

**RESOLUTION NO. 2016-12**

(Duly Adopted: 04/25/16)

**NEW BRITAIN TOWNSHIP  
BUCKS COUNTY, PENNSYLVANIA**

A RESOLUTION OF THE BOARD OF SUPERVISORS OF NEW BRITAIN TOWNSHIP GRANTING FINAL LAND DEVELOPMENT APPROVAL AND FINAL PLANNED RESIDENTIAL DEVELOPMENT (“PRD”) APPROVAL TO COLEBROOK ACQUISITIONS, L.P. FOR THE FINAL SUBDIVISION AND LAND DEVELOPMENT PLANS FOR COLEBROOK RESIDENTIAL DEVELOPMENT, PREPARED BY BOHLER ENGINEERING, INC., DATED FEBRUARY 25, 2015, LAST REVISED JANUARY 27, 2016, CONSISTING OF 32 SHEETS, WHICH PROPOSES TO CREATE FIFTY-NINE RESIDENTIAL DWELLING UNITS.

**WHEREAS**, Colebrook Acquisitions, L.P. (“Applicant”) has submitted an application for final plan approval of a residential land development that proposes to construct 24 twins and 35 townhomes (“Project”) on a parcel of land located along School House Road and denoted as a part of Tax Map Parcel #26-005-002 (“Property”); and

**WHEREAS**, Applicant has also submitted an application for final plan approval of a PRD for the Project; and

**WHEREAS**, this proposal is reflected on a plan entitled “The Final Subdivision and Land Development Plans for Colebrook Residential Development”, prepared by Bohler Engineering, Inc., dated February 25, 2015, last revised January 27, 2016, consisting of 32 sheets (“Plan”); and

**WHEREAS**, the New Britain Township Planning Commission reviewed the Plan at its March 8, 2016 meeting, and having found it to be in substantial compliance with the requirements of the Township Zoning Ordinance and the Township Subdivision and Land Development Ordinance, recommended that final plan approval be granted.

**NOW, THEREFORE, BE IT ADOPTED AND RESOLVED**, that the Board of Supervisors of New Britain Township hereby grants final land development plan approval and final PRD approval to the Project subject to Applicant’s compliance with the following conditions:

1. Applicant shall comply with all recommendations of the Gilmore and Associates Review Letter of March 1, 2016, except where the waivers requested below have been granted. A true and correct copy of this letter is attached hereto and incorporated herein. (Township Code §22-403, §22-502)

2. Applicant shall comply with the terms and conditions set forth in the Grant of Tentative Approval for the Project issued on May 18, 2015. A true and correct copy of this document is attached hereto and incorporated herein. (Township Code §22-403, §22-905.1, §27-904)
3. Applicant shall comply with the terms and conditions set forth in New Britain Township Resolution 2015-17 granting conditional preliminary plan approval to the Project issued on September 21, 2015. A true and correct copy of this Resolution is attached hereto and incorporated herein. (Township Code §22-404)
4. Applicant shall construct all roadway improvements shown on the Plan, including, but not limited to, milling and overlay, and installation of walkways, or else install partial improvements as approved by the Township and/or contribute a fee in-lieu-of improvements. (Township Code §22-701.8, §22-903, §22-904; Township Resolution No. 2007-12)
5. Applicant shall either complete the preliminary earthwork on Cotton Park as will be more specifically set forth in the Development Agreement for this Project or pay the following fees which total Two Hundred Twenty-Four Thousand Two Hundred Fifty-Five Dollars and Sixty-Four Cents (\$224,255.64):

\$147,500 – fee-in-lieu of park and recreation improvements

\$1,291.25 – Stormwater BMP Maintenance Guarantee Fee

\$5,982.50 – Storm Sewer Fee

\$69,481.89 - fee-in-lieu of required road improvements

Applicant shall undertake this preliminary earthwork only if both Applicant and the Township agree to have this earthwork done instead of the payment of the above-listed fees. The decision whether or not to undertake this earthwork shall be made by both parties on or before pulling the first building permit for this Project. If no decision is made or if it is decided by either party that the fees shall be paid, such payment shall be made by Applicant prior to the pulling of any building permits for this Project.

6. Applicant shall obtain all required approvals from various agencies having jurisdiction over the Project, including, but not limited to: North Wales Water Authority, Chalfont New Britain Joint Sewer Authority, Pennsylvania Department of Environmental Protection (“DEP”) NPDES Permit, DEP Sewage Facilities Planning Module, DEP General Permits, Bucks County Health Department, Bucks County Conservation District E&S Permit, and Pennsylvania Department of Transportation Highway Occupancy Permit. (Township Code §22-406.1, §22-711, §22-720, §22-721, §22-905)

7. Applicant shall submit to the Township Engineer for review all necessary legal descriptions and construction cost estimates of the site improvements. (Township Code §22-406.1, §22-903, §22-904)
8. Applicant shall execute Development and Financial Security Agreements and all other development documents (including all necessary agreements, easements, deeds of dedication and declarations), all in a form and manner to be approved by the Township Solicitor; the Developer shall post sufficient financial security in a form acceptable to the Township; the Developer shall provide proof of sufficient insurance coverage to the Township. (Township Code §22-406.1)
9. Applicant shall execute all deeds of dedication, legal descriptions of rights-of-way, access easement descriptions, lot descriptions, notes, etc., all in a form and manner to be approved by the Township Solicitor. Descriptions for those areas of land specified on the Plans for dedication to the Township shall be submitted to the Township Engineer in a form suitable to the Engineer. These deeds shall be accompanied by title insurance to the benefit of the Township indicating that title to these areas is free and clear of all liens, encumbrances and restrictions that could adversely affect the use of these dedicated for roadways and other proper purposes. (Township Code §22-406.1)
10. Applicant shall pay all appropriate fees applicable to this Project including all outstanding bills from the Township's professional consultants. (Township Code §22-406.1)
11. All documentation shall be executed prior to recording of Record Plans. (Township Code §22-406)
12. Applicant and its professionals shall execute, notarize and seal the Final Record Plan. (Township Code §22-406.2)
13. Applicant shall comply with all other applicable Township, County, Commonwealth, and Federal rules, regulations, codes, ordinances, and statutes. (Township Code §22-905)

**BE IT FURTHER RESOLVED**, in response to Applicant's written request, the Board of Supervisors hereby grants waivers to the following sections of the Township's Subdivision and Land Development Ordinance. The grant of these waivers is conditioned upon the Applicant meeting the following requirements, where noted:

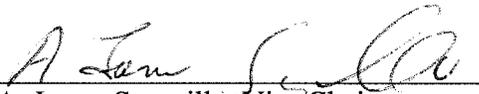
- a. Section 22-505 – From the requirement to submit a Community Impact Assessment Report.
- b. Section 22-706.3.E – From the need to deliver extra curbing blocks to the Township.
- c. Section 22-707.1.B(4) – From the requirement to provide a design centerline profile for the proposed 6' wide walking path.

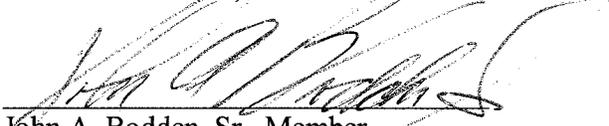
**RESOLUTION NO. 2016-12**  
**Colebrook Acquisitions, L.P.**

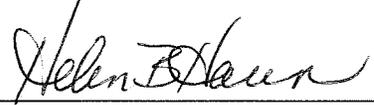
**BE IT FINALLY RESOLVED**, that the conditions of approval have been made known to Applicant, and this final plan approval is to be deemed expressly contingent upon Applicant's affirmative written acceptance of the said conditions on a form prescribed by the Township within 30 days of the approval of this Resolution. If an unconditional acceptance of the conditions is not received in writing by that date, the application for final plan approval shall be deemed denied based upon Applicant's failure to agree to and/or fulfill the said conditions.

**DULY ADOPTED** this 25<sup>th</sup> day of April, 2016, by the Board of Supervisors of New Britain Township, in lawful session duly assembled.

  
\_\_\_\_\_  
William B. Jones, III, Chairman

  
\_\_\_\_\_  
A. James Scanzillo, Vice Chair

  
\_\_\_\_\_  
John A. Bodden, Sr., Member

  
\_\_\_\_\_  
Helen B. Haun, Member

  
\_\_\_\_\_  
Gregory T. Hood, Member

  
\_\_\_\_\_  
Attest: Eileen M. Bradley  
Township Manager