

**RESOLUTION NO. 2022-18**  
(Duly Adopted: September 26, 2022)

NEW BRITAIN TOWNSHIP  
BUCKS COUNTY, PENNSYLVANIA

A RESOLUTION OF THE BOARD OF SUPERVISORS OF NEW BRITAIN TOWNSHIP GRANTING PRELIMINARY/FINAL LAND DEVELOPMENT APPROVAL TO 84 SCHOOLHOUSE, L.P. OF THE SUBDIVISION AND LAND DEVELOPMENT PLANS FOR 84 SCHOOLHOUSE, L.P., PREPARED BY HOLMES CUNNINGHAM, LLC, DATED MAY 24, 2022, CONSISTING OF 17 SHEETS, WHICH PROPOSE TO CREATE FIVE BUILDING LOTS TO BE IMPROVED WITH ONE SINGLE-FAMILY DWELLING ON EACH LOT.

**WHEREAS**, 84 Schoolhouse, L.P. ("*Applicant*") has submitted an application for preliminary/final plan approval of a residential land development/subdivision that proposes to construct five (5) single-family homes upon five (5) separate lots ("*Project*") on a 9.14 acre parcel of land located along Schoolhouse Road and identified as Tax Map Parcel #26-005-003 ("*Property*"); and

**WHEREAS**, this proposal is reflected on a plan entitled "Final Land Development and Major Subdivision Plans for 84 Schoolhouse, L.P.", prepared by Holmes Cunningham, LLC, dated May 24, 2022, with no revisions, consisting of 17 sheets ("*Plan*"); and

**WHEREAS**, the New Britain Township Planning Commission reviewed the Plan at its July 26, 2022 meeting, and recommended approval subject to 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 of the Gilmore and Associates Review Letter of July 19, 2022 unless herein modified. A true and correct copy of this letter is attached hereto and incorporated herein as **Exhibit "A"**. (Township Code §22-403, §22-502)
2. Applicant shall comply with all recommendations of the Bucks County Planning Commission Review Letter of June 23, 2022 unless herein modified. A true and correct copy of this letter is attached hereto and incorporated herein as **Exhibit "B"**. (Township Code §22-403, §22-502)
3. Applicant shall comply with all recommendations of the New Britain Township Fire Marshal review letter of June 10, 2022 unless herein modified. A true and correct

copy of this letter is attached hereto and incorporated herein as **Exhibit "C"**.  
(Township Code §22-403, §22-502)

4. Applicant shall provide natural resource protection easements across the Property in accordance with the Township Zoning Ordinance. (Township Code §27-502.3, §27-505 & §27-2401.c)
5. Applicant shall construct all public improvements shown on the Plan, including, but not limited to, water and sewer facilities, stormwater facilities, street trees, roadway widening, installation of appropriate curbs and sidewalks, but the Applicant shall not be required to mill and overlay the adjoining road or widen Schoolhouse Road any further. In lieu of contributing a fee-in-lieu of the improvements, and pursuant to Township Resolution 2007-12, Applicant shall construct a trail across Applicant's frontage which said trail shall be maintained in perpetuity by the Homeowners Association. Furthermore, in the event the Township acquires offsite right-of-way across two (2) adjoining properties, Applicant shall be required to construct the trail offsite. At the time of the funding and execution of the Development and Financial Security Agreements, Applicant shall post with the Township sufficient funds for the Township to be able to construct the offsite trail in the event the Township has not acquired the right-of-way. If, prior to the completion of the Applicant's project, the Township has not secured the required right-of-way, then the Township shall utilize the funds escrowed pursuant to this provision so as to construct the offsite trail. If the Applicant constructs the trail after the Township secures the required right-of-way, the funds shall be reimbursed to the Applicant. (Township Code §22-700, §22-701.8, §22-903, §22-904; Township Resolution 2007-12). Following the construction of the off-site trail, neither the Applicant nor the Homeowners Association to be created by the Applicant shall have any responsibilities to maintain the off-site trail.
6. Applicant shall contribute to the Township \$12,500.00 (\$2,500.00/dwelling unit) as a fee-in-lieu of the required park and recreation improvements contemporaneously with execution of Development Agreements. (Township Code §22-715)
7. Applicant shall execute the required Stormwater Maintenance Agreement in a form approved by the Township Solicitor. Applicant shall pay the required stormwater fee of \$3,225.00 (\$2.50 per linear foot of existing and proposed roads within the development) contemporaneously with execution of Development Agreements. (Township Code §22-712.13, §§26-151 - 164; Township Fee Resolution No. 2021-3)
8. 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)

9. 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)
10. Prior to recording of Final Plans, Applicant shall submit all Homeowners’ Association documents in a form approved by the Township Solicitor. (Township Code §22-406.1, §27-2703)
11. 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)
12. 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)
13. 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)
14. 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)
15. All documentation shall be executed prior to recording of Record Plans. (Township Code §22-406)
16. Applicant and its professionals shall execute, notarize and seal the Final Record Plan. (Township Code §22-406.2)

17. Applicant shall comply with all other applicable Township, County, State, 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 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:

1. §22-403 & 404 — From the requirement to provide separate preliminary and final plan submissions.
2. §22-502.1.H — From the requirement to provide a lighting plan.
3. §22-705.3.C, §706.1.A, §706.1.B, §706.2.A, §706.2.B, §22-707.1.A, §22-707.1.B(2), & §713.4.B — From the requirement to provide cartway widening, curb and sidewalk along Schoolhouse Road and curb and sidewalk along the proposed private street subject to the plans and compliance with the conditions noted in the Engineer's Letter noted above.
4. §22-713.4.B — Street trees shall be planted between three and five feet outside the ultimate right-of-way line, and as an alternative, the same quantity of trees may be planted in an informal arrangement along the perimeter of the street, when approved by the Board.
5. A waiver from §22-713.4.B to allow the street trees within the right-of-way.
6. §22-705.3.E — From the requirement that private streets be designed to the specifications of a local street.
7. §22-705.3.G — From the requirement to mill and overlay the entire width of the existing roadway abutting a subdivision to a depth of 1 1/2 inches.
8. §22-705.8.C — From the requirement that cul-de-sac streets be provided with a left side turnaround configuration at the closed end with a minimum paving radius of 50 feet.
9. §22-705.8.D — From the requirement that cul-de-sac streets be permitted only as side streets extending from a through street. Such streets may not create a four-way intersection unless two permanent cul-de-sac streets intersect directly opposite one another along a local access street.
10. §22-705.8.F — From the requirement that a fifteen-foot by twenty-foot snow storage easement is required along the right-of-way of the cul-de-sac bulb at a location approved by the Board.

11. §22-710.4 — From the requirement to provide at least one emergency access for subdivisions with a proposed single access loop street or cul-de-sac street.
12. §22-714.3.A — From the requirement to provide streetlights in residential subdivisions.

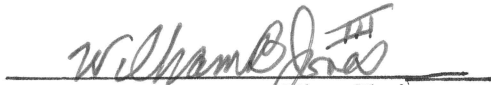
**BE IT FINALLY RESOLVED**, that the conditions of approval have been made known to Applicant, and this preliminary/final plan approval is to be deemed expressly contingent upon Applicant's affirmative written acceptance of the said conditions on a form prescribed by the Township within 30 days of the 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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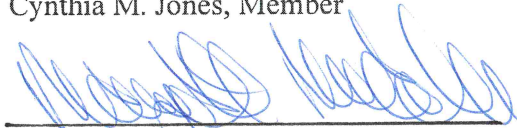
NEW BRITAIN TOWNSHIP  
BUCKS COUNTY, PENNSYLVANIA  
RESOLUTION NO. 2022-18

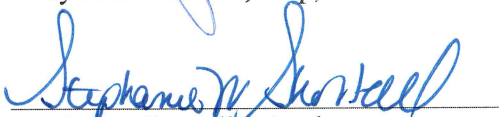
**DULY ADOPTED** this 26th day of September 2022, by the Board of Supervisors of New Britain Township, in lawful session duly assembled.

  
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Gregory T. Hood, Chairman

  
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William B. Jones, III, Vice Chair

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Cynthia M. Jones, Member

  
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MaryBeth McCabe, Esq., Member

  
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Stephanie Shortall, Member

  
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Attest: Matthew West,  
Township Manager

# EXHIBIT "A"



**GILMORE & ASSOCIATES, INC.**  
ENGINEERING & CONSULTING SERVICES

July 19, 2022

File No. 17-08039

Matt West, Township Manager  
New Britain Township  
207 Park Avenue  
Chalfont, PA 18914

Reference: 84 Schoolhouse Road, Preliminary Land Development Plan Review 1  
TMP# 26-005-003

Dear Matt:

Pursuant to your request, Gilmore & Associates, Inc. has reviewed the Lane Development Plan for the above-referenced project. Upon review by our office, we offer the following comments for consideration:

I. Submission

- A. Preliminary and Final Land Development and Major Subdivision Plans for 84 Schoolhouse Road, prepared by Holmes Cunningham, LLC, dated May 24, 2022, consisting of seventeen (17) sheets.
- B. Post Construction Stormwater Management Plan Narrative for 84 Schoolhouse Road, prepared by Holmes Cunningham, LLC, dated May 24, 2022.
- C. Waiver Request letter for 84 Schoolhouse Road, prepared by Holmes Cunningham, LLC, dated May 24, 2022.
- D. Wetland Delineation letter for 84 Schoolhouse Road, prepared by VW Consultants, LLC, dated May 26, 2019.

II. General Information

The subject property is a 9.14-acre parcel along Schoolhouse Road (T-332) within the Township's RR Residential Zoning District. The property currently contains a one-story single-family dwelling, woodlands, floodplain soils and a stream. The Applicant intends to subdivide the property into five lots for 5 new B1 - Single-Family Detached Dwelling uses, which are permitted by right. A private street is proposed and ends in a hammerhead turnaround configuration. Schoolhouse Road is proposed to be improved with a landscaped berm and 6-foot asphalt path. Stormwater will be managed through a detention basin near the western corner of the site. The property is within the Township's public water and sewer services areas.

III. Review Comments

A. Zoning Ordinance

We have identified the following issues regarding the requirements and provisions of the current New Britain Township Zoning Ordinance:

1. §27-902.b – The following comments related to the dimensional requirements in the RR district shall be addressed:
  - a. The Ratio Base Site Area for Lot 1 subtracts 3,956 sf for a proposed easement, however, it's unclear where the easement is located. The easement area shall be clarified, or the table revised as necessary.

BUILDING ON A FOUNDATION OF EXCELLENCE

65 E. Butler Avenue | Suite 100 | New Britain, PA 18901 Phone: 215-345-4330 | Fax: 215-345-8606  
www.gilmore-assoc.com



- b. The Lot Area and Coverage Table shall include a row to document the impervious areas proposed within the right-of-way to verify the proposed site impervious surface coverage.
    - c. Based on the Lot Area and Coverage Table, the proposed Building Coverage in the Zoning table shall be revised to 7%.
  2. §27-2108.f.3 – All new residential construction on lots of one acre or less shall comply with the increased restrictions as noted in the table. Lots 1 and 2 are each 1 acre and shall be revised to show and meet the 85-foot rear yard setback required for the Developer. In addition, the Zoning requirements for these lots shall list the requirements for both the Developer and the purchaser of these lots. Alternatively, the area for these lots could be increased to more than one acre.
  3. §27-2400.i.4 – In cases where a major subdivision or land development is proposed, replanting of the riparian corridor shall be required where there is little or no existing streamside vegetation. The Applicant should provide photographic and written documentation that the existing vegetation along the riparian corridor is sufficient or landscaping along the corridor shall be provided.
  4. §27-2401.c – Restrictions are required to be placed in the deed to provide for the continuance of the natural resource areas. We offer the following comments relative to the natural resources:
    - a. The required resource protection area shall be designated on the plans and conservation easement(s) provided in accordance with §22-704.1.
    - b. We note that the stormwater easement may be included in the conservation easement area.
    - c. Per the eMap PA application, the area labeled "Waters of the US" appears to be a tributary (ID: 25479034) to the West Branch Neshaminy Creek and shall be labeled as such.
  5. §27-2402.b – The Site Capacity Calculations on the Existing Resources and Site Analysis Plan shall be revised to subtract the ultimate right-of-way of Schoolhouse Road for the Base Site Area. In addition, the location of the 12,419-sf area of existing utility right-of-way or easements shall be clarified or noted on the plan.
  6. §27-2402.c – The riparian buffer area at the southern corner of the site should be noted in the Resource Protection Land table and the area included in the Open Space, Buildable Site Area and Density Calculations. We note that a portion of the riparian buffer overlaps the floodplain soils. This overlap of areas should be noted in the table to document the resource area is not counted twice.
  7. §27-2400.f.1, §22-502.1.D.(7), & §22-713.2.B(3) – No more than 20% of woodlands located upon a lot or site shall be altered, regraded, cleared, or built upon in the RR District. The plans indicate that 20% of woodlands are being disturbed. To confirm, the following information shall be added to the plans:
    - a. The ERSAP and Landscape Plan shall be revised to identify the individual living trees to be removed designated by an "X" marked on the tree. The limits of clearing and location of tree protection fence should be shown on the Landscape Plan.
    - b. A note shall be added to the Construction Sequence specifying that individual trees along the limits of tree removal be marked in the field to ensure the woodlands disturbance does not exceed the maximum permitted.
- B. Subdivision and Land Development Ordinance Waivers

The following waivers have been requested by the Applicant from the Subdivision and Land Development Ordinance in a letter dated May 24, 2022:

1. §22-403 & 404 – From the requirement to provide separate preliminary and final plan submissions. Based on the number of comments, we do not support a waiver at this time. We recommend the plans be revised to address the comments herein.
2. §22-502.1.H – From the requirement to provide a lighting plan, which we support.
3. §22-705.3.C, -706.1.B, 2.B & -713.4.B – From the requirement to provide cartway widening, curb and sidewalk along Schoolhouse Road and curb and sidewalk along the proposed private street. Schoolhouse Road is required to be widened approximately 12 feet and improved to include five (5) foot sidewalks, curbing, and a 3 to 6-foot grass strip. We offer the following comments regarding the street improvements:
  - a. §22-707.1.A –The plans show a 6-foot asphalt path along Schoolhouse Road. The maintenance responsibilities shall be noted on the plans. We recommend this walkway be extended to W. Boulder Drive to provide a walkway connection to the Colebrook development.
  - b. §22-707.1.B(2) – The Bucks County Planning Commission review recommended widening the path to eight (8) feet to accommodate bike traffic. The asphalt path installed at Colebrook is 6 feet.
  - c. §22-713.4.B – Street trees shall be planted between three and five feet outside the ultimate right-of-way line, and as an alternative, the same quantity of trees may be planted in an informal arrangement along the perimeter of the street, when approved by the Board. As discussed during the Sketch Plan phase, the plans propose a berm planted with trees between the path and Schoolhouse Road all within the proposed ultimate right-of-way. A waiver from §22-713.4.B shall be requested to allow the street trees within the right-of-way, which we support. However, we recommend the proposed frontage improvements be discussed. Our office recommends a variety of species of varying heights be provided along the berm. The type of species shall consider potential impacts of branches and roots on the cartway and asphalt path.
  - d. If the requested waiver is granted, the Applicant will be required to pay a fee-in-lieu of the improvements in accordance with Township Resolution No. 2007-12 with credit for any on and offsite improvements.
4. §22-705.3.E – From the requirement that private streets be designed to the specifications of a local street. The Applicant is proposing a 20-foot wide cartway ending in a hammerhead turnaround configuration within a 50-foot-wide right-of-way and a 60-foot right-of-way bulb. We support this waiver conditioned on "No Parking" signs being provided along the street and hammerhead turnaround to ensure adequate clear space for emergency vehicles.
5. §22-705.3.G – From the requirement to mill and overlay the entire width of the existing roadway abutting a subdivision a depth of 1 1/2 inches. The proposed improvements require minimal utility connections within the roadway and the Public Works Superintendent has indicated that the road surface is in good condition. We recommend as a condition of the waiver, that the street conditions be documented prior to construction and any damage done as result of construction restored to the Township's satisfaction.
6. §22-705.8.C – From the requirement that cul-de-sac streets be provided with a left side turnaround configuration at the closed end with a minimum paving radius of 50 feet. The Applicant is proposing a hammerhead turnaround area subject to the Fire Marshall's approval.
7. §22-710.4 – From the requirement to provide at least one emergency access for subdivisions with a proposed single access loop street or cul-de-sac street.
8. §22-714.3.A – From the requirement to provide streetlights in residential subdivisions. No new street lighting is proposed at the intersection or at the turnaround, but driveway lampposts are proposed for each lot as was discussed with the Board of Supervisors. However, we recommend that a streetlight be provided at the intersection of Schoolhouse Road for pedestrian and vehicular safety, similar to the Colebrook development.

C. Subdivision and Land Development Ordinance

1. §22-406.1 – The Applicant is responsible for any other required outside agency approvals, permits, etc. (i.e., BCPC, BCCD, PADEP, Municipal Sewer Authority, Fire Marshal, North Wales Water Authority, Township Road Opening Permit, etc.) as applicable.
2. §22-406.1.I – Legal descriptions for all proposed easements, rights-of-way, deed restricted areas, etc., shall be submitted to the Township Engineer for review. Upon the Township Engineer's approval, the Township Solicitor shall prepare the required documents including grants of easement, deeds of dedication, stormwater maintenance agreement, operation and maintenance agreement, etc. It shall be discussed whether the proposed private street and Schoolhouse Road right-of-way will be accepted as an easement or right-of-way.
3. §22-502.1 – The following comments related to plan presentation and notes shall be addressed:
  - a. Asterisks shall be added to the Drawing List for the plans to be recorded.
  - b. A certification shall be provided on the Record Site Plan from the wetlands/soil's scientist stating that no wetlands are present on the site.
  - c. The zoning classification of the abutting parcels shall be noted on the record plan.
  - d. Site Plan Notes 5 and 10 both note that the ultimate right-of-way of Schoolhouse Road Extension is offered for dedication. The duplicate note should be removed as well as the word 'extension'.
  - e. The existing water and sewer connections to the existing dwelling shall be shown on the Existing Features Plan and notes added related to their removal/abandonment in accordance with applicable regulations.
4. §22-502.1.B – A copy of the deed for the subject tract, the Existing Features Plan noted in Site Plan Note #1, and any other reference documents used to create the plans shall be submitted.
5. 22-502.1.J – The following comments related to construction details shall be addressed:
  - a. The HDPE Pipe Detail shall be replaced with the Township Pipe Bedding Detail.
  - b. The Township Storm Sewer & Utility Trench Restoration within Paved Areas Detail shall be added to the plans for the restoration of Schoolhouse Road.
  - c. The Township Residential Driveway Paving Section Detail shall be added to the plan for the individual driveways.
  - d. Details for concrete and HDPE flared end sections shall be added to the plans.
  - e. Details shall be provided for the level spreader cleanouts.
  - f. Clarify the private street specification. See attached local street specification.
6. §22-705.7.B – A profile of the proposed private street shall be provided to demonstrate compliance with the vertical street alignment requirements.
7. §22-705.8.D – Cul-de-sac streets shall be permitted only as side streets extending from a through street. Such streets may not create a four-way intersection unless two permanent cul-de-sac streets intersect directly opposite one another along a local access street. The proposed private street creates a four-way intersection with Boulder Drive, which is not a cul-de-sac. We would support a waiver from this requirement.
8. §22-705.8.F – A fifteen-foot by twenty-foot snow storage easement is required along the right-of-way of the cul-de-sac bulb at a location approved by the Board. We note that the current hammerhead design provides sufficient room for snow storage, and therefore would support a waiver from this section.
9. §22-705.12.B – The proposed street name shall be discussed and approved by the Board of Supervisors and Fire Marshall.

10. §22-705.12.C & §22-705.17 – The location of all signs shall be provided on the Record Site Plan. A stop sign shall be provided at the intersection of the private street with Schoolhouse.
11. §22-705.13.C – All access drives and driveways shall be provided with a stopping area of 20 feet, at a maximum grade of 3%, measured from the edge of cartway. It appears the driveways for lots 3, 4 and 5 exceed a 3% slope within 20 feet of the driveway. Additional spot elevations shall be provided as necessary to confirm the driveway slope.
12. §22-705.15.A & 707.1.B.(8) – Crosswalks shall be required at intersections and at other locations where necessary to facilitate pedestrian circulation and to provide access to community facilities. Curb ramps and a crosswalk shall be provided at the intersection of the asphalt path with the private access street. Crosswalks shall consist of brick red thermoplastic street imprint with herringbone pattern and six-inch white stripes.
13. §22-711 – The Applicant will be required to secure the necessary NPDES and Erosion and Sediment (E&S) Control permits.
14. §22-711.2 – The following issues related to E&S control should be addressed:
  - a. Compost silt sock should be provided at the treeline along the southern side of the Lot 3 dwelling.
  - b. Compost silt sock should be provided along the northern end of the asphalt path and berm grading at Schoolhouse Road.
  - c. Erosion control matting should be provided for all slopes of 3:1 or greater. The location of erosion control matting should be shown on the plan.
  - d. The sediment basin and storm sewer system are proposed as part of the erosion controls. The installation of the storm sewer should precede the building construction.
15. §22-711.3 – The following comments related to site grading shall be addressed:
  - a. Spot elevations shall be provided between the proposed 331 and 332 contours around Inlets CB-3, CB-4, and CB-5 to clarify the high points.
  - b. Spot elevations shall be provided between the swales behind Lots 2 and 5 to demonstrate runoff is directed away from the rear of the dwelling and towards the swales with a minimum slope of 2%.
  - c. The grading for the berm along the southeastern portion of the asphalt path will direct runoff onto the private drive at the intersection with Schoolhouse Road. We recommend the cross slope of the path and berm grading be revised as necessary to allow this runoff to be directed to Inlet CB-6.
  - d. Spot elevations shall be provided at the corners of the hammerhead turnaround area to clarify the grading.
  - e. The contours in the southeast corner of the basin shall be rounded to obtain a more accurate basin volume and avoid the basin being undersized while being constructed.
16. §22-715.2.C.(2) – Park and recreation land is required at a ratio of 2,500 square feet per new dwelling unit or 12,500 square feet. The land shall be dedicated to the Township or other entity as may be approved by the Board. A fee-in-lieu of park and recreation at a rate of \$2,500 per dwelling unit or \$12,500.00 for 5 new dwellings may be provided at the Board's discretion.
17. §22-716 – Monuments shall be provided at the following locations:
  - a. At all proposed lot corners, including changes in direction of boundary for Lot 4 which exceeds 2 acres.
  - b. At the beginning and end of all easements, including changes in direction of easements.
18. §22-718 – We defer to the North Penn Water Authority (NPWA) for review of the plans regarding the water connection from the existing main on Schoolhouse Road.

19. §22-720 – A Sewage Facilities Planning Module shall be approved by the Township, Authority, and PADEP prior to final plan approval by the Township. The Sewage Planning Module Application Mailer shall be submitted to the Township and a copy of the approved sewer agreement, shall be provided to the Township and our office prior to plan recording.
20. §22-720 – We defer to the Chalfont-New Britain Township Joint Sewer Authority (CNBJSA) for review of the plans with respect to the connection to the sewer system in Schoolhouse Road.

D. Stormwater Management Comments

1. §22-712.4.G. – All basin outlet pipes shall be watertight reinforced concrete having "O-Ring" joints. The 30" RCP outlet pipe from the basin shall be revised to specify "O-Ring" joints.
2. §22-712.4.L. – The outlet control structure shall be a Type "M" inlet grate and box. The inlet grate shall be at least six inches below the emergency spillway elevation. The Plan notes an emergency spillway elevation of 329.65 and an outlet structure grate elevation of 329.50.
3. §22-712.5.H. – A minimum of 1 foot of freeboard shall be provided between the 100-year water surface elevation and the top of inlet grate. The stormwater report notes a 100-year water surface elevation of 329.00 which is the same as the grate elevations of Inlets CB-1 and CB-2. This may result in ponding at these locations. The grading and inlet structures shall be revised to direct stormwater to these inlets.
4. §26-123 – The proposed design utilizes the Managed Release Concept (MRC) developed by PADEP to meet the volume control requirement which is permitted for situations where infiltration is infeasible. We note that the proposed managed release concept is subject to PADEP approval. However, the following issues related to the design of the MRC basins should be addressed:
  - a. The PADEP guidance for MRC basins states that a composite Curve Number is not adequate for the modeling of the 1.2 inch/2-hour storm due to the large error associated with averaging of initial abstractions for storms less than or equal to the 2-year/24-hour storm event. Curve numbers must be separate for this analysis. The stormwater report uses a weighted curve number for the flows to the MRC Basin. Separate hydrographs for the pervious and impervious flows to the basin should be provided to verify they meet the release rate requirement.
  - b. The proposed bottom of the MRC basin is approximately 6 feet below existing grade. The Soils Table indicates the soils in the basin provide 6-8 inches from the high-water table and 60 inches to bedrock, indicating that both will be encountered when installing the basin. The guidance for the MRC specifies an additional 1-foot minimum soil media below the underdrain where the in-situ soils are unsuitable due to the water table and/or bedrock.
5. §26-123.2.C.(5)(b) – The stormwater report shall be revised to include infiltration testing results. The use of the MRC is only permitted when infiltration rates do not meet the ¼ inch per hour minimum.
6. §26-124.C – Onsite drainage facilities shall be designed to safely convey offsite flows through the development site. Based on the existing contours shown on the Post Construction Stormwater Management Plan, it appears the offsite drainage area to the basin may extend further than the boundary shown on the plan. The boundary shall be verified and revised accordingly.
7. §26-125.9 – The following comments related to the modeling of the design in the stormwater management report shall be addressed:
  - a. Watershed PR-1 includes 0.1 acres of future impervious, indicating that the future impervious from three lots will be directed towards the basin. It appears that only future impervious for Lots 2 and 5 would be conveyed to the basin. The runoff coefficient calculations shall be revised to include the future impervious for Lots 2 and 5 in Watershed PR-1 and the future impervious for the remaining lots in Watershed PR-2.

- b. Watershed PR-1 includes the entire Lot 4 dwelling. It appears the rear of this dwelling will drain to the swale that bypasses the basin. The locations of the roof drains shall be clearly shown, and the drainage area revised as necessary.
- c. Time of concentration calculations shall be provided to verify the times used in the report.
8. §26-132 – The following discrepancies with the stormwater management design and plans shall be addressed:
  - a. The Sediment Trap Temporary Riser detail and the Basin #1 Outlet Structure Detail shall be coordinated and revised as necessary to clarify how the temporary riser will be connected to the outlet structure or outlet pipe.
  - b. Inlet CB-1 has a 24" HDPE connection at the narrow side of the box. The design shall be revised to accommodate the pipe within the structure.
  - c. A cleanout shall be provided at the end and 90-degree bend of the MRC underdrain.
  - d. The Basin Berm Construction Notes shall include a note specifying that the basin outlet pipe be backfilled with the same clay soils used to construct the berm.
  - e. The MRC Stormwater Facility Section states that the Planting Soil Mix shall be 60% topsoil and 40% compost while the Underdrain Detail specifies 70% topsoil and 30% compost. The composition of the soil mix shall be clarified.
9. §26-164.1 – The Applicant shall sign an Operation and Maintenance (O&M) and Easement agreement with the municipality covering all stormwater, storm sewer facilities and BMPs that are to be privately owned. The O&M agreement shall be transferred with transfer of ownership and shall be prepared by the Township Solicitor.
10. §22-712.13.D – The Township shall require payment of a fee in order to maintain the stormwater management facilities. The fee shall apply to all storm sewers located in public rights-of-way or any easement owned by the Township. The fee is based on \$2.50 per linear footage of storm sewer within the right of way or easement.
11. Township Resolution #2022-03 – The Applicant will be required to pay a fee for the proposed onsite BMP to provide a financial guarantee for the timely installation, proper construction, and continued maintenance by the owner of the subject property. The fee shall be 5% of the total construction cost of the proposed BMP. The Applicant's professional shall submit a cost estimate once the design is finalized.

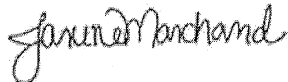
E. Landscape Comments

1. §22-713.6.A – The location, dimensions and spacing of required plantings should be adequate for their proper growth and maintenance. We note that Note 14 of Sheet 5 indicates the Applicant will meet with the Township Engineer after the improvements are constructed to determine the final locations of the required landscaping depending on existing vegetation, space, and canopy conditions. We offer the following comments relative to the locations of the proposed plantings:
  - a. It appears that existing overhead utilities run along a portion of Schoolhouse Road and the southeastern property line where shade trees and evergreens are proposed. Smaller tree species shall be utilized in these locations or planting locations adjusted adequate distances from the overhead lines to prevent conflicts. Acceptable substitutions from the Township's Required Plant Material List for shade trees is 2:1 for evergreens (6-ft min. height), 2:1 for flowering/ornamental trees (8-ft min. height and 1-1/2-inch min. caliper), and 5:1 for shrubs (30-nch min. height).
  - b. Ten feet separation shall be provided between the proposed shade tree (*Quercus bicolor* – Swamp White Oak) and the basin underdrain and the underdrain shown on sheet 16.

Considering the extent of the required plan revisions identified in this letter, we may have additional comments relating to compliance with the Township Ordinances upon resubmission by the Applicant and upon review of the final plan requirements. To help expedite the review process of the resubmission of the plan, the Applicant shall submit a response letter which addresses each of the above comments. Changes that have been made to the application that are unrelated to the review comments shall also be identified in the response letter.

If you have any questions regarding the above, please contact this office.

Sincerely,

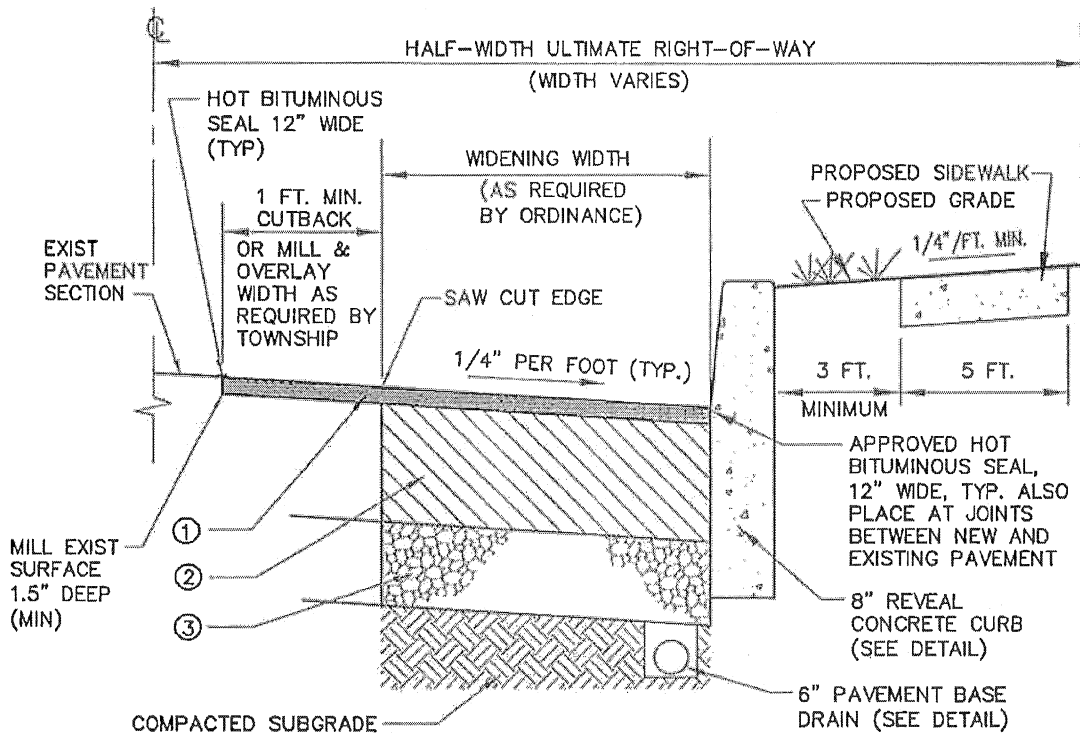


Janene Marchand, P.E.  
Gilmore & Associates, Inc.  
Township Engineers

JM/tw

Attachments

cc: Michael Walsh, Assistant Manager  
Ryan Gehman, Assistant Planning and Zoning Officer  
Randy Teschner, Code Enforcement/Fire Marshal  
Ryan Cressman, Public Works Superintendent  
Jeffrey P. Garton, Township Solicitor  
David Brandschain, 84 Schoolhouse Road, LP  
Robert Cunningham, Holmes Cunningham, LLC.  
Craig D. Kennard, P.E., E.V.P., Gilmore & Associates, Inc.



- ① 1.5" SUPERPAVE ASPHALT MIXTURE DESIGN, 9.5 mm MIX, PG 64-22, HMA WEARING COURSE, 3.0 TO 10.0 MILLION ESALS, SRL-M
- ② 4.5" SUPERPAVE ASPHALT MIXTURE DESIGN, 25 mm MIX, PG 64-22, HMA BASE COURSE, 3.0 TO 10.0 MILLION ESALS
- ③ 6" 2A MODIFIED STONE SUBBASE (MATCH EXISTING IF GREATER)

**NOTE:** NEW ROADS SHALL COMPLY WITH THE ABOVE SPECIFICATION

**TYPICAL ROADWAY WIDENING SECTION DETAIL FOR  
RESIDENTIAL AND LOCAL ROADS**

NEW BRITAIN TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA

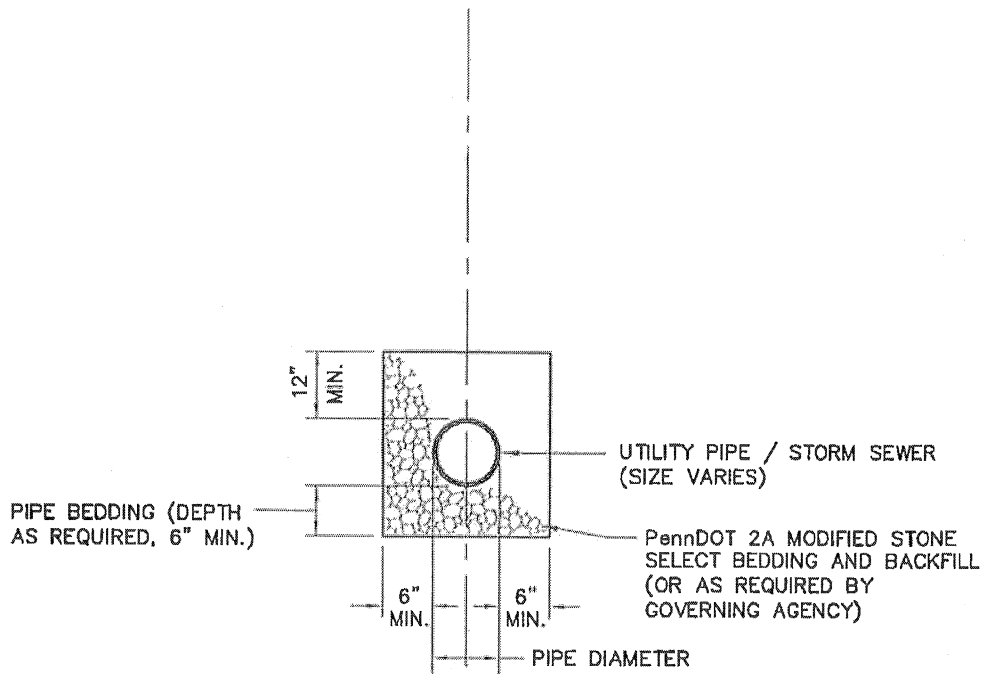
**GILMORE & ASSOCIATES, INC.**

**ENGINEERING & CONSULTING SERVICES**

65 EAST BUTLER AVENUE, SUITE 100, NEW BRITAIN, PA 18901-5106 • (215) 345-4330  
www.gilmore-assoc.com

DATE: 5/22/09	LAST REVISED: 07/07/21	SCALE: N.T.S.	DRAWING No: 3 OF 17
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### PIPE BEDDING DETAIL

NEW BRITAIN TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA



**GILMORE & ASSOCIATES, INC.**  
**ENGINEERING & CONSULTING SERVICES**

65 EAST BUTLER AVENUE, SUITE 100, NEW BRITAIN, PA 18901-5106 • (215) 346-4330  
[www.gilmore-assoc.com](http://www.gilmore-assoc.com)

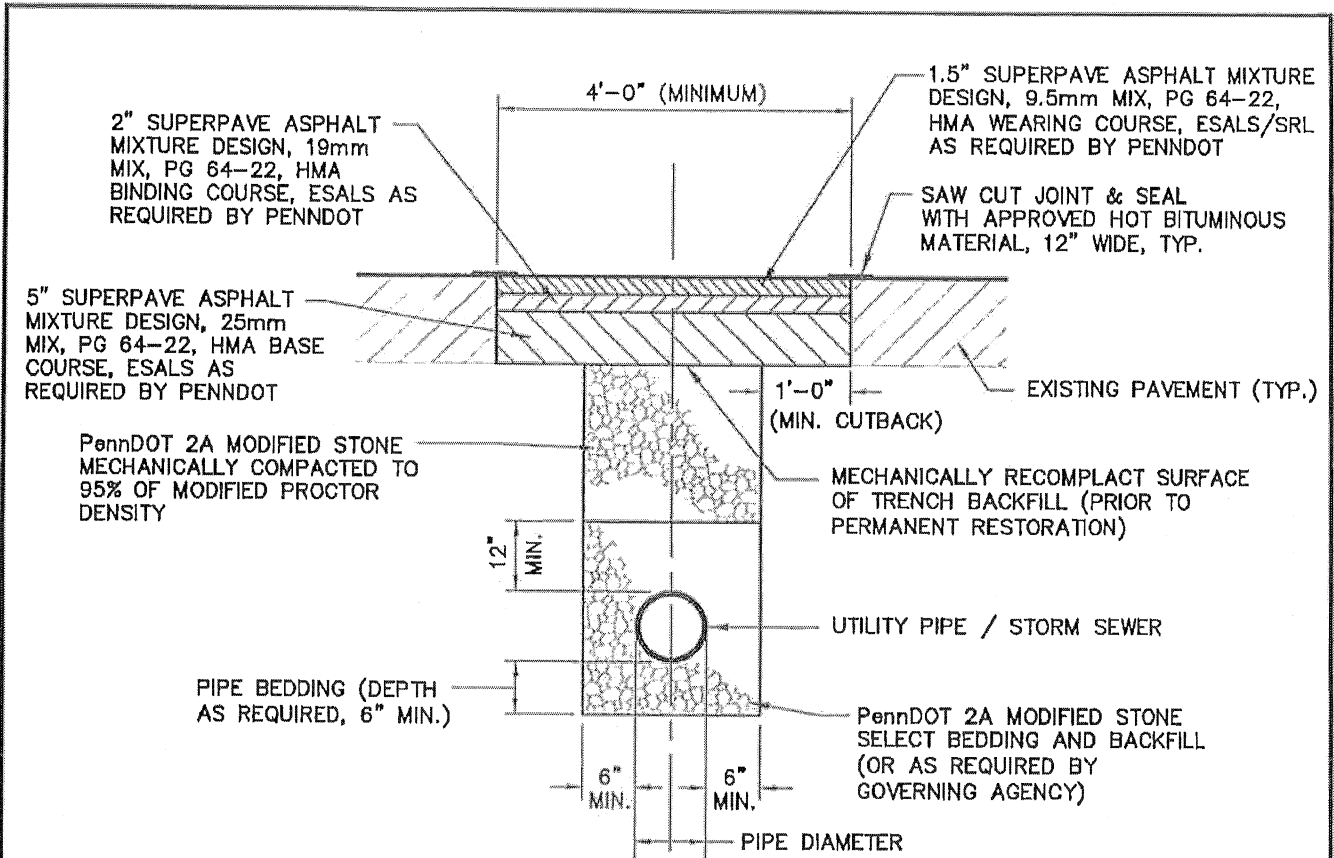
DATE:  
5/22/09

LAST REVISED:

SCALE:  
N.T.S.

DRAWING No:

4 OF 17



AFTER 90 DAYS RESTORATION

**NOTES:**

1. BEFORE 90 DAYS, ROADS SHALL BE TEMPORARILY RESTORED WITH 2A COURSE AGGREGATE AND 2" OF PennDOT ID-2 BINDER COURSE (TO GRADE) AND ALLOWED TO SETTLE 90 DAYS PRIOR TO PERMANENT RESTORATION, AS SHOWN ABOVE. PERMANENT RESTORATION OF TRENCHES SHALL BE COMPLETED ONLY AFTER APPROVAL BY TOWNSHIP ENGINEER.
2. RETAINED SUITABLE MATERIAL MAY BE USED AS BACKFILL FOR TRENCHES IN TOWNSHIP RIGHT-OF-WAY (OUTSIDE OF CARTWAY) WHEN MORE THAN THREE (3) FEET FROM EDGE OF EXISTING CARTWAY, CURB, AND/OR SIDEWALK.
3. MINIMUM WIDTH OF ALL RESTORATION SHALL BE FOUR (4) FEET.
4. COLD PATCH SHALL BE APPLIED ON ALL TRENCH RESTORATIONS (PRIOR TO 90 DAYS) WHEN BINDING OR BASE COURSE ARE NOT AVAILABLE DUE TO WEATHER CONDITIONS.
5. FOR PLASTIC UTILITIES, INSTALL DETECTION TAPE OVER PIPE AT TOP OF STONE BACKFILL.

**STORM SEWER & UTILITY TRENCH RESTORATION WITHIN PAVED AREAS DETAIL**

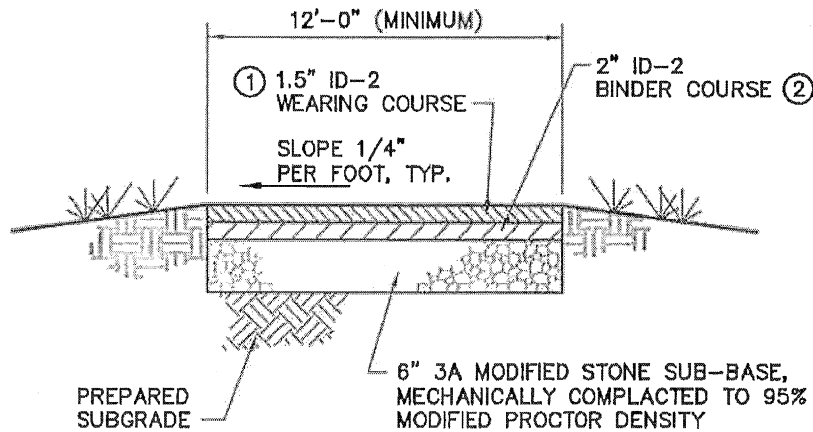
NEW BRITAIN TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA



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ENGINEERING & CONSULTING SERVICES

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www.gilmore-assoc.com

DATE: 5/22/09	LAST REVISED:	SCALE: N.T.S.	DRAWING No: 5 OF 17
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ALTERNATE SPECIFICATION

- ① 1.5" SUPERPAVE ASPHALT MIXTURE DESIGN, 9.5 mm MIX, PG 64-22, HMA WEARING COURSE, 0.3 TO 3 MILLION ESALS, SRL-M
- ② 2.0" SUPERPAVE ASPHALT MIXTURE DESIGN, 19mm MIX, PG 64-22, HMA BINDER COURSE, 0.3 TO 3 MILLION ESALS

**RESIDENTIAL DRIVEWAY  
PAVING SECTION DETAIL**

NEW BRITAIN TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA



**GILMORE & ASSOCIATES, INC.**  
ENGINEERING & CONSULTING SERVICES

65 EAST BUTLER AVENUE, SUITE 100, NEW BRITAIN, PA 18801-5106 • (215) 345-4330  
www.gilmore-assoc.com

DATE:  
5/22/09

LAST REVISED:

SCALE:  
N.T.S.

DRAWING No:

7 OF 17

# EXHIBIT "B"



The Almshouse Neshaminy Manor Center 1260 Almshouse Road  
 Doylestown, Pennsylvania 18901 215.345.3400 FAX 215.345.3886  
 E-mail: [planningcommission@buckscounty.org](mailto:planningcommission@buckscounty.org)

PLANNING COMMISSION:  
 Tom Tosti, *Chairman*  
 Richard Donovan, *Vice Chairman*  
 Thomas J. Jennings, Esq., *Secretary*  
 James J. Keenan  
 James E. Miller, Jr.  
 David R. Nyman  
 Judith J. Reiss  
 Edward J. Tokmajian  
 Walter S. Wydro  
 Evan J. Stone  
*Executive Director*

**MEMORANDUM**

To: New Britain Township Board of Supervisors  
 New Britain Township Planning Commission

From: Staff of the Bucks County Planning Commission

Date: June 23, 2022

Subject: BCPC #12755  
 Preliminary Plan of Subdivision and Land Development for 84 Schoolhouse Road  
 TMP #26-5-3  
 Applicant: 84 Schoolhouse Road, LP  
 Owner: Same  
 Plan Dated: May 24, 2022  
 Date Received: May 27, 2022

This proposal has been reviewed by the Bucks County Planning Commission professional staff, which prepared the following comments in accordance with the Pennsylvania Municipalities Planning Code (Section 502).

**GENERAL INFORMATION**

Proposal: Subdivide a 9.14-acre parcel into five single-family detached residential lots ranging from 43,560 square feet to 176,424 square feet. A 41,846-square-foot stormwater easement is shown on Lot 4. All five lots will be served by public water and sewerage.

Location: Along the southwest side of Schoolhouse Road, opposite its intersection with Boulder Drive.

Zoning: The RR Rural Residential District permits Use B1 Single-family detached dwellings, on lots of at least 43,560 square feet (1 acre) in size with minimum lot widths of 150 feet. Minimum front, side, and rear yard requirements are 50, 25, and 75 feet, respectively.

Present Use: Residential

**COMMENTS**

1. **Requested waivers**—The waiver memo attached to this submission indicates that the applicant is requesting waivers from the following subdivision and land development ordinance (SALDO) requirements:



Sections 22-403 & 404

to allow a combined preliminary and final subdivision and land development submission for this proposal; the applicant indicates that all information required for final plans is included on the plan submission

Section 22-502.1.H.

from providing a lighting plan; the applicant indicates that no pole lighting is proposed for this small-scale residential project with five new building lots

Section 22-705.3.C.

from providing cartway widening along Schoolhouse Road; the applicant indicates the existing cartway width is adequate for existing traffic volume, the proposed development won't create a significant amount of traffic, and widening would disrupt the existing drainage swale along the roadway

Section 22-705.3.E.

from providing a proposed private street that meets design specifications of a local street; the applicant indicates the proposed development is intended to provide the aesthetic of a rural neighborhood with only five new lots, the proposed road will be private and maintained by the homeowner's association, and the proposed cartway width provides adequate access to the homes and for emergency vehicles

Section 22-705-3.G.

from providing mill and overlay of the entire width of the roadway at a depth of 1½ inches; the applicant indicates there are minimal improvements within the existing cartway, no widening is proposed as part of this project, and the existing cartway appears to be in good condition

Section 22-705.8.C.

from providing cul-de-sac streets with a left-side turnaround configuration at the closed end and minimum paving radius of 50 feet; the applicant indicates a hammerhead turnaround is proposed with the required right-of-way width for the ability to install a cul-de-sac and the proposed turnaround provides adequate space for emergency vehicles

Section 22-706

from providing curbs and sidewalks along Schoolhouse Road and the proposed private road; the applicant indicates a 6-foot-wide asphalt pedestrian path is proposed across the site frontage and curbing exists along the property side of Schoolhouse Road

Section 22-710.4.

from providing an emergency access for subdivisions with a single access; the applicant indicates the feasibility of providing an emergency access is limited because the lot being subdivided is surrounded by an urbanized area, and an emergency access will generate additional impervious areas and woodlands disturbances

Section 22-714.3.A.

from providing streetlights at any location where improvements are shown; the applicant indicates the proposed development is intended to provide the aesthetic of a rural neighborhood with only five new lots, no internal pedestrian walkways are proposed that require illumination, and individual residential scale post lights will illuminate individual driveways

The final plan should note all granted waivers.

2. **Conservation easement**—Section 27-502.b.3. of the zoning ordinance requires that all unimpacted natural resource protection lands be protected by a conservation easement. The plan does not indicate the required conservation easement for the unimpacted woodlands on the site.
3. **Meadow Road connectivity**—Section 22-705.8.A. of the SALDO states that cul-de-sac streets within the township are to be discouraged and connectivity with existing public streets is required where determined feasible by the township. Further, Sections 22-705.B. and C. of the SALDO state, in relevant part, that streets should be designed to provide for continuation of existing streets and for proper access to adjoining undeveloped tracts. Per the above SALDO provisions, the applicant should be encouraged to pursue connectivity options to a neighboring street, rather than pursuing a cul-de-sac street layout. A connection to Meadow Road, which abuts the site to the southeast, may be a preferred option.
4. **Asphalt trail width**—Section 22-707-1.B.(2) of the SALDO specifies that the minimum width of a pedestrian walkway shall be six feet, while the minimum width of a recreational trail that is anticipated to have bicycle traffic shall be eight feet. The site's proximity to commercial locations along West Butler Avenue to the southeast leaves open the possibility that bicycle traffic may exist in this area. We recommend the applicant widen the proposed asphalt trail to at least eight feet in width.
5. **Park and recreation land**—Section 22-715.2.C.(1) of the SALDO requires that 2,500 square feet of land per new dwelling unit be dedicated to the township for park and recreation uses in all subdivisions. The plan does not indicate whether this provision has been satisfied either through direct dedication or fee-in-lieu.
6. **Landscaping**
  - a. **Registered landscape architect**—We recommend that the landscape plan be prepared, signed, and sealed by a registered landscape architect licensed in the state of Pennsylvania.
  - b. **Oak trees**—The landscape plan (Sheet 16) proposes swamp white, willow, and red oak trees at various locations on the site. Oak trees, specifically red oak, while typically a good native tree for plantings, are subject to bacterial leaf scorch which is an infectious chronic disease that is affecting several species of oaks in southeastern Pennsylvania.<sup>1</sup> Of the types of oak trees affected by leaf scorch, willow and white oaks are somewhat less susceptible to the disease. Municipal officials should monitor planting plans to ensure that oaks are not overplanted, to avoid the risk of infection and eventual loss of these trees.
7. **Stormwater management maintenance**—The applicant proposes a stormwater conveyance system, a vegetated stormwater basin (managed release concept), and tree plantings as a part of its stormwater BMPs on the site. We recommend the applicant provide a manual to the township and to the HOA detailing all required maintenance for the stormwater management facilities. This will help to ensure the long-term maintenance and performance of the stormwater facilities and make the HOA aware of its responsibilities for regular maintenance and repair of the facilities.
8. **Sewage facilities**—The applicant must submit a Sewage Facilities Planning Module Application Mailer to the Pennsylvania Department of Environmental Protection (PaDEP) to determine if an Act 537 Planning Module must be submitted for this proposed land development.

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<sup>1</sup> <https://extension.psu.edu/bacterial-leaf-scorch>

This review will be included in the Bucks County Planning Commission board materials for the July 6, 2022, meeting. It is not necessary for you to attend this meeting, but you are welcome to do so and to offer comments on the proposal to the BCPC board and staff.

In order that we may be more aware of your concerns, please send us a copy of all municipal decisions sent to this applicant.

JWS:emh

cc: David Perlman, 84 Schoolhouse Road, LP (via email)  
Thomas Borghetti, PE, Holmes Cunningham LLC (via email)  
Janene Marchand, PE, Gilmore & Associates, Township Engineer (via email)  
Matt West, Township Manager (via email)



# EXHIBIT "C"



## Township of New Britain

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Office of Fire Marshal

June 10, 2022

RE: Fire Marshal review of 84 Schoolhouse Road Preliminary/final subdivision  
Review By: Randal J. Teschner Fire Marshal

The following is a list of items to be addressed:

1. Move hydrant from cul-de-sac to between lots one and three