



# NEW BRITAIN TOWNSHIP

207 Park Avenue • Chalfont, PA 18914 • Telephone: (215) 822-1391

~~AMENDED~~  
**ZONING HEARING BOARD APPEAL APPLICATION**

**Please Note:**

**It is the applicant's responsibility to complete all pertinent sections of this form. Please contact the Zoning Officer prior to submittal if you need any assistance.**

1. Date: December 12, 2025
2. Classification of Appeal/Application (Check one or more if applicable):

A. Request for Variance  
 B. Request for Special Exception  
 C. Other \_\_\_\_\_

3. Applicant:

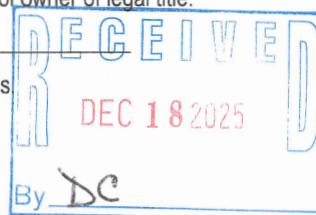
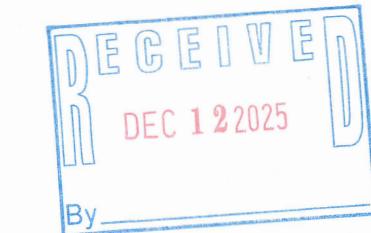
- (a) Name: HCI DP Land Acquisition LLC
- (b) Mailing Address: 7200 Wisconsin Ave, Suite 820  
Bethesda, MD 20814
- (c) Phone Number: 202-747-4583

- (d) State whether owner of legal title, owner of equitable title, or tenant with the permission of owner of legal title:  
Equitable owner

\*Proof of title of the property affected must be available to the Zoning Hearing Board at all hearings

4. Applicant's attorney, if applicable:

- (a) Name: Gregg I. Adelman, Esquire  
Kaplin Stewart
- (b) Mailing Address: 910 Harvest Drive, P.O. Box 3037  
Blue Bell, PA 19422
- (c) Phone Number: 610-941-2552
- (d) Email Address: gadelman@kaplaw.com



New ZHB application  
check received 12-18-25

5. Property: IO- Industrial Office, with a portion of the property subject to Floodplain Overlay District

- (a) Present Zoning Use Classification: 26-001-099; 26-001-099-001
- (b) Tax Parcel Number: 26-001-099-002; 26-001-099-003
- (c) Location (With reference to nearby intersections or prominent features):  
Walnut Street & 56 Walnut Street

6. Proposed use of property/construction:

Construction of 3 proposed warehouses

7. Cite specific section(s) of Zoning Ordinance from which relief is being requested:

Variances from Sections 27-1802.a & 27-2904.g.5 and

Special exception under Section 27-1904.q. See attached Addendum for additional info.

The Zoning Hearing Board functions are as follows:

To hear and decide appeals from a decision or determination of any administrative official in the enforcement of the Zoning Ordinance and its amendments. Such appeals must be made within 30 days after the date of the decision.

To hear and decide Special Exceptions to the terms of the Zoning Ordinance and its amendments as specifically set forth and permitted by the ordinance(s).

To authorize, upon application/appeal, in specific cases, such variance from the terms of the Zoning Ordinance and its amendments, as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the Zoning Ordinance will result in unnecessary hardship and so that the spirit of the Ordinance will be observed and substantial justice done. The burden of proof of the "unnecessary hardship" as defined by the courts shall rest on the applicant. The circumstances must be unique and applicable to the applicant's particular property and no other. The possibility of the applicant's earning a greater financial return if a variance were granted does not in itself constitute sufficient reason for such a variance.

**Instructions:**

- (1) For 2(A) or (B), one (1) copy of the plan (if size 8 1/2" x 11") or eight (8) copies (if larger than size 8 1/2" x 11") must be attached to the appeal. The plan should be prepared by a professional engineer or surveyor, but the Board will accept any plan which is complete and accurate, provided that if not prepared by a professional engineer or surveyor, the person who prepared the plan must be prepared to state under oath at the formal hearing that the plan is complete and accurate. The plan must contain all information relevant to the appeal, including but not limited to, the following: the property related to a street, the dimensions and area of the lot, the dimensions and location of existing buildings or improvements, the dimensions and locations of proposed uses, buildings or improvements.
- (2) An application fee must accompany this Application/Appeal and is not returnable once it is accepted.

Residential Application Fee Request for Continuance Fee	\$800.00 \$200.00*
Non-residential Application Fee Request for Continuance Fee	\$1,200.00 \$200.00*

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- (3) Submit copy of deed with application.
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- (8) Once the application is approved by the Zoning Hearing Board, the time limit for the commencement of improvements is one year.



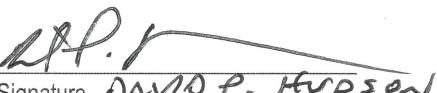
8. Has any previous application/appeal been filed concerning the subject of this appeal?  Yes  No  
If yes, specify:  
A ZHB Appeal Application on 9.19.25

9. Signs: If appeal is for a commercial use, will a variance for a sign be necessary?  
If yes, specify:  
Not at this time

10. List names and addresses of all property owners whose properties are within 500 feet of the property in question.  
(Supplemental sheets of the same size may be attached)

Property owner list attached

I (We) hereby certify that the above information is true and correct to the best of my (our) knowledge, information or belief.

  
Signature DAVID P. HUDDSON  
PRESIDENT

Signature

STATE OF TEXAS  
Commonwealth of Pennsylvania  
County of Harris

} SS.

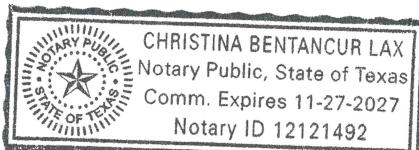
David P. Hudson, being duly sworn, according to law, deposes and says that he is the above-named Applicant; that he is authorized to, and does, take this Affidavit on behalf of the Owner, and that the foregoing facts are true and correct.

Sworn to and described before me This  
9th day of December



Notary Public

My Commission expires: 11/27/2027



**KAPLIN STEWART MELOFF REITER & STEIN, P.C.**

By: Gregg I. Adelman, Esquire  
Attorney I.D. No.: 84137  
Union Meeting Corporate Center  
910 Harvest Drive  
P.O. Box 3037  
Blue Bell, PA 19422  
(610) 260-6000

Attorneys for Applicant  
HCI DP Land Acquisition LLC

**BEFORE THE ZONING HEARING BOARD OF  
NEW BRITAIN TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA**

*In the Matter of:*

**HCI DP Land Acquisition LLC**

**Property Address:**

**Walnut Street & 56 Walnut Street**

**Parcel Nos.**

**26-001-099; 26-001-099-001;  
26-001-099-002; 26-001-099-003**

**AMENDED ADDENDUM TO ZONING HEARING BOARD APPLICATION**

HCI DP Land Acquisition LLC (“**Applicant**”), by and through its attorneys, Kaplin Stewart Meloff Reiter & Stein, P.C., hereby submits this Addendum as an amendment to the Zoning Hearing Board Appeal Application (“**Application**”) filed on September 19, 2025.

1. **Location & Description of Property.** The Property is comprised of four (4) separate parcels of land (Tax Parcels Nos. 26-001-099-001, 26-001-099-002, 26-001-099-003, 26-001-099)(collectively, the “**Property**”) located along Walnut Street and 56 Walnut Street. The Applicant proposes to consolidate the parcels. The Property has a combined total of 90.05 +/- acres of vacant/undeveloped land.

2. **Name and Address of Applicant/Owner:** The Applicant is HCI DP Land Acquisition LLC, having a business address of 7200 Wisconsin Avenue, Suite 820, Bethesda, MD 20814. The Owners of the Property are Elizabeth Nicolas and Siobhan Welsh, having an address of 109 Overlook Lane, Wayne, PA 19087 (“**Owners**”). Copies of the Deeds for the Property are

attached as **Exhibit “A”**. Applicant is the equitable owner of the Property. A redacted copy of the Agreement of Sale for the Property is attached as **Exhibit “B”**.

3. **Zoning Classifications**. The Property is located in the IO-Industrial Office Zoning District. A portion of the Property is subject to the Floodplain Overlay District.

4. **Proposed Use of the Property**. Applicant proposes develop a warehouse facility on the Property consisting of three (3) separate warehouse buildings and related improvements (“**Proposed Warehouses**”). The Proposed Warehouses are depicted on the “Zoning Plan”, prepared by Bohler Engineering, dated September 17, 2025, last revised December 8, 2025, which is attached as **Exhibit “C”**.

5. **Zoning Relief Requested**. The Applicant requests the following relief from the New Britain Township Zoning Ordinance:

a. Dimensional variance from Section 27-1802.a to allow for the building height to be increased to 42' to provide an interior clear height of 36'. The revised Clear Height Renderings depicting the height of the Proposed Warehouses are included in attached **Exhibit “D”**. The increased height is required to provide a minimum clear height within the building that is associated with modern distribution and inventory systems. The building height variance relief requested is consistent with that which the ZHB previously granted for the warehouse building to be constructed on 101 Independence Lane. A copy of the 101 Independence Lane building height variance approval is attached as **Exhibit “E”**;

b. Off-street parking setback variance from Section 27-2904.g.5 to allow for a setback of 10' where 20' is required; and

c. Special exception for the installation of fill materials within the Floodplain Overlay District under Section 27-1904.q. A redacted copy of the Flood Study dated September

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6. **Reasons for Relief Requested.** The special exception complies with the applicable objective requirements under the Zoning Ordinance. The variances requested are dimensional in nature and will have no adverse impact on the public health and safety or the surrounding area. The Applicant will further demonstrate entitled to the requested zoning relief at the hearing on this Application.

Respectfully Submitted,

**KAPLIN STEWART MELOFF REITER & STEIN,  
P.C.**

Dated: December 12, 2025

By:



---

Gregg I. Adelman, Esquire

Attorneys for HCI DP Land Acquisition LLC



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**TOWNSHIP USE ONLY**

Application #: \_\_\_\_\_

Date Filed: \_\_\_\_\_

Payment: \_\_\_\_\_

Check #: \_\_\_\_\_

Receipt #: \_\_\_\_\_

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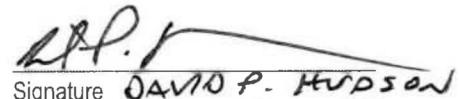
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PRESIDENT

Signature

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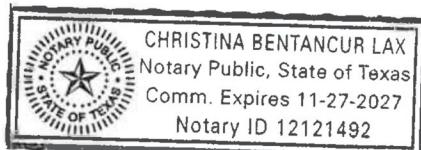
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Christina Bentancur Lax

Notary Public

My Commission expires: 11/27/2027



**KAPLIN STEWART MELOFF REITER & STEIN, P.C.**

By: Gregg I. Adelman, Esquire  
Attorney I.D. No.: 84137  
Union Meeting Corporate Center  
910 Harvest Drive  
P.O. Box 3037  
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(610) 260-6000

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Respectfully Submitted,

**KAPLIN STEWART MELOFF REITER & STEIN,  
P.C.**

Dated: December 12, 2025

By:

\_\_\_\_\_  
Gregg I. Adelman, Esquire

Attorneys for HCI DP Land Acquisition LLC

## **EXHIBIT “A”**

**(DEEDS)**

**BUCKS COUNTY RECORDER OF DEEDS**

55 East Court Street  
Doylestown, Pennsylvania 18901  
(215) 348-6209

Instrument Number - 2024044076

Recorded On 10/24/2024 At 1:13:52 PM

\* Total Pages - 10

\* Instrument Type - DEED

Invoice Number - 1401347 User - CB

\* Grantor - IRREVOCABLE AGREEMENT OF TRUST FOR EDWIN F STEWART III ET AL

\* Grantee - NICHOLAS, ELIZABETH

\* Customer - CSC

\* FEES

RECORDING FEES \$97.75

TOTAL PAID \$97.75

Bucks County UPI Certification  
On October 23, 2024 By TF

This is a certification page

**DO NOT DETACH**

This page is now part  
of this legal document.

RETURN DOCUMENT TO:  
CSC

I hereby CERTIFY that this document is  
recorded in the Recorder of Deeds Office  
of Bucks County, Pennsylvania.



*Daniel J. McPhillips*

Daniel J. McPhillips  
Recorder of Deeds

\* - Information denoted by an asterisk may change during  
the verification process and may not be reflected on this page.

1C9C27



DINING TABLE  
BUILDING 1

BUILDING 1

ITEM		CODE	PERMITTED	EXISTING	PROPOSED
MAX. BUILDING HEIGHT		\$ 27-1052-a	35'	>35'	42'
<b>BUILDING 2</b>					
ITEM	CODE	PERMITTED	EXISTING	PROPOSED	
MAX. BUILDING HEIGHT	\$ 27-1052-a	35'	NA	42'	
<b>BUILDING 3</b>					
ITEM	CODE	PERMITTED	EXISTING	PROPOSED	
MIN. PAVED AREA SETBACK	\$ 27-2004.5	20'	NA	10'	KEY: * VARIANCE REQUIRED
<b>SITE</b>					
ITEM	CODE	PERMITTED	EXISTING	PROPOSED	

ZONING PLAN NOTES

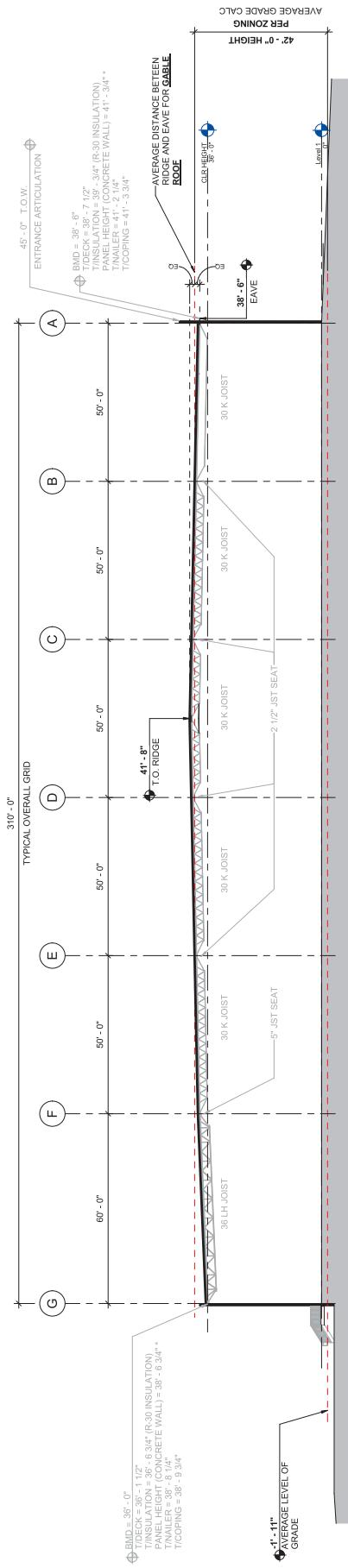
## MEAN GRADE - BUILDING HEIGHT CALCULATIONS

<b>BUILDING 1</b>	CONCRETE SLAB	280' 3 1/2" x 205' 7 1/2"	MEAN GRADE ELEVATION: 280.325' x 205.750'
	MEAN GRADE ELEVATION: 280.325'	MEAN GRADE ELEVATION: 280.325'	MEAN GRADE ELEVATION: 280.325'
	FINISHED BUILDING HEIGHT: 280'	FINISHED BUILDING HEIGHT: 280'	FINISHED BUILDING HEIGHT: 280'
	PROCHED BUILDING HEIGHT BASED OFF OF MEAN GRADE ELEVATION: 280'	PROCHED BUILDING HEIGHT BASED OFF OF MEAN GRADE ELEVATION: 280'	PROCHED BUILDING HEIGHT BASED OFF OF MEAN GRADE ELEVATION: 280'
<b>BUILDING 2</b>	CONCRETE SLAB	286' 2 1/2" x 286' 2 1/2"	MEAN GRADE ELEVATION: 286.225' x 286.225'
	MEAN GRADE ELEVATION: 286.225'	MEAN GRADE ELEVATION: 286.225'	MEAN GRADE ELEVATION: 286.225'
	FINISHED BUILDING HEIGHT: 286'	FINISHED BUILDING HEIGHT: 286'	FINISHED BUILDING HEIGHT: 286'
	PROCHED BUILDING HEIGHT BASED OFF OF MEAN GRADE ELEVATION: 286'	PROCHED BUILDING HEIGHT BASED OFF OF MEAN GRADE ELEVATION: 286'	PROCHED BUILDING HEIGHT BASED OFF OF MEAN GRADE ELEVATION: 286'
<b>BUILDING 3</b>	CONCRETE SLAB	286' 2 1/2" x 286' 2 1/2"	MEAN GRADE ELEVATION: 286.225' x 286.225'
	MEAN GRADE ELEVATION: 286.225'	MEAN GRADE ELEVATION: 286.225'	MEAN GRADE ELEVATION: 286.225'
	FINISHED BUILDING HEIGHT: 286'	FINISHED BUILDING HEIGHT: 286'	FINISHED BUILDING HEIGHT: 286'
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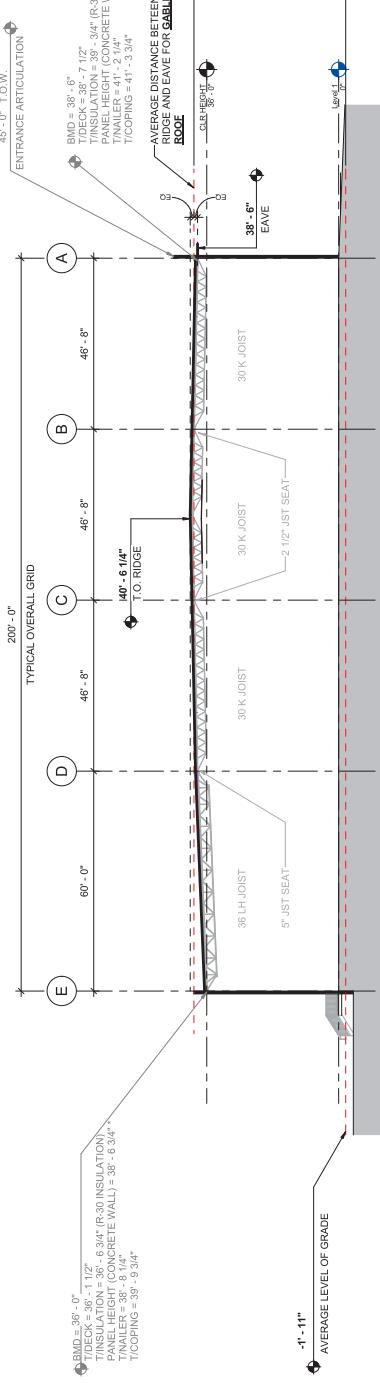
THIS DRAWING IS INTENDED FOR MANUFACTURE, AND/OR ACCURACY  
REVIEW AND APPROVAL. IT IS NOT INTENDED AS A CONSTRUCTION  
DOCUMENT UNLESS SPECIFIED OTHERWISE.

BUCKS COUNTY, PA

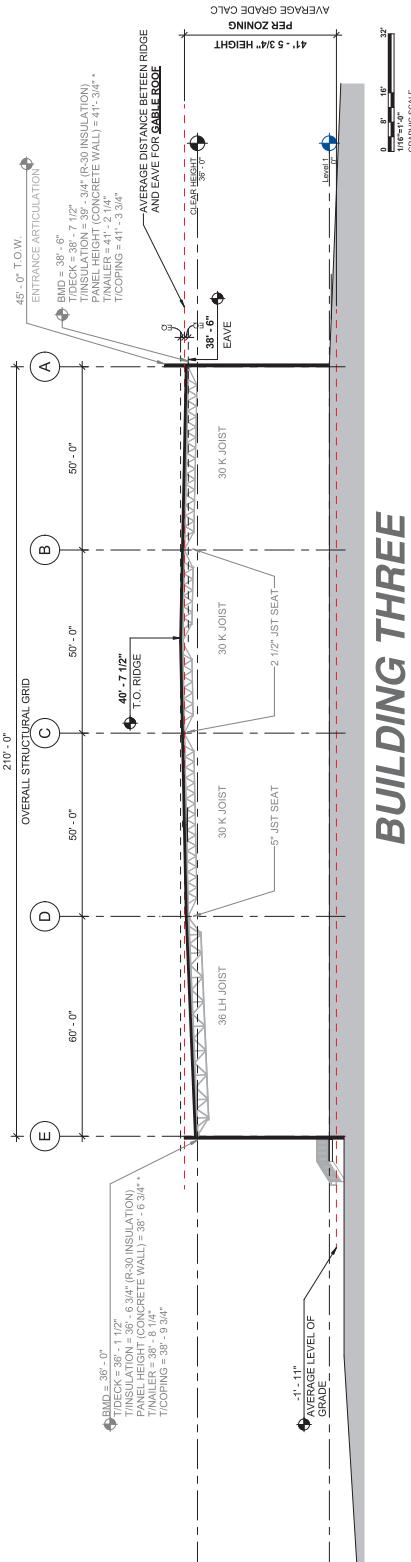
PROFESSIONAL ENGINEER



BUILDING ONE



## BUILDING TWO







## Appendix D

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## **EXHIBIT “G”**

**(TOWNSHIP ENGINEER’S 11/20/25 REVIEW OF THE FLOOD STUDY)**



November 20, 2025

File No. 2500821

Lindsey Breylinger, Bohler Engineering, LLC  
Bohler Engineering  
1600 Manor Drive  
Suite 200  
Chalfont PA 18914

Reference: HCI DP Land Acquisition, LLC, Flood Study Review 1  
Walnut Street and County Line Road Proposed Warehouse Development  
TMP#'s: 26-001-099, 26-001-099-001, 26-001-099-002, 26-001-099-003

Dear Lindsey,

Pursuant to the Township's request, Gilmore & Associates, Inc. has completed a technical engineering review of the Flood Study dated September 24, 2025, which was submitted on behalf of HCI DP Land Acquisition LLC for the proposed Walnut Street and County Line Road Warehouse Development.

It is our understanding that the Applicant's intent is to submit the Flood Study to the Federal Emergency Management Agency (FEMA) to obtain a conditional Letter of Map Revision – Based on Fill (CLOMR-F) to revise the special flood hazard area based on the proposed improvements. The Flood Study indicates proposed fill in the calculated existing flood hazard zone will not result in an increase to the base flood elevation (BFE).

Upon review, we have no technical engineering comments related to the Flood Study, however, we offer the following Zoning Ordinance review comments related to the proposed site improvements for your consideration:

1. §27-1904.a.2 & 27-1906.b.2.(a) – Any areas subject to flooding and as last updated in the Websoil Survey are included in the Floodplain Overlay District. The floodplain soils shall be shown and identified on the plans to confirm whether or not any additional improvements are proposed within the Floodplain Overlay District. The Floodplain Overlay District shall also be identified on the plan.
2. §27-1904.d – No new construction or development shall be allowed within the identified floodplain area unless a permit is obtained from the DEP.
3. 27-1904.o.1 – No encroachment, alteration, or improvement of any kind shall be made to any watercourse unless it can be shown through hydrologic and hydraulic engineering studies and analyses that the activity will not reduce, change, or impede the flood-carrying capacity of the watercourse in any way. The Applicant is required to widen Walnut Street per the Subdivision and Land Development Ordinance Section §22-705.3.C. Widening of Walnut Street would require filling in a portion of the Floodplain Overlay District.
4. §27-1904.q – Fill may be placed within the Floodplain Overlay District only when allowed as a special exception by the Zoning Hearing Board.
5. §27-1906 – All Floodplain Overlay District administrative requirements shall be included in a formal submission to the Township's Floodplain Administrator in accordance with this section. In addition, the following items shall be addressed:

- a. The municipality must acknowledge and sign off on the request for a LOMR (Letter of Map Revision) to show the community's concurrence that the revision is consistent with local floodplain ordinances. The Township's Floodplain Administrator must sign the Community Acknowledgement Form before FEMA approves it.
- b. In conjunction with completing the Community Acknowledgement Form, the Township must acknowledge that compliance with Sections 9 and 10 of the Endangered Species Act (ESA) has been achieved independent of FEMA's process. Section 9 prohibits anyone from "taking" or harming an endangered species. Information shall be provided to document compliance.
6. General comment – Though offsite, the mapped floodway appears to be outside of the "Calculated Existing Flood Hazard Zone" on the adjacent parcel TMP #26-001-100-004.
7. SALDO §22-712.2.A.(1) and Stormwater Management §26-103.1.H. – Whenever a stream, intermittent stream, natural drainageway or waters of the commonwealth is located within a development site, it shall remain open in its natural state and location and shall not be piped, unless required or approved by the appropriate federal, state or Township agency. An analysis should be provided to demonstrate that the flood-carrying capacity of any watercourse to be altered are being preserved.

If you have any questions regarding this project, please do not hesitate to contact us.

Sincerely,



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

JM/tw

cc: Daniel Fox, Township Manager  
Alexandria Mullin, Assistant to the Manager  
Doreen Curtin, Zoning Officer  
Scott Holbert, Esq., Flager & Associates, PC  
Gregg I. Adelman, Esq., Kaplan Stewart, [gadelman@kaplaw.com](mailto:gadelman@kaplaw.com)  
HCI DP Land Acquisition LLC  
Craig D. Kennard, P.E., E.V.P., Gilmore & Associates, Inc.



GILMORE & ASSOCIATES, INC.

ENGINEERING & CONSULTING SERVICES

January 6, 2026

File No. 2500821

Doreen Curtin, Zoning Officer  
New Britain Township  
207 Park Avenue  
Chalfont, PA 18914

Reference: HCI DP Land Acquisition, LLC, Formal Sketch Plan Review 1  
Walnut Street and County Line Road Proposed Warehouses  
TMP#s: 26-001-099, 26-001-099-001, 26-001-099-002, 26-001-099-003

Dear Doreen:

Pursuant to the Township's request, Gilmore & Associates, Inc. has reviewed the Sketch Plans for HCI DP Land Acquisition LLC for the Walnut Street and County Line Road Warehouse Development, as prepared by Bohler Engineering, consisting of eleven (11) sheets, dated October 13, 2025.

**A. General Information**

The site currently contains four parcels totaling approximately 90 acres of land at the northern corner of Walnut Street (T-402) and County Line Road (S.R. 2038) within the IO Industrial/Office Zoning District. The property borders the IO Zoning District to the northwest, Industrial Zoning District across Walnut Street, SR-2 Residential Zoning District across Schoolhouse Road, and Hatfield Township's Light Industrial District across County Line Road. The site is mainly agricultural land under Act 319 (an A1 Agricultural Use) with one single-family dwelling, Use B1.

The Applicant proposes to consolidate the four parcels and into a single parcel and construct three warehouse buildings for Use K3 Warehouses, as permitted by-right. The three buildings will have individual access points and sufficient parking is proposed; 562 spaces where 556 spaces are required. One above ground basin and two underground stormwater facilities are proposed conceptually. The natural resources include watercourses, floodplain, floodplain soils, riparian buffer, woodlands, steep slopes, wetlands and wetland's margin.

The total building coverage proposed is 15% where 50% is permitted, and 61.1% impervious where 65% is permitted. The building footprint areas are as follows:

Warehouse Building 1 339,450 square feet  
Warehouse Building 2 100,000 square feet  
Warehouse Building 3 115,500 square feet  
Total = 554,950 SF

According to the Applicant at a recent public meeting, the intent is for the land development to be reviewed as one application.

**B. Zoning Ordinance**

We offer following comments regarding the requirements and provisions of the current New Britain Township Zoning Ordinance:

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[www.gilmore-assoc.com](http://www.gilmore-assoc.com)

1. §27-305.L.L2 – A non-residential, accessory L2 Use Outside Storage or Display is permitted by Conditional Use. The L2 Accessory Use is defined as the keeping, in an unenclosed area, of any goods, junk, material, merchandise, or vehicles in the same place...for more than 24 hours. The trailer parking areas designated for each warehouse may require conditional use hearings.
2. §27-1802.a – No use in the IO Industrial/Office District shall exceed 35 feet in height. The Township has received a Zoning Hearing Board (ZHB) application under separate cover requesting variances to allow 42-foot heights for Warehouse Buildings 1, 2, and 3.
3. §27-1803 – Three warehouses are proposed on a single consolidated parcel. The additional standards of this section related to multiple principal buildings on a site in the IO Zoning District shall be documented on the Notes Sheet.
4. §27-1900.c – The Applicant shall comply with our previous review of the Flood Study dated November 20, 2025, which is attached for reference. The preliminary plans shall include soil delineations and identified Floodplain Overlay District.
5. §27-1904.d – No new construction or development shall be allowed within the identified floodplain area unless a permit is obtained from the DEP.
6. §27-1904.o.1 – No encroachment, alteration, or improvement of any kind shall be made to any watercourse unless it can be shown through hydrologic and hydraulic engineering studies and analyses that the activity will not reduce, change, or impede the flood-carrying capacity of the watercourse in any way. While the Flood Study addressed the proposed improvements, we note that the Applicant is required to widen Walnut Street per the Subdivision Land Development Ordinance Section §22-705.3.C. Therefore, engineering studies are also required for any improvements to the watercourse under Walnut Street. A permit is required from DEP for any watercourse encroachments and FEMA and DCED shall be notified.
7. §27-1904.q – Fill may be placed within the Floodplain Overlay District only when allowed as a special exception by the Zoning Hearing Board. The Applicant has requested a special exception under separate cover to allow the placement of fill in the Floodplain Overlay District behind Warehouse Building 2. We offer the following comments related to fill in the floodplain:
  - a. We note that the Applicant has submitted the flood study to the Township which indicates the proposed fill will not result in an increase to the base flood elevation. The Applicant intends to submit the flood study to FEMA to obtain a Letter of Map Revision – Based on Fill (LOMR-F) to revise the floodplain based on the proposed improvements. We request that the Township be included on all correspondence with FEMA.
  - b. Fill may also be required if the culvert under Walnut Street is extended or replaced.
8. §27-1906 – All Floodplain Overlay District administrative requirements shall be included in a formal submission along with the zoning and building permit applications to the Township's Floodplain Administrator in accordance with this section. In addition, the following items shall be addressed as required by FEMA:
  - a. The municipality must acknowledge and sign off on the request for a LOMR (Letter of Map Revision) to show the community's concurrence that the revision is consistent with local floodplain ordinances. The Township's official responsible for floodplain management in the community must sign the Community Acknowledgement Form before FEMA approves it. We recommend the application be provided to the Township for review with the preliminary application of the development plans in accordance with §27-1906.a.
  - b. In conjunction with completing the Community Acknowledgement Form, the Township must also acknowledge that compliance with Sections 9 and 10 of the Endangered Species Act (ESA) has been achieved independent of FEMA's process. Section 9 prohibits anyone from "taking" or harming an endangered species. Information shall be provided to document compliance.

9. §27-1906.b.2.(f) – The appropriate component of the DEP's Planning Module for Land Development shall be included with a Zoning/Building application.
10. §27-1906.b.2.(g) – The Zoning/Building application shall include an erosion and sedimentation control plan meeting the requirements of DEP.
11. Appendix A-a & e – Environmental Impact Statement Report and SALDO §22-505 – An Environmental Impact Statement (EIS) report shall be submitted together with preliminary plans when required by this Chapter or by the Board of Supervisors. In order to encourage the thorough preparation of an EIS report, the applicant may use the components of the EIS report to satisfy the reporting requirements of the SALDO [Chapter 22]. We recommend this report be combined with the Community Impact Assessment report required by SALDO §22-505.

#### C. Subdivision and Land Development Ordinance

Based on the limited information provided, our office has not completed a comprehensive review of the Subdivision and Land Development Ordinance requirements. We offer the following preliminary comments for consideration in planning and preparation of the formal preliminary submission:

1. §22-401.8 – The applicant shall comply with the notification requirements of this section with any future formal submission to be considered at a public meeting.
2. §22-505.3.C.(4) – Four copies of a Community Impact Assessment Report shall be submitted to the Township with the preliminary plan application.
3. §22-506 – A traffic impact study is required with preliminary plans for industrial developments consisting of 50,000 SF or more of total floor area. The Applicant's Traffic Engineer shall coordinate with our office to discuss the scope of the study. Specific improvements for intersections operating at a level of service below C shall be recommended in the study for any level of service drops and delays which increase by more than 10 seconds. We recommend that the following also be considered:
  - a. The Township's Comprehensive Plan identifies improvements at the County Line Road Walnut Street intersection such as signal adjustments and left turn lanes along with coordination with the SEPTA services.
  - b. Upgrades to all equipment at the County Line Road-Walnut Street intersection.
  - c. Pedestrian connections and ADA facilities to local parks, i.e. Cotton Park, West Branch Park, and Whistlestop Park.
  - d. We note that the Applicant has prepared a Scoping Meeting Application with PennDOT. After the ZHB hearing, we recommend a meeting with our Traffic Department to discuss the application. We further recommend that a Township representative be present at all PennDOT meetings.
4. §22-600.1 – The entire extent of watercourses shall not be altered, regraded, filled, piped, diverted or built upon, except roads and trails may cross watercourses where design approval is obtained from the Township and PADEP. Based on the current layout, a Chapter 105 permit will be required for the road crossing for Lot 3. A permit will also be needed to widen Walnut Street.
5. §22-600.4. & 8 – The entire extent of wetlands areas shall not be altered, regraded, filled, piped, diverted or built upon. Where the property owner demonstrates to the Township's satisfaction that there is no reasonable alternative, minor road crossings, utility line crossings, streambank rehabilitation, and endwalls may be permitted, so long as state and federal permits have been obtained for such work. A wetlands report shall be submitted and the area of wetlands and wetlands margin disturbance quantified and documented on the plans. According to the National Wetlands Inventory, the plans propose a culvert through the wetlands area for access to Lot 3, however, the Wetlands Disturbance Plan notes no wetlands disturbance. Also, if Walnut Street is widened, it may involve wetlands and wetlands margin disturbance.

6. §22-600.9. – The riparian buffer shall include the portion of land sloping towards the surface water bodies being protected and shall extend no more than 75 feet from each side of the watercourse. The riparian buffer shall be shown along the watercourse to the east of Warehouse Building 3. This riparian buffer area shall also be included in the 100% resource protection area and excluded from the base site area calculation.
7. §22-600.9.A.(3) & (6) & B. (3) and (5) – Regulated activities are permitted in Zones 1 and 2 of the riparian buffer if offset by riparian corridor improvements. The riparian buffer shall be planted with native trees, shrubs and other vegetation. In addition, invasive plants shall be removed whenever practicable. We recommend the Applicant coordinate with the Environmental Advisory Council (EAC) to discuss a site assessment of existing vegetation and proposed layout
8. §22-600.9.C – A waiver is requested to clear trees within the riparian buffer. The preliminary plans shall identify the area of disturbance within the riparian buffer which extends to the outer edge of the 100-year floodplain. We recommend that the layout be revised to avoid disturbance of the riparian buffer.
9. §22-601 – Floodplain soils shall be quantified, listed as 100% protected, and excluded from the base site area calculation.
10. §704 & 717 – The preliminary plans shall depict all existing and proposed easements.
11. §22-705.3.C – Where a subdivision and/or land development abuts or contains an existing street, the applicant shall be required to improve the street to the Township standards for ultimate right-of-way and cartway widths. The following comments related to existing street improvements shall be considered:
  - a. County Line Road is an arterial street which requires a cartway width of 52 feet. It appears County Line Road has a variable width cartway along the property frontage from 45 to 52 feet wide. County Line Road is a state road owned by PennDOT and any improvements are subject to PennDOT approval.
  - b. Walnut Street is considered a major collector street which requires a 48-foot cartway. Walnut Street currently has a cartway width of approximately 20 feet. Fourteen (14) feet of widening is required along the entire property frontage. The existing culvert under Walnut Street would need to be extended or replaced for the required road widening.
  - c. Schoolhouse Road is considered a major collector street which requires a 48-foot cartway. It appears Schoolhouse Road has a variable width cartway along the property frontage from 22 to 32 feet wide. A variable width of widening ranging from 8 to 13 feet is required.
  - d. Truck traffic is restricted on Walnut Street for the entire frontage and Schoolhouse Road (Reference Township Code Chapter 15 Motor Vehicles and Traffic §15-304). A structural analysis should be completed of Walnut Street to determine if the pavement section is adequate for the anticipated vehicle loading. There shall be a discussion about what improvements are proposed to remedy any physical deficiencies, once determined.
  - e. The plans show a private driveway extending from Independence Lane for Warehouse Building 3. Though there is an ultimate right-of-way easement on the property, we recommend the feasibility of a driveway through TMP# 26-001-100-011 be analyzed.
  - f. The Township anticipated a future connection from Independence Lane to Stewart Lane with the development of TMP# 26-001-099 evidenced by the existing right-of-way easements over the two adjacent properties.
  - g. We recommend that any road improvements be completed prior to issuance of the first occupancy permit.

12. §22-705.3.G – Where a subdivision and/or 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. The site has frontage on both Walnut Street and Schoolhouse Road. We defer to PennDOT regarding required improvements on County Line Road.
13. §22-706.1.B & 706.3.F. – Curbs shall be installed along the property frontage of every existing street abutting a proposed subdivision and/or land development. All accessible routes shall meet ADA standards and PennDOT standards.
14. §22-707.1.A – The Board of Supervisors upon recommendation by the Planning Commission, may require pedestrian walkways or trails to connect industrial facilities to parks, etc.
15. §22-708.1. – Parking lots shall integrate green stormwater infrastructure by the use of plants and soils to naturally detain, treat, and infiltrate runoff from impervious surfaces. Bioretention, infiltration, amended soils, or other designs shall be incorporated into all new parking areas.
16. §22-708.2.D. – No more than 15 parking spaces shall be permitted in a continuous row without being separated by a minimum 10' by 18' planting island. The proposed trailer parking spaces for Warehouse Building 1 have 45 continuous spaces and shall include the required islands.
17. §22-708.6.A. – All off-street parking spaces shall be set back a minimum of twenty (20) feet from any side of any non-residential building. This setback shall not apply to driveways entering garages, service bays or carports. The proposed parking spaces for Warehouse Building 1 shall be relocated to provide the required 20-foot separation, where 10 feet is currently proposed.
18. §22-710.3 – Access to all sides of buildings for industrial uses shall be provided to permit fire apparatus access to the building and roof. Vehicle circulation exhibits should be provided for each parking lot layout to ensure accessibility for the Township fire truck around the buildings.
19. §22-710.4 – At least one emergency access shall be provided for subdivisions with a proposed single access loop street or cul-de-sac street. Based on email correspondence from the Fire Marshal, emergency access shall be provided for Warehouse Buildings 2 and 3.
20. §22-712.2.G – A stormwater management study shall be submitted with the formal preliminary subdivision and land development application.
21. §22-712.2.A.(3) – A permanent easement shall be provided along any watercourse, including any associated wetlands and floodplain, located within the boundary of any property being developed for the protection and maintenance of the watercourse area. The terms of the easement shall prohibit excavation, the placing of fill or structures, clearing, and any alterations that may adversely affect the watercourse. The required width of any such easement shall be the greater width as determined by the Township Engineer, U.S. Army Corps of Engineers, PADEP or other public agency having jurisdiction, but in no case shall be less than 50 feet. Where riparian buffers and wetland margins are required, the permanent easement shall be extended to a greater width.
22. §22-713.2.E. – Any specimen tree having a diameter of thirty (30) inches or more, measured at twelve (12) inches above natural grade line, shall not be removed, whether located within a woodland area or standalone. In addition, per §22-502.1.D.(8), the location, size and species, of individual trees six inches in diameter or greater, when standing alone or in small stands shall be shown on the preliminary plans. The plan shall also identify any diseased tree(s).
23. §22-713.5. A – A 65-foot buffer yard is shown on the plan as required adjacent to the residential zoning district across Schoolhouse Road and shall be screened in accordance with this section.

24. §22-715.2.C.(2) & G.(2) – The amount of land to be dedicated for park and recreational areas for nonresidential land development projects shall be 2,500 square feet per 4,000 square feet of building area. Based on a combined building area of 554,950 square feet for Warehouse Buildings 1, 2, and 3, the amount of park and recreation land that would be required is 346,844 square feet (7.96 acres). The Sketch Plan designates 7.96 acres at the northern portion of the site as “Recreation Area”. The following comments shall be addressed:

- a. §22-715.3.A.(1) – The land proposed for dedication shall be easily and safely accessible, have good ingress and egress, and have access to an external public street.
- b. §22-715.3.A.(4) – No more than 25% of the recreation area shall be floodplain or areas with slopes above 8%, or both. The floodplain and steep slopes areas shall be quantified, and these resources shall not exceed 25%.
- c. §22-715.3.A.(6) – Site(s) designated for passive recreation may contain lands with natural resource restrictions, provided that the land can be used by residents for passive recreational activities. The recreation area includes floodplain, steep slopes, woodlands and riparian buffer.
- d. §22-715.2.G.(2) – Where, upon agreement with the applicant, it is determined that the dedication of all or any portion of the land area required for park and recreation purposes is not feasible because of the size, shape, location, access, topography, or other features of the land or any other need of the Township, the applicant shall pay to the Township a fee-in-lieu of dedication of such land. Based on the current fee schedule, the fee would be \$2,500 per 4,000 square feet of building area or \$346,844.00.

25. §22-718 & 720 – There is public water and sewer in the area, however, the locations of the service lines, including connections to existing mains, shall be investigated. The water supply system shall be capable of delivering the required fire flow at the required pressure.

Please be advised that the Township's Zoning Officer, Fire Marshall, and Public Works Superintendent may have additional review comments upon submission of a formal plan application to New Britian Township. If you have any questions regarding this project, please do not hesitate to contact us.

Sincerely,



Craig Kennard, P.E.,  
Gilmore & Associates, Inc.  
Township Engineers

CDK/JM/tw

Attachment

cc: Daniel Fox, Township Manager  
Alexandria Mullin, Assistant to the Manager  
Randy Teschner, Fire Marshall  
Scott Holbert, Esq., Flager & Associates, Inc.  
Elizabeth Nicholas and Siobhan Welsh, Owners  
HCI DP Land Acquisition LLC, Applicant  
Gregg I. Adelman, Esq., Kaplan Stewart  
Lindsey Breylinger, Bohler, LLC  
Janene Marchand, P.E., Gilmore & Associates, Inc.



GILMORE & ASSOCIATES, INC.

ENGINEERING & CONSULTING SERVICES

November 20, 2025

File No. 2500821

Lindsey Breylinger, Bohler Engineering, LLC  
Bohler Engineering  
1600 Manor Drive  
Suite 200  
Chalfont PA 18914

Reference: HCI DP Land Acquisition, LLC, Flood Study Review 1  
Walnut Street and County Line Road Proposed Warehouse Development  
TMP#'s: 26-001-099, 26-001-099-001, 26-001-099-002, 26-001-099-003

Dear Lindsey,

Pursuant to the Township's request, Gilmore & Associates, Inc. has completed a technical engineering review of the Flood Study dated September 24, 2025, which was submitted on behalf of HCI DP Land Acquisition LLC for the proposed Walnut Street and County Line Road Warehouse Development.

It is our understanding that the Applicant's intent is to submit the Flood Study to the Federal Emergency Management Agency (FEMA) to obtain a conditional Letter of Map Revision – Based on Fill (CLOMR-F) to revise the special flood hazard area based on the proposed improvements. The Flood Study indicates proposed fill in the calculated existing flood hazard zone will not result in an increase to the base flood elevation (BFE).

Upon review, we have no technical engineering comments related to the Flood Study, however, we offer the following Zoning Ordinance review comments related to the proposed site improvements for your consideration:

1. §27-1904.a.2 & 27-1906.b.2.(a) – Any areas subject to flooding and as last updated in the Websoil Survey are included in the Floodplain Overlay District. The floodplain soils shall be shown and identified on the plans to confirm whether or not any additional improvements are proposed within the Floodplain Overlay District. The Floodplain Overlay District shall also be identified on the plan.
2. §27-1904.d – No new construction or development shall be allowed within the identified floodplain area unless a permit is obtained from the DEP.
3. 27-1904.o.1 – No encroachment, alteration, or improvement of any kind shall be made to any watercourse unless it can be shown through hydrologic and hydraulic engineering studies and analyses that the activity will not reduce, change, or impede the flood-carrying capacity of the watercourse in any way. The Applicant is required to widen Walnut Street per the Subdivision and Land Development Ordinance Section §22-705.3.C. Widening of Walnut Street would require filling in a portion of the Floodplain Overlay District.
4. §27-1904.q – Fill may be placed within the Floodplain Overlay District only when allowed as a special exception by the Zoning Hearing Board.
5. §27-1906 – All Floodplain Overlay District administrative requirements shall be included in a formal submission to the Township's Floodplain Administrator in accordance with this section. In addition, the following items shall be addressed:

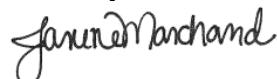
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65 E. Butler Avenue | Suite 100 | New Britain, PA 18901 Phone: 215-345-4330 | Fax: 215-345-8606  
www.gilmore-assoc.com

- a. The municipality must acknowledge and sign off on the request for a LOMR (Letter of Map Revision) to show the community's concurrence that the revision is consistent with local floodplain ordinances. The Township's Floodplain Administrator must sign the Community Acknowledgement Form before FEMA approves it.
- b. In conjunction with completing the Community Acknowledgement Form, the Township must acknowledge that compliance with Sections 9 and 10 of the Endangered Species Act (ESA) has been achieved independent of FEMA's process. Section 9 prohibits anyone from "taking" or harming an endangered species. Information shall be provided to document compliance.
6. General comment – Though offsite, the mapped floodway appears to be outside of the "Calculated Existing Flood Hazard Zone" on the adjacent parcel TMP #26-001-100-004.
7. SALDO §22-712.2.A.(1) and Stormwater Management §26-103.1.H. – Whenever a stream, intermittent stream, natural drainageway or waters of the commonwealth is located within a development site, it shall remain open in its natural state and location and shall not be piped, unless required or approved by the appropriate federal, state or Township agency. An analysis should be provided to demonstrate that the flood-carrying capacity of any watercourse to be altered are being preserved.

If you have any questions regarding this project, please do not hesitate to contact us.

Sincerely,



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

JM/tw

cc: Daniel Fox, Township Manager  
Alexandria Mullin, Assistant to the Manager  
Doreen Curtin, Zoning Officer  
Scott Holbert, Esq., Flager & Associates, PC  
Gregg I. Adelman, Esq., Kaplan Stewart, [gadelman@kaplaw.com](mailto:gadelman@kaplaw.com)  
HCI DP Land Acquisition LLC  
Craig D. Kennard, P.E., E.V.P., Gilmore & Associates, Inc.

**NOTICE OF MEETING**  
**NEW BRITAIN TOWNSHIP ZONING HEARING BOARD**

Please take notice that the New Britain Township Zoning Hearing Board will hold a public hearing on Wednesday, January 28, 2026, at 7:00 p.m. at the New Britain Township Municipal Building, 207 Park Avenue, Chalfont, PA to consider the following application for appeal and/or variances from the New Britain Township Zoning Ordinance:

**Appeal #2025-7** – Application of HCI DP Land Acquisition LLC, for the properties located at Walnut Street and 56 Walnut Street, New Britain Township, Bucks County, Pennsylvania, further identified as Tax Map Parcel Numbers 26-001-099-001, 26-001-099-003, 26-001-099-002, and 26-001-099. The property is in the IO-Industrial Office Zoning District. The applicant proposes to construct 3 warehouses on the properties. The applicant seeks a variance from Section 27-1802.a of the zoning ordinance to permit a building height of 42 feet, instead of the permitted 35 feet. The applicant seeks a variance from Section 27-2904.g.5 to allow for an off-street parking setback of 10 feet, instead of the required 20 feet. The applicant seeks a special exception for the installation of fill materials within the Floodplain Overlay District pursuant to Section 27-1904.q of the zoning ordinance.

Please visit [www.newbritaintownship.org](http://www.newbritaintownship.org) to view the full meeting agenda, complete copies of the application, and accompanying documents. If you cannot access the website, please contact New Britain Township at (215) 822-1391 or by email at [nbt@nbtpa.us](mailto:nbt@nbtpa.us) so that arrangements can be made to provide the documents to you.

Russell P. Sacco, Esquire  
Solicitor, New Britain Township Zoning Hearing Board  
57 S. Main Street  
Yardley, PA 19067

**Dates of Advertisement:** January 13, 2026 and January 20, 2026