

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



## Contact Information

Montour Township  
195 Rupert Dr.  
Bloomsburg, PA 17815  
Phone: (570)784-4222  
Fax: (570)784-0605  
Email: [montourtwp@ptd.net](mailto:montourtwp@ptd.net)

**Township Supervisors** *(Meets the second Thursday of each month at 7:30 PM at the Montour Township Building.)*

Joseph Mullen	(570)784-7445
Gerald Powers, Chair	(570)784-7388
Lori Carl	(570)784-4222

## **Township Secretary**

Joelene C. Sponenberg	(570)784-4222
-----------------------	---------------

Hours: Monday/ Tuesday/ Wednesday (9:00-3:00 PM)  
Thursday (9:00-1:00 PM)

## **Township Clerk**

Theresa Hampton	(570)784-4222
-----------------	---------------

## **Zoning Officer**

Tim Mauk	(570)784-4222
----------	---------------

## **Building Permit**

Steven Bielskie	(570)784-8654
-----------------	---------------

## **Sewage Enforcement Officer**

James McDeavitt	(570)784-9171 (570)387-9343 (fax)
-----------------	--------------------------------------

## **Solicitor**

Richard Roberts, Jr. Esq.	(570)648-5727
---------------------------	---------------

## Montour Township (continued-page 2)

**Planning Commission** (*Meets the First Tuesday of each month at 7:00 PM*)

Linda Woodward, Chairman	(570)784-2394
Tracy May, Secretary	(570)784-4222
Forest Bennett	(570)784-6943
Cleveland Hummel Jr.	(570)784-4222
Lloyd Stegenga	(570)784-4222



### Ordinances

[Montour Township Zoning Ordinance](#)

### 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 Montour 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, Part 2, DEFINITIONS.)*

**Minor Subdivision:** *The subdivision of land into not more than four (4) lots, tracts or parcels which does not require any new streets, sanitary sewer, storm sewer, water main or distribution line or any other municipal facility or public improvements; provided, however, that the calculations of the number of lots shall be determined on a cumulative basis including all subdivisions from the parent tract subsequent to October 13, 1971, the date this chapter was first enacted. [ Ord. 7/10/1997]*

**Major Subdivision:** *Any subdivision not qualify as a minor subdivision as defined herein below. [Ord. 7/10/1997]*

#### **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.*

## Montour Township (continued-page 3)

*(FOR EXCLUSIONS, see the definition of Land Development in the SALDO, Part 2, DEFINITIONS, Section 202 page 104 for definitions of Types of Land Development.)*

**Sketch Plan:** *an informal plan, not necessarily 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. *The developer shall submit:*
  - a. *Ten (10) copies of the preliminary plan and data*
  - b. *Ten (10) copies of the application and the required fee and deposit to the Township Secretary. The Township secretary shall check the submission for completeness based on §702.*
  - c. *If incomplete he shall return the submission to the developer indicating deficiencies or, if complete accept the submission. He will mark on the plan "Preliminary Plan" and the date received, and distribute one (1) copy of the plan to the board of Supervisors*
  - d. *Two (2) copies to the Secretary of the Township Planning Commission*
  - e. *One (1) copy to each of the other four (4) members of the Township Planning Commission*
  - f. *One (1) copy to the Township Solicitor*
  - g. *One (1) copy to the Township Engineer*
  - h. *One (1) copy to the county planning commission. Where the Township secretary determines that an adjacent municipality or governmental agency may be affected by a proposed subdivision or land development he may require additional copies of the plan and transmit it to the affected municipality or agency together with instructions on contact person and deadline for review and comment. [Ord. 12/12/1991A]*
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 County Planning Commission and the Township Engineer review the preliminary plan and submit reports to the Township Planning Commission and the Board of Supervisors within thirty (30) days of submission by the Township Secretary. [Ord. 12/12/1991A]*

## Montour Township (continued-page 4)

2. *At its first regular meeting following acceptance of the complete preliminary plan submission by the Township Secretary, the Planning Commission shall review the developer's submission.*
3. *The Planning Commission shall consider the reports of the County Planning Commission and the township Engineer and discuss the preliminary plan with the developer.*
4. *Following the review of the preliminary plan with the developer, the Planning Commission shall evaluate the plan in regard to the general purpose and specific provision of this Chapter and act thereon as submitted or modified within sixty (60) days after the official filing date; and, if approved, the Planning Commission shall express its approval and state the conditions of such approval, if any, or, if disapproved, shall express its disapproval and its reasons therefor. The action of the Planning Commission shall be noted on five (5) copies of the preliminary plan, and the Commission's recommended conditions shall be attached thereto. The Planning Commission shall immediately forward four (4) copies to the Supervisors for action and retain a file copy.*
5. *At a regular meeting following the Planning Commission's meeting at which action is taken on a plan, but not later than ninety (90) days after the official filing date, the Supervisors shall review the developer's submission, together with the reports of the Township Planning Commission, the Engineer and the County Planning Commission; express its approval, its conditional approval, state the conditions of such approval, or its disapproval, stating the reasons therefor; and within fifteen (15) days following the decision, inform the developer in writing. The action of the Supervisors shall be noted on four (4) copies of the plan, together with its conditions, if any, or its reasons of disapproval. One (1) copy of the notated plan shall be forwarded to the developer, one (1) copy to the County Planning Commission, one (1) copy retained for file, and the remaining copy returned to the Township Planning Commission. [Ord. 12/12/1991A]*
6. *Approval to the preliminary plan of lots shall not constitute approval of the final plan of lots. Rather, it shall be deemed an expression of approval to the layout submitted on the preliminary plan of lots as a guide to the preparation of the final plan of lots which will be submitted for the approval of the Planning Commission and the Supervisors and for recording.*
7. *Failure of the Board of Supervisors to render a decision and communicate it to the applicant within the time and in the manner required herein may be deemed an approval of the application in terms as presented, unless the applicant had agreed in writing to an extension of time or change in the prescribed manner of the presentation of communication of the decision; in which case, failure to meet the extended time or change in manner of the presentation of communication shall have like effects.*

## Montour Township (continued-page 5)

### Zoning

For detailed requirements, applications and information consult the Montour Township Zoning Ordinance (at the web address given above) and speak with the Zoning Officer.

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



#### Pennsylvania Department of Transportation (PennDOT)

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



#### 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



## Montour Township (continued-page 6)

### 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.

#### **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

## Montour Township (continued-page 7)

### State Approval and Permits (continued)

#### 6. Pennsylvania Natural Diversity Inventory (PNDI) Review

- PNDI stands for **P**ennsylvania **N**atural **D**iversity **I**nventory 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

#### Army Corps of Engineers

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



#### U.S. Fish and Wildlife Service (USFWS)

Northeast Region- Pennsylvania's Field Office  
814.234.4090

**US Army Corps  
of Engineers®**

## Montour Township (continued-page 8)

### 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:
  - 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

## Montour Township (continued-page 9)

- 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.*