing fee, as required by Section 1102.1 of this Ordinance.
- C. Eight (8) copies of a Preliminary Plat, all drawings on sheets not exceeding thirty-four inches by forty-four inches (34" x 44") accurately drawn to a scale of not less than one inch equals fifty feet (1"=50') certified by a Pennsylvania Registered Land Surveyor as to existing features, design features and boundaries. (See Appendix A for additional plat specifications.) The Preliminary Plat shall include or be accompanied by the following information:
1. Date. All revisions shall be noted and dated.
 2. A key map showing the location of the tract with reference to the surrounding properties, existing streets and streams within one thousand (1,000) feet of the land development.
 3. Title of development, including the words "Preliminary Land Development Plan;" North arrow; scale; Map and Parcel number; the name and address of the record owner; the name and address of the applicant; the name and address, license number and seal of the person preparing the survey. If the owner of the premises is a corporation, the name and address of the president and secretary shall be submitted on the application.
 4. All distances shall be in feet and decimals of a foot and all bearings shall be given to the nearest ten (10) seconds.
 5. The names, as shown on current tax records, of all owners of property within two hundred (200) feet of the land development, together with the Map and Parcel numbers of the said property.
 6. If the Municipality in which the property is located has enacted a Zoning Ordinance, the zoning district in which the parcel is located, together with the zone boundaries within two hundred (200) feet of the extreme limits of the property in question.
 7. Survey data showing boundaries of the property, building or setback lines and lines of existing and proposed streets, lots, reservations, easements and areas dedicated to public use, including grants, restrictions and rights-of-way, to be prepared by a licensed land surveyor. The name, address, signature, and seal of the surveyor shall be indicated.

8. A copy of any existing or proposed covenants, deed restrictions, modifications to this Ordinance or zoning variances covering all or any part of the parcel, shall be submitted with the application and, where appropriate, plat notations made.
9. The distance, measured along the right-of-way lines of existing streets abutting the property, to the nearest intersections with other public streets within two hundred (200) feet of the site boundaries.
10. The location and dimensions of proposed buildings and structures, all accessory structures and fences, if any, including front, side and rear yard setbacks, height of buildings and first floor elevations of said structures and floor plans thereof.
11. If applicable, Flood Hazard Zone boundaries.
12. Existing and proposed contours, referred to United States Coast and Geodetic Survey datum, with a contour interval of two (2) feet for slopes of less than ten percent (10%) and an interval of five (5) feet for slopes of ten percent (10%) or more. Existing contours are to be indicated by dashed lines and proposed contours are to be indicated by solid lines.
13. Location of existing rock outcrops, high points, watercourses, depressions, ponds, marshes, wooded areas and other significant existing features, including previous flood elevations of watercourses, ponds and marsh areas as determined by survey.
14. If any new streets and/or parking lots are proposed, profiles, indicated grading; cross sections showing the width and design of roadways, sidewalks, and parking lots.
15. Acreage, to the nearest thousandth of an acre of the site to be developed for non-residential purposes and the acreage, in square feet, of all lots to be developed for residential purposes.
16. Plans of proposed stormwater systems showing feasible connections to existing or any proposed utility systems. Pipe sizes, grades and direction of flow, locations and inlets, manholes or other appurtenances and appropriate invert and other elevations shall be indicated.

All stormwater facility plans shall be accompanied by a separate sketch showing all existing drainage within five hundred (500) feet of

any boundary, and all areas and any other surface area contributing to the calculations, and showing methods used in the drainage calculations.

17. Stormwater management plans, if required by Section 810 of this Ordinance.
18. Plans of the proposed system for sewage disposal.

In cases where either public sewage is available or extension of existing public sewage lines are needed, a letter from the Local Sewer Authority that they have been contacted in regard to the construction requirements for said facilities and that the necessary hook-up will be provided and evidence of DEP approval of the appropriate application shall be provided.

When an individual sewage disposal system is proposed, the plan for such must be approved by the State Department of Environmental Protection and the Local Sewage Enforcement Officer.

19. The location and size of all existing and proposed waterlines, valves and hydrants.

For a public system, documentation is required from the local water authority indicating that they have been contacted in regard to the construction requirements for said facilities and that the source of supply will provide the necessary quantity and quality of potable water to the Land Development.

If public water is not available, a statement indicating the type of water supply proposed to serve the land development shall be provided.

20. Documentation that the appropriate utility companies have been contacted and arrangements will be made for the installation of the utility systems and provision of service.
21. The location, type and size of proposed culverts, storm sewers, sanitary sewers, fire protection, electric and telephone lines and poles, gas and underground heating systems, pipe lines and all other utilities both above and below ground including the connection of such proposed facilities with the existing facilities according to the standards and specifications of this Ordinance.
22. Plans for sediment and erosion control and resources review, as

required by Section 802.2 of this Ordinance.

23. The number and density of dwelling units (if residential).
24. The location and dimensions of proposed freestanding signs.
25. All means of vehicular access for ingress and egress to and from the site onto public streets, showing the size and location of internal roads or driveways and curb cuts including the organization of traffic channels, acceleration and deceleration lanes, additional width and any other improvements necessary to prevent a difficult traffic situation. All pedestrian walkways and provisions for handicapped facilities in compliance with the requirements of the Americans with Disabilities Act (ADA) shall also be shown. In addition, the land development plan shall show the existing road system, located outside the development within two hundred (200) feet of the development.
26. The number, location and design of any off-street parking areas or loading areas showing size and location of bays, aisles and barriers, and proposed direction of movement.
27. If applicable, all proposed screening and landscaping including a planting plan. If provided, all recreation areas shall be indicated.
28. The methods, placement and screening of solid waste disposal and storage facilities. (Garbage Dumpster)
29. If applicable, a detailed proposal, including covenants, agreements, or other specific documents showing the ownership and method of assuring perpetual maintenance to be applied to those areas which are to be used for recreational or other common purposes.
30. If the plan is to be completed in phases, the proposed sequence of development with projected time schedule for completion of each of the several phases. Such projection shall include, where applicable, the removal of structures, trees, and brush, temporary drainage considerations, utilities, road and sidewalk improvements and provisions for the protection of top soil.
31. For all applications which propose one hundred (100) or more townhouse or garden apartment dwelling units or if total, including existing is fifty thousand (50,000) or more square feet of gross floor area of a non-residential building or buildings, a traffic report prepared

by a qualified traffic engineer shall be submitted detailing the nature and extent of trip generation expected to result from the proposed development based on the ratios and methodology contained in the current edition of the Manuals of the Institute of Transportation Engineers. The report shall include current and projected capacities and levels of service of all streets and intersections within one thousand (1,000) feet of the site proposed for development and recommendations for improvements to streets and/or traffic control devices within the site or immediately adjacent to the site.

32. A report identifying potential environmental limitations on the development site, if any, including:
- a. Subsurface conditions, including mining activities;
 - b. Landslide-prone soils;
 - c. Past strip mining and reclamation, if any;
 - d. Oil and gas wells and their status;
 - e. Wetlands, watercourses;
 - f. Steep slopes; and
 - g. Any other environmental features identified on the site.

The report shall address the way in which the design of the plan has considered these features.

33. If applicable, a notation on the plat that access to a State highway shall only be authorized by a highway occupancy permit issued by the Pennsylvania Department of Transportation under Section 420 of the State Highway Law (P.L. 1242, No. 428 of June 1, 1945).
34. If applicable, a notation on the plat that access to a Municipal street requires a driveway permit from the local Municipality.
35. Spaces for the signature of the Chairman and Secretary of the Planning Commission.
36. Documentation in the form of a letter from the Municipality in which the proposed development is scheduled to take place, indicating that they have reviewed the proposed design.

605 PRELIMINARY APPLICATION APPROVAL

605.1 Planning Commission Approval

At the first regular meeting of the County Planning Commission after submission of a Preliminary Application, the County Planning Commission shall either accept the

application as complete in content and properly filed or table the application until the County Planning Director's review is addressed, if the application is incomplete or improperly filed. The acceptance of the application or tabling of the application by the Planning Commission shall be by motion adopted by the majority of the members present. If the application is tabled, as incomplete, a copy of the County Planning Director's written review citing the specific requirements of this Ordinance which have not been met shall be provided to the applicant or his representative by the Planning Commission.

The date of the County Planning Commission meeting at which the Preliminary application is accepted as complete and properly filed shall be the official date of filing of the application and shall represent the beginning of the ninety (90) day period for County Planning Commission review and action on the application, unless the applicant agrees, in writing, to an extension of time.

The County Planning Director shall present a written report at the County Planning Commission meeting which states whether an application complies with the requirements of this Ordinance and that report shall be included in the minutes at the County Planning Commission meeting. The County Planning Commission shall not act on the application until the report of the County Planning Director and the Municipality in which the land development is located has been received or until forty-five (45) days has passed from the date of transmittal to the Municipal Secretary of the local Municipality.

Within ninety (90) days of the official date of filing of the Preliminary Application, the County Planning Commission shall either approve, approve with conditions or disapprove the Preliminary Application at a public meeting. When possible, the Planning Commission may take action on the plan at the next regular meeting.

A letter indicating approval, approval with conditions or disapproval shall be mailed to the applicant within fifteen (15) days of the date of the decision. If the Preliminary Application is not approved, the County Planning Commission shall specify the defects found in the Preliminary Application and cite the requirements of this Ordinance which have not been met.

605.2 Conditional Approval

If at the time of Preliminary or Final Approval it is found that some items which had not been applied for in a timely manner, had not been received, the Planning Commission may (as a Modification) give approval specifically conditional upon completion of these items.

605.3 Deemed Approval

Failure of the County Planning Commission to render a decision and communicate it to the applicant within the time and in the manner prescribed by this Ordinance shall be deemed an approval of the application in the terms as presented, unless the applicant has agreed, in writing, to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.

606 FINAL APPLICATION SUBMISSION

The applicant shall file the application for Final Approval required by Section 607 to the County Planning Director at least thirty (30) calendar days prior to the regular meeting of the Planning Commission. If the thirtieth (30th) day falls on a Saturday, Sunday or holiday, the application shall be filed by the close of business on the preceding working day immediately preceding.

The Final Application shall not be considered to be complete and properly filed unless and until all items required by Section 607 of this Ordinance, including the Application Fee, have been received.

Upon receipt, the application shall be stamped with the date of receipt by the County Planning Director. Upon receipt, two (2) copies of the application shall be distributed to the Municipal Secretary of the local Municipality in which the proposed development is located, and they shall forward one copy to their municipal engineer, one (1) copy to the Greene County Conservation District and one (1) copy to the Natural Resources Conservation Service for review. Additional copies may be requested for referral to any other appropriate review agency at the discretion of the County Planning Director.

The fee for these reviews shall be paid by the applicant in accordance with Section 1102.2 of this Ordinance.

During the review period between the date of receipt of the Final Application by the County Planning Director and the next regular Planning Commission meeting, the County Planning Director shall provide a written review of the Final Application to the applicant with a copy to the Chairman of the Planning Commission. The County Planning Director's review letter shall require a written and/or graphic response and submission of the corrected Final Application from the applicant by the close of business three (3) working days prior to the Planning Commission meeting, not including the day of the meeting in order for the Final Application to be considered complete and officially filed by the Planning Commission at their next regular meeting.

At least three (3) working days prior to the regular meeting of the Planning

Commission, the County Planning Director shall forward the complete and properly filed Final Application to the Chairman of the Planning Commission along with a copy of his or her review and any comments from other review agencies or consultants.

In the event that the applicant fails to meet the deadline for submission of additional Information or revised drawings, the Final Application shall be tabled until the next regular meeting of the Planning Commission.

In all cases, the official date of filing of the Final Application shall be the date of the Planning Commission meeting at which the Commission accepts the application as complete in content and properly filed, subject to the County Planning Director's written review. The official date of filing represents the beginning of the ninety (90) day period for review and action by the Planning Commission. When possible, the Planning Commission may take action on the plan at the next regular meeting.

607 FINAL APPLICATION CONTENT

All applications for Final Approval of a land development shall include the following:

- A. One (1) copy of the completed application form supplied by the County Planning Director.
- B. Application filing fee, as required by Section 1102.1 of this Ordinance.
- C. One (1) copy of the approved Preliminary Plat.
- D. At least ten (10) days prior to the Planning Commission meeting at which the land development is being considered, the developer shall notify all property owners and adjacent Municipalities within two hundred (200) feet of the subject property, as their names appear on the County Assessment Office tax records, by certified mail, return receipt requested. Said notice shall state the time and place of the meeting, a brief description of the plan, and shall indicate that said plan has been filed with the Planning Commission and is available for public inspection.

The developer shall also cause notice of the Planning Commission meeting to be published in a newspaper of general circulation in the County at least ten (10) days prior to the meeting.

Evidence of publication of the notice and copies of the return receipts shall be submitted to the County Planning Commission at least three (3) days prior to the meeting.

- E. Eight (8) copies of a Final Plat drawn at a scale of not less than one (1) inch equals one hundred (100) feet on sheets no larger than twenty-four inches by thirty-six inches (24" x 36") with a border of one-half (1/2) inch on all sides except the twenty-four (24) inch binding edge which shall be one inch. The Final Plat shall show or be accompanied by the following information:
1. Date, name and location of the land development, the name of the owner, graphic scale and the words "Final Land Development Plan."
 2. Tract boundary lines, right-of-way lines of streets, street names, easements and other rights-of-way, land reserved or dedicated to public use, all lot lines and other boundary lines; with accurate dimensions, bearing or deflection angles, and radii, arcs and central angles of all curves; and the area of each lot.
 3. The names, exact location and widths of all existing and recorded streets intersecting or paralleling the plot boundaries within a distance of two hundred (200) feet.
 4. The purpose of any easement or land reserved for or dedicated to public use shall be designated.
 5. Map and Parcel numbers assigned to the property by the County Assessment Office, including Map and Parcel numbers of abutting property.
 6. Names of the owners of adjoining land within two hundred (200) feet.
 7. Certification by the applicant's surveyor as to accuracy of details of plat. The error of closure shall not be more than one (1) in five thousand (5,000).
 8. Certification that the applicant is the agent or owner of the land or the owner has given consent under an option agreement.
 9. When approval of a plat is required by any other officer or body of a Municipality, county or state, such approval shall be certified on the plat, or evidence shall be submitted that an application has been made for such approval.
 10. Certification from the electric utility that service will be provided to the land development, if not already submitted under Preliminary Approval.

11. For restaurants, evidence of an approved Community Environmental Control (CEC) Permit from Commonwealth of Pennsylvania, Department of Agriculture, Sanitation - Bureau of Food Safety & Laboratory Service or its successor agency.
12. A design view of the front, side and rear elevations of the proposed structures. Design view elevations are also to be shown where proposed additions or alterations affect such elevations.
13. If applicable, location, height and use of all existing and proposed structures on the property, indicating structures to be removed, if any, and the distances between proposed structures or additions to existing structures and adjacent property lines.
14. A plan showing type, size and location of all proposed signage on the site and/or the building or buildings.
15. A site lighting plan showing the location of exterior lighting fixtures proposed to light the buildings, parking areas, sidewalks and any other areas proposed for public use and documentation that proposed lighting will be shielded and reflect away from adjacent streets and residential properties.
16. Layout and design of proposed parking and loading areas and the proposed pattern of traffic circulation on the site, including pavement markings, islands, curbs, bumper guards and similar facilities.
17. Sidewalks or walkways, if any, proposed for pedestrian circulation on the site.
18. If applicable, a final landscaping plan showing the type, size and location of any plant material proposed and all areas proposed to be seeded.
19. A final grading plan, including erosion and sedimentation control measures, as required by Section 802.2 of this Ordinance.
20. If any public improvements are proposed to be installed, evidence of completion of the required improvements or evidence that a performance guarantee or other acceptable security has been accepted by the Municipality in which the improvements are located, or the individual water or sewer authority with jurisdiction.
21. If applicable, a notation on the plat that access to a State highway

shall only be authorized by a highway occupancy permit issued by the Pennsylvania Department of Transportation under Section 420 of the State Highway Law (P.L. 1242, No. 428 of June 1, 1945).

22. If applicable, a notation on the plat that access to a Municipal street requires a driveway permit from the local Municipality.
23. If applicable, evidence of PA Department of Labor and Industry approval.
24. If applicable, an N.P.D.E.S. Permit obtained from the Greene County Conservation District as provided for in Section 802.2 of this Ordinance.
25. If applicable, final stormwater management calculations and construction drawings for stormwater management facilities as required by Section 810 of this Ordinance.
26. Storm drainage plan, including location, size, slope, direction of flow, capacity and material of all storm sewers and connections to existing systems; location of all catch basins, manholes, culverts and other appurtenances; location and width of all storm drainage easements; and location of surface swales, if any.
27. A Development Agreement to be executed between the County and the developer guaranteeing compliance with the approved plan and any conditions attached to the approval.
28. Documentation from the Municipality in which the proposed land development is located that all local ordinances have been complied with.
29. Spaces for signature of the Chairman and Secretary of the Planning Commission and date of approval.

608 FINAL APPROVAL

608.1 Planning Commission Approval

At the first regular meeting of the County Planning Commission after submission of a Final Application, the County Planning Commission shall either accept the application as complete in content and properly filed or table the application until the

County Planning Director's review is addressed, if the application is incomplete or improperly filed. The acceptance of the application or tabling of the application by the Planning Commission shall be by motion adopted by the majority of the members present. If the application is tabled, as incomplete, a copy of the County Planning Directors written review citing the specific requirements of this Ordinance which have not been met shall be provided to the applicant or his representative.

The date of the County Planning Commission meeting at which the Final Application is accepted as complete and properly filed shall be the official date of filing of the application and shall represent the beginning of the ninety (90) day period for County Planning Commission review and action on the application, unless the applicant agrees, in writing, to an extension of time.

The County Planning Director shall present a written report at the County Planning Commission meeting which states whether an application complies with the requirements of this Ordinance and that report shall be included in the minutes at the County Planning Commission meeting. The County Planning Commission shall not act on the application until the report of the County Planning Director has been received or until the report from the local Municipality in which the development is located has been received or until forty-five (45) days has passed from the date of transmittal to the Municipal Secretary of the local Municipality.

Within ninety (90) days of the official date of filing of the Final Application, the County Planning Commission shall either approve, approve with conditions or disapprove the Final Application at a public meeting. When possible, the Planning Commission may take action on the plan at the next regular meeting.

A letter indicating approval, approval with conditions or disapproval shall be mailed to the applicant within fifteen (15) days of the date of the decision. If the Final Application is not approved, the County Planning Commission shall specify the defects found in the Final Application and cite the requirements of this Ordinance which have not been met.

608.2 Approval with Conditions

Approval when certain required items have not been received although, applicant requested them in adequate time (circumstances, beyond their control).

608.3 Deemed Approval

Failure of the County Planning Commission to render a decision and communicate it to the applicant within the time and in the manner prescribed by this Ordinance shall be deemed an approval of the application in the terms as presented, unless the applicant has agreed in writing to an extension of time or change in the

prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.

609 THE MEDIATION OPTION

The County Planning Commission may offer the mediation option as an aid in completing the proceedings authorized by this Article in accordance with the requirements of Section 509 of this Ordinance.

610 DEVELOPMENT AGREEMENT

All land developments shall be further subject to the requirement for a Development Agreement as specified in Section 512 of this Ordinance.

611 LAND DEVELOPMENTS WHICH PROPOSE THE EXTENSION OR INSTALLATION OF ANY PUBLIC IMPROVEMENTS

Land Developments which propose the extension or installation of any public improvements, as defined by this Ordinance, shall be further subject to Section 508.4 and Sections 510 through 512 of this Ordinance governing installation of public improvements and posting of financial security to guarantee their proper installation.

612 RECORDING

A land development plan shall not be required to be recorded in the County Recorder of Deeds Office, if the land development is proposed on a lot or lots of record, unless a Declaration Plan is required to be recorded by the PA Unit Property Act for a condominium.

Any land development plan which involves the subdivision, resubdivision or consolidation of property or the dedication of easements or rights-of-way for public improvements shall present a Final Plat for recording purposes with the application for Final Approval of the land development. The Final Plat for recording shall be prepared in accordance with the requirements of Section 404 for a Minor Subdivision.

613 FILING OF COPIES

If the land development is required to be recorded, the applicant shall deliver to the County Planning Director, one (1) paper print of the final plat containing the required signatures and date of approval. One (1) paper print of the final plat, as approved, shall be delivered by the applicant to the Municipal Secretary of the local Municipality in which the plan is located.

614 EXPIRATION OF FINAL APPROVAL OF A LAND DEVELOPMENT PLAN

If construction of a land development, which has been granted Final Approval, with or without conditions, is not initiated and diligently pursued within six (6) months of the date of Final Approval, Final Approval shall expire automatically. The Land Development Officer shall give written notice to the applicant within thirty (30) days of the date of expiration of Final Approval, including notification of the requirements to reinstate Final Approval provided in Section 615 of this Ordinance. Any construction which occurs after notice from the Land Development Officer shall constitute a violation of this Ordinance and shall be subject to the Enforcement Remedies of Section 1107 unless Final Approval is reinstated in accordance with Section 615.

615 REINSTATEMENT OF FINAL APPROVAL OF A LAND DEVELOPMENT PLAN

In the event that final approval of the land development plan has expired as provided for in Section 614 of this Ordinance, the County Planning Director is authorized to reinstate the signatures of the proper officers of the County indicating approval, provided there are no changes in the land development plan previously granted Final Approval and all the requirements of this Ordinance regarding posting of a Performance Guarantee and execution of a Development Agreement, if required, have been met and, further, provided the plan is submitted for reinstatement of approval within ninety (90) days following the expiration of Final Approval.

Any request for reinstatement of Final Approval which is submitted after nine (9) months from the date of the original grant of Final Approval shall be required to resubmit an application for Final Approval in conformance with the requirements of Sections 606 through 613 of this Ordinance.