

**BARRETT TOWNSHIP  
MONROE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 179

**AN ORDINANCE OF THE TOWNSHIP OF BARRETT, COUNTY OF MONROE, AND COMMONWEALTH OF PENNSYLVANIA, AMENDING THE BARRETT TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE TO PROVIDE FOR A SIMPLIFIED LOT COMBINATION PROCEDURE.**

**BE IT ORDAINED AND ENACTED** by the Board of Supervisors of Barrett Township, Monroe County, Pennsylvania, pursuant to the general powers permitted by the Second Class Township Code (53 P.S. § 65101) and Section 505 of the Municipalities Planning Code (53 P.S. § 10505), the following:

**SECTION 1. – TITLE.** - This Ordinance shall be known and may be cited as the “Lot Combination Ordinance.”

**SECTION 2. – AMENDMENT OF ARTICLE 2 OF THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE.** – The definition of “Subdivision, Minor” found in Article 2 (Definitions), Section 202 (Specific Words and Phrases) is hereby amended to add subsection D:

- D. A combination of adjacent lots in a previously recorded subdivision plan shall be subject to the procedure set forth in Section 606A (Lot Combination Plans).”

**SECTION 3. – AMENDMENT OF ARTICLE 4 OF THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE.** – A new Section 403.10 is added to Article 4 (Procedure), Section 403 (General Procedure), is hereby added as follows:

- 403.10 Notwithstanding anything in this Section 403, the combination of adjacent lots in a previously recorded subdivision plan shall be subject to the procedure set forth in Section 606A (Lot Combination Plans).

**SECTION 4. – AMENDMENT OF ARTICLE 6 OF THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE.** A new Section 606A is added to Article 6 (Plan Requirements) as follows:

Section 606A Lot Combination Plans –Minor subdivision plans to combine adjacent lots in a recorded subdivision shall be processed as follows:

- 606A.1 Plan to be Filed with the Township. Copies of the Combination Plan, along with all required supporting documentation and fees shall be submitted by certified mail or delivered in person to the Administrator at least ten (10) calendar days prior to the Board of Supervisors meeting at which it will be proposed. The Administrator shall make a preliminary check that the submission is complete in all aspects. The official submittal date shall be the regularly scheduled meeting of the Board of Supervisors at which the application is accepted for review, not the date of submittal to the Administrator.
- 606A.1.1 The Administrator shall refer the Combination Plan and appropriate supporting data to the Township Engineer, Sewer Enforcement Officer and Solicitor.
- 606A.1.2 Lot Combination Plans submitted under this Section shall be subject to Planning Commission review only if directed by the Board of Supervisors.
- 606A.2 Documents to be Filed. The filing of the Combination Plan shall include the following:
- 606A.2.1 Two (2) copies of the complete subdivision plan application.
- 606A.2.2 A copy of the original subdivision plan which is filed with the Monroe County Recorder of Deeds with the lots proposed to be joined highlighted.
- 606A.2.3 A copy of the deed to each property involved.
- 606A.2.4 Two (2) mylar and four (4) paper copies of the plan which conforms to the requirements of Section 606A.3.
- 606A.2.5 Proof of notification to the appropriate property owners association and/or community association.
- 606A.2.6 Tax certification for each property proposed to be joined showing that all taxes have been paid.
- 606A.2.7 A copy of the deed prepared for recording joining the lots which shall include the following joinder language:

*These lots shall be merged into one parcel and become inseparable and cannot be subdivided or sold separately or apart therefrom without Township approval.*

606A.2.8 The Combination Plan filing fee as established by resolution of the Board of Supervisors

606A.3 Plan Information. Plans for combination of adjacent lots in a recorded subdivision shall be prepared by a Qualified Professional as applicable and required by State law and shall include the following:

606A.3.1 Combination Plan Information shall be drawn at a scale not to exceed 1 inch equals 100 feet provided all bearings and distances can be legibly and accurately presented on the plan. Plans shall be prepared on a standard sheet of 12" x 18", 18" x 24" or 24" x 36" paper, except when the Board of Supervisors approves other size plans.

606A.3.2 Name and address of owners of record

606A.3.3 Name address seal and signature of the registered professional land surveyor responsible for the plan

606A.3.4 Date of the plan and each revision

606A.3.5 North arrow

606A.3.6 Graphic and written scale

606A.3.7 Deed reference and tax assessment parcel identification number for each lot

606A.3.8 All original lot tract or boundary information acceptable to the Township sufficient to establish the location bearing and length of every boundary street or lot line. If this information is from the original subdivision plan it shall be so noted and the precision shall conform to that of the original subdivision plan. If the information is established by survey, lengths shall be indicated to the hundredth of a foot and bearings shall be indicated to the nearest second.

606A.3.9 The original lot numbers indicated on the appropriate lots as well as the proposed lot number

- 606A.3.10 Building setback lines
- 606A.3.11 Any existing buildings located on the lots
- 606A.3.12 Reference monuments and/or lot markers, as appropriate
- 606A.3.13 Lot lines to be eliminated shown with a broken line and labeled "Lot line to be eliminated."
- 606A.3.14 Name and or number and right of way width of any street or road abutting the property
- 606A.3.15 Names of owners and or lot numbers of adjacent properties
- 606A.3.16 Water courses, lakes, streams, ponds, wetlands, etc.
- 606A.3.17 Flood hazard areas and steep slope areas
- 606A.3.18 The area of each lot, existing and proposed
- 606A.3.19 Reference to the recorded subdivision plan where the lots were originally subdivided including the record reference
- 606A.3.20 The zoning district
- 606A.3.21 A location map utilizing a portion of the latest U.S.G.S. Quadrangle with the location of the proposed combination accurately shown.
- 606A.3.22 A signature block for the Board of Supervisors with the following format  
  

*At a public meeting held on \_\_\_\_\_, 20\_\_\_, the Board of Supervisors of Barrett Township reviewed and, by a motion duly enacted, approved the joining of lots \_\_\_ and \_\_\_ as originally shown on the plan titled \_\_\_\_\_ and recorded in the Monroe County courthouse in \_\_\_\_\_, Volume \_\_\_\_\_.* (provide five signature lines and area for the Township seal).
- 606A.3.23 Combination Plan General Notes. The following general notes shall be on all Combination Plans if applicable:

- 606A.3.23.1 When easements are not delineated specifically, *The approval of this plan by the Board of Supervisors of Barrett Township does not have the effect of altering, redefining or extinguishing any easements of record existing on or over subject property.*
- 606A.3.23.2 *Lot number \_\_\_\_ shall be merged into and become an inseparable part of lands of (grantee) as recorded in Deed Book Volume \_\_\_\_\_, Page \_\_\_\_\_ and cannot be subdivided or sold separately or apart therefrom without Township approval.*
- 606A.3.23.3 *By approval of this plan, the Township has not confirmed the presence, absence and/or extent of wetlands whether or not delineated on this plan.*
- 606A.3.23.4 *The property shown on this plan is under and subject to both the Barrett Township Zoning Ordinance and Barrett Township Land Development and Subdivision Ordinance, as both may be amended.*
- 606A.3.23.5 In the event the subdivision incorporates a private access as defined in this Ordinance the following: *The improvement and maintenance of the private access shall be the sole responsibility of those persons benefiting by the use thereof.*
- 606A.3.23.6 If the property requires access to a State highway, *A highway occupancy permit is required pursuant to Section 420 of the Act of June 1, 1945 (PL 1242, No. 428), known as the "State Highway Law" before any driveway or street access to a State highway is permitted. A highway occupancy permit is required pursuant to Ordinance No. 102 before driveway or street access to a Municipal street is permitted. Access to a State Highway or Municipal street shall be*

*only as authorized by a highway occupancy permit.*

606A.3.23.7 *The Board of Supervisors has not passed upon the feasibility of any individual lot or location within a lot being able to sustain any type of well or sewage disposal system.*

606A.3.24 The Township shall request any other necessary information based on the specific characteristics of the project.

606A.4 Board of Supervisors Review and Action. The Board of Supervisors shall review the application and required items and take action within ninety (90) days of the official submission date to the Board of Supervisors. The decision of the Board shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision.

606A.5 Plan and Deed Recording. After approval of an application under this Section by the Board of Supervisors, the applicant shall record the plan in accordance with Section 406.3. Additionally, after approval of an application under this Section, the applicant shall record the deed with the necessary joinder language within ninety (90) days and provide a copy of the recorded deed to the Township.

**SECTION 5. – SEVERABILITY.** The provisions of this Ordinance are severable. If any sentence, clause or section is for any reason found to be unconstitutional, illegal or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as the legislative intent that this Ordinance would have been adopted had such unconstitutional, illegal or invalid provisions had not been included herein.

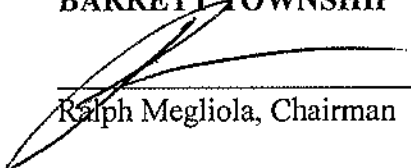
**SECTION 6. – REPEALER.** - All ordinances or parts of ordinances in conflict herewith shall be and the same are hereby repealed.

**SECTION 7. – EFFECTIVE DATE.** - This Ordinance shall take effect five (5) days after the date of its enactment.

*[signatures follow on the next page]*

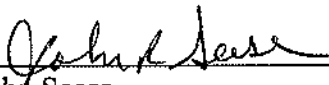
**ORDAINED AND ENACTED** into an Ordinance at a regular meeting of the Board of Supervisors of Barrett Township, Monroe County, Pennsylvania, this 14<sup>th</sup> day of May, 2014.

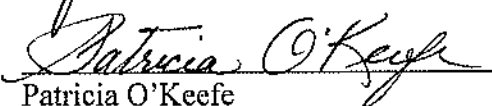
**BOARD OF SUPERVISORS OF  
BARRETT TOWNSHIP**

  
\_\_\_\_\_  
Ralph Megliola, Chairman


\_\_\_\_\_  
Loree Guthrie, Vice Chairman

  
\_\_\_\_\_  
Paul Stotsenburg

  
\_\_\_\_\_  
John Seese

  
\_\_\_\_\_  
Patricia O'Keefe

ATTEST:

  
\_\_\_\_\_  
Secretary

[TOWNSHIP SEAL]

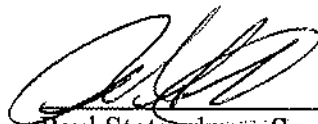
**IN RE:**

**AN ORDINANCE OF THE TOWNSHIP OF BARRETT,  
COUNTY OF MONROE, AND COMMONWEALTH OF  
PENNSYLVANIA, AMENDING THE BARRETT  
TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT  
ORDINANCE TO PROVIDE FOR A SIMPLIFIED LOT  
COMBINATION PROCEDURE.**

**CERTIFICATION**

I hereby certify that the attached Ordinance is a true and correct copy of an Ordinance enacted by the Board of Supervisors of Barrett Township, Monroe County, Pennsylvania, on the 14<sup>th</sup> day of May, 2014.

(TOWNSHIP SEAL)



\_\_\_\_\_  
Paul Stoisenburg, Secretary  
Barrett Township Board of Supervisors  
993 Route 390  
Cresco, PA 18326