

LEHIGH TOWNSHIP
RESOLUTION 2022-5

A RESOLUTION OF LEHIGH TOWNSHIP, NORTHAMPTON COUNTY, PENNSYLVANIA, ESTABLISHING APPLICATION AND RELATED FEES FOR PROCEEDINGS BEFORE THE ZONING HEARING BOARD, PROCEEDINGS BEFORE THE BOARD OF SUPERVISORS AND ESCROW AND FILING FEES FOR SUBDIVISION AND LAND DEVELOPMENT SUBMISSIONS.

The Board of Supervisors of Lehigh Township, Northampton County, Pennsylvania, hereby resolves that:

1 Subdivision and Land Development Submission. The following fees shall be paid in connection with any application filed pursuant to the Lehigh Township Subdivision and Land Development Ordinance of 1977, as amended in 1990. (The “Subdivision Ordinance”)

A. Subdivision Application Fee. The following non-refundable subdivision application fee shall be paid to the Lehigh Township General Fund pursuant to Section 6.501 of the Subdivision Ordinance upon the filing of any Sketch Plan, Preliminary or Final Subdivision or Land Development Application (hereinafter collectively referred to as “Subdivision Applications”), in order to reimburse the Township for the advertising, notice and other necessary administrative overhead incurred in connection with said Subdivision Application as follows:

1. Site Plan Filing Fee \$200.00
2. Preliminary/Final Plan Filing Fee
 - 1 to 3 Lots \$200.00
 - 4 through 12 lots \$200.00 + \$25.00 per lot
 - 12 or more lots \$200.00 + \$35.00 per lot
3. Final Plan Filing Fee
 - a) Where applicant has paid the preliminary plan filing fee, submitted and received preliminary plan approval, there shall be no additional filing fee.
4. Sketch Plan Filing Fee \$ 100.00

2. Subdivision and Land Development Plans and Appeals Account

The Lehigh Township (“Township”) hereby establishes a checking account called the “Lehigh Township Plans and Appeals Account” (the “Plans and Appeals Account”).

A. Subdivisions and Land Development. The following deposits shall be paid in connection with any application filed pursuant to the Lehigh Township Subdivision and Land Development Ordinance of 1977, as amended in 1990 (the “Subdivision Ordinance”).

1. Plan and Review and Inspection Deposit. An Applicant shall deposit in the Lehigh Township Plans and Appeals Account the following sums at the time of the first submission of any plan, and such other funds as may be requested from time to time by the Township, as a Review and Inspection Deposit. Said deposit shall be submitted by the plan submission date. Plans will not be reviewed by the Township Engineer without payment of the appropriate escrow fee. Escrow fees are as follows:

- (a) Subdivisions where a written agreement or improvements will be required or for major subdivisions not exceeding 40 lot, the applicant shall deposit a sum of \$8,000.00 plus \$200.00 per lot.
- (b) Major Subdivisions over 40 lots, the applicant shall deposit \$10,000.00 plus \$200.00 per lot.
- (c) Major subdivisions with 6 to 9 lots, where a written agreement or improvements are not required, the applicant shall deposit a sum of \$5,000.00 plus \$100.00 per lot.
- (d) Minor subdivisions of 2 to 5 lots, the applicant shall deposit a sum of \$4,000
- (e) For Residential Land Development and Site Plans the applicant shall deposit a sum of \$4,000.00.
- (f) Commercial Land Development Plan for sites under two acres, the applicant shall deposit a sum of \$5,000
- (g) Commercial Land Development Plan for sites over two acres, the applicant shall deposit a sum of \$10,000

2. Sketch Plans. The applicant shall deposit a sum of \$2,000.00 for minor subdivision and \$3,000.00 for major subdivisions.

- B. Review Fee and Inspection Fee. Subdivision Applicants shall be assessed and pay a Review Fee intended to reimburse the Township for the reasonable and necessary charges of the Township's professional consultants or engineer for review and report on the Subdivision Application and an Inspection Fee for the estimated reasonable and necessary expenses to be incurred by the Township for the inspection of required improvements. Throughout the review process of any subdivision or land development, the Secretary shall prepare a Statement of Account in which the Applicant shall be credited for any Deposits made pursuant to Section 1a of this Resolution and in the same manner, the developer shall be charged for appropriate expenses. The original amount must be replenished back to the original amount when requested by Lehigh Township, or the Township may request an additional deposit to cover anticipated remaining expenses. If the escrow is not replenished to the requested amount, no further reviews will be done, nor will such plan be recorded until all fees due Lehigh Township are paid in full. Review Fees and Inspection Fees shall be in accordance with the ordinary and customary fees charged by the Township Engineer and/or consultants for work performed for similar services. A schedule of the Township Engineer's review rates and fees is attached hereto.
- C. Final Release of Financial Security. Prior to the final release of any financial security required pursuant Section 147-38 of the Subdivision and Land Development Ordinance, the Secretary shall prepare a Final Review and Inspection Fee Statement of actual Review Fees and Inspection Fees incurred. In the event that the balance in the Applicant's account exceeds any expenses incurred, the Secretary shall direct that an appropriate refund be made to the Applicant.

The funds held in the Plans and Appeals Account shall be held in one checking account. A separate ledger shall be available for inspection by any Applicant, the Township and the public both as to payments and disbursements, provided, however, that all engineering and consulting fees attributable to the Application in question shall be charged against the respective account of the Applicant and checks shall thereafter be drawn, payable to the engineering or consulting firm representing the Township or other payees from the Plans and Appeals Account.

3. Zoning Hearing Board. The following fees shall be paid in connection with any application made to the Zoning Hearing Board pursuant to Section 830 of Lehigh Township Zoning Ordinance of 1968 (the "Zoning Ordinance").
- A Hearing Application Fee. An Applicant before the Zoning Hearing Board shall pay a non-refundable application fee into the General Fund Account in order to reimburse the Township and/or Zoning Hearing Board for stenographic appearance fee, compensation paid to the Secretary and members of the Zoning

Hearing Board, notice and advertising costs, and necessary administrative overhead connected with the hearing. No application shall be considered complete and no hearing will be scheduled until the Application Fee is paid.

Residential Variance Applications	\$ 750.00
Residential Businesses (i.e. Home Occupations, Farm Occupation, Kennels, etc)	\$ 1,000.00
Commercial Use Applications	\$ 1,500.00

B. Additional Hearing Fee. In the event it shall become necessary to hold an additional public hearing on an Application before the Zoning Hearing Board, by reason of the Applicant's desire to present testimony that cannot be reasonably presented in one two-hour hearing session, or otherwise at Applicant's request or in the event the Zoning Hearing Board determines the Applicant's application is insufficient and additional information is needed in order for the Zoning Hearing Board to make a final decision, the Applicant shall pay an additional hearing fee. If the additional hearing is announced during the original hearing and no additional advertising is required, the Additional Hearing Fee shall be \$600 for each additional hearing. In the event advertising is required a fee equal to their original application fee shall be due into the General Fund Account for each such additional hearing. Payment of the additional hearing fee shall be due within five days of the determination that an additional hearing is required. In the event the Applicant fails to pay the additional hearing fee within the five (5) day period, the Zoning Hearing Board, at its option, may continue with the hearing, consider the hearing closed as of the date of the last hearing, and/or deny the relief requested by the Applicant on the basis of such nonpayment, at the discretion of the Zoning Hearing Board.

C. Rescheduling/Postponement Fees. In the event an applicant chooses to reschedule or postpone his hearing after it has been advertised, the applicant shall pay a rescheduling fee into the General Fund Account for reimbursement of the additional expenses associated with the rescheduling.

Residential Applicants	\$ 400.00
Commercial Applicants	\$ 600.00

D. Stenographic Fees. The cost of the appearance fee for a Court Reporter is included within the Application Fee and Additional Hearing Fee. Said fees, however, do not include the cost of any transcription of the stenographic record. Any such costs shall be paid as specified in Section 908 of the Municipalities Planning Code.

4. Conditional Use Hearings. An Applicant before the Board of Supervisors shall pay a non-refundable application fee of \$200.00 into the General Fund Account for administrative expenses. In addition, the applicant shall deposit \$3,500.00 into an escrow account to be held to cover the expenses associated for stenographic appearance fee, advertising costs, engineering fees or other necessary expenses associated with the hearing. No application shall be considered complete and no hearing will be scheduled until all fees are paid.
5. Zoning Amendments. Any application to the Board of Supervisors for a zoning amendment where a zoning classification of any particular parcel of land in the Township is to be changed pursuant to Section 609 or Section 609.1 of the Municipalities Planning Code shall first deposit with the Township, in the Plans and Appeals Account, the sum of One Thousand Five Hundred Dollars (\$1,500.00) against which shall be charged all engineering and advertising costs, and any other costs which must necessarily be advanced by the Township in the orderly process of the consideration of the zoning amendment. Any funds not so expended by the Township shall be refunded to the Applicant after final action has been taken on the application. In the event said expenses exceed One Thousand Five Hundred Dollars (\$1,500.00), the Applicant shall pay to the Township any such excess costs and the Township will not take final action on any proposed zoning amendment until such payment has been made. In addition to the Escrow Account, the applicant shall also pay a non-refundable filing fee of \$200.00
6. Curative Amendment. In the event an Applicant chooses to pursue a Curative Amendment to the Zoning Ordinance, the Applicant shall pay a non-refundable filing fee of \$200 and deposit a sum of Five Thousand Dollars (\$5,000.00) escrow for expenses and administration of such amendment.
7. Administrative Appeals and Hearings, including Liquor License Transfers. The Applicant shall pay a non-refundable filing fee of \$200 and deposit a sum of One Thousand Five Hundred Dollars (\$1,500.00) escrow for expenses and administration of such amendment.
8. Hearings Before UCC Board of Appeals. The Applicant shall pay a non-refundable application fee of \$750 to the General Fund Account in order to reimburse the Township for advertising, stenographic, and administrative expenses for an appeal. In the event of a cancelation by the applicant or an additional hearing is needed, the applicant shall deposit an additional \$750 into the General Fund prior to the scheduling of the second hearing.

9. On Lot Grading Plan Reviews, Stormwater Management Reviews or Infiltration System Reviews & Observations.

Grading Plans

A non-refundable fee of four hundred dollars (\$400.00) will be charged for the review of grading plans by the Township Engineer.

In the event additional reviews and resubmissions of a grading plan is required, the fee shall be \$250 for each resubmission.

The final grading of a lot shall be inspected by the Township Engineer for compliance with the applicant's grading plan. The fee for this inspection shall be \$100.00.

In the event the final grading of a site is not in compliance with approved plans and will require a reinspection, the fee shall be \$100.

Storm Water Management

In the event a property or project is required to have stormwater management plan submissions or BMP Installation observation, the following fees shall apply:

Stormwater Management Installation observation (individual lot BMPs, \$100 per site visit.

Projects or lots requiring Stormwater Management Plan are subject to \$ 500.00 Escrow for plan review.

Large stormwater BMPs that service multiple lots, land developments, or subdivision to be inspected on a time and material bases and charged against the applicable escrow account.

10. Flood Plain Management. The additional non-refundable fee to be charged for a building permit for a structure or accessory structure to be located in a flood plain area shall be Seven Hundred Fifty Dollars (\$750.00).

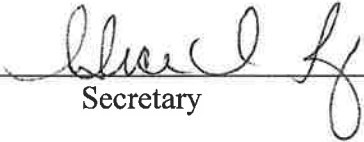
11. Repealer. Any Resolution or part thereof inconsistent herewith is hereby and the same repealed.

12. Effective Date. The provisions of this Resolution shall become effective immediately.

IN WITNESS WHEREOF, this Resolution has been duly adopted on the 11th Day of January, 2022.

ATTEST:

LEHIGH TOWNSHIP


Secretary


Chairman, Board of Supervisors