

**KEATING TOWNSHIP**

McKEAN COUNTY, PENNSYLVANIA

**ORDINANCE NO. 119**

**AN ORDINANCE OF KEATING TOWNSHIP ESTABLISHING A PUBLIC INFORMATION MEETING REQUIREMENT FOR LARGE DEVELOPMENT PROJECTS PRIOR TO THE SUBMISSION AND REVIEW OF CERTAIN PERMIT APPLICATIONS; PROVIDING FOR TRANSPARENCY AND PUBLIC AWARENESS OF MAJOR DEVELOPMENT PROJECTS; PROVIDING FOR NOTICE TO NEARBY PROPERTY OWNERS; AND PROVIDING FOR ENFORCEMENT AND AN EFFECTIVE DATE.**

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**SECTION 1**

**Authority**

This Ordinance is adopted pursuant to the authority granted to the Township under the Pennsylvania Second Class Township Code, 53 P.S. §65101 et seq., and other applicable laws of the Commonwealth of Pennsylvania.

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**SECTION 2**

**Purpose**

The purpose of this Ordinance is to promote transparency and public awareness regarding large development projects proposed within Keating Township.

The Board of Supervisors finds that large-scale development projects may significantly affect neighboring properties, infrastructure, and the character of the community, and that providing residents an opportunity to receive information regarding such projects prior to formal permit submission promotes informed public awareness and responsible development.

The meeting required by this Ordinance is intended solely to provide information and allow questions from the public.

Nothing in this Ordinance shall be interpreted to create additional substantive approval criteria for any development project. All permit decisions shall continue to be based solely upon compliance with applicable Township ordinances and regulations.

Public Information Meetings required by this Ordinance shall not constitute a public hearing, adjudication, or permit approval vote.

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### **SECTION 3**

#### **Applicability**

The requirements of this Ordinance shall apply to any proposed project involving:

1. Ten (10) acres or more of land disturbance, or
2. Ten (10) acres or more of total project area, including phased or multi-stage development.

This requirement shall apply to all forms of development including but not limited to:

- industrial facilities
  - commercial developments
  - energy generation or storage facilities
  - warehouses or manufacturing facilities
  - large land development or subdivision projects
  - any other project meeting the thresholds above.
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### **SECTION 4**

#### **Mandatory Pre-Permit Public Information Meeting**

Prior to submission of any permit application associated with a qualifying project under this Ordinance, the applicant shall participate in a Public Information Meeting.

#### **Timing**

The meeting shall occur no fewer than thirty (30) days prior to submission of the permit application. The supervisors will decide the date and time the meeting will be held.

#### **Meeting Location**

The meeting shall occur at:

- a regularly scheduled meeting of the Board of Supervisors, or

- a special meeting advertised in accordance with the Pennsylvania Sunshine Act.
  - Minutes of the meeting shall be recorded and maintained as part of the Township's official records
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## **SECTION 5**

### **Required Participants**

The following parties shall attend the Public Information Meeting:

- the project applicant or developer
- the property owner, if different from the applicant
- the Board of Supervisors
- the Township Solicitor or designated Township professional representative

If the applicant and property owner are the same person or entity, only that party is required to attend.

Failure of the applicant or property owner to attend the meeting without prior approval from the Township shall result in the meeting requirement being deemed unsatisfied.

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## **SECTION 6**

### **Notice to Nearby Property Owners**

#### **Notice Requirement**

At least twenty (20) days prior to the required Public Information Meeting, the applicant shall provide written notice of the meeting to nearby property owners.

#### **Properties to Receive Notice**

Notice shall be mailed to all property owners located within two thousand five hundred (2,500) feet of the boundary of the proposed project site, as identified in the most recent records of the McKean County Tax Assessment Office.

#### **Method of Notice**

Notice shall be provided by first-class mail addressed to the property owner of record.

#### **Contents of Notice**

The notice shall include, at minimum:

- the date, time, and location of the Public Information Meeting
- the location and approximate size of the proposed project
- a brief description of the proposed development
- the name of the applicant and property owner
- contact information for the applicant or developer

### **Certification of Notice**

Prior to the Public Information Meeting, the applicant shall provide the Township with a written certification that the required notices were mailed, including the date of mailing.

Failure to provide certification of notice shall result in the meeting requirement being deemed unsatisfied.

The applicant's compliance with the mailing requirements of this section using the most recent available county tax assessment records shall constitute good faith notice. Failure of any property owner to receive mailed notice shall not invalidate the Public Information Meeting or the Township's subsequent permit review process.

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## **SECTION 7**

### **Applicant Presentation Requirements**

At the Public Information Meeting, the applicant shall present a summary of the proposed project including:

1. location and description of the project site
2. conceptual site plan or project layout
3. anticipated construction schedule
4. estimated construction traffic and access routes
5. general description of the proposed facility or development
6. contact information for the applicant or project representative

Members of the public shall be permitted to ask questions regarding the proposed project.

The Chair of the meeting may limit comments to questions relevant to the proposed development and the Township's review process.

### **Project Information Availability**

Prior to the required Public Information Meeting, the applicant shall provide the Township with basic project information sufficient to inform the public of the general nature of the proposed development. This is required to be provided a minimum of ten (10) business days before the scheduled meeting.

At minimum, this information shall include:

- a location map of the project site
- the approximate project boundaries
- a general description of the proposed development
- the approximate acreage of the project area

The Township shall make this information available for public review at the Township office during normal business hours prior to the meeting. The Township may post such materials on its website if available.

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## **SECTION 8**

### **Post-Submission Public Information Meeting**

Following submission of a permit application for a qualifying project, an additional Public Information Meeting shall be required if:

- the project involves one hundred (100) or more acres, or
- a material change in project scope increases the project size or scale by twenty percent (20%) or more from what was presented at the pre-permit Public Information Meeting.

The meeting shall occur within thirty (30) days of submission of the permit application, or within thirty (30) days of the Township's determination that a material scope increase has occurred, unless extended by agreement between the Township and the applicant.

The Township may waive the second meeting requirement upon determining that the project has not materially changed from what was presented at the pre-permit meeting.

The purpose of this meeting shall be to provide updated information regarding the project and allow additional public questions.

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## **SECTION 9**

### **Compliance With Meeting Requirement**

Prior to submitting a permit application subject to this Ordinance, the applicant shall notify the Township of its intent to submit an application and request scheduling of the required Public Information Meeting.

No permit application subject to this Ordinance shall be accepted for review unless the Public Information Meeting requirement has been satisfied.

If an application is submitted without compliance with this Ordinance:

- the application shall be deemed incomplete, and
  - the Township shall return the application to the applicant without review.
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## **SECTION 10**

### **Determination of Application Submission**

For purposes of this Ordinance, a permit application shall not be considered submitted or accepted by the Township unless the application is complete and complies with all applicable Township ordinances and submission requirements in effect at the time of filing.

Submission of incomplete materials shall not constitute a valid filing for purposes of determining ordinance applicability.

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## **SECTION 11**

### **Prevention of Project Segmentation**

An applicant shall not divide a development into multiple applications, parcels, or phases for the purpose of avoiding the applicability of this Ordinance.

For purposes of determining whether the thresholds in Section 3 are met, the Township may consider:

- contiguous parcels under common ownership
- related phases of development
- cumulative disturbance associated with the project
- multiple applications submitted by affiliated entities

Where the Township determines that multiple applications constitute a single development project, the total disturbance area shall be combined when determining applicability.

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## **SECTION 12**

### **Informational Nature of Meetings**

Public Information Meetings conducted pursuant to this Ordinance:

- are informational only
- do not constitute a zoning hearing or land development approval hearing
- do not constitute approval or denial of any permit application

Following the meeting, the Township shall proceed with permit review in accordance with all applicable ordinances and regulations.

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## **SECTION 13**

### **Severability**

If any section, subsection, clause, or provision of this Ordinance is declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.

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## **SECTION 14**

### **Effective Date**

This Ordinance shall become effective five (5) days after adoption.

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**ENACTED AND ORDAINED** this 8<sup>th</sup> day of April, 2026 by the Board of Supervisors of Keating Township, McKean County, Pennsylvania.

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**KEATING TOWNSHIP BOARD OF SUPERVISORS**

Chairman David M. Hill

Supervisor John A. ...

Supervisor Ryan S. ...

ATTEST:

Township Secretary Taylor Rittberg