

**UPPER SOUTHAMPTON TOWNSHIP
RESOLUTION NO. 2000- 6**

A RESOLUTION OF THE TOWNSHIP OF UPPER SOUTHAMPTON, COUNTY OF BUCKS, COMMONWEALTH OF PENNSYLVANIA REPEALING RESOLUTION NO 96-10 AND RESOLUTION NO. 97-12 WHICH ESTABLISHED A PROCEDURE FOR PROCESSING MINOR LAND DEVELOPMENT

WHEREAS, the Board of Supervisors of Upper Southampton Township, County of Bucks, Commonwealth of Pennsylvania enacted Resolution No. 96-10 and Resolution No. 97-12 which establishes a procedure to process minor land development applications within the Township; and

WHEREAS, the Board of Supervisors desires to repeal Resolution No. 96-10 and Resolution No. 97-12 as the Board has determined that the process and procedure established is not beneficial to the Township or in the best interest of the residents and property owners of the Township.

NOW THEREFORE, the Township of Upper Southampton, County of Bucks, Commonwealth of Pennsylvania resolves that:

- 1 Resolution No. 96-10, a copy of which is attached as Exhibit "A" is hereby repealed
- 2 Resolution No. 97-12, a copy of which is attached as Exhibit "B" is hereby repealed.
- 3 This Resolution shall become effective immediately upon its enactment

RESOLVED this *3rd* day of October, 2000

BOARD OF SUPERVISORS
TOWNSHIP OF UPPER SOUTHAMPTON


Lola Buckians, Chairman

ATTEST:

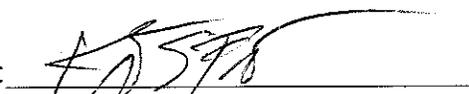

Keith Froggatt, Secretary/Treasurer

EXHIBIT "A"

RESOLUTION NO. 96-10

A RESOLUTION OF THE TOWNSHIP OF UPPER SOUTHAMPTON, COUNTY OF BUCKS, COMMONWEALTH OF PENNSYLVANIA ESTABLISHED BY A PROCEDURE FOR PROCESSING MINOR LAND DEVELOPMENT.

WHEREAS, The Township of Upper Southampton has enacted a Subdivision and Land Development Ordinance which regulates the development of land and land uses in the Township; and

WHEREAS, The Board of Supervisors of the Township of Upper Southampton recognizes that under certain limited circumstances relief from the Land Development Regulations may be appropriate; and

WHEREAS, The Board of Supervisors of the Township of Upper Southampton desires to establish a procedure to permit an Applicant to request a waiver from certain provisions of and strict compliance with the Upper Southampton Subdivision and Land Development Ordinance for small land development(s).

NOW THEREFORE, The Township of Upper Southampton, County of Bucks, Commonwealth of Pennsylvania resolves that:

1. The Board of Supervisors of Upper Southampton Township hereby establishes a procedure whereby an applicant for a small land development (hereinafter referred to as "Minor Land Development") may request a waiver from certain provisions of the Land Development Regulations if the Development shall consist only of the expansion of an existing building, and if the existing site facilities will not require improvement to satisfy the minimum requirements of the Upper Southampton Township Zoning Ordinance and the Upper Southampton Township Subdivision and Land Development Ordinance. Every applicant for a Minor Land Development shall

acknowledge that Upper Southampton Township shall at no time be bound to waive the provisions of the Upper Southampton Land Development Regulations and that Upper Southampton Township may at its sole discretion deny an application for a Minor Land Development and require the applicant to conform to all the terms and provisions of the Land Development Regulations. An applicant is not required to file an application for a Minor Land Development and all applicants have a right to file applications which conform to the provisions of the Upper Southampton Township Subdivision and Land Development Ordinance. The procedures set forth herein are informal and intend to benefit those applicants who intend to proceed with minor and limited expansion of an existing site.

2. The procedure for an application for a Minor Land Development shall be as follows:

- A. The application form provided by Upper Southampton Township shall be signed by the applicant and filed with the Township.
- B. The application for approval of a Minor Land Development shall include the submission of twelve (12) sets of Final Plans for distribution as follows:

Board of Supervisors	five
Planning Commission	one
Solicitor	one
Township Manager	two
Engineer	one
Zoning Officer	one
Fire Marshall	one

C. Application Procedure

(1) The applicant shall submit the required number of copies of the Final Plan and supporting information, application forms, and fees to the Township.

(2) Within five (5) weeks of submission, the Planning Commission, Solicitor, Engineer, Zoning Officer, and Fire Marshall shall determine if the application complies with the requirements for a Minor Land Development and shall advise the Board of Supervisors if the applicant's request for a waiver of the Land Development Regulations is in accordance with the intent of this Resolution.

(3) At the next regularly scheduled Board of Supervisors Meeting after the receipt of all recommendations pursuant to paragraph (2) above, the Board of Supervisors shall determine the acceptability of the applicant's submission and request for a waiver. If approved, no further action shall be required of the applicant. If rejected by decision of the Board of Supervisors, the applicant shall be required to prepare and submit documents for the development in accordance with all of the requirements and procedures as set forth in the Upper Southampton Township Subdivision and Land Development Ordinance.

3. The applicant shall submit such detailed plans and supporting documentation as is necessary to prove to Upper Southampton Township that a waiver of the strict compliance with the Land Development Regulations is reasonable and advisable. As a guideline, the Applicant shall refer to Part 8, Section 808 entitled "Final Plan" and Section 809 entitled "Record Plan" of the Upper Southampton Subdivision and Land Development Ordinance.

4. General Provisions

A. Simultaneously with the filing of the application and plans for the Minor Land Development Waiver and waiver of certain Land Development Regulations, the applicant shall pay a fee to the Township in the amount of Five Hundred Dollars (\$500.00). In addition, Applicant shall post an escrow in the amount of One Thousand Dollars (\$1,000.00) to reimburse the Township the costs of the review of the Plan by the Township Engineer and the Township Solicitor. Said fee and escrow amounts may be changed from time to time by Resolution of the Board of Supervisors.

B. Once a tract of land has received an approval for a Minor Land Development, the same tract, or any portion thereof, shall not be approved thereafter for a Minor Land Development, but shall be subject to all of the provisions and requirements of the Upper Southampton Township Subdivision and Land Development Ordinance.

C. All applications for a waiver and Minor Land Development shall be signed by the applicant subject to the application.

D. If Upper Southampton Township shall fail to render a decision on the minor land development application, then and in that event, failure of Upper Southampton Township to take action shall be a deemed denial of the Plan. Thereafter, the applicant shall file a new application and conform to all of the provisions and requirements of the Upper Southampton Township Subdivision and Land Development Ordinance.

5. This Resolution shall become effective immediately upon its enactment.

Attest:

BOARD OF SUPERVISORS
TOWNSHIP OF UPPER SOUTHAMPTON

Secretary

Chairman

EXHIBIT "B"

RESOLUTION NO. 97-12

A RESOLUTION OF THE TOWNSHIP OF UPPER SOUTHAMPTON, COUNTY OF BUCKS, COMMONWEALTH OF PENNSYLVANIA AMENDING THE PROCEDURE FOR PROCESSING MINOR LAND DEVELOPMENT(S).

WHEREAS, The Township of Upper Southampton has enacted a Subdivision and Land Development Ordinance which regulates the development of land and land uses in the Township; and

WHEREAS, The Board of Supervisors of the Township of Upper Southampton recognizes that under certain limited circumstances, relief from the Land Development Regulations may be appropriate; and

WHEREAS, The Board of Supervisors of the Township of Upper Southampton established a procedure to permit an Applicant pursuant to Resolution #96-10 to request a waiver from certain provisions of and strict compliance with the Upper Southampton Subdivision and Land Development Ordinance for small land development(s); and

WHEREAS, The Board of Supervisors of the Township of Upper Southampton desire to amend such procedure by including reviews by the Bucks County Planning Commission and the Bucks County Conservation District and by extending the review period for all agencies to six (6) weeks.

NOW THEREFORE, The Township of Upper Southampton, County of Bucks, Commonwealth of Pennsylvania resolves that:

1. The Board of Supervisors of Upper Southampton Township hereby establishes a procedure whereby an applicant for a small land development (hereinafter referred to as "Minor Land Development") may request a waiver from certain provisions of the

Land Development Regulations if the Development shall consist only of the expansion of an existing building, and if the existing site facilities will not require improvement to satisfy the minimum requirements of the Upper Southampton Township Zoning Ordinance and the Upper Southampton Township Subdivision and Land Development Ordinance. Every applicant for a Minor Land Development shall acknowledge that Upper Southampton Township shall at no time be bound to waive the provisions of the Upper Southampton Land Development Regulations and that Upper Southampton Township may at its sole discretion deny an application for a Minor Land Development and require the applicant to conform to all the terms and provisions of the Land Development Regulations. An applicant is not required to file an application for a Minor Land Development and all applicants have a right to file applications which conform to the provisions of the Upper Southampton Township Subdivision and Land Development Ordinance. The procedures set forth herein are informal and intend to benefit those applicants who intend to proceed with minor and limited expansion of an existing site.

2. The procedure for an application for a Minor Land Development shall be as follows:

- A. The application form provided by Upper Southampton Township shall be signed by the applicant and filed with the Township.
- B. The application for approval of a Minor Land Development shall include the submission of fourteen (14) sets of Final Plans for distribution as follows:

Board of Supervisors	five
Planning Commission	one
Solicitor	one
Township Manager	two

Engineer	one
Zoning Officer	one
Fire Marshall	one
Bucks County Planning Commission	one
Bucks County Conservation District	one

C. Application Procedure

(1) The applicant shall submit the required number of copies of the Final Plan and supporting information, application forms, and fees to the Township.

(2) Within six (6) weeks of submission, the Planning Commission, Solicitor, Engineer, Zoning Officer, and Fire Marshall shall determine if the application complies with the requirements for a Minor Land Development and shall advise the Board of Supervisors if the applicant's request for a waiver of the Land Development Regulations is in accordance with the intent of this Resolution.

(3) At the next regularly scheduled Board of Supervisors Meeting after the receipt of all recommendations pursuant to paragraph (2) above, the Board of Supervisors shall determine the acceptability of the applicant's submission and request for a waiver. If approved, no further action shall be required of the applicant. If rejected by decision of the Board of Supervisors, the applicant shall be required to prepare and submit documents for the development in accordance with all of the requirements and procedures as set forth in the Upper Southampton Township Subdivision and Land Development Ordinance.

3. The applicant shall submit such detailed plans and supporting documentation as is necessary to prove to Upper Southampton Township that a waiver of the strict compliance with the Land Development Regulations is reasonable and advisable. As a guideline, the Applicant shall refer to Part 8, Section 808 entitled "Final Plan" and Section 809 entitled "Record Plan" of the Upper Southampton Subdivision and Land Development Ordinance.

4. General Provisions

A. Simultaneously with the filing of the application and plans for the Minor Land Development Waiver and waiver of certain Land Development Regulations, the applicant shall pay a fee to the Township in the amount of Five Hundred Dollars (\$500.00). In addition, Applicant shall post an escrow in the amount of One Thousand Dollars (\$1,000.00) to reimburse the Township the costs of the review of the

Plan by the Township Engineer and the Township Solicitor. Said fee and escrow amounts may be changed from time to time by Resolution of the Board of Supervisors.

B. Once a tract of land has received an approval for a Minor Land Development, the same tract, or any portion thereof, shall not be approved thereafter for a Minor Land Development, but shall be subject to all of the provisions and requirements of the Upper Southampton Township Subdivision and Land Development Ordinance.

C. All applications for a waiver and Minor Land Development shall be signed by the applicant subject to the application.

D. If Upper Southampton Township shall fail to render a decision on the minor land development application, then and in that event, failure of Upper Southampton Township to take action shall be a deemed denial of the Plan. Thereafter, the applicant shall file a new application and conform to all of the provisions and requirements of the Upper Southampton Township Subdivision and Land Development Ordinance.

5. This Resolution shall become effective immediately upon its enactment.

Attest:

BOARD OF SUPERVISORS
TOWNSHIP OF UPPER SOUTHAMPTON

GERALD CRANDLEY, SECRETARY

DARWIN DOBSON, CHAIRMAN