

RESOLUTION NO. 2023-15

(Duly Adopted: 06/19/23)

NEW BRITAIN TOWNSHIP
BUCKS COUNTY, PENNSYLVANIA

A RESOLUTION OF THE BOARD OF SUPERVISORS OF NEW BRITAIN TOWNSHIP GRANTING PRELIMINARY/FINAL LAND DEVELOPMENT APPROVAL TO PRESTIGE PROPERTY PARTNERS, LLC FOR THE SUBDIVISION AND LAND DEVELOPMENT PLANS FOR PRESTIGE PROPERTY PARTNERS, LLC, PREPARED BY R. L. SHOWALTER & ASSOCIATES, INC., DATED FEBRUARY 22, 2021, LAST REVISED MARCH 2, 2023, CONSISTING OF 7 SHEETS, WHICH PROPOSE THE CREATION OF AN ADDITIONAL LOT SO AS TO CREATE A NEW B1 SINGLE-FAMILY DWELLING LOT ON 2.29 ACRES.

WHEREAS, Prestige Property Partners, LLC ("**Applicant**") has submitted an application for preliminary/final plan approval of a residential land development that proposes the construction of one (1) single-family dwelling on the new lot to be created pursuant to the subdivision and at the same time maintaining the existing multi-family dwelling on the balance of the property which said property totals 4.99 acres of land located at 137 S. Limekiln Pike ("**Project**") and is denoted as Tax Map Parcel #26-010-027 ("**Property**"); and

WHEREAS, this proposal is reflected on a plan entitled "The Subdivision and Land Development Plans for Prestige Property Partners, LLC", prepared by R. L. Showalter & Associates, Inc., dated February 22, 2021, last revised March 2, 2023, consisting of 7 sheets ("**Plan**"); and

WHEREAS, the New Britain Township Planning Commission reviewed the Plan at its April 25, 2023 meeting, and having found it to be in substantial compliance with the requirements of the Township Zoning Ordinance, the Township Subdivision and Land Development Ordinance, and other applicable Township regulations, recommended that preliminary/final approval be granted with conditions.

NOW, THEREFORE, BE IT ADOPTED AND RESOLVED, that the Board of Supervisors of New Britain Township hereby grants preliminary/final plan approval to the Project subject to Applicant's compliance with the following conditions:

1. Applicant shall comply with all recommendations set forth in the Gilmore and Associates Review Letter of April 18, 2023, unless herein modified. A true and correct copy of this letter is attached hereto and incorporated herein by reference. (Township Code §22-403, §22-502)

2. Applicant shall comply with all recommendations received from the Bucks County Planning Commission in correspondence dated September 28, 2022, unless herein modified. A true and correct copy of this letter is attached hereto and incorporated herein by reference. (Township Code §22-403, §22-502)
3. Applicant shall comply with the Decision rendered by the New Britain Township Zoning Hearing Board dated March 24, 2023, including any conditions included in said Decision. A true and correct copy of this Decision is attached hereto and incorporated herein by reference.
4. The single-family dwelling shall be connected to public water through the North Wales Water Authority.
5. Applicant to demonstrate that the existing utility and shared driveway easement related to the two (2) proposed lots has been recorded of record.
6. Applicant shall provide a natural resource protection conservation easement in accordance with the Township Zoning Ordinance. (Township Code §27-502.3, §27-505 & §27-2401.c)
7. Applicant shall construct all public improvements shown on the Plan, including, but not limited to, water and on-site sewer facilities, stormwater facilities, street trees, roadway widening, installation of curbs and sidewalks, and roadway milling and overlay; or else, install partial improvements as approved by the Township; and/or contribute a fee-in-lieu of these improvements. When contributing a fee-in-lieu of, Applicant shall be required to submit payment of 50% of the estimated cost of the required public improvements that have been waived as set forth below. This fee will be determined once the Opinion of Probable Cost is reviewed and approved by the Township Engineer. (Township Code §22-700, §22-701.8, §22-903, §22-904; Township Resolution 2007-12).
8. Applicant shall contribute to the Township a \$2,500.00 (\$2,500.00/dwelling unit) fee in lieu of the required park and recreation improvements contemporaneously with execution of Development Agreements. (Township Code §22-715)
9. Applicant shall execute the required Stormwater Maintenance Agreement in a form approved by the Township Solicitor. Applicant shall pay the required stormwater fee (\$2.50 per linear foot of existing and proposed roads within the development) contemporaneously with execution of Development Agreements. The amount of the fee shall be determined at the time the Development and Financial Security Agreements are executed. (Township Code §22-712.13, §§26-151 - 164; Township Fee Resolution No. 2021-3)

10. Applicant shall pay the Stormwater BMP Maintenance Guarantee fee applied to all proposed BMPs installed within the Township for the timely installation, proper construction, and continued maintenance of such facilities by the owner of the subject property. The fee is 5% of the construction costs of all the BMPs proposed as a part of the Project, with a minimum fee of \$100.00, but not to exceed \$10,000.00. This fee will be determined by the Township Engineer once Applicant's Opinion of Probable Cost is reviewed and approved by the Township Engineer. (Township Code §22-712.13, §§26-151 - 164; Township Fee Resolution No. 2021-3)
11. Applicant shall obtain all required approvals from various agencies having jurisdiction over the Project, including, but not limited to: Pennsylvania Department of Environmental Protection ("DEP") NPDES Permit, DEP Sewage Facilities Planning Module, 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)
12. 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)
13. Applicant shall execute Development and Financial Security Agreements and all other development documents (including all necessary guarantees, agreements, easements, deeds, and declarations), all in a form and manner to be approved by the Township Solicitor; Applicant shall post sufficient financial security in a form acceptable to the Township; Applicant shall provide proof of sufficient insurance coverage to the Township. (Township Code §22-406.1)
14. 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)
15. 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)

16. All documentation shall be executed prior to recording of Record Plans. (Township Code §22-406)
17. Applicant and its professionals shall execute, notarize and seal the Final Record Plan. (Township Code §22-406.2)
18. Applicant shall comply with all other applicable Township, County, State, and Federal rules, regulations, codes, ordinances, and statutes. (Township Code §22-905)
19. The proposed improvements shall be ADA Compliant.
20. All required landscaping to be planted in accordance with the Plan shall be planted in an informal manner subject to the prior approval of the Township Engineer.

BE IT FURTHER RESOLVED, in response to Applicant's written request, the Board of Supervisors hereby grants waivers to the following sections of Chapter 22 of the Township Code (Subdivision and Land Development). The grant of these waivers is conditioned upon the Applicant meeting the following requirements, where noted:


- a. Section 22-703.4.c – Permitting Applicant to allow the property line to angle around the proposed backup septic area, which is required to have a minimum setback of 10 feet from the property line, thus necessitating a waiver so as to not have the lot areas drawn at right angles.
- b. Section 22.705.3 – From the requirement for cartway widening and pavement mill and overlay along existing streets which abut the proposed subdivision, which would be S. Limekiln Pike.
- c. Section 22-706 – From the requirement that curb and sidewalk be provided along the property frontage of any existing streets, which would be S. Limekiln Pike.
- d. Sections 22-706 – From the requirement that concrete monuments be placed at all proposed lot corners, not along the ultimate right-of-way, and at the corner of septic easements, with the condition that in addition to the monuments shown on the plan, a monument will be added to the plan at the proposed ultimate right-of-way along Parcel 2 at the southernmost corner.

BE IT FINALLY RESOLVED, that the conditions of approval have been made known to Applicant, and this preliminary/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 preliminary/final plan approval shall be deemed denied based upon Applicant's failure to agree to and/or fulfill the said conditions.

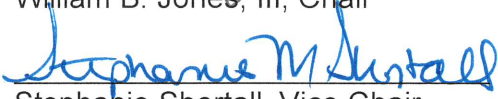
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DULY ADOPTED this 19th day of June, 2023, by the Board of Supervisors of New Britain Township, in lawful session duly assembled.

NEW BRITAIN TOWNSHIP BOARD OF SUPERVISORS



William B. Jones, III, Chair

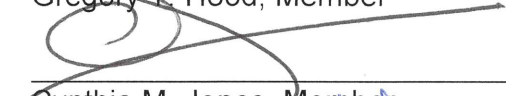


Stephanie Shortall, Vice Chair

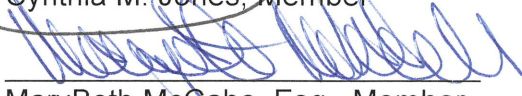
Gregory T. Hood, Member



Michael Walsh, Interim Manager



Cynthia M. Jones, Member



MaryBeth McCabe, Esq., Member