

**HATFIELD TOWNSHIP  
RESOLUTION #16-10**

**PRELIMINARY/FINAL CONDITIONAL MINOR SUBDIVISION APPROVAL  
FOR DAVID RUTH FOR PROPERTY LOCATED AT  
3240 LINE LEXINGTON ROAD, HATFIELD TOWNSHIP, PA**

**WHEREAS, DAVID RUTH**, (the “Applicant”), is the owner of 3240 Line Lexington Road which is a parcel consisting of approximately 1.36 acres and which is further identified as Hatfield Township Tax Block 63, Unit 11; and Montgomery County Tax Parcel No. 35-00-06166-00-8 (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 by Metz Engineers, dated June 3, 2014, last revised November 23, 2015, consisting of 3 sheets as well as a Stormwater Report by Metz Engineers dated December, 2015 with no revisions (collectively the “Plans”); and

**WHEREAS**, the Plans depict the subdivision of the Property into two (2) residential building lots, and the development of a new house on the second lot; 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, appropriate plans, 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 17, 2015 - McMahon Transportation, Engineers and Planners to Hatfield Township;  
January 5, 2016 – McCloskey & Faber, PC to Hatfield Township;  
January 25, 2016 - CKS Engineers, Inc. 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 Subdivision and Land Development Ordinance (“SALDO”) as described in the Review Letters:

- (a) SALDO Section 250-29.B.4 – to permit the existing half-width of Line Lexington Road of 12 ft. as opposed to the required 17 ft. half-width.
- (b) SALDO Section 250-31.A – requiring sidewalk along Line Lexington Road. The Applicant agrees to pay a fee in the amount of \$ \_\_\_\_\_ so that sidewalks and/or trails can be installed elsewhere in the Township.
- (c) SALDO Sections 250-38.C.2, 3 and 4 – to defer the required on lot plantings until the issuance of grading and building permits for Lot 2.
- (d) SALDO Section 250-53 – to defer drainage facilities until the issuance of grading and building permits for Lot 2.
- (e) SALDO Section 250-66.H – to permit an aerial photo in lieu of additional topographic features.
- (f) SALDO Section 250-38.C.2 – from the requirement that landscape plans be prepared by a landscape architect.
- (g) SALDO Section 250-38.E – to defer tree replacement plantings until the issuance of grading and building permits for Lot 2.
- (h) SALDO Section 250-30.B – from the requirement that curb be installed along Line Lexington Road.

6. The Applicant shall supply adequate legal documentation to the satisfaction of the Township Solicitor relative to an off-site drainage and utility easement prior to the issuance of grading and building permits for Lot 2.

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, April 27, 2016, 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 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 \_\_\_\_\_, 2016.

**ATTEST:**

**HATFIELD TOWNSHIP  
BOARD OF COMMISSIONERS**

\_\_\_\_\_  
**Aaron Bibro, Township Manager**

\_\_\_\_\_  
**Thomas C. Zipfel, President**

**ACCEPTED: David Ruth**

\_\_\_\_\_

**Date:** \_\_\_\_\_