

**HATFIELD TOWNSHIP
RESOLUTION #15-23**

**REVISED 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 requested and received preliminary/final approval pursuant to Resolution No. 14-20 which called for subdividing the Property into two (2) 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 Applicant has revised the plans and the subdivision of the Property because it no longer wishes to raze the existing structure. The revised application includes the subdivision of the Property in a new configuration so that the existing structure will remain on one (1) lot and a new building lot is created; and

WHEREAS, the revised Minor Subdivision Application consists of a plan set of twelve (12) sheets as well as a Stormwater Management Study, each prepared by Urwiler & Walter, Inc., dated August 8, 2014, last revised April 17, 2015 (collectively the “Plans”); 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 revised 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:

June 8, 2015 -	CKS Engineers, Inc. to Hatfield Township;
June 2, 2015-	McMahon Transportation, Engineers and Planners to Hatfield Township;
May 20, 2015 –	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.C – to permit existing plantings to count toward planting requirements and to permit less than the required shrubs.
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 \$500.00 (for

landscaping) so that these improvements may be made elsewhere in the Township.

7. 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.
8. In the event that said execution of the Resolution is not delivered to the Township office by 7:00 PM, Wednesday, July 22, 2015, 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.
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

ACCEPTED: Ovation Property Group, LLC

By: _____

(Print Name and Title)

Date: _____