

**HATFIELD TOWNSHIP
RESOLUTION #15-27**

**PRELIMINARY/FINAL LAND DEVELOPMENT APPROVAL FOR
RICH AND KEN ORLANDO PARTNERSHIP (HATFIELD ICE)
FOR PROPERTY LOCATED AT
3419 TREWIGTOWN ROAD, HATFIELD TOWNSHIP, PA**

WHEREAS, RICH AND KEN ORLANDO PARTNERSHIP (the “Applicant”), is the owner/developer of 3419 Trewigtown Road, consisting of approximately 1.8 acres which is further identified as Hatfield Township , Montgomery County Tax Parcel No. 35-00-02136-00-7 (the “Property”); and

WHEREAS, the Applicant has requested preliminary/final approval of its Land Development Application for the Property as shown on a set of plans consisting of 9 sheets, prepared by Schlosser & Clauss, Inc. dated July 6, 2010, last revised June 1, 2015(the “Plan”); and

WHEREAS, the improvements shown on the Plan include the construction of a 22,500 sq. ft. skating rink with associated utilities and parking on the Property; and

WHEREAS, the Plan and has 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 land development approval of the Plan subject to the following requirements:

1. Following final approval, but prior to issue of permits, the Applicant shall execute a Land Development Escrow Agreement (the “Agreement”), a Storm Water Operations and Maintenance 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. The Applicant shall comply with the review letter prepared by McMahon Associates, Inc. letter of August 18, 2015 which reflects a transportation impact fee in the amount of \$19,031.20. Prior to recording the final plans, the Applicant shall tender this transportation impact fee.
3. The Applicant shall comply with the review letter prepared by McCloskey & Faber dated July 10, 2015 except any portions which may be waived below.

4. The Applicant shall further comply with all provisions and conditions set forth in the July 13, 2015 CKS Engineers, Inc. letter to Hatfield Township except any portions which may be waived below.
5. The appropriate Deed of Dedication as prepared and approved by the Township Solicitor shall be executed such that the ultimate right-of-way along Trewigtown Road is offered to the Township.
6. The Township grants waivers to the Applicant from the following requirements of the Subdivision and Land Development Ordinance as well as the Storm Water Management Ordinance as follows:
 - a. SALDO Section 250-38.A – from the requirement regarding buffer plantings. The use requires buffers along the side property lines, however, existing utility lines along both sides, including appropriate easements, preclude the plantings from being installed.
 - b. SALDO Section 250-38.C - from the requirement to provide planting requirements. There is little room left on the Property for the required site plantings.
 - c. SALDO Section 250-37.D – regarding site grading to be a minimum of 5 ft. from property lines.
 - d. SALDO Section 250-40.D – regarding parking areas to be no less than 20 ft. from proposed buildings. Due to site constraints, parking area is approximately 4 ft. from the building.
 - e. SALDO Section 250-40.Q – regarding parking area landscaping. One shade tree is required for every 10 parking spaces. The Plan requires 4 and only 2 are proposed.
 - f. SALDO Section 250-38.B.1 – regarding street trees. The Plan is deficient one street tree due to the site limitations of the site triangle and existing easement.

In lieu of the required plantings listed above, the Applicant shall donate \$10,000.00 to the Township which shall be tendered prior to the recording of the Plans,
7. This approval is conditioned upon acceptance of the conditions contained herein by the Applicant and by 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, August 26, 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 Storm Water Management Ordinance, the Township Subdivision and Land Development Ordinance, 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: RICH AND KEN ORLANDO PARTNERSHIP

By: _____

(Print Name and Title)

Date: _____