

**HATFIELD TOWNSHIP
RESOLUTION _____**

**CONDITIONAL MINOR LAND DEVELOPMENT APPROVAL
FOR SIMCO COMPANY, FOR THE PROPERTY LOCATED AT
2257 NORTH PENN ROAD, HATFIELD TOWNSHIP, PA**

WHEREAS, SIMCO COMPANY (the “Applicant”), is the owner of property located at 2257 North Penn Road, consisting of approximately 8.27 acres, and which is further identified as Hatfield Township Tax Block 70, Unit 93; and Montgomery County Tax Parcel No. 35-00-07125-24-7 (the “Property”);

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 SIMCO Company, prepared by Pennoni Associates, Inc., consisting of 9 pages, as well as a Stormwater Management Report, prepared by Pennoni Associates, Inc., both dated October 10, 2013 and last revised November 21, 2013, (collectively the “Plan”); and

WHEREAS, the improvements as depicted on the Plan include the construction of a 15,000 square foot building addition, truck loading area and new stormwater management facility; and

WHEREAS, the Plan and application have been reviewed by the Township Consultants, (the “Township”) and have been found to be suitable for approval, subject to the conditions set forth below.

NOW, THEREFORE, BE IT RESOLVED, that the Hatfield Township Board of Commissioners hereby grants 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 construction of improvements on the Property, all of which shall be in a form acceptable to the Township Solicitor.
2. Pursuant to the McMahon Associates, Inc. letter of November 27, 2013, the transportation impact fee due and owing due as a result of this Application in the amount of \$34,228.20. Prior to recording of the final plans, the Applicant shall tender this transportation impact fee.
3. Prior to recording of final plans, the Applicant shall tender to the Township the sum of \$3,500 as a voluntary contribution in lieu of otherwise required landscaping.

4. The Applicant shall further comply with all provisions and conditions set forth in the November 25, 2013 CKS Engineers, Inc. letter to Hatfield Township (incorporated herein by reference), except as expressly waived or expressly modified herein.
5. The Township grants waivers to the Applicant from the following requirements of the Township Subdivision and Land Development and Stormwater Management Ordinances:
 - a. Section 242-12.K, requiring stormwater storage facilities to completely drain/empty over a period of time not less than 24 hours or more than 72 hours. The limited contributing drainage area size makes the 24-hour “cutoff” difficult to achieve when favorable infiltration rates exist.
 - b. Section 242-19.B.1, requiring plans proposing in excess of 5,000 square feet of earth disturbance to be submitted to the Montgomery County Conservation District. The erosion control measures for the project are under review by the Township Engineer and shall be inspected during construction. However, approval by the Conservation District and a NPDES Permit will be required if the limit of disturbance exceeds one acre.
 - c. Section 242-21.B.1.a.2, requiring plans to provide the locations of all existing utilities, etc. within 100 feet of the property line.
 - d. Section 250-38.C.2, regarding the requirements that a landscaping plan must be prepared by a registered Landscape Architect and that additional landscaping must be planted.
 - e. Section 250-38.C.4, requiring additional plantings for the proposed rain garden. The proposed rain garden occupies approximately 4,500 square feet and would require 5 shade trees pursuant to the ordinance.
 - f. Section 250-64.A.2.b, requiring 10% of the site to be dedicated for park and recreation area.
6. This approval and the grant of the waivers set forth in paragraph 5 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.

7. 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 5 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.
8. Prior to issuance of any permits, all outstanding legal, engineering, and administrative fees applicable to this subdivision must be paid by Applicant.
9. 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.

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:

**HATFIELD TOWNSHIP
BOARD OF COMMISSIONERS**

**Aaron Bibro
Township Manager**

Thomas C. Zipfel, President

ACCEPTED: SIMCO Company

By: _____

(Print Name and Title)

Date: _____