

**HATFIELD TOWNSHIP
RESOLUTION 11-37**

**PRELIMINARY/FINAL CONDITIONAL LAND DEVELOPMENT APPROVAL
FOR 2506 LLC, FOR THE PROPERTY LOCATED AT 2434 NORTH BROAD
STREET, HATFIELD TOWNSHIP, PA**

WHEREAS, 2505 LLC, (the “Applicant”), is the owner of property located at 2434 North Broad Street, consisting of approximately .717 acres, and which is further identified as Hatfield Township Tax Block 43, Unit 42; and Montgomery County Tax Parcel No. 35-00-010420-03 (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 2506 LLC Land Development Plan, prepared by Schlosser & Clauss Consulting Engineers, Inc., dated July 5, 2011, last revised September 12, 2011, sheets 1 through 8 of 8 (the “Plan”); and

WHEREAS, the Improvements include expansion of a parking lot on an adjacent parcel owned by Applicant; 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 start of construction, 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. The Applicant shall further comply with all provisions and conditions set forth in the September 14, 2011 CKS Engineers, Inc. letter to Hatfield Township (attached hereto and incorporated herein by reference), except as expressly waived or expressly modified herein.
3. The Township grants waivers to the Applicant from the following requirements of the Township Subdivision and Land Development Ordinance:

- (a) Section 250-33.C.f.2.a, to allow 12” diameter storm sewer pipe in lieu of the 18” pipe required.
 - (b) Section 250-53.C, to allow high-density polyethylene storm sewer pipe in lieu of the reinforced concrete pipe required.
4. This approval and the grant of the waivers set forth in paragraph 3 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.
 5. 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 3 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.
 6. Prior to recording of final plans, all outstanding legal, engineering, and administrative fees applicable to this subdivision must be paid by Applicant.
 7. 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.

**HATFIELD TOWNSHIP
BOARD OF COMMISSIONERS**

Thomas C. Zipfel, President

ATTEST:

Andrew S. Haines
Township Manager

ACCEPTED: 2506 LLC

By: _____

(Print Name and Title)

Date: _____