



RESOLUTION NO. 2018-11

PRELIMINARY/FINAL LAND DEVELOPMENT APPROVAL

EPISCOPAL ACADEMY - DINING HALL ADDITION

WHEREAS, Episcopal Academy, ("Developer") has submitted Preliminary/Final Land Development plans prepared by Chester Valley Engineers, Inc., 83 Chestnut Road, P.O. Box 447, Paoli, Pennsylvania, sheets 1-7, dated December 22, 2017, and last revised February 9, 2018, and Post Construction Stormwater Management Report and Storm Drainage Calculations dated December 22, 2017, and revised February 9, 2018 ("Plan"), seeking to add to its dining hall, to the Board of Supervisors for preliminary/final approval;

WHEREAS, under the Plan the School will add approximately 2,895 square feet to its Upper and Lower School dining hall on its existing 123.941 acre campus, with a new outdoor dining terrace, pedestrian access improvements and related stormwater management improvements;

WHEREAS, the Township Engineer prepared a review letter dated January 8, 2018, outlining the review and providing comments to the proposed Plan;

WHEREAS, the Township Fire Marshall prepared a review letter dated December 29, 2017 outlining the review and providing comments to the proposed plan;

WHEREAS, on February 14, 2018, Developer, through Chester Valley Engineers, provided responses to, and made representations regarding, the comments of the Township Engineer and the Township Fire Marshall review letter. The Planning Commission also requested that several issues be clarified by the Developer's engineer;

WHEREAS, the Newtown Township Planning Commission reviewed the application at its January 25, 2018 public meeting and recommended approval subject to compliance with Township Engineers review letter. The Planning Commission also requested that certain clarifications be made;

WHEREAS, the Developer, through Chester Valley Engineers responded to the Planning Commissions requests for clarification in its February 14, 2018, response to the Township Engineer's review letter;

WHEREAS, the Delaware County Planning Department reviewed the application at its January 18, 2018 public meeting and recommended approval;

WHEREAS, on December 21, 2017, the Pennsylvania Department of Environmental Protection confirmed that no sewage planning module is required as the project set forth in the Plan is not a subdivision as defined by the Pennsylvania Sewage Facilities Act;

WHEREAS, Episcopal Academy as a nonprofit schools is not a residential, commercial or industrial use and/or has otherwise provided sufficient recreational lands across its 123.941 acre campus such that further recreational lands or fees in lieu thereof are not required under Township Code Section 148-41; and.

WHEREAS, the use of non-profit school was approved by special exception by the Township Zoning Hearing Board on September 18, 2003, which approval did not limit the building square footage, and this project does not add students or staff, and does not otherwise change operations of the schools such that special exception approval is not required.

AND 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 conveyance system. RCP will be used in the basin inlet/outlet structures as required by the Township Engineer;

Section 148-12 to allow submission of a combined preliminary/final plan;

3. Such approval is subject to Developer obtaining approval from the Newtown Township Municipal Authority for sanitary sewer connection and/or design, if required.
4. Such approval is subject to compliance with the terms and conditions of the Township Engineer Review Letter dated January 8, 2018 and the Fire Marshall's letter of December 29, 2017, and the statements and representations set forth in the response letters of Chester Valley Engineers. .
5. Such approval is also subject to the terms and conditions outlined below which have been agreed to between the Developer and the Township, and which shall be reflected on the final recorded plans, as approved by Township Engineer. Should any of the terms and conditions outlined below conflict with those outlined in the letters referenced in paragraph 4 above, the terms and conditions below shall govern:
 - (a) The developer will execute a Stormwater Management and Maintenance Agreement and contribute to the Township Stormwater Management Maintenance Fund;

- (b) Total disturbance shall not exceed one acre unless an NPDES permit is obtained;
 - (c) Developer shall enter into a Developer's and Financial Security Agreement with the Township to be prepared by the Township Solicitor; and
6. Except as otherwise set forth herein, 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 26th day of February, 2018, 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, Manager