

**HATFIELD TOWNSHIP
RESOLUTION 15-04**

**PRELIMINARY/FINAL CONDITIONAL SUBDIVISION
AND LAND DEVELOPMENT APPROVAL FOR
MARIWILL PROPERTIES, L.P. FOR THE PROPERTY LOCATED AT
2515 EAST VINE STREET (LAUMAN TRACT),
HATFIELD TOWNSHIP, PA**

WHEREAS, MARIWILL PROPERTIES, L.P. (the “Applicant”), is the equitable owner of property located at 2515 East Vine Street, consisting of approximately 14.05 acres, and which is further identified as Hatfield Township Tax Block 69, Unit 4; and Montgomery County Tax Parcel No. 35-00-10687-00-6 (the “Property”); and

WHEREAS, the Applicant has requested preliminary/final approval of plans prepared by Bohler Engineering, Inc., consisting of 29 sheets dated August 14, 2014, last revised December 5, 2014 as well as a Stormwater Management Study dated August 1, 2014, last revised December 5, 2014 (collectively 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. Pursuant to the McMahon Associates, Inc. letter of January 19, 2015, a transportation impact fee is due and owing as a result of this Application in the amount of \$50,201.36. Prior to recording the final plans, the applicant shall tender this transportation impact fee.
3. The Applicant shall further comply with all provisions and conditions set forth in the January 9, 2015 CKS Engineers, Inc. letter and the December 30, 2014 McMahon Associates, Inc. letter to Hatfield Township (incorporated herein by reference), except as expressly waived or expressly modified herein.

4. The Township grants waivers to the Applicant from the following requirements of the Township Subdivision and Land Development Ordinance:
 - a. Section 250-38.B.1 - from the requirement that street trees be spaced a minimum of 40 feet and a maximum of 50 feet apart.
 - b. Section 250-38. E – a partial waiver from the requirement to replace all trees removed that had a diameter greater than or equal to eight inches. The plan identifies 172 existing trees requiring replacement and proposes to replace 101 (a deficiency of 71).
 - c. Section 250-87 - from the requirement to prepare a Traffic Impact Study.
 - d. Section 250-29.B.I - from the requirement to provide a cartway width of 40 feet. The plan has been revised to provide a width of 32 feet for the interior roads. In addition, the plan proposes to widen Vine Street to a width of 18 feet, which will align with the adjacent sections.
 - e. Section 250-29.G.3 - from the requirement that driveways must be no less than 50 feet from the intersection of street rights-of-way. The waiver request is for the driveway on Lot 15.
 - f. Section 250-31.C - from the requirement to provide a minimum sidewalk width of six feet, located one foot from the right-of way line. The plan proposes a sidewalk width of five feet placed along the edge of the right-of-way..
 - g. Section 250-38.C.2 - a partial waiver from the requirements of the required building area plantings. The proposed vegetation is deficient by a total of 33 deciduous trees, 75 deciduous shrubs, and 75 evergreen shrubs.
5. This approval and the grant of the waivers set forth in paragraph 4 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. Further, the Applicant agrees to the following:
 - a. Payment of \$30,000.00 in lieu of the landscape, paving and sidewalk requirements; and
 - b. Payment in the amount of \$5,000.00 in lieu of a Traffic Impact Study.

This \$35,000.00 payment may be paid incrementally as each building permit application is filed.
6. In the event that said execution of the Resolution is not delivered to the Township office by 7:00 PM, Wednesday, February 25, 2015, 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.

- 7. The Applicant’s Homeowner’s Association Documents shall be reviewed and approved by the Township Solicitor to ensure the open space shall be maintained by the Association and remain free of debris and trash. Furthermore, the Homeowner’s Association shall maintain all stormwater swales, basins and infrastructure except for the stormwater facilities located in the streets which shall be offered for dedication to the Township. Appropriate notes on the Plan shall correspond with the language in the Homeowner’s Association Declaration.
- 8. The Applicant shall provide to the Township Solicitor documentation necessary to terminate the easements which currently exist at the cul-de-sac at either end of the Property to her satisfaction.
- 9. Prior to issuance of any permits, all outstanding legal, engineering, and administrative fees applicable to this subdivision must be paid by Applicant.
- 10. 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 _____, 2015.

ATTEST:

**HATFIELD TOWNSHIP
BOARD OF COMMISSIONERS**

Aaron Bibro
Township Manager

Thomas C. Zipfel, President

Signature by applicant on next page

ACCEPTED: Mariwill Properties, L.P.

By: _____

(Print Name and Title)

Date: _____