

Citizen and Developer's Guide to the Permitting and Approval Process for Land Development in **Madison Township**, Columbia County, Pennsylvania



Contact Information

Madison Township
PO Box 620
Millville, PA 17846
Phone: (570)458-0224
Fax: (570)458-6914

Township Supervisors *(Meets the Second Monday of each month at 7:00pm at the Jersey town Community Center, Jerseytown, PA)*

Claire Swartz	(570)458-5170
Glen D. Titman	(570)784-4986
Michelle Densberger	(570)437-2001

Township Secretary

Peggy Long	(570)458-0224
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Hours: Monday/Wednesday/Thursday (8:30-3:30 PM)

Sewage Enforcement Officer & Ordinance Enforcement Officer

Chris Bower	(570)458-0316
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Solicitor

Barry Lewis	(570)784-7666
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Madison Township (continued-page 2)

Planning Commission

David Little	(570)458-0180
Michelle Densberger	(570)437-2001
Charlotte Welliver	
Mike Miguez	(570)437-4317
Ed Johnson	(570)458-6959



Subdivision and Land Development

The following information is not all inclusive and is meant only to be a general guideline. For detailed requirements, applications and information consult the Madison Township Subdivision and Land Development Ordinance (SALDO) and speak with Zoning Officer

Definitions of “Subdivision” and “Land Development”

For a COMPLETE list of definitions of Subdivision and Land Development see the SALDO, Article 8, DEFINITIONS.)

Minor Subdivision: *Any subdivision abutting an existing public street or road, cumulatively involving no more than five (5) lots, parcels of land, or other divisions of land from the same parent tract as of the effective date of County Subdivision Ordinance regulations (July 1973), or which does not require a new street, common right-of-way or easement, the installation of sanitary sewers, storm sewers, water mains or pipes, or other public community improvements.*

Major Subdivision: *Any subdivision involving six (6) or more lots, parcels of land or other divisions of land whether or not they involve new streets, additional utilities or other improvements; all subdivisions not considered as minor subdivisions for plan processing purpose.*

Land Development:

The development of property as specified below:

a. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:

1. A group of two 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

2. The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.

b. Any subdivision of land.

Madison Township (continued-page 3)

(FOR EXCLUSIONS, see the definition of Land Development in the SALDO, Article 8, DEFINITIONS, Section 801 page 89 for definitions of Types of Land Development.)

Sketch Plan: *An informal plan, not necessary to exact scale, indicating salient existing features of a tract and its surroundings and the general layout of a proposed subdivision or land development.*

Submittal and Review Process

Submittal Requirements:

1. *Applications for Preliminary Plan approval shall be submitted to the planning commission and shall include:*
 - a. *Six (6) copies of the Preliminary Plat*
 - b. *Two (2) copies of all data required to be submitted with said plat. Consideration of any such application filed less than 14 days prior to a regularly scheduled meeting of the commission shall be deferred until the next regularly scheduled Commission meeting.*
2. *Submit to the Columbia County Planning Commission: One (1) copy of the application along with three (3) copies of the plan and the Required fees outlined in County SALDO, Article 9, Sec. 906, FEE SCHEDULE, page 138. The Municipalities Planning Code, Act 247-1968 requires all municipalities with adopted SALDOs to allow the County Planning Commission a thirty (30) day review and comment period, prior to final approval. After this review a County representative will sign the plans and return them to the municipality. The plans can not be recorded without the County representative's signature.*

Review Process:

1. *The Planning Commission shall review the Preliminary Plan for conformance with the provisions of this Ordinance and shall render its decisions and communicate same to the applicant not later than 90 days following the date of the regularly scheduled Planning Commission meeting next following the date the application was filed, provided that, should the next regular meeting over more than 30 days following the filing of the application, the said 90- day period shall be measure from the 30th day following the date the application was filed. A plan will be consider filed upon receipt by the Planning Commission of all required plans and supporting data, including plan review and processing fees. The applicant shall be notified in writing of the decision of the Planning Commission not later than 15 days following the decision.*
 - a. *The Planning Commission may conditionally approve the Preliminary Plan in which case it shall specify all additional information and/ or changes which shall be required. Any conditional approval is contingent upon the applicant's written acceptance of the conditions specified by the Planning Commission. The applicant shall respond as to acceptance of any conditions within 30 days of the date of receipt of the Planning Commission's written correspondence specifying said conditions. If written acceptance is received within the 30 day period, the*

Madison Township (continued-page 4)

approval shall be deemed complete, contingent upon the acceptable completion of all required items, when applicable. If written rejection is received within the 30 day period, the approval shall be nullified. Plans shall not be signed by the Planning Commission until receipt of the written acceptance from the applicant and until all applicable requirements of the approval have been adequately addressed.

- b. If the Preliminary Plan is disapproved, the Planning Commission shall specify the defects found and requirements which have not been met, citing in each case, the provisions of the Ordinance relied upon.*
- c. The Planning Commission shall note its action on a minimum of three (3) copies of the Preliminary Plan. A minimum of one (1) copy shall be retained by the Planning Commission, the remaining copies shall be forwarded to the applicant or his agent, as appropriate. When deemed appropriate by the Planning Commission, note of its denial may be in letter for in lieu of direct notations on the plan.*

Zoning

Township does not have a Zoning Ordinance.

State and Federal Requirements Associated With Subdivision and Land Development

State Contact Information

Department of Environmental Protection (DEP)

PA Dept of Environmental Protection
NC Regional Office
Office Hours 8 a.m. - 4 p.m.
Phone: 570 327-3636 (24 hours)



Department of Conservation and Natural Resources (DCNR)

State Park Region 4 (East)
Kevin Fazzini, Regional Park Manager
Phone - 215-453-5000



Department of Community and Economic Development (DCED)

Email: ra-dcedcs@pa.gov
Phone: 866-GO-NEWPA (866-466-3972)



Madison Township (continued-page 5)

Pennsylvania Department of Transportation (PennDOT)

PennDOT Engineering District 3-0
Jim Krise, Permit Manager
Telephone: 570-368-4277



pennsylvania
DEPARTMENT OF TRANSPORTATION

Department of Labor and Industry

General Information: 717-787-5279

Public Utility Commission (PUC)

General Information: 800-692-7380



Farm Bureau

General Information: 717-761-2740



State Approval and Permits

1. NPDES Permits for Discharge of Stormwater Associated with Construction Activities

- Columbia County Conservation District (570-784-1310) should be contacted at any time that you are going to be causing Earth Disturbance to check to see if a permit is required.

2. Water Obstruction and Encroachment Permits

- Columbia County Conservation District (570-784-1310) should be contacted if you are to be doing anything involving waters of the Commonwealth, *Chapter 105 regulations define this as any watercourse, stream or bodies of waters and their floodway.*

3. Sewage (Act 537) Approvals

- Any subdivisions or land developments should involve contacting the local municipal Sewage Enforcement Officer to determine if sewage planning is needed for what you are proposing. For general information a person could also contact DEP Sewage Office at 570-327-3668

4. Public Water Supply Permits

- When a involves the creation of a public water facility which is intended to distribute water to individuals a Public water supply permit is needed from DEP. Any questions can be referred to the DEP Northcentral Water Supply Offices at 570-327-3490.

Madison Township (continued-page 6)

5. Pennsylvania Historic and Museum Commission (PHMC) Review

- The role of the Pennsylvania Bureau for Historic Preservation is to advise and assist state and federal agencies in complying with their responsibilities under various legislation, such as the National Historic Preservation Act and the PA History Code, that protect historic properties. To meet this goal, the Bureau has established the Environmental Review process, through which it reviews projects for their potential to affect historic properties. Any questions should be directed to Cheryl Nagle, (Central PA) 717.772.4519

State Approval and Permits (continued)

6. Pennsylvania Natural Diversity Inventory (PNDI) Review

- PNDI stands for Pennsylvania Natural Diversity Inventory which is the Environmental Review (ER) function of the Pennsylvania Natural Heritage Program (PNHP). It is set up to help identify impacts to threatened, endangered or rare plants, animals, natural communities, and geologic features throughout Pennsylvania. Any questions or to conduct a PNDI search please visit: <http://www.naturalheritage.state.pa.us/HomePage.aspx>
- A PNDI search is needed for all subdivision and land developments. Additionally it is required in order to obtain several different types of permits from DEP including but not limited to a Sewage Permit.

7. Highway Occupancy Permits

- Any access, driveways or work to be done with in a State Right-of-Way requires a Highway Occupancy Permit to be obtained from The Pennsylvania Department of Transportation. Any and all questions regarding the need for a permit should
- be directed to the PennDOT Permit Manager Jim Krise at 570-368-4277

FEDERAL CONTACT INFORMATION

U. S. Environmental Protection Agency (EPA)

Call the Mid-Atlantic Region

(800) 438-2474 (from *within* Region 3)

(215) 814-5000 (from *outside* Region 3)



Department of Agriculture (USDA)

Bloomsburg Service Location

(570) 784-1062 ext 2

Federal Aviation Administration (FAA)

Harrisburg Region

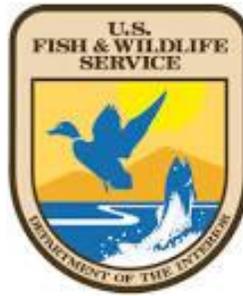
(717) 774-8271



Madison Township (continued-page 7)

Army Corps of Engineers

General Questions
202-761-0011
Regulatory (Permits)
202-761-5903



**US Army Corps
of Engineers®**

U.S. Fish and Wildlife Service (USFWS)

Northeast Region- Pennsylvania's Field Office
814.234.4090

FEDERAL APPROVAL AND PERMITS

1. **Section 404 Clean Water Act Permits** – If the applicant needed a state Chapter 105 Permit from DEP (concerning Water Obstruction and Encroachment) and additional federal permit may be needed (Section 404 Permit). Section 404 Permits are issued by the U.S. Army Corps of Engineers. This permit is required for any discharge of dredged or fill material into navigable waters of the United States.

Projects that impact less than 250 feet of a stream or less than one acre of wetlands may avoid Section 404 permit review by the Corps if they determine it qualifies for a joint permit review. This means that DEP will take the lead in reviewing the permit application. If the DEP feels the permit is acceptable they will issue a state Chapter 105 Permit and a federal Section 404 Permit known as the "Pennsylvania State Programmatic General Permit".

If the proposed project does not qualify for a joint permit then DEP and the Corps will do independent permit reviews and issue separate decisions.

2. **National Environmental Policy Act (NEPA) Review** – The National Environmental Policy Act (NEPA) requires federal agencies to integrate environmental values into their decision making processes by considering the environmental impacts of their proposed actions and reasonable alternatives to those actions.

To meet NEPA requirements federal agencies prepare a detailed statement known as an Environmental Impact Statement (EIS). EPA reviews and comments on EISs prepared by other federal agencies, maintain a national filing system for all EISs, and assure that its own actions comply with NEPA.

3. **Endangered Species Act**-The applicant should contact Fish and Wildlife Service if they get a "hit" on the PNDI (Pennsylvania Natural Diversity Inventory) for a federally listed threatened or endangered species.
4. **Federal Aviation Administration**- Applicant should contact FAA if:
 - any construction or alteration exceeding 200 ft above ground level
 - any construction or alteration:

Madison Township (continued-page 8)

- within 20,000 ft of a public use or military airport which exceeds a 100:1 surface from any point on the runway of each airport with its longest runway more than 3,200 ft
- within 10,000 ft of a public use or military airport which exceeds a 50:1 surface from any point on the runway of each airport with its longest runway no more than 3,200 ft
- within 5,000 ft of a public use heliport which exceeds a 25:1 surface
- any highway, railroad or other traverse way whose prescribed adjusted height would exceed the above noted standards
- when requested by the FAA
- any construction or alteration located on a public use airport or heliport regardless of height or location.

Disclaimer: *This guide is meant to be a general guideline for development in the Borough of Berwick. It should **NOT** be considered all-inclusive. For specific details and requirements concerning land development and subdivision contact the Berwick Borough Codes Enforcement Office.*

*Prepared by the Columbia County Planning Office staff.
Information contained within is relevant as of July, 2014.*