



**RESOLUTION NO. 2017-12**

**PRELIMINARY/FINAL LAND DEVELOPMENT APPROVAL FOR  
BPG OFFICE BUILDING – FORMER PILOT PLANT REDEVELOPMENT  
ELLIS PRESERVE - SECTOR 4**

WHEREAS, BPG Development Company, L.P. on behalf of BPG Real Estate Investors – Straw Party -1, L.P. and Campus Investors Central, L.P. ("Developer") has submitted plans identified as "Conditional Use & Preliminary/Final Land Development Plans – Pilot Plant Redevelopment- Sector 4 - for Campus Investors Central, L.P. sheets 1 through 22, dated January 5, 2017 and last revised February 8, 2017 and Stormwater Management Report and Calculations dated January 5, 2017 and last revised on February 8, 2017, both prepared by Bohler Engineering (collectively the "Plan") to re-develop an existing pilot plant with a 40,806 s.f. two story office building with 140 parking spaces and 3 oversized spaces.

WHEREAS, this project that is the subject of this Plan is the redevelopment of an existing pilot plant within Sector 4 of the Planned Residential District at WCP and Rt 252, with the construction of a 40,806 s.f. two story office building with 140 parking spaces and 3 oversized spaces, which will decrease both impervious and building coverage within the PRD.

WHEREAS, the PRD ordinance permits the reconstruction of existing buildings in Sector 4 pursuant to the SU1 zoning district standards; and

WHEREAS, the SU1 zoning district permits office buildings with conditional use approval; and

WHEREAS, conditional use approval for the project set forth in the Plan was granted by majority vote of the Board of Supervisors following a hearing this same day of March 13, 2017; and

WHEREAS, the Township Engineer has prepared review letters dated January 25, 2017 and February 16, 2017 ("Township Engineer Review Letters") outlining the Engineer's review and recommendations as well as the waivers requested in the Plan; and

WHEREAS, the Township Fire Marshall has prepared review letters dated January 8, 2017 and February 11, 2017 outlining the Fire Marshall's review and recommendations with respect to the Plan; and

WHEREAS, applicant's engineer, Bohler Engineering, prepared response letters of February 9, 2017 and March 10, 2017 the aforementioned Township Engineer and Fire Marshall Review letters;

WHEREAS, the Newtown Township Delaware County Municipal Authority engineer prepared a review letter dated February 7, 2017; and

WHEREAS, on February 23, 2017, the Newtown Township Planning Commission recommended approval of the Plan, with a waiver permitting HDPE drainage pipes, conditioned on compliance with the Township Engineer Review Letters and Fire Marshall Letters; and

WHEREAS, on February 16, 2017, the Delaware County Planning Department recommended approval;

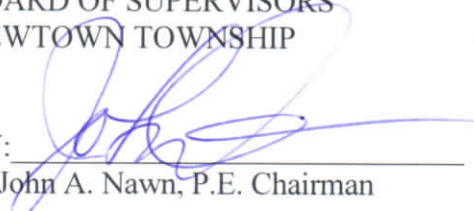
WHEREAS, the Developer and the Township have engaged in additional discussion to clarify various conditions and requirements of the Plan approval;

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

1. The Plan.
2. The waiver for Section 148-43b(4) to allow HDPE drainage pipe:
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 aforementioned Township Engineer Review Letters, Fire Marshall Review letters, the Newtown Township Delaware County Municipal Engineer Review letter and representations set forth in the aforementioned Bohler response letter. :
5. Such approval is subject to the comments of the Township Planning Condition and the Delaware County Planning Department.
6. Applicant will pay all applicable fees and escrows pursuant to Township ordinances;
7. 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.
8. Developer shall enter into a Stormwater and BMP Operations Agreement with the Township pay the associated fee and post the related escrow, which may be by amendment of existing Plans/Agreements on site. The Township Manager is authorized to execute this agreement when approved by the Township Solicitor and Engineer.
9. Payment of all outstanding fees, deposits, and costs owed to the Township by the Developer shall be made prior to recording of the Plan;
10. 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 13<sup>th</sup> day of March, 2017, 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, Secretary

