

RESOLUTION NO. 2024 - 10

**NEW BRITAIN TOWNSHIP
BUCKS COUNTY, PENNSYLVANIA**

A RESOLUTION OF THE BOARD OF SUPERVISORS OF NEW BRITAIN TOWNSHIP GRANTING FINAL LAND DEVELOPMENT APPROVAL TO TOLL BROTHERS, INC. FOR THE FINAL SUBDIVISION OF TAX PARCEL #26-006-101, 26-006-101-003, 26-006-101-004 LOCATED AT OR NEAR COUNTY LINE ROAD, WHICH SAID PLANS WERE PREPARED BY ESE CONSULTANTS, INC., DATED OCTOBER 6, 2023, AND LAST REVISED APRIL 11, 2024, CONSISTING OF 45 SHEETS, WHICH PROPOSE THE CONSTRUCTION OF A 44-UNIT TOWNHOUSE DEVELOPMENT

Toll Mid-Atlantic LP Company, Inc.

WHEREAS, ~~Toll Brothers, Inc.~~ ("Applicant") have submitted an application for Final Land Development Approval which proposes the construction of a 44- Unit Townhouse Development ("**Project**") on a parcel located at or near County Line Road, New Britain Township, Bucks County, Pennsylvania, further identified as Tax Map Parcel Nos. 26-006-101, 26-006-101-003 and 26-006-101-004 ("**Property**"); and

WHEREAS, this proposal is reflected on a plan entitled Final Subdivision Plans of Birch Run at New Britain, prepared by ESE Consultants, Inc., dated October 6, 2023, last revised April 11, 2024, consisting of forty-five (45) sheets ("**Plan**"); and

WHEREAS, the New Britain Township Board of Supervisors held a Hearing on the Preliminary Subdivision Plans on March 18, 2024 and voted to approve the Preliminary Subdivision Application as evidenced by Resolution 2024-09; and

WHEREAS, the New Britain Township Planning Commission recommended the Project for Preliminary and Final Approval at its February 27, 2024 Meeting;

NOW THEREFORE, BE IT ADOPTED AND RESOLVED, that the Board of Supervisors of New Britain Township hereby grants Final Land Development Approval to the Project subject to Applicant's compliance with the following conditions:

1. Applicant shall comply with all requirements and recommendations of the Gilmore and Associates Review Letter of June 3, 2024 unless herein modified. A true and correct copy of this letter is attached hereto and incorporated herein as Exhibit "A".
2. Applicant shall comply with all comments, requirements and conditions contained in Resolution 2024-09. A true and correct copy of this Resolution is

attached hereto and incorporated herein as Exhibit “B”.

3. Applicant shall comply with all requirements contained in Resolution 2023-16, evidencing the Adjudication of the Conditional Use Application of Toll Mid-Atlantic LP Company, Inc. A true and correct copy of this Resolution is attached hereto and incorporated herein as Exhibit “C”.
4. Applicant has requested, and the Board of Supervisors does hereby Grant waiver from the following provisions of the Subdivision and Land Development Ordinance:
 - a. §22-705.13.D. – A waiver is requested to permit the driveway aprons to exceed a change in grade of 6% and a slope of 8%.
5. Applicant shall comply with any other technical design comments from the Township Engineer prior to the recording of the Record Plans.
6. Applicant shall construct the modern architectural option for the proposed buildings.
7. Applicant shall consult with the Township Fire Marshal on the naming of the internal roadways.
8. Applicant shall modify the walkway design to County Line Road to add additional landscaping, crosswalks and signage, to the satisfaction of the Township Engineer.
9. All street lights shall be in accordance with the Township’s Butler Avenue Corridor Overlay District Street Light Detail.
10. An inspection report shall be completed for the existing detention basin. The basin shall be maintained and repaired as necessary to insure it is functioning as intended. The Township shall be notified once any maintenance or remedial work is completed.
11. Applicant shall construct all public improvements shown on the approved Final Plan, including, but not limited to, water and sewer facilities, stormwater facilities, street trees, roadway widening, installation of curbs and sidewalks, and roadway milling and overlay.
12. Applicant shall execute the required Stormwater Maintenance Agreement in a form approved by the Township Solicitor. Applicant shall pay a required stormwater fee to be based on \$0.25 per every square foot of net increase of impervious area proposed.
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.

10. Applicant shall submit to the Township Engineer for review all necessary legal descriptions and construction cost estimates of the site improvements.
11. 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.
12. 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. 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.
13. Applicant shall pay all appropriate fees applicable to this Project including all outstanding bills from the Township's professional consultants.
14. All documentation shall be executed prior to recording of Record Plans.
15. Applicant and its professionals shall execute, notarize and seal the Final Record Plan.
16. Applicant shall comply with all other applicable Township, County, State, and Federal rules, regulations, codes, ordinances, and statutes.
17. The plans shall be ADA compliant, if applicable.

BE IT FINALLY RESOLVED that the conditions of approval have been made known to Applicant, and this Final Land Development 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 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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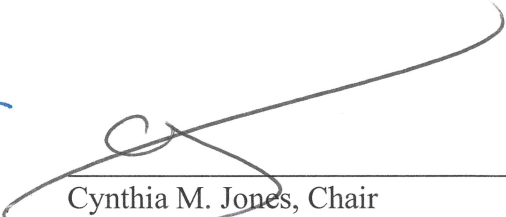
NEW BRITAIN TOWNSHIP
BUCKS COUNTY, PENNSYLVANIA
RESOLUTION NO. 2024-10

DULY ADOPTED, this 17 day of June 2024, by the Board of Supervisors of New Britain Township, in lawful session duly assembled.


ATTEST:



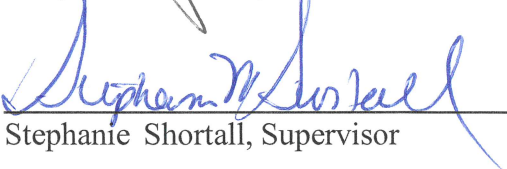
Dan Fox, Township Manager



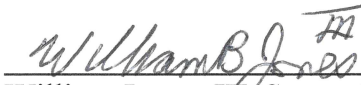
Cynthia M. Jones, Chair



MaryBeth McCabe, Vice-Chair



Stephanie Shortall, Supervisor



William Jones, III, Supervisor



Bridget Kunakorn, Supervisor

APPLICANT'S ACCEPTANCE OF THE RESOLUTION'S CONDITIONS

Applicant agrees to the above terms and conditions contained in Resolution 2024- 10 this the 1st day of August, 2024.

APPLICANT:

~~TOLL BROTHERS, INC.~~

Toll Mid-Atlantic LP Company, Inc.



Name: Michael A. Downs, P.E.

Title: Sr. Vice President