



RESOLUTION NO. 2015-21

PRELIMINARY/FINAL LAND DEVELOPMENT APPROVAL FOR

DAY CARE – ELLIS PRESERVE (FORMERLY CENTRAL UTILITY PLANT)

SECTOR 4

WHEREAS, Campus Investors Office B, L.P. ("Developer") has submitted plans identified as "Conditional Use & Preliminary/Final Land Development Plans sheets 1 through 18 and Truck Turning Plans (2 sheets) and General Project Description & Stormwater Management Calculations all dated April 3, 2015 and prepared by Bohler Engineering (collectively the "Plan").

WHEREAS, the Township Engineer has prepared a review letter dated May 7, 2015, ("Township Engineer Review Letter") outlining the Engineer's review and recommendations as well as the waivers requested in the Plan; and

WHEREAS, the Township Fire Marshall has prepared a review letter dated April 26, 2015 outlining the Fire Marshall's review and recommendations with respect to the Plan; and

WHEREAS, applicants engineer, Bohler Engineering prepared a response to the aforementioned review letters dated May 14, 2015;

WHEREAS, the developer, pursuant to Section 172-88(B)(2)(b) seeks conditional use approval to operate a day care center and if necessary relief under Section 172-23 to permit children of people not working on lot to attend the day care center, the hearing and approval of which occurred this evening of June 22, 2015; and

WHEREAS, on June 11, 2015, the Newtown Township Planning Commission recommended approval of the Plan conditioned on compliance with the Township Engineer Review Letter and Fire Marshall Letter and any comments and approvals and other conditions; and

WHEREAS, the Plan was submitted and reviewed by the Delaware County Planning Department;

WHEREAS, the Developer and the Township have engaged in additional discussion to clarify various conditions and requirements of the Plan approval;

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

1. The Plan.
2. The waivers set forth on the subdivision and land development plans, and the Engineer review letter:
3. Developer will coordinate with the Township to determine which plans are to be recorded and make any necessary modifications to the plans to implement the recording of the Plan.
4. Such approval is subject to the terms and conditions of the Township Engineer Review Letter and the Fire Marshall Review letter:
5. Such approval is subject to the comments of the Township Planning Commission and the Delaware County Planning Department.
6. Such approval is also subject to the terms and conditions outlined below which have been agreed to between the Developer and the Township. Should any of the terms and conditions outlined below conflict with those outlined in the Township Engineer Review Letter, the terms and conditions below shall govern:
 - (a) 10 parking spaces will be reserved in the adjacent parking garage for employees of the day care facility;
 - (b) One monument sign will be located at the entrance of the day care per discussions with the Township Planning Commission
 - (c) Trash will be contained within a trash enclosure at the southeastern corner of the building.
7. Applicant will pay all applicable fees and escrows pursuant to Township ordinances;
8. Developer shall enter into Developer's and Financial Security Agreements with the Township to be prepared by the Township Solicitor. The Township Manager is authorized to execute the agreements when approved by the Township Solicitor and Engineer.
9. Developer shall provide the required Stormwater and BMP Operations and Maintenance Plan which will be subject to the approval of the Township Engineer and shall enter into a Stormwater and BMP Operations Agreement with the Township and post the related escrow fee, may be by amendment of existing Plans on site. The Township Manager is authorized to execute this agreement when approved by the Township Solicitor and Engineer.
10. Payment of all outstanding fees, deposits, and costs owed to the Township by the Developer shall be made prior to recording of the Amended Final Plan;
11. 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.

RESOLVED, this 22nd day of June, 2015, at a public meeting of the Board of Supervisors.

BOARD OF SUPERVISORS
NEWTOWN TOWNSHIP

BY: 
Joseph V. Catania, Chairman

ATTESTED


Stephen M. Nease, Secretary