

NEW HANOVER TOWNSHIP

RESOLUTION NO. 25-05 (PRELIMINARY)

GAUGLER 40 LOT RESIDENTIAL DEVELOPMENT

N.H.T.P.C. #656

BACKGROUND

WHEREAS, Heritage Building Group, Inc. (hereinafter referred to as "Applicant") has made application to New Hanover Township for preliminary land development plan approval with respect to a 23.26 acre tract located along Route 663 in the R-15 Residential Zoning District of New Hanover Township. The Applicant is the legal owner of said tract, having acquired the same by Deed recorded in the Montgomery County Recorder of Deeds Office at Book 5273, Page 325; and

WHEREAS, the Applicant proposes developing the site as a residential subdivision of 23.26 acres into 40 residential lots and 2 open space lots; and

WHEREAS, the New Hanover Township Planning Commission recommended Preliminary Plan approval with conditions at its regular meeting of June 8, 2005; and

WHEREAS, the Preliminary Plan for the proposed land development, prepared by Bohler Engineering, Inc., consisting of 39 plan sheets dated December 30, 2004, with a latest revision date of May 13, 2005, and a Stormwater Management Report dated December 30, 2004 with a latest revision date of May 13, 2005, is now in a form suitable for Preliminary Plan Approval by the New Hanover Township Board of Supervisors, subject to certain conditions.

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING,

IT IS HEREBY RESOLVED by the Board of Supervisors of New Hanover Township, as follows:

1. Approval of Plan. The Preliminary Plan prepared by Bohler Engineering, Inc., as described above, is hereby approved, subject to the conditions set forth below.

2. Conditions of Approval. The approval of the Preliminary Plan is subject to strict compliance with the following conditions:

A. Compliance with all comments and conditions set forth in the Brown Consulting Engineers, LLC letter of May 31, 2005.

B. Applicant paying to Township the Highway Capital Improvement Fee (traffic impact fee) in the amount of Fifty-Three Thousand Six Hundred Twenty-One Dollars (\$53,621.00).

C. Applicant paying a fee-in-lieu of providing park and recreation area in the amount of Twenty-Seven Thousand Two Hundred-Eighty Dollars (\$27,280.00).

3. **Waivers.** The New Hanover Township Board of Supervisors hereby grants the following waivers from the provisions of the New Hanover Township Subdivision and Land Development Ordinance:

A. Section 806.3.C(1) to waive the requirement to utilize the TR-55 Method for the design of retention/detention areas, subject to the Applicant utilizing the Rational Method for the design of such areas.

B. Section 806.5.G to waive the requirement to provide detention embankments with maximum 4:1 slopes, subject to the Applicant providing a basin designed to provide storage of initial stormwater runoff volume for groundwater recharge and that the basin plantings are approved by the Township and fencing is provided around the basin as a safety measure.

C. Section 806.5.I to waive the requirement to provide a minimum of two percent basin bottom slope in the detention basins.

D. Section 807.2.G(5) to waive the requirement to design the storm sewer pipes with slopes not less than 0.5 percent, provided that all such pipes are located within the state right-of-way and are approved and maintained by the PennDOT.

E. Section 813.5 and 821 to waive the requirement to provide on-street parking along both sides of all new streets where any lot is less than 20,000 square feet in area and the requirement

to increase the cartway width by 8 feet on each side where parking is required, subject to the Applicant installing a 32 foot cartway for all internal roads with parking restrictions on one side of the roadway.

F. Section 813.8.C to waive the requirement to provide an 80-foot wide right-of-way for a public street, subject to the Applicant providing a 60 foot right-of-way along Miles Road.

G. Section 829.C to waive the requirement to provide buffer planting material around detention basin areas that conform to the Plant Material List provided in this section, subject to the Applicant providing buffer planting material approved by the Township Planner.

4. **Acceptance**. The conditions set forth in paragraph 2 above shall be accepted by the Applicant, in writing, within ten (10) days from the date of receipt of this Resolution.

5. **Effective Date**. This Resolution shall become effective on the date upon which the Conditions are accepted by the Applicant in writing. Upon failure of the Applicant to accept these Conditions, this Resolution shall be null and void and of no effect and the Application shall be deemed to be denied.

RESOLVED and ENACTED this 13 day of June, 2005,
by the New Hanover Township Board of Supervisors.

NEW HANOVER TOWNSHIP
BOARD OF SUPERVISORS

Mart. Dyas
Martin Dyas, Chairman

Absent
Robert Petro

Ralph Fluharty
Ralph Fluharty

Douglas N. Muller
Douglas N. Muller

Andrew Kelly
Andrew Kelly

ATTEST:

Anne W. Klepfer
Anne W. Klepfer, Township Manager

ACCEPTANCE

The undersigned states that they are authorized to execute this Acceptance on behalf of the Applicant and the owner of the Property which is the subject matter of this Resolution, that they have reviewed the Conditions imposed by the Board of Supervisors in the foregoing Resolution and that they accept the Conditions on behalf of the Applicant and the owner and agree to be bound thereto. This Acceptance is made subject to the penalties of 18 Pa. C.S.A. Section 4904 relating to unsworn falsifications to authorities.

HERITAGE BUILDING GROUP, INC.

6/22/05
Date

BY: Colin Stucky, V.P.

ATTEST: Nina Suda