

**RESOLUTION NO. 2022-11**

**NEW BRITAIN TOWNSHIP  
BUCKS COUNTY, PENNSYLVANIA**

A RESOLUTION OF THE BOARD OF SUPERVISORS OF NEW BRITAIN TOWNSHIP GRANTING PRELIMINARY/FINAL LAND DEVELOPMENT APPROVAL TO 180 NEW BRITAIN BLVD. ASSOCIATES, LLC, FOR THE LAND DEVELOPMENT PLANS FOR 180 NEW BRITAIN BLVD. ASSOCIATES, LLC, PREPARED BY RETTEW ASSOCIATES, INC., DATED JANUARY 11, 2022, AND LAST REVISED \_\_\_\_\_, CONSISTING OF 13 SHEETS, WHICH PROPOSE THE CONSTRUCTION OF ADDITIONAL PARKING FOR COMMERCIAL PURPOSES.

WHEREAS, 180 New Britain Blvd. Associates, LLC (the "**Applicant**") has submitted an application for preliminary/final plan land development approval for the construction of additional parking on Bucks County Tax Map Parcel #26-001-100, consisting of 8.51 acres (the "Property"); and

WHEREAS, the proposal is reflected on a plan entitled "Minor Land Development Plan for 180 New Britain Blvd.", prepared by Rettew Associates, Inc., dated January 11, 2022, and last revised \_\_\_\_\_, consisting of 13 sheets (the "**Plan**"); and

WHEREAS, the New Britain Township Planning Commission at its March 8, 2022, meeting, recommended approval of the Preliminary/Final Land Development Plan, 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 dated February 23, 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 dated February 16, 2022, except to the extent it recommends that the Applicant study two (2) additional intersections. 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 dated January 19, 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. If applicable, 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. By this approval, the Board of Supervisors herein grant a waiver from the Subdivision and Land Development Ordinance requirements at §22-705.3.A so as to not be required to improve existing streets to Township standards which said waiver is conditioned upon installing the two (2) curb ramps, upgrading the one (1) existing curb ramp, and installing approximately 235 lineal feet of sidewalk and installing two (2) crosswalks along New Britain Boulevard, as set forth as noted in the Plan attached to Condition #21.
6. By this approval, the Board of Supervisors herein grant a waiver from the Subdivision and Land Development Ordinance requirements at §22-708.5.B so as to not be required to widen the existing service drive to a width of 20 feet which cannot be accomplished because of site constraints.
7. Applicant shall construct all public improvements shown on the Plan at its sole cost and expense, which may include but not be limited to, public water and sewer facilities, stormwater facilities, street trees, roadway widening, installation of curbs and sidewalks, and roadway milling and overlay.
8. Applicant shall execute the required Stormwater Maintenance Agreement in a form approved by the Township Solicitor. Applicant shall pay the required stormwater fee of \$3,100.00 (\$2.50 per linear foot of existing and proposed roads within the development), which shall be paid at the time of the execution of Development and Financial Security Agreements. (Township Code §22-712.13, §§26-151 - 164; Township Fee Resolution No. 2021-3)
9. 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)
10. 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)

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, except to the extent any Township rules, regulations, codes, or ordinances are modified in accordance with this approval. (Township Code §22-905)
18. Plans and project shall be ADA compliant.

19. Applicant shall contribute to the Township as of the execution of Development and Financial Security Agreements, the amount of \$25,000.00 as a fee in lieu of road and other improvements in accordance with the Township Resolution No. 2007-12.
20. Applicant, at its sole cost and expense, shall construct a sidewalk along portions of its frontage in accordance with the attached sketch.
21. The Plans shall provide a note that in the event the Applicant, during construction, damages any public streets and/or other public improvements, Applicant shall repair any damage done to the satisfaction 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 22-502.1.D.10.a – From the requirement to use the Chalfont-New Britain Township Joint Sewage Authority Vertical datum for surveying purposes, subject however to the approval of the Township Engineer.
- b. Section 22-705.3.G – From the requirement to mill and overlay the entire width of the roadway to a depth of 1 ½ inches.
- c. Section 22-706.1.B & 2.B – From the requirement to install curbing and sidewalk along the public right-of-way.

**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.

**[THIS SPACE INTENTIONALLY BLANK. SIGNATURE PAGE FOLLOWS.]**

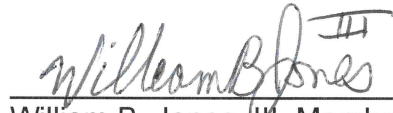
NEW BRITAIN TOWNSHIP  
BUCKS COUNTY, PENNSYLVANIA  
RESOLUTION NO. 2022-11

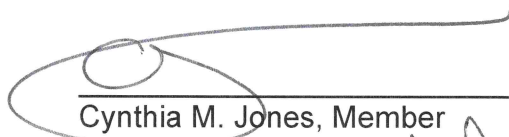
**DULY ADOPTED** this 20<sup>th</sup> day of June, 2022, by the Board of Supervisors of New Britain Township, in lawful session duly assembled.

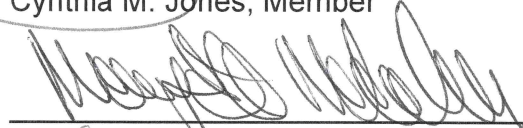
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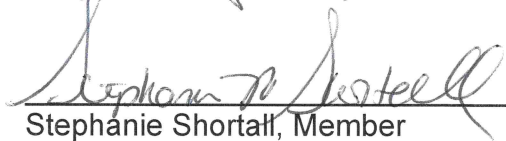
  
\_\_\_\_\_  
Matt West, Township Manager

  
\_\_\_\_\_  
Gregory T. Hood, Chairman

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

  
\_\_\_\_\_  
Cynthia M. Jones, Member

  
\_\_\_\_\_  
MaryBeth McCabe, Esquire, Member

  
\_\_\_\_\_  
Stephanie Shortall, Member

# EXHIBIT “A”



February 23, 2022

File No. 21-07036

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

Reference: 180 New Britain Blvd Associates, LLC – Minor Land Development Plan Review 1  
180 New Britain Boulevard  
TMP # 26-001-100

Dear Matt:

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

I. Submission

- A. Minor Land Development Plan for 180 New Briatin Blvd, as prepared by Rettew Associates, Inc., consisting of thirteen (13) Sheets, dated January 11, 2022.
- B. Post Construction Stormwater Management Plan prepared for Catalyst Commercial Development, LLC, as prepared by Rettew Associates, Inc., dated January 2022.
- C. Traffic Impact Assessment for 180 New Britain Boulevard Site, as prepared by Rettew Associates, Inc., dated October 21, 2021.

II. General Information

The 8.51 acre site is located at 180 New Briatin Boulevard, within the the Industrial/ Office Zoning District and consists of an existing non-residential building with associated driveways and parking areas. The Applicant, 180 New Britain Blvd Associates, LLC, proposes to convert the existing non-residential building from its existing warehouse use (K3) to a flex space use (K18) which is permitted by right in the IO zoning district. To support the change in use, the Applicant proposes to expand the existing on-site parking lot around the southern corner of the building to provide an additional fifty-five (55) parking spaces and widen an existing building driveway access point. Stormwater management will be provided through a subsurface infiltration basin. The building will continue to be serviced by public water and sewer.

III. Review Comments

A. Zoning Hearing Board Decision

On January 21, 2021, the New Britain Township Zoning Hearing Board granted the Applicant's request for the following variance from the Zoning Ordinance:

1. §27-2901.K – To provide less than the required minimum number of off-street parking spaces in connection with a flex space use (K18) on the property subject to the Applicant providing a minimum of 137 off-street parking spaces on the premises and the building's occupant limiting the number of employees, staff, etc. to 65 while conducting flex space use until the expanded parking lot is constructed.

B. Zoning Ordinance

We offer the following comments with respect to the New Britain Township Zoning Ordinance:

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65 East Butler Avenue | Suite 100 | New Britain, PA 18901 | Phone: 215-345-4330 | Fax: 215-345-8606

1. §27-305.K18 – Each flex space area shall have no less than 20%, or more than 50%, of the area devoted to an office use. Warehousing, light manufacturing or assembly shall occupy no more than 80% or less than 50% of the flex space area. 19.7% of office area is proposed (20,077 SF) where 80.2% (81,623 SF) of warehouse is proposed. The areas shall be adjusted to comply.
2. §27-1802.h – The maximum building coverage ratio and maximum impervious surface ratio are required to be based on the Ratio Base Site Area. The building and impervious ratios listed in the Zoning Data table appear to be based on the gross site area and shall be revised. A table listing the area of the existing and proposed impervious surfaces shall be provided to confirm the ratios listed in the table.
3. §27-2301 – Per the Township’s August 25, 2021 Zoning Determination letter, the Applicant shall register the Existing and extensions of Non-Conformities with the Township.
4. §27-2402.c – A table for land with resource restrictions and resource protection land should be provided on the plan. Deed restrictions should be placed over any natural resources required to be protected to prevent future disturbance of these areas in accordance with §27-2401.c. Attached an aerial of the private property along the state highway. Ryan previously asked that we respond to his request, and didn’t meet with the property owner because the Township didn’t have any jurisdiction, so we will follow up. Ryan G. reviewed the file and found no references to any easements on the property that may benefit the Township.
5. §27-2500 – The traffic study was conducted generally in accordance with required standards. However, the following information is required:
  - a. The professional engineer responsible for overseeing the preparation of the traffic impact study must seal and sign the study.
  - b. A brief section shall be provided in the study discussing the anticipated trip generation for trucks and the anticipated truck route. We recommend all trucks be directed to travel to/from the site from the intersection of County Line Road and New Britain Boulevard. A truck generation table shall be added to the study along with a figure showing the site related truck distribution traffic during the AM and PM peak hours.
  - c. The TIA indicates the largest truck that will use the site will be a WB-67. A truck turning template plan shall be provided, showing the circulation a WB-67 onsite. The turning template plan shall also include trash truck circulation showing adequate access to the trash storage area.
6. §27-2904.h.1 – Any lot that would include more than 30 parking spaces shall be required to provide landscaped areas within the paved area. This required landscaped area shall be equal to a minimum of 5% of the total paved area. Calculations of the proposed parking area landscaping shall be provided to demonstrate compliance with this requirement for the expanded parking area of 53 spaces.
7. §27-2904.h.2 – One deciduous tree shall be required for every 4,000 square feet of new paved area. This number of trees shall be in addition to any trees required by any other section or by the Subdivision and Land Development Ordinance. Calculations and required plantings shall be provided to demonstrate compliance with this requirement.
8. §27-2905.b.1 – It appears the off-street loading spaces are provided at the rear of the building, as required. They shall be noted on the plan to demonstrate compliance with their requirement.

C. Subdivision and Land Development Ordinance

We offer the following comments with respect to the current New Britain Township Subdivision and Land Development Ordinance:

1. §22-502.1.B The deed and easements agreements for the subject property shall be submitted to the Township and our office for review.
2. The following information required per §22-502.1.B and D(10) shall be provided:
  - a. B.(8) – The zoning classifications of the surrounding properties noted on the Record Plan.
  - b. B.(11) – Bearings and distances provided for the existing sanitary sewer easement.
  - c. B.(21) –The BCPC number and certification added to the plan.
  - d. D.(10) – The benchmark elevation is based on NAVD88 and shall be revised to be based on the Chalfont-New Britain Township Joint Sewage Authority vertical datum.



3. §22-502.1.J.(1) – The following comments related to the construction details shall be addressed:
  - a. Details shall be provided for Type ‘C’ inlets, Type ‘M’ inlets, and a bicycle safe grate.
  - b. The location of the Type 1 curb ramp shall be denoted on the plans.
  - c. The elevation of the perforated pipe within the infiltration bed shall be noted on Sheet 13.
  - d. Specifications for the Engineered Soil in the Infiltration Bed shall be provided.
  - e. Details shall be provided for the sign poles including mounting height.
  - f. A penalty/fine plaque sign shall be provided for the accessible parking sign assembly.
  - g. Faded signs throughout the site shall be replaced.
4. §22-704.4 – Sheet 2 of 13 notes an Encroachment Agreement (R.B. 931, Pg. 1686) within an area of the Texas Eastern Gas Line Right-of-Way. The Applicant shall verify the proposed improvements are not violating any agreements.
5. §22-705.3, 705.4, & 706 – Where a land development abuts or contains an existing street, the applicant is required to improve the street to the Township standards. We offer the following comments related to the required road improvements which shall be discussed with the Township Planning Commission and Board of Supervisors:
  - a. §22-705.3.A. – While New Britain Boulevard appears to be adequate, Trewigtown Road and Schoolhouse Road are less than the required 24’ half-width for major collector roads. We note that the existing road widths may not be sufficient at the intersection. The radius at the the southernmost corner of the Trewigtown-Schoolhouse Road intersection is required to be 25 feet wide at a minimum. It appears that increasing the radius could better accommodate bus traffic but would require storm sewer improvements.
  - b. §22-705.3.C. – The portions of the property within the Trewigtown Road and Schoolhouse Road Ultimate rights-of-way shall be offered for dedication to the Township.
  - c. §22-705.3.G. – Where a land development abuts or contains an existing street, the applicant shall be required to mill and overlay the entire width of the roadway a depth of 1 1/2 inches.
  - d. §22-706.1.B. & 2.B – Curbs and sidewalk shall be installed along the property frontage of every existing street abutting a proposed land development. Curbs and sidewalk do not currently exist along the Trewigtown Road and Schoolhouse Road frontages and a portion of New Britain Boulevard. Existing curb ramps shall be upgraded and crosswalks installed as well along the frontage to complete pedestrian connectivity on the property to the sidewalk across New Britain Boulevard.
  - e. We note that Resolution 2007-12 established a policy for the Board of Supervisors to grant or deny ordinance waivers under the Township’s Subdivision and Land Development Ordinance subject to a financial contribution. If waivers are required from installing road improvements, the estimated cost for installing the full width road widening, curb and sidewalk, shall be submitted to determine the fee in-lieu-of contribution. The Board may consider at their sole discretion whether to require the improvements, accept a fee in-lieu of the improvements in the amount of 50% of the construction costs, or grant waivers from these sections.
6. §22-706.3.B – All curbs and sidewalks shall provide access for persons with disabilities in accordance with ADA. The finished floor elevation for the building access point adjacent to the proposed accessible parking spaces shall be noted on the plan to demonstrate the sidewalk leading to this building entrance is in accordance with ADA guidelines.
7. §22-708.2.F. – Where parking stalls are proposed adjacent to a sidewalk, the minimum width of the sidewalk shall be increased to a minimum width of 6 feet. The proposed sidewalk along the parking lot shall be increased.
8. §22-708.5.B. – The minimum width for service drives shall be 20 feet and parking shall be prohibited along the service drive. Though the width appears to comply, the width shall be dimensioned on the plan and signs proposed.
9. §22-708.6.B. – The grade of parking areas shall be a minimum of 1%. Based on the proposed grading, the parking lot has a slope of less than 1% from the 341.96 spot elevation at the corner of the parking lot towards Inlet I-4, and from the 343 contour towards Inlet I-7.

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10. §22-708.6.E – Based on 137 parking spaces, 5 accessible parking spaces are required. The plan proposes 4 accessible parking spaces to be added in the front lot and shows an existing accessible parking space in the western parking lot. Based on aerial photography, it does not appear that the accessible parking in the western lot exists. The number of accessible parking spaces shall be verified.
  11. §22-708.6.H. – Parking aisle, access drive and service drive intersections shall be provided with stop signs and painted stop bars. A stop bar shall be provided at the southern parking lot access drive at its intersection with the service drive.
  12. §22-710 - The plans shall be revised in accordance with the Fire Marshal's review letter dated January 19, 2022. Any changes to the plan shall be resubmitted to the Fire Marshal for review and approval.
  13. §22-711 – The following comments related to the grading design/plan shall be addressed:
    - a. The existing drainage at the parking lot access from New Britain Boulevard appears to drain towards existing Inlet 4. The proposed grading appears to create a low spot at the entrance between the existing and proposed parking areas. Spot elevations shall be provided in this area and along the existing curb radius to clarify the drainage at this location.
    - b. Spot elevations shall be provided at the southern access drive to clarify the low point between the two proposed 343 contours.
    - c. Based on the storm sewer profile, the rim elevation of CO-1 is lower than the grate elevation of Inlet I-8 which will create a low spot at the cleanout. The elevation of these structures shall be revised to provide positive drainage to the inlet.
    - d. Based on the FFE of 343.96 and the proposed 343 contour at the driveway, the driveway has a slope of 5.6% to the contour and then a slope of less than 1% towards the inlet. The grading of the driveway shall be revised to provide a more gradual slope away from the building.
    - e. Top and bottom of curb elevations shall be provided for the curb along the driveway expansion, particularly adjacent to Inlet I-6.
    - f. Additional labels shall be provided for the existing contours on the southern side of the site to clarify the grading.
  14. §22-711.2 – The following comments related to erosion controls shall be addressed:
    - a. Inlet protection shall be provided for the existing inlet at the eastern end of the site, behind the loading area.
    - b. A topsoil stockpile location shall be specified on the plan.
  15. §§22-712.6 & 8 – The following comments related to the storm structures shall be addressed:
    - a. Note 14 of the sequence of construction specifies the installation of roof drains. Any roof drain connections shall be shown on the plan and the roof drainage area shall be included in the modeling of the stormwater management design.
    - b. The grate elevations listed in the profiles shall be revised as necessary for consistency with the bottom of curb elevations provided on the plans.
    - c. CO-2 is shown over the proposed curb and shall be relocated to eliminate the conflict.
    - d. Perforated pipe shall be clarified for the 15" SLCPP between Inlet I-7 and Outlet Structure OS-1 on the profiles.
    - e. The profiles list invert elevations of 335.70 for the pipes in the infiltration bed. This is the bottom of bed elevation. The clearance between the pipe invert and the bottom of the bed shall be clarified on the details and the profiles revised to specify the correct pipe invert elevations.
    - f. The invert out for OS-1 is listed as the sump elevation for this structure. The invert of the outlet pipe shall be listed on the detail and the profile. The pipe slope between OS-1 and SMH-2 should be revised as necessary.
    - g. The Subsurface Infiltration Bed and Outlet Structure Detail specifies a 2x4 inlet box for Outlet Structure OS-1. This does not appear to be consistent with the detail and would limit accessibility to the structure due to the weir wall. The size of the outlet structure should be clarified.

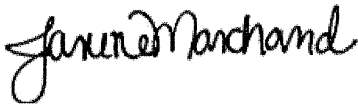
16. §22-712.13.C – When an applicant retains ownership of any stormwater management facility, such entity shall be responsible for repair and maintenance of the facility. The Owner will be responsible for all stormwater management facilities onsite per a Stormwater Operations and Maintenance Agreement. The existing stormwater facilities shall be reviewed to determine if the facilities are functioning properly, in need of maintenance or repair, and being regularly maintained in accordance with the PA BMP Manual.
17. §22-713 – The following comments related to the Landscape Plan should be addressed:
  - a. A compliance chart stating all landscape and lighting requirements associated with the site shall be provided to demonstrate compliance with the same.
  - b. Appendix D, Required Plant Materials List specifies that shade trees shall be a minimum caliper size of 3 inches. The Shade Tree Plant Schedule on Sheet 5 lists a minimum size of 2 inch caliper.
  - c. The Shade Tree Plant schedule shall specify male trees only for the *Ginkgo biloba* trees.
  - d. A majority of the proposed parking area trees are in close proximity to underground utilities. A minimum distance of 10 feet shall be maintained between all utilities and plantings.
  - e. Details for the planting of all proposed landscape material shall be provided.
18. §22-713.5.B(1) – One deciduous or evergreen shrub shall be planted every five feet along the perimeter of off-street parking areas. The required shrubs shall be provided.
19. §27-713.6.D – The landscape plan shall contain plan notation stating that the applicant is required to maintain and guarantee all plant material until the end of the eighteen-month maintenance period.
20. §22-714.2 – The following comments on the Lighting Plan shall be addressed:
  - a. The proposed light fixture symbols shown on the Schedule on Sheet 5 Landscape and Lighting Plan shall correspond to the symbols on the plan. Further, the Schedule appears to propose two free standing light fixtures versus wall mount fixtures and free standing fixtures. Please clarify.
  - b. A note on the Proposed Light with Foot Candle Area detail states “Square, Mirrostar (See Detail Sheet)” but does not appear to coordinate with anything in the plan set. Please clarify.
  - c. A note requiring manufacturer cut sheets for all proposed lighting shall be added to the plan.
21. §22-714.4.B – Light standards shall be a maximum of 20 feet in height, and have a concrete base raised 30 inches above finished grade. Details for the light foundation, pole and fixtures shall be provided on the plan. In addition, the light poles are shown directly adjacent to the parking areas and could be hit by a vehicle that extends over the curb. We recommend that adequate clearance be provided behind the curb for the light pole foundation.
22. §22-714.4.F(1) – The maximum light intensity measured at any point along the property line is 0.2 footcandles. Light intensities shall be extended to the property lines to demonstrate compliance.
23. §22-714.7 – Illumination levels shall have intensities and uniformity ratios in accordance with current recommended IESNA standards. Nonresidential parking, loading facilities and drives associated with industrial uses shall demonstrate maintained footcandles of 0.4 minimum and a 4:1 Avg.:Min ratio. An illumination grid and all pertinent calculations shall be provided to determine light intensities.
24. §22-718 – Correspondence shall be submitted from North Penn Water Authority indicating that they have adequate water supply to service the proposed change in use. In addition, approval and service agreements shall be provided for any additional required connections.
25. §22-720 – A Sewage Planning Module Application Mailer shall be submitted for the proposed change in use or correspondence from PADEP indicating that a Planning Module is not required.
26. §22-905.1.A - The Applicant is responsible for any other required reviews, approvals, permits, etc. (i.e., BCPC, BCCD, CNBTJSA, North Penn Water Authority, etc.) as applicable.

D. Stormwater Management Ordinance

1. §26-121.11 – The PCSM Long Term Operations and Maintenance Requirements shall include monitoring of the system dewatering time to ensure it meets the 72 hour requirement and provide direction to the owner regarding maintenance and/or replacement of the system if the dewatering time extends beyond the 72 hour requirement.
2. §26-121.14 – The BMP manual recommends limiting vehicular traffic over subsurface infiltration facilities to prevent compaction of the underlying soils and to prolong the life of the system. A portion of the proposed infiltration system is located beneath the expanded driveway which is expected to be used by trucks throughout the day. We recommend the infiltration bed be relocated to a location outside of the truck circulation path, if possible.
3. §26-132.2.B.(2)(c) – The Pond Report for Underground Infiltration Basin 1 models an 18-inch outlet pipe which is inconsistent with the 15-inch pipe shown in the details on Sheet 13. The size and elevation of the outlet pipe shall be verified.
4. §26-132.2.C.(9) & 10 – The signature blocks listed in these two sections shall be added to the Overall Post Construction Stormwater Management Plan.
5. §26-162.3.D – A statement, signed by the facility owner, acknowledging that the stormwater facilities and BMPs are fixtures that can be altered or removed only after approval by the municipality, shall be added to the plan.
6. §26-164.1 – The Applicant shall sign an Operation and Maintenance (O&M) agreement with the municipality covering all stormwater and 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.
7. §26-165.2 – The owner must provide the municipal easements to perform inspections and maintenance for stormwater runoff conveyance, detention, etc. We recommend a blanket easement be provided via a note on the plan and within the O&M Agreement.
8. 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.

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

Sincerely,



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

JM/tw

cc: Michael Walsh, Assistant Manager  
Ryan Gehman, Assistant Planning and Zoning Officer  
Randy Teschner, Fire Marshall  
Peter Nelson, Esq., Grim, Biehn & Thatcher  
Kim Fasnacht, P.E., Rettew Associates, Inc.  
Craig Melograno, 180 New Britain Blvd Associates, LLC  
John Schmidt, CNBTJSA  
Daniel Preston, North Penn Water Authority  
Craig D. Kennard, P.E., C.O.O, Gilmore & Associates, Inc.

# 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*  
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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: February 16, 2022

Subject: BCPC #12694  
Preliminary Plan of Land Development for 180 New Britain Boulevard  
TMP #26-1-100  
Applicant: 180 New Britain Blvd Associates, LLC  
Owner: Same  
Plan Dated: January 11, 2022  
Date Received: January 18, 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: To change the use designation for the existing building from warehouse/office to flex space and expand and enhance access and parking areas for an existing 101,793-square-foot industrial building. Stormwater BMPs are also proposed as a part of these improvements. The site is currently served by public water and sewer, which is proposed to remain.

Location: At the southeast intersection of Trewigtown Road and Schoolhouse Road and bound on the southwest by New Britain Boulevard.

Zoning: The IO Industrial Office District permits Use K18 Flex Space on lots of at least 3 acres. The maximum permitted building coverage ratio is 50 percent, while the maximum permitted impervious surface ratio is 65 percent. In addition, the minimum setbacks are 50 feet for front and rear yards and 25 feet for side yards.

The plan indicates an existing nonconformity with respect to the parking area’s distance from the existing structure.

The plan also references a December 16, 2021, zoning hearing board decision, which granted a variance from the following zoning ordinance provision:

Section 27-2901.K.K18.  
requiring 370 parking spaces, based on 101,700 square feet of floor space



Present Use: Warehouse

## COMMENTS

1. **Flex space use**—Section 27-305.K18. of the zoning ordinance provides that flex space areas shall have no less than 20 percent, or more than 50 percent, of the area devoted to an office use. It further provides that warehousing, light manufacturing, or assembly shall occupy no more than 80 percent or less than 50 percent of the flex space area. Based on the square footage numbers provided, it appears the office portion of the structure falls slightly below the 20 percent threshold, while the manufacturing portion of the structure falls slightly above the 80 percent threshold.
2. **Sidewalks**—Section 385-23.A. of the subdivision and land development ordinance (SALDO) requires that sidewalks be provided along all new and existing streets. Currently, no sidewalks exist on the property along either New Britain Boulevard or Trewigtown Road. Construction of sidewalks along these roads would tie into and benefit the existing surrounding sidewalk network.
3. **Transportation impact statement**—According to the transportation impact statement (TIS), the conversion of the existing building will not have any negative effects to the intersections studied. However, the two intersections north of the site were not studied as a part of the TIS. Specifically, the effects to Schoolhouse Road/Trewigtown Road or Trewigtown Road/New Galena Road were not analyzed. This omission is notable as these intersections are much closer than the New Britain Boulevard/County Line Road intersection, which was included. Overall, it appears that the TIS only studied intersections that occurred along New Britain Boulevard; we recommend a broader approach be taken as it relates to impacts on surrounding intersections.
4. **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.

This review will be included in the Bucks County Planning Commission board materials for the March 2, 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.

JS:emh

cc: 180 New Britain Blvd Associates, LLC (via email)  
Kim Fasnacht, Rettew Associates, Inc. (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

January 19, 2022

RE: Fire Marshal review of preliminary subdivision plans for 180 NEW BRITAIN BLVD ASSOCIATES, LLC

Review By: Randal J. Teschner Fire Marshal

**The following is a list of items to be addressed:**

1. EXCISTING FIRE HYDRANT LOCATED AT OF BUILDING MUST BE MAINTAINED. NEW PROPOSED HYDRANT IS NOT APROVED AS IT DOESN'T PROVIDE AXCESS TO REAR OF BUILDING.