



RESOLUTION NO. 2017-42

**PRELIMINARY/FINAL LAND DEVELOPMENT AND LOT LINE CHANGE
APPROVAL FOR NEWTOWN SQUARE FIRE COMPANY NO. 1 NEW FIREHOUSE**

CHARLES ELLIS DRIVE

ELLIS PRESERVE – PLANNED RESIDENTIAL DEVELOPMENT

WHEREAS, Newtown Square Fire Company No. 1, (“Developer”) as equitable owner of Lot C of the Overall Development Plan, recorded in the Delaware County Recorder of Deeds on December 29, 2016 (“ODP”) and currently controlled and/or owned by BPG Development Company, L.P., BPG Real Estate Investors –Straw Party -2, L.P., Campus Investors Central, L.P. and or their affiliates (“Current Owners”) has submitted plans identified as "Ellis Preserve Towns Center – Final Planned Residential Development Plans, Newtown Square Fire Company No. 1”, L.P. sheets 1 through 23, and Project Description & Stormwater Management Calculations, both dated October 5, 2017 and prepared by Bohler Engineering (collectively the “Plan”) to change the lot lines for Lots C and D as identified on the ODP to increase the size of lot C from .882 acres to 1.115 acres, a corresponding reduction in Lot D by .233 acres, and develop lot C with a 2-story 21,166 sf new firehouse and related parking, utilities, lighting, landscaping and stormwater controls.

WHEREAS, the PRD Ordinance permits municipal services and emergency services uses; and

WHEREAS, the Township Engineer has prepared a review letter dated October 24, 2017, ("Township Engineer Review Letter") outlining the Township 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 October 11, 2017 outlining the Fire Marshall’s review and recommendations with respect to the Plan; and

WHEREAS, the Newtown Township, Delaware County Municipal Authority engineer prepared a review letter dated November 21, 2017 with a number of comments and recommended conditions; and

WHEREAS, on October 26, 2017, the Newtown Township Planning Commission recommended approval of the Plan, with certain waivers permitting HDPE drainage pipes, and conditioned on compliance with the Township Engineer Review Letters and Fire Marshall Letters; and

WHEREAS, the Plan was submitted to the Delaware County Planning Department which provided comments in the November 16, 2017 letter; and

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

NOW THEREFORE, 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. Such approval is subject to and contingent upon all of the following:
 - (a) 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;
 - (b) 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 Authority Engineer Review letter and satisfying said conditions and comments to the satisfaction of the relevant reviewing entities;
 - (c) Satisfying the comments and conditions set forth by the Township Planning Commission;
 - (d) Developer paying all applicable fees and escrows pursuant to Township ordinances, as well as any outstanding fees or costs, unless waived by the Township;
 - (e) Developer and/or Current Owners preparing legal descriptions for the newly configured lots C and D to the satisfaction and approval of the Township Engineer and Township Solicitor, and the subsequent recording of deeds to reflect the new descriptions;
 - (f) Developer and/or Current Owners preparing written easement descriptions and entering into such easement agreements between Developer, Current Owners and all affected property owners for all necessary parking, stormwater, utility and other necessary easements to implement the Plan;
 - (g) Developer and/or Current Owners applying for and obtaining approval of a Tentative Plan Approval and Final Plan approval for the proposed changes to the PRD Plan and the preparation and filing of a new Overall Development Plan tracking all open space, parking, FARs and other similar requirements;
4. 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.

5. 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, with the approval and written agreement of the Current Owners and any affected property owners. The Township Manager is authorized to execute this agreement when approved by the Township Solicitor and Engineer.
6. Developer shall enter into agreements and pay any related fees to the Newtown Township Delaware County Municipal Authority as set forth in the November 21, 2017 review letter.
7. 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.
8. The Township administrative staff is authorized to execute all such documents and agreements as necessary to effectuate this approval.

RESOLVED, this 27th day of November 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
Stephen M. Nease, Township Manager/Secretary



DELAWARE COUNTY PLANNING COMMISSION

**COURT HOUSE/GOVERNMENT CENTER
201 W. Front St. Media, PA 19063**

COUNCIL

**MARIO J. CIVERA, JR.
CHAIRMAN**

**COLLEEN P. MORRONE
VICE CHAIRMAN**

**JOHN P. McBLAIN
DAVID J. WHITE
MICHAEL F. CULP**

**Office Location: Toal Building, 2nd & Orange Sts., Media, PA 19063
Phone: (610) 891-5200 FAX: (610) 891-5203
E-mail: planning_department@co.delaware.pa.us**

**LINDA F. HILL
DIRECTOR**

November 16, 2017

Mr. Stephen M. Nease
Newtown Township
209 Bishop Hollow Road
Newtown Square, PA 19073

RE: Name of Dev't: Ellis Preserve - Fire Station
DCPD File No.: 30-6411-07-09-10-12-13-14-15-16-17
Developer: Newtown Square Fire Company #1
Location: West side of Charles Ellis Drive,
approximately 800' north of West Chester
Pike
Recv'd in DCPD: October 11, 2017

Dear Mr. Nease:

In accordance with the provisions of Section 502 of the Pennsylvania Municipalities Planning Code, the above described proposal has been sent to the Delaware County Planning Commission for review. At a meeting held on November 16, 2017, the Commission took action as shown in the recommendation of the attached review.

Please refer to the DCPD file number shown above in any future communications related to this application.

Very truly yours,

Linda F. Hill
Linda F. Hill
Director

cc: Newtown Square Fire Company #1
Bohler Engineering



DELAWARE COUNTY PLANNING DEPARTMENT

DCPD

Court House/ Government Center , 201 W. Front St., Media, PA 19063
Office Location: Toal Building, 2nd & Orange Sts., Media, PA 19063
Phone: (610) 891-5200 FAX: (610) 891-5203
E-mail: planning_department@co.delaware.pa.us

Date: November 16, 2017

File No.: 30-6411-07-09-10-12-13-14-15-16-17

PLAN TITLE: Ellis Preserve - Fire Station

DATE OF PLAN: October 10, 2017

OWNER OR AGENT: Newtown Square Fire Company #1

LOCATION: West side of Charles Ellis Drive,
approximately 800' north of West
Chester Pike

MUNICIPALITY: Newtown Township

TYPE OF REVIEW: Planned Residential Development

ZONING DISTRICT: PRD

SUBDIVISION ORDINANCE: Local

PROPOSAL: Develop 0.882 acre with a fire
station

UTILITIES: Public

RECOMMENDATIONS: Approval

STAFF REVIEW BY: Michael A. Leventry

REMARKS:

PREVIOUS ACTION

A plan for the site was last reviewed by the Delaware County Planning Commission at its meeting on February 16, 2017, as a land development. The applicant proposed to construct a 40,000 sq. ft. office building. The Commission recommended approval.



Date: November 16, 2017
File No.: 30-6411-07-09-10-12-13-14-15-16-17

REMARKS (continued):

CURRENT PROPOSAL

The applicant currently proposes to construct a fire station centrally within the planned residential development.

SITE CHARACTERISTICS

The site is within a planned residential development containing combination of uses, including office buildings, a health center, and some retail.

APPLICABLE ZONING

The proposal is located within the PRD district and is subject to applicable regulations set forth in the Township zoning code.

COMPLIANCE

The proposal appears to comply with the PRD district provisions.

SEWAGE FACILITIES

The developer should contact the Pennsylvania Department of Environmental Protection regarding the need for sewage facilities planning approval.

The Township should confirm receipt of any necessary Pennsylvania Department of Environmental Protection planning approval prior to final approval.

STORMWATER MANAGEMENT

The Township Engineer must verify the adequacy of all proposed stormwater management facilities.

Date: November 16, 2017

File No.: 30-6411-07-09-10-12-13-14-15-16-17

REMARKS (continued):

RECORDING

In accordance with Section 513(a) of the Pennsylvania Municipalities Planning Code (MPC), final plans must be recorded within ninety (90) days of municipal approval.