

**HATFIELD TOWNSHIP
RESOLUTION 11-34**

**PRELIMINARY/FINAL CONDITIONAL LAND DEVELOPMENT APPROVAL
FOR PT HATFIELD, LP, FOR THE PROPERTY LOCATED AT 2480
BETHLEHEM PIKE, HATFIELD TOWNSHIP, PA**

WHEREAS, PT Hatfield, LP, (the “Applicant”) is the owner of property located at 2480 Bethlehem Pike, consisting of approximately 1.51 acres, and which is further identified as Hatfield Township Tax Block 70, Units 10 and 11; and Montgomery County Tax Parcel Nos. 35-00-10510-00-3 and 35-00-00442-00-9 (the “Property”); and

WHEREAS, the Applicant has requested preliminary/final approval of the land development plan for the Property shown on the set of plans entitled Preliminary/Final Land Development Plans for PT Hatfield, LP, prepared by Bohler Engineering, dated May 10, 2011, last revised August 19, 2011, sheets 1 through 20 of 20 (the “Plan”); and

WHEREAS, the Improvements include construction of a new Wawa Convenience Store and associated site improvements; and

WHEREAS, the Plan and application have been reviewed by the Township Engineer, Township Traffic Engineer, Hatfield Township (the “Township”) and Montgomery County review agencies, and have been found to be suitable for preliminary/final approval, subject to the conditions set forth below.

NOW, THEREFORE, BE IT RESOLVED, that the Hatfield Township Board of Commissioners grants preliminary/final approval of the Plan subject to the following conditions and requirements:

1. Following final approval, but prior to recording of the plan, the Applicant shall execute a Land Development and Escrow Agreement (the “Agreement”), execute and deliver all necessary and appropriate deeds of dedication, and post financial security for construction of improvements on the Property, all of which shall be in a form acceptable to the Township Solicitor.
2. Based upon the letter of October 24, 2011 from McMahon Associates, Inc., the cost of traffic improvements agreed to by the Applicant and depicted on the Plan exceeds the applicable Transportation Impact Fee; therefore no such fee shall be required. The Applicant shall comply with all other comments in the September 14, 2011 McMahon letter relative to the Highway Occupancy Permit and Signal Permit.

3. The Applicant shall further comply with all provisions and conditions set forth in the August 26, 2011 CKS Engineers, Inc. letter to Hatfield Township (attached hereto and incorporated herein by reference), except as expressly waived or expressly modified herein.
4. The Township grants waivers to the Applicant from the following requirements of the Township Subdivision and Land Development Ordinance:
 - (a) Section 250-29.G.2, regarding location of access drive.
 - (b) Section 250-31.C and 250.51.A, to provide a 5' wide sidewalk partially outside of the right-of-way.
 - (c) Section 250-33.C.b.8, to allow roof drains to connect directly to the underground detention basins.
 - (d) Section 250-33.C.b.17, to allow use of a 4" orifice for the discharge from the detention basins.
 - (e) Section 250-33.C.f.2.a, to allow use of 15" diameter pipe.
 - (f) Section 250-37.C and 250-41.C.4, to permit a maximum fill slope of 3:1.
 - (g) Section 250-37.D to allow grading within 5' of property lines.
 - (h) Section 250-40.D, to allow parking 7' from the building.
 - (i) Section 250-53.C, to permit the use of high-density polyethylene pipe on Applicant's private property.
 - (j) Section 250-67.D.2, 250-68.D.2, and 250-72.C.2, which requires a plan to show all features within 100 feet of the site.
 - (k) Section 250-67.E.1, to allow a plan scale of 1"=30'.
 - (l) Section 250-29.I.5, to allow an alternate paving specification for the parking area.
 - (m) Section 250-38.B.1, to vary street spacing from the 50' on center requirement due to the clear sight triangle at the intersection.
 - (n) Section 250-40.j, to modify parking area buffering to accommodate sight lines and drainage features.

5. This approval and the grant of the waivers set forth in paragraph 4 are further conditioned upon acceptance of the conditions contained herein by the Applicant and his signifying acceptance of these conditions by signing a copy of this Resolution and returning it to the Township.
6. In the event that said execution of the Resolution is not delivered to the Township office by noon, Wednesday, November 2, 2011, it shall be deemed that the Applicant does not accept these conditions and any approvals and grants of waivers conditioned upon the acceptance of the conditions are revoked and the application shall be considered denied for the reason of the denial of the waivers set forth in paragraph 4 and the resulting violation of the Plan of the terms of the Township Subdivision and Land Development Ordinance, as authorized in Section 508 of the Pennsylvania Municipalities Planning Code, 53 P.S. §10508.
7. Prior to recording of final plans, all outstanding legal, engineering, and administrative fees applicable to this subdivision must be paid by Applicant.
8. This approval is subject to the fulfillment of all of the foregoing conditions, in their entirety, and no permit shall be issued, nor shall any plans be recorded, nor shall any development take place on the Property, unless and until all such conditions are fulfilled.

DULY PRESENTED AND ADOPTED by the Hatfield Township Board of Commissioners, Montgomery County, Pennsylvania, in a public meeting held this 26th day of October 2011.

ATTEST:

**HATFIELD TOWNSHIP
BOARD OF COMMISSIONERS**

Andrew S. Haines, Twp. Manager

Thomas C. Zipfel, President

ACCEPTED: PT Hatfield, LP

By: _____

(Print Name and Title)