HATFIELD TOWNSHIP RESOLUTION 13-37

PRELIMINARY/FINAL CONDITIONAL LAND DEVELOPMENT APPROVAL FOR NORTH PENN SCHOOL DISTRICT, FOR THE PROPERTY LOCATED AT 1701 FAIRGROUNDS ROAD (HATFIELD ELEMENTARY SCHOOL) AND 726 FORTY FOOT ROAD (PENNFIELD MIDDLE SCHOOL), HATFIELD TOWNSHIP, PA

WHEREAS, NORTH PENN SCHOOL DISTRICT (the "Applicant"), is the owner of property located at 1701 Fairgrounds Road, consisting of approximately 16.86 acres, and which is further identified as Hatfield Township Tax Block 3, Units 14 and 16; and Montgomery County Tax Parcel No. 35-00-04693-00-6 (the "Elementary School Property"); and

WHEREAS, the Applicant is also the owner of property located at 726 Forty Foot Road consisting of approximately 40.25 acres, and which is further identified as Montgomery County Tax Parcel Nos. 35-00-03715-003, 35-00-03721-006 and 35-00-03718-009 (the "Middle School Property"); and

WHEREAS, the improvements to the Elementary School Property and Middle School Property (the "Improvements") include the construction of an addition to the Hatfield Elementary School building, parking lot expansion and a new access drive, along with landscaping, two underground stormwater management systems, renovations to the interior of the existing building and the placement of eighteen (18) modular classrooms at the Pennfield Middle School site to accommodate the Hatfield Elementary students during the interior renovations; and

WHEREAS, the Applicant has requested preliminary/final approval of plans which depict the Improvements entitled Preliminary/Final Land Development Plans for North Penn School District, prepared by CMC Engineering, dated September 11, 2013 and last revised November 8, 2013, consisting of 13 pages, as well as a Post Construction Stormwater Management Report, prepared by CMC Engineering, dated October 2, 2013 and last revised November 25, 2013 (the "Plan"); and

WHEREAS, the Plan and application have been reviewed by the Township Consultants and Montgomery County, 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 issue of permits, the Applicant shall execute a Land Development Agreement, a Stormwater Operations and Management Agreement and execute and deliver all necessary and appropriate deeds of dedication, and post financial security for the construction of the Improvements, 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 November 26, 2013 CKS Engineers, Inc. letter and the December 13, 2013 McMahon Associates, Inc. letter to Hatfield Township (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 250-40.D, requiring parking areas to be no closer than 15 feet to a building. The proposed addition extends into an existing sidewalk area, with an overhang to the curb line.
 - b. Section 250-30.C, requiring a 8" reveal on concrete curbing. The plan proposes a 6" reveal curb for the interior curbing.
 - c. Section 250-29.B.2, requiring additional roadway widening as determined to be necessary by the Township.
 - d. Section 250-38.A, regarding required buffer plantings. The waiver request is for a credit against this requirement for the existing plantings along the western property line.
 - e. Section 250-38.A, regarding required buffer plantings along the portion of the southern property line where plantings cannot be provided in complete compliance with the ordinance due to the location of existing baseball field features.
 - f. Section 250-38.C, requiring supplemental plantings relative to the increase in building size. The proposed plantings are for the building addition area only, rather than the total building square footage that will result upon completion of the project.
 - g. Section 250-38.B, requiring street trees along existing and proposed streets. Four existing trees have been identified for replacement and a note will be added to future plans that they will be replaced.
 - h. Section 250-38.C, requiring landscape plantings relative to the net site area.
 - i. Section 250-44.I, requiring trash dumpsters to be screened from view. The plan proposes new plantings to the rear of the dumpster. The waiver request is for no fencing to be constructed around the existing dumpster

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location and for no relocation of the dumpster to an area that would allow for screening on three sides.

- j. The Hatfield Township Impact Fee Ordinance which would have required a \$6,945.64 traffic impact fee for the Elementary School addition.
- 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, Monday, December 30, 2013, 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 issuance of any permits, 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 development take place on the Property, unless and until all such conditions are fulfilled.

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DULY PRESENTED AND ADOPTED by the Hatfield Township Board of Commissioners, Montgomery County, Pennsylvania, in a public meeting held this 18th day of December, 2013.

ATTEST:	BOARD OF COMMISSIONERS
Aaron Bibro	Thomas C. Zipfel, President
Township Manager	

Signature by applicant on next page

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By:_______ (Print Name and Title) Date:_____

ACCEPTED: North Penn School District

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