

RESOLUTION NO. 2023-25
FIRST AMENDMENT
(Duly Adopted: 11/20/2023)

NEW BRITAIN TOWNSHIP
BUCKS COUNTY, PENNSYLVANIA

A RESOLUTION OF THE BOARD OF SUPERVISORS OF NEW BRITAIN TOWNSHIP AMENDING RESOLUTION NO. 2022-09 WHICH SAID RESOLUTION GRANTED PRELIMINARY/FINAL LAND DEVELOPMENT AND SUBDIVISION APPROVAL TO FOXLANE HOMES AT HIGHPOINT, LLC, FOR THE PURPOSE OF THE CONSTRUCTION OF 137 RESIDENTIAL HOMES.

WHEREAS, Foxlane Homes at Highpoint, LLC (“*Applicant*”) has previously submitted an application for preliminary/final land development and subdivision approval of a residential land development that proposed the construction of one hundred thirty-seven (137) townhouse and twin dwellings (“*Project*”) on a 29.17 acre parcel of real property consisting of Bucks County Tax Parcels #26-005-047-005, #26-005-056, #26-005-056-008, and #26-005-056-009 (“*Property*”); and

WHEREAS, the Applicant has submitted Amended Final Plans for the project, which said Amended Plans were prepared by Van Cleef Engineering Associates, LLC, consisting of sheets 2 through 7, 14 through 31, 33, 34, 55, and 66 of 68, dated January 12, 2022, and last revised October 4, 2023, which said Plans have relocated townhome Units 7 through 10 due to conflict with underground utilities; and

WHEREAS, the Township Engineer has recommended that the Board of Supervisors approved the Amended Final Plans subject to conditions.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of New Britain Township hereby grants amended preliminary/final approval of the Project subject to compliance with the following additional conditions:

1. The Applicant shall coordinate with DEP and Conservation District on any modifications to the E&S and PCSWM Plans and process to approve the changes.
2. The Applicant shall coordinate with the Water, Sewer, and other applicable utility companies on the utility adjustments.
3. The amended plans resulted in an increase in the net area of Open Space ‘A’ and a decrease in the net area of Open Space ‘B’. The legal descriptions for Open Space A and B should be revised and recorded based on the amended areas.

4. The telecommunication lines and the vault are located outside of the existing telephone easement and conduit easement. The Applicant shall clarify if a revised easement is required by the Utility Provider.
5. The approval of the Amended Final Plans is further subject to continued compliance with the requirements set forth in Resolution 2022-09, except as modified by the four (4) additional conditions noted herein.

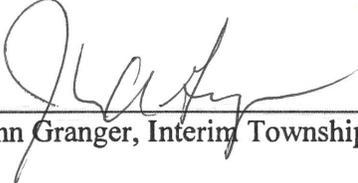
BE IT FINALLY RESOLVED, that the conditions of approval have been made known to the Applicant, and this amended preliminary/final land development and subdivision approval is to be deemed expressly contingent upon Applicant's affirmative written acceptance of the said conditions on a form prescribed by the Township within thirty (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 amended preliminary/final land development and subdivision approval shall be deemed denied based upon Applicant's failure to agree to and/or fulfill the said conditions.

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BUCKS COUNTY, PENNSYLVANIA
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DULY ADOPTED this 20th day of November, 2023, by the Board of Supervisors of New Britain Township, in lawful session duly assembled.

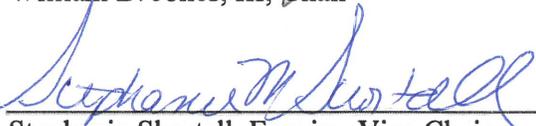
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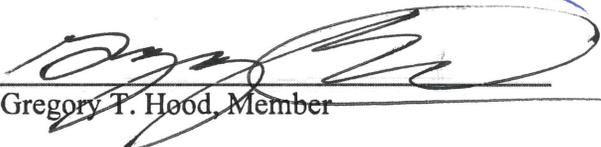
John Granger, Interim Township Manager



William B. Jones, III, Chair



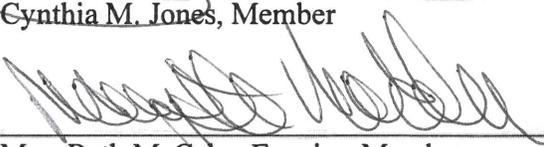
Stephanie Shortall, Esquire, Vice Chair



Gregory T. Hood, Member



Cynthia M. Jones, Member



MaryBeth McCabe, Esquire, Member