



RESOLUTION NO. 2019-09

PRELIMINARY/FINAL LAND DEVELOPMENT APPROVAL

DUNWOODY VILLAGE, INC. - CORE AREA EXPANSION

WHEREAS, Dunwoody Village, Inc., ("Developer") has submitted Preliminary/Final Land Development plans sheets 1 through 13, and Erosion and Sediment Control Plans sheets 1 through 5, both dated December 20, 2018, and prepared by RGS Associates Inc., 53 West James Street, Lancaster, Pennsylvania, ("Preliminary/Final Plan"), for the construction of a 17,675 square foot addition to its core common area facilities, such as the cafeteria (the "Project") to the Board of Supervisors for preliminary/final approval; and

WHEREAS, the Project is an addition to an existing "common area" facilities on its existing 85 acre campus and does not add any additional dwelling units or residents to the community;

WHEREAS, the Township Engineer reviewed the Preliminary/Final Plan and prepared a review letter dated January 17, 2019, outlining its review, comments and suggestions (Township Engineer Review letter");

WHEREAS, the Township Fire Marshall reviewed the Preliminary/Final and prepared a review letter dated December 22, 2018 outlining his review, comments and suggestions ("Fire Marshall review letter");

WHEREAS, on January 24, 2019, the Newtown Township Planning Commission recommended approval of the Preliminary/Final Plan with certain waivers and conditions;

WHEREAS, the Delaware County Planning Department ("DCPD") reviewed the Preliminary/Final Plans and prepared a review letter dated January 17, 2019 outlining its review, comments and suggestions and recommending approval ("DCPD review letter"); and

WHEREAS, the Developer and the Township have engaged in additional discussions to clarify various conditions and requirements of Preliminary/Final Plan approval.

NOW THEREFORE, BE IT RESOLVED that the Board of Supervisors of Newtown Township hereby resolves and conditionally approves:

1. The Preliminary/Final Plans.
2. The following waivers and/or partial waivers which must be set forth on the final recorded plans, as follows:

- (a) Section 148-43.B(4) to allow the use of High Density Polyethylene Piping (HDPE) in place of RCP in the stormwater management/conveyance system;
 - (b) Section 148-12 to allow for submission of preliminary/final plans;
 - (c) Section 148-22.A.2 to allow for deviation from the required plans scale for pages depicting the overall site to allow the depiction to fit on one page;.
 - (d) Section 104-11 regarding an “existing conditions plan” for the entire site, while being provided only for the portion of the site being modified.
 - (e) Section 148-41 regarding recreational land requirements. Dunwoody provides recreational activities and facilities as a service for its residents and no additional residents are added by the additions
3. Such approval is subject to Developer obtaining any required Sewage Planning approvals or waivers and approval from the Newtown Township Municipal Authority for sanitary sewer connection and design.
4. Such approval is subject to compliance with the terms, conditions and suggestions of the aforementioned Township Engineer review letter, Fire Marshall review letter, and DCPD review letter.
5. Such approval is also subject to the terms and conditions outlined below:
 - (a) The developer will execute a developer agreement, financial security agreement and a Stormwater Management and Maintenance Agreement and contribute to the Township Stormwater Management Maintenance Fund to prepared by the Township Solicitor; and
 - (b) The developer shall obtain an NPDES permit for stormwater discharge;
6. Developer shall comply in all respects with all applicable Township Codes, ordinances and regulations, as well as any applicable County, State or Federal regulations and developer must obtain all applicable Township, State, County and Federal permits, approvals and/or waivers.
7. Preliminary/Final Approval is contingent upon payment of all outstanding professional fees/escrow replenishment, within 45 days of approval, except as properly challenged in accordance with the Municipalities Planning Code.
9. The Township Manager is authorized to execute the Developer’s Agreement, Financial Security Agreement and Stormwater Agreement, when prepared in a form acceptable to the Township Solicitor, Township Engineer and Township Manager, without further action of the board.

RESOLVED, this 25th day of February, 2019, at a public meeting of the Board of Supervisors.



**BOARD OF SUPERVISORS
NEWTOWN TOWNSHIP**

BY: _____

John A. Nawn, P.E. Chairman

ATTESTED

Stephen M. Nease

Stephen M. Nease, Township Manager