



RESOLUTION NO. 2016 - 6

**LOT SUBDIVISION APPROVAL
FOR JOHN AND MONA ROSS
4252 AND 4256 FLORIDA AVENUE
TAX MAP NO. 30-29-066:00/FOLIO NO. 30-00-00972-00
TAX MAP NO. 30-29-068-000 /FOLIO NO. 30-00-00974-00 and**

WHEREAS, applicants are John and Mona Ross, 4240 Florida Avenue, Newtown Square, PA 19073 regarding the properties located at 4252 and 4256 Florida Avenue; and

WHEREAS, Applicants submitted plans dated October 16, 2015, last revised December 1, 2015, prepared by DL Howell and Associates, Sheets 1 to 2, ("Plans") to subdivide the aforementioned two properties into two three properties;

WHEREAS, the properties are in the R-3 Residential Zoning District with two existing dwellings and the subdivision of this .895 acres combined area, will result in 3 lots of conforming size but which will have certain pre-existing non-conformities;

WHEREAS, the plan was submitted to the Delaware County Planning Commission, which issued a letter recommending approval on November 19, 2012 (Exhibit A); and

WHEREAS, the Newtown Township Planning Commission considered the application at its December 10, 2010 meeting at which meeting it recommended approval of the subdivision with certain conditions to which the applicants have agreed (Exhibit B); and

WHEREAS, by letters dated November 2, 2015 and November 10, 2015, Township Engineer Stantec Consulting Services, Inc., issued engineering review comments (Collectively Exhibit C);

WHEREAS, DL Howell, on behalf of the applicants, provided responses the Township Engineers November 2, 2015 comments on December 3, 2015 (Exhibit D);

WHEREAS, the applicants obtained a zoning variance with respect to the lot 2 side yard set backs (Exhibit E);

WHEREAS, the applicants have supplied new legal descriptions for the three new lots;
and

WHEREAS, Sewage Facilities Planning will be required.

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of Newtown Township as follows:

1. The subdivision set forth set forth on the Plans is approved subject to:

- (a) The applicants will make application to the Post Office and the Township for new addresses as required to provide each property a distinct mailing address;
 - (b) No certificates of occupancy may be granted until such time as all requirements of the DEP sewage facilities planning have been met.
 - (c) Compliance with all requirements and representations made in the review and response letters referenced above, Exhibits A through D.
 - (d) Compliance with all Township and Commonwealth regulations and permit requirements, including but not limited to storm water management agreements and escrows and all E&S requirements.
 - (e) Payment of all outstanding fees, deposits, and costs owed to the Township by the applicants shall be made prior to recording of the subdivision plan.
 - (f) The applicant will pay a fee of \$2,755.00 in lieu of providing recreational land pursuant to Newtown Code Section 148-41.
2. The following waivers are granted:
- (a) Section 148-22(C) requiring a construction improvement plan.
 - (b) Section 148-22(D) requiring a conservation plan.
 - (c) Section 148-22(B)(8) requiring private deed restrictions be provided.
 - (d) Section 148-22(B)(5) requiring a certificate of title be provided.
 - (e) Section 148-35 requiring curbs along all streets unless waived by the Board of Supervisors.
3. The Township Manager is authorized to execute all necessary documentation to accomplish this subdivision approval, in consultation with the Township Engineer and Solicitor.

RESOLVED, this 11th day of January, 2016 at a public meeting of the Board of Supervisors.

BOARD OF SUPERVISORS
TOWNSHIP OF NEWTOWN

BY: 

John A. Nawa, P.E., Chairman

ATTEST


Stephen M. Nease, Manager/Secretary