

**HATFIELD TOWNSHIP
RESOLUTION NO. 14-08**

**CONDITIONAL MINOR LAND DEVELOPMENT APPROVAL FOR
CLEMENS FOOD GROUP, LLC FOR PROPERTY LOCATED AT 2700
CLEMENS ROAD, HATFIELD TOWNSHIP, MONTGOMERY COUNTY,
PENNSYLVANIA, RELATIVE TO A WAREHOUSE ADDITION REFERRED
TO AS “PHASE 3”**

WHEREAS, Clemens Food Group, LLC (“Applicant”) has expressed to Hatfield Township the need to construct a 10,173 sq. ft. warehouse addition immediately adjacent to the previously approved and constructed Phase 1 warehouse addition on the north side of Clemens Food Group (formerly Hatfield Quality Meats) located at 2700 Clemens Road, Hatfield Township, Montgomery County, Pennsylvania (the “Property”); and

WHEREAS, the Applicant has requested minor land development approval for the plan for the Property as shown on a set of plans prepared by Urwiler & Walter, Inc. entitled “Warehouse Addition Phase 3 for Clemens Food Group, LLC” dated December 13, 2013 (“Plan”); and

WHEREAS, the Plan and application have been reviewed by the Township Engineer, Township Traffic Engineer, Hatfield Township (“Township”) and the Montgomery County Planning Commission 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 minor land development approval of the Plan subject to the following conditions and requirements:

1. The Applicant shall comply with all provisions and conditions set forth in the CKS Engineers, Inc. review letter of February 7, 2014 addressed to the Township unless expressly waived or modified herein.
2. A final Plan shall be executed and recorded with the Township and with the Montgomery County Recorder of Deeds.
3. Prior to the recording of the Plan, the Applicant shall execute a Land Development and Escrow Agreement as well as any necessary Stormwater Maintenance and Operations Agreement and post financial security for the construction of the improvements on the Property, all of which will be in a form acceptable to the Township Solicitor.

4. Prior to the recording of the Plans, the Applicant shall tender to the Township a Traffic Impact Fee of \$6,845.64 as required by the McMahon Associates, Inc. letter dated February 3, 2014.

5. Prior to the recording of the final Plans, all outstanding legal, engineering and administrative fees applicable to this Application shall be paid by the Applicant.

6. The Township grants a waiver to the Applicant from the following requirement of the Township Subdivision and Land Development Ordinance:

Section 250-38.C2 to permit a plan deficiency relative to landscaping for a total of ten (10) deciduous trees, ten (10) evergreen trees and forty (40) shrubs.

7. In the event that said execution of the Resolution is not delivered to the Township office by noon, Monday, March 24, 2014, 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 waiver set forth in paragraph 6 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. 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 _____ day of _____, 2014.

**HATFIELD TOWNSHIP
BOARD OF COMMISSIONERS**

Thomas C. Zipfel, President

ATTEST:

Aaron Bibro, Township Manager