



## I. Plan Submission, Review and Approval

### Phase 1: Preliminary Actions

- A. Plan Classification (§22-301)
- B. Pre-Application Meeting (optional)
  - a) Pre-Application Meetings are optional but highly encouraged by the Borough.
  - b) Review Planning Process and Plan Classification.
  - c) Identify any zoning Issues.
  - d) Identify required impact statements (Article VI).
    - (1) *Note: All Traffic Impact Studies shall be prepared by the Borough's Traffic Engineer upon submission of a Preliminary Plan.*

### Phase 2: Sketch Plan

- A. Submit Sketch Plan (§22-302)
  - a) Sketch plans are optional.
  - b) What to Submit:
    - (1) *Sketch Plan (4 hard copies + 1 electronic copy);*
    - (2) *Subdivision and Land Development Checklist;*
    - (3) *Subdivision and Land Development Application;*
    - (4) *Application Fee (see Borough of Phoenixville Master Schedule of Fees).*
  - c) Sketch plans will be reviewed by Borough Staff and the Borough Planner will provide a written review for consideration when the Applicant presents the plan before the Planning Commission (PC).
    - (1) *An applicant may also request that the sketch plan be reviewed by Borough Council (BC), Phoenixville Regional Planning Commission (PRPC) and Chester County Planning Commission (CCPC) at their regular meetings. Additional administrative processes specific to bodies other than BC are required.*
  - d) Sketch plans are not reviewed by the Borough Engineer or the Borough Traffic Engineer.

### Phase 3: Preliminary/Final Plan

- A. Submit Preliminary/Final Plan (§22-303 & 304)
  - a) A Preliminary Plan may be submitted separately from or concurrently with the Final Plan ("Preliminary/Final Plan" is used to describe a concurrent submission). The same review process is followed for either option.
    - (1) *Approval of a Preliminary Plan preserves SDDL rights for 5 years.*
  - b) Hard copy submission requirements:

- (1) *Subdivision and Land Development Application with original signatures and any required submittals listed on form (1);*
  - (2) *Preliminary/Final Plan (6);*
  - (3) *Subdivision and Land Development Checklist (2);*
  - (4) *Stormwater Management Plan (2);*
  - (5) *Impact Studies, as required (2);*
  - (6) *List of Requested Waivers (2);*
  - (7) *Act 247 County Referral Application (2);*
  - (8) *PA DEP Act 537 Sewage Facilities Planning Module Application Mailer and all required submittals as seen on form*
    - (a) Borough Staff will review the mailer and request any revisions or additional information needed. Where appropriate, the authorized municipal official will sign the mailer and return to the applicant to submit it to the PA DEP.
  - (9) *Application Fee and;*
  - (10) *Escrow Deposit per application type (see Borough of Phoenixville Master Schedule of Fees and consult with Borough Staff to confirm);*
- c) Digital copy of every submission document seen above:
- (1) *Drawing sets shall be supplied as such:*
    - (a) Full Resolution for Borough Engineer use;
    - (b) Flattened/Optimized for web viewing by Borough Planner and PC.
  - (2) *Any form of digital media or file download is acceptable (CD/DVD, thumbdrive, File Download link such as DropBox, etc.)*
- d) Upon receipt of a Preliminary/Final Plan, Borough Staff will determine administrative completeness, distribute/store the six (6) hard copies as follows:
- (1) *Project file for Borough retention and public view (1)*
  - (2) *Planning Commission (1);*
  - (3) *Borough Public Works Director (1);*
  - (4) *Borough Engineer (2);*
  - (5) *Phoenixville Fire Department (1);*
- e) Borough Staff will supply the applicant with an Application Acceptance Memo denoting financial receipt, completeness and scheduling the date the application will be seen by the PC as per the ordinance and application requirements that state:
- (1) *“Borough Council's decision shall be made within 90 days of the date of the first Planning Commission meeting held after the application was received, deemed complete, and accepted by the Borough or, in the event of a court order, as defined by the provisions of the Pennsylvania Municipalities Planning Code, most recent edition, Section 508.”*

(2) *“The Applicant shall pay the Borough Consultants’ costs and fees for the following: (a) review of any and all plans, proposals, studies or other correspondence relating to the Project; (b) attendance at any and all meetings relating to the Project; (c) preparation of any documents related to the Project, including, but not limited to: studies, reports, engineered plans, surveys, appraisals, agreements, deeds, declarations, easements, other legal documents or other correspondence; and (d) monitoring, testing, and inspecting of the work conducted by the Applicant and/or its agents, contractors, representatives or employees in conjunction with the Project. It is understood by executing this Agreement that the Applicant specifically accepts the fee schedules currently in effect and the fee schedules for Consultants that may come in effect during the duration of the Project.”*

- f) The Borough Planner and Borough Engineer will review the Preliminary/Final Plan for conformance with the Subdivision and Land Development Ordinance, Stormwater Management Ordinance, Zoning Ordinance and other applicable Borough Ordinances and issue review letters previous to the PC meeting date.
- g) The Phoenixville Fire Department will review the Preliminary/Final Plan and issue a review letter.
- h) The CCPC will review the Preliminary/Final Plan and issue a review letter.

#### B. Planning Commission Meeting

- a) The Applicant or their representative must present the Preliminary/Final Plan to the PC. The PC may ask questions about the plan or provide comments.
- b) The Applicant or their representative must review comments issued by the Borough Planner, Borough Engineer, Phoenixville Fire Department, CCPC and PRPC.
- c) The Applicant or their representative must review any waivers being requested.
- d) The PC may act (i.e. vote) to recommend approval, approval with conditions/waivers or denial of the Preliminary/Final Plan.
  - (1) *If PRPC review is required, the PC will not act on a Preliminary/Final Plan until either a review has been received from the PRPC or 45 days have passed since the plan’s submission to the PRPC.*
  - (2) *The PC will not act on a Preliminary/Final Plan until either a review has been received from the CCPC or 30 days have passed since the plan’s submission to the CCPC.*
  - (3) *The PC may choose not to act on a Preliminary/Final Plan so that an Applicant may revise a plan and resubmit.*
- e) Once the PC acts on a Preliminary/Final Plan, their recommendation is forwarded to BC for consideration.

#### C. Borough Council Meeting

- a) Borough Staff will schedule consideration of the Preliminary/Final Plan at the next BC meeting.
- b) The BC may act to approve, approve with conditions/waivers, or deny the Preliminary/Final Plan.

- (1) *The Municipalities Planning Code requires that the BC act on a Preliminary/Final Plan within 90 days of the plan's initial review by the PC unless the Applicant grants an extension in writing.*
- (2) *When acting on a Preliminary/Final Plan, the BC may also act on any waivers requested.*
- (3) *In most cases, approval of a Preliminary/Final or Final Plan will be subject to satisfaction of the following minimum conditions:*
  - (a) *Final Clean Letter from the Borough Planner;*
  - (b) *Final Clean Letter from the Borough Engineer;*
  - (c) *PA DEP Approval of Act 537 Planning Module;*
  - (d) *PA DEP Permit Approvals (if necessary);*
  - (e) *PennDOT Permit Approvals (if necessary);*
  - (f) *Other agency approvals (if necessary);*
  - (g) *Execution of a Stormwater Best Management Practices (BMPs) and Conveyances Operation and Maintenance (O&M) Agreement;*
  - (h) *Execution of a Subdivision and Land Development Agreement;*
  - (i) *Execution of a Financial Security Agreement.*

#### Phase 4: Record Final Plan

##### A. Submit Final Plan (§22-305)

- a) Address all conditions of Preliminary/Final Plan or Final Plan approval. The same process is followed for recording either option.
- b) What to Submit:
  - (1) *Final Plan (2 hard copies + 1 electronic copy);*
  - (2) *Other materials as necessary to satisfy conditions of approval (2 copies + 1 electronic copy);*
- c) The Borough Engineer will review the Final Plan to determine whether all conditions are satisfied.
- d) Once all conditions of approval have been satisfied, the Borough Engineer will issue a Final Clean Letter.

##### B. Financial Security and Inspection Escrow Determination

- a) The Applicant must provide a Construction Cost Estimate to the Borough Engineer for the site improvements shown on the approved Final Plan.
- b) The Borough Engineer will review the Applicant's Construction Cost Estimate and make any adjustments necessary to establish the estimated Cost of Completion for the project.
- c) The Borough Engineer will issue a Financial Security and Inspection Escrow Determination letter stating the estimated Cost of Completion, and calculating the amount of Financial Security and Inspection Escrow required for the project.
  - (1) *The amount of Financial Security required is 110% of the estimated Cost of Completion;*

*(2) The amount of Inspection Escrow required is 5% of the Financial Security or \$4,000.00, whichever is greater.*

#### C. Execute Land Development and Financial Security Agreements

- a) The Applicant must prepare a Land Development Agreement and a Financial Security Agreement based on the Borough's templates.
- b) The Applicant must provide the required Financial Security and Inspection Escrow to the Borough.
- c) Financial Security may be provided in the following forms:
  - (1) Cashier's Check;*
  - (2) Letter of Credit;*
  - (3) Any method accepted by the MPC.*
- d) The Borough Solicitor will review each agreement prior to execution by the Developer and the Borough.

#### D. Final Plan Signing and Recording

- a) After the Borough Engineer has issued a Final Clean Letter and the Land Development and Financial Security Agreements have been executed, the approved Final Plan must be signed by all parties (including the Plan Preparer(s), Property Owner(s), Applicant(s), Borough Engineer, Borough Secretary, PC Chairperson and BC President).
- b) Once the approved Final Plan has been signed by all parties, the Borough Solicitor will record the approved Final Plan with the Chester County Recorder of Deeds.
  - (1) The approved Final Plan must be recorded within 90 days of approval by the BC.*
  - (2) The Borough will provide the Applicant at least 1 copy of the recorded Final Plan.*
  - (3) If the project requires a PA DEP NPDES permit, the PCSM Instrument Filing notice should occur at this time.*

## II. Post Approval and Construction

### Phase 5: Revising or Amending the Final Plan

#### A. Revising/Amending Final Plan (§22-306)

- a) After the Final Plan has been approved, but before the plan has been recorded, changes to the plan are classified either as Minor Revisions or Major Revisions, as determined by the Borough Engineer.
  - (1) Changes to the plan addressing conditions of Final Plan approval are an example of Minor Revisions.*
  - (2) Major Revisions require additional review by the PC and approval by the BC.*
- b) After the Final Plan has been recorded, changes to the plan are classified either as Minor Amendments or Major Amendments, as determined by the Borough Engineer.

- (1) *Minor Amendments approved during construction (i.e. "field changes") shall be captured on as-built drawings.*
  - (2) *Major Amendments require additional review by the PC and approval by the BC and re-recording of the approved Final Plan.*
- c) What to Submit:
- (1) *Revised/Amended Plan (2 hard copies + 1 electronic copy);*
  - (2) *Other materials, as necessary to satisfy conditions of approval (2 copies + 1 electronic copy);*
- d) The Borough Engineer will review the Revised/Amended Plan to determine whether the changes to the plan are Minor or Major. The Borough Engineer will review the Revised/Amended Plan for conformance with the Subdivision and Land Development Ordinance, Stormwater Management Ordinance, Zoning Ordinance and other Borough Ordinances and issue a review letter.

## Phase 6: Pre-Construction

### A. Pre-Construction Meeting

- a) Prior to the start of any site work, a Pre-Construction Meeting must be held to review construction requirements.
- b) Prior to the Pre-Construction Meeting, the Developer must complete the following:
  - (1) *The Developer must provide the required Financial Security and Inspection Escrow to the Borough;*
  - (2) *The Developer must execute Land Development and Financial Security Agreements;*
  - (3) *The Developer must record the approved Final Plan.*
- c) The Developer must request to schedule a Pre-Construction Meeting with Borough Staff and Borough Engineer. The Developer is responsible for ensuring other parties are able to attend (Developer, Site Contractor, Chester County Conservation District, PA DEP, PennDOT, etc.).
- d) What to Bring:
  - (1) *Approved or recorded Final Plan (5 hard copies).*
- e) The Borough Engineer will lead the Pre-Construction Meeting.
  - (1) *After the Pre-Construction Meeting, the Borough Engineer will prepare and distribute meeting minutes to all attendees. The Borough Engineer will stamp the approved or recorded Final Plan "Approved for Construction" and distribute as follows:*
    - (a) *Borough (1 copy);*
    - (b) *Borough Engineer (2 copies);*
    - (c) *Developer (1 copy);*
    - (d) *Contractor (1 copy).*

### B. Pre-Construction Submittals

- a) Prior to the start of any site work, the following items must be submitted to the Borough Engineer:
  - (1) *Pre-Construction Video (DVD or USB);*
  - (2) *Submittals/shop drawings for all site materials;*
  - (3) *Resident Notices (a template will be provided with Pre-Construction Meeting Minutes);*
  - (4) *Construction Schedule (a template will be provided with Pre-Construction Meeting Minutes)*

## Phase 7: Construction

### A. General

- a) All work must be performed in accordance with the Final Plan stamped “Approved for Construction.”
- b) The Developer must distribute approved Resident Notices to all residential properties within 200 feet of the project site 48 hours prior to beginning work. This list will be provided by Borough Staff.

### B. Inspection

- a) The Borough Engineer will inspect the site work construction.
- b) The Developer must provide the Borough Engineer with 48 hours’ notice prior to beginning work. The Borough Engineer will assign a Borough Inspector to the project.
- c) Begin construction by installing all E&S Control measures that must be approved by the Borough Inspector before any earth disturbance can occur. The Borough Inspector will periodically inspect the site and will need to be present during certain stages of construction.

### C. Water and Sanitary Sewer.

- a) Refer to the Borough of Phoenixville’s Water and Sewer Standard Operating Procedures (S.O.P.) for the installation of water main, water services, sewer main, sewer services, and sewer force mains.

### D. Critical Stages of Construction

- a) The Design Engineer must be present to inspect Critical Stages of Construction identified on the Final Plan. The Developer is responsible for coordinating with their Design Engineer for these inspections.

### E. Site Improvement Approval

- a) Previous to the issuance of any Certificates of Occupancy (CO) under the Commonwealth’s Uniform Construction Code, the site improvements shall be minimally completed, inspected and certified by the Borough Engineer to the levels described and shown in the “Certificate of Occupancy – Site Improvement Checklist.”
  - (1) *This form will be completed and certified by the Borough Engineer only at the express request of the applicant. COs will not be issued without this certification.*

### F. Financial Security Releases

- a) Partial Financial Security releases may be requested by the Developer on a monthly basis. Requests for Financial Security Releases must be made to the Borough Engineer (or their representative).
- b) Prior to submitting a Financial Security Release, the Developer must verify the quantities of work completed with the Borough Inspector.
- c) Requests for Financial Security Release shall be based on the line item descriptions, quantities and unit costs from the estimated Cost of Completion.
- d) The Borough Engineer will review and process the Financial Security Release and forward to the Borough for certification.

## Phase 8: Close-Out

### A. Initiate Close-Out

- a) Initiate close-out by requesting the Borough Engineer to develop the punchlist of required items to be addressed. Some items include:
  - (1) *As-built plans finalized;*
  - (2) *Operation and Maintenance Agreements Recorded;*
  - (3) *Monuments and Surveyor Certification of Accuracy;*
  - (4) *Agreements, Plan exhibits, and legal descriptions for all Easements or ROW to be dedicated.*

### B. As-Built Plans.

- a) The Developer must provide as-built plans of the completed site improvements.
- b) If determined by the Borough Engineer, the as-built plan may need to be recorded.

### C. Execute Maintenance Guarantee of Public Improvements.

- a) For projects involving public improvements, the Developer must provide a maintenance guarantee for 15% of the value of the Public Improvements.
- b) The Borough Engineer will develop a cost for Maintenance Guarantee of Public Improvements.

### D. Dedications.

- a) For projects involving dedication of improvements, easements, rights-of-way or other features, the Developer must provide a written agreement, legal description and exhibit plan.
- b) The Borough Solicitor and Borough Engineer will review the agreement.
- c) The Borough Engineer will review the legal description and exhibit plan.

### E. Final Financial Security Release.

- a) Upon satisfaction of all other close-out items, the Developer may request a Final Financial Security Release. Requests for Final Financial Security Release must be made to the Borough Engineer (or their representative).
- b) The Borough Engineer will review and process the Final Financial Security Release and forward to the Borough for certification.