

**HATFIELD TOWNSHIP
RESOLUTION #14-20**

**PRELIMINARY/FINAL CONDITIONAL MINOR SUBDIVISION APPROVAL
FOR OVATION PROPERTY GROUP, LLC FOR THE PROPERTY LOCATED
AT 719 SCHWAB ROAD, HATFIELD TOWNSHIP, PA**

WHEREAS, OVATION PROPERTY GROUP, LLC, (the “Applicant”), is the owner of 719 Schwab Road which is a parcel consisting of approximately 1.53 acres and which is further identified as Hatfield Township Tax Block 20, Unit 52; and Montgomery County Tax Parcel No. 35-00-09877-00-6 (the “Property”); and

WHEREAS, the Applicant has requested preliminary/final approval of the minor subdivision and land development application for the Property shown on a set of plans prepared for by Urwiler & Walter, Inc., dated August 8, 2014, consisting of 12 sheets (the “Plans”); and

WHEREAS, the Plans depict the subdivision of the Property into two (2) new residential building lots, the razing of the existing structure, and the development of the Property into two (2) single family detached dwellings with improvements and infrastructure; and

WHEREAS, the Plans and application have been reviewed by the Township Engineer, Township Traffic Engineer, the Township Landscape Architect, Hatfield Township (the “Township”) and Montgomery County reviewing 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 minor subdivision approval of the Plans subject to the following conditions and requirements:

1. Following final approval, but prior to issue of permits, the Applicant shall execute a Land Development and Escrow 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. Following final approval, but prior to the recording of the Plans, the Applicant shall execute a Stormwater Operations and Maintenance Agreement which shall be recorded against the Property in a form acceptable to the Township Solicitor.
3. Following final approval, but prior to the recording of the Plans, the Applicant shall tender to the Township a Traffic Impact Fee in the amount of \$2,281.88.

4. The Applicant shall further comply with all provisions and conditions set forth in the following review letters:

September 8, 2014 - CKS Engineers, Inc. to Hatfield Township;
August 29, 2014 - McMahan Transportation, Engineers and Planners
to Hatfield Township;
August 27, 2014 – McCloskey & Faber, PC to Hatfield Township;

(collectively referred to as “Review Letters”) except as expressly waived or expressly modified herein.

5. The Township grants a waiver/partial waiver to the Applicant from the following requirements of the Stormwater Management Ordinance (“SWM”) and Subdivision and Land Development Ordinance (“SALDO”) as described in the Review Letters:

- (a) SWM Section 242-18.B.2.g – from the requirement that all stormwater pipe be a minimum diameter 18” and be constructed from reinforced concrete (RCP).
- (b) SWM Section 242-19.A.2 & 4 – from the requirement that no fill shall be greater than a 4:1 slope and to allow grading activities within five (5) feet of a property line.
- (c) SALDO Section 250-29.B.1 – from the requirement to widen Schwab Road and to install curbing and sidewalk.
- (d) SALDO Section 250-38.C.2 – from the requirement that the landscape plan be prepared by a Registered Landscape Architect and allow it to be prepared by a Registered Professional Engineer.
- (e) SALDO Section 250-38.E – from the requirement that all existing trees with an 8-inch diameter or great that are removed during construction be replaced. The Applicant is proposing to remove four deciduous trees without providing replacements.

6. In exchange for the waivers described above, in particular, from the sidewalk requirement and from certain landscape requirements, the Applicant agrees to pay a fee in lieu thereof in the amount of \$4,200.00 (for sidewalks) and \$1,000.00 (for landscaping) so that these improvements may be made elsewhere in the Township.

7. The Applicant shall merge the driveways so that only one (1) curb cut on Schwab Road will provide ingress and egress to the Property and the two (2) proposed lots. The exact location of the shared driveway and its design shall be reviewed and approved by the Township Engineer. Prior to the recording of the Plans, the

Applicant shall provide the Solicitor with a Shared Driveway Easement Agreement in a form acceptable to her.

8. This approval and grant of the waivers set forth above are further conditioned upon the 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.
9. In the event that said execution of the Resolution is not delivered to the Township office by 7:00 PM, Wednesday, October 22, 2014, it shall be deemed that the Applicant does not accept these conditions and any approvals conditioned upon the acceptance of the conditions are revoked and the Application shall be considered denied for the reasons of the deficiencies found in the above-referenced Review Letters as described in the Township SWM and SALDO, as authorized in Section 508 of the Pennsylvania Municipalities Planning Code, 53 PS Section 10508.
10. Prior to issuance of any permits, all outstanding legal, engineering, and administrative fees applicable to this subdivision must be paid by Applicant.
11. 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.

ATTEST:

**HATFIELD TOWNSHIP
BOARD OF COMMISSIONERS**

Aaron Bibro, Township Manager

Thomas C. Zipfel, President

ACCEPTED: Ovation Property Group, LLC

By: _____

(Print Name and Title)

Date: _____