

**LOWER SOUTHAMPTON TOWNSHIP**

**RESOLUTION NO. 2024-33**

**A RESOLUTION OF LOWER SOUTHAMPTON TOWNSHIP,  
BUCKS COUNTY, PENNSYLVANIA  
PERTAINING TO 709 BUSTLETON PIKE, FEASTERVILLE, PA 19053  
TAX MAP PARCEL NO. 21-010-227  
RELATING TO APPLICATION OF MATISSE PARTNERS  
FOR WAIVER OF LAND DEVELOPMENT FOR SITE IMPROVEMENTS**

**WHEREAS**, Owner is CED Family Partnership, 709 Bustleton Pike, Feasterville, PA 19053;

**WHEREAS**, Applicant is Matisse Partners;

**WHEREAS**, application is for 709 Bustleton Pike, Feasterville, PA 19053, Tax Map Parcel No. 21-010-227 (Property);

**WHEREAS**, an application for waiver of land development was submitted on May 1, 2024;

**WHEREAS**, the plans for the application was prepared by Fioravanti, Inc. and consists of eight (8) pages dated April 1, 2024, date, last revised June 28, 2024;

**WHEREAS**, the Property is zoned C-2 Heavy Commercial and has site totals of approximately 1.99 ac with 32,043 sf of disturbance on the east side of Bustleton Pike;

**WHEREAS**, currently the Property has three separate buildings, a restaurant, a multi-tenant retail and a now closed car wash; The project proposes site improvements that include reconfiguration of the car wash grading, installation of concrete for the car wash and building alteration which include the addition of a 2<sup>nd</sup> story.

**WHEREAS**, the Board of Supervisors of Lower Southampton Township is prepared to grant waiver of land development, subject to certain conditions.

**NOW, THEREFORE**, be it resolved, and it is hereby resolved by the Board of Supervisors of Lower Southampton Township, that the Board of Supervisors hereby grants waiver of land development subject to the following conditions:

**A. ZONING ORDINANCE**

1. A car wash is a use (36) allowed by special exception in the C-2 Zoning District. The Township Solicitor and Zoning Officer have determined that there are no existing special requirements placed on the property. (Z.O. 27-502.2).

2. The Zoning Table shown on Sheet 1, General Notes #3, shows nonconformities for the following: (Z.O. 27-902)

- a. Side yard, 20 feet required, 0 feet existing;
- b. Rear yard, 35 feet required, 20.4 feet existing;
- c. Impervious cover, 60% required, 90.0% existing; 89.9% proposed;
- d. Building coverage, 25% required, 25.9% existing; 25.9% proposed.

The 32.86-ft. side yard dimension listed should actually reflect the side yard dimension of the southern corner of the car wash from the property line.

## **B. SUBDIVISION AND LAND DEVELOPMENT ORDINANCE (SALDO)**

1. A note must be added to the Plan allowing Township inspection of the oil water separator when deemed necessary by the Township.
2. In the future, if the Township determines the proposed flows are more than historical flows, additional tapping fees may be imposed.
3. Details should be provided for the proposed pay islands, including curbing, kiosk dimensions, automatic gate, etc.

The application will also add a bypass lane note to the record plan stating the following provisions that will apply to the automatic pay station gate:

Bypass Lane Provision:

Each lane that contains an automatic gate which would raise up to allow passage upon payment, shall be provided with a code or other means of allowing passage in the event of situation that requires open passage without payment, such as an emergency. An employee shall be on site in the area at all times during the operation of the system to allow for this situation if needed.

4. An end curb taper should be provided for the proposed curb at the island 3 modification.
5. The following waivers from the Lower Southampton Township Subdivision and Land Development Ordinance has been requested as listed in a letter from Fioravanti, Inc. dated August 28, 204 and granted:
  - a. From Section 22-522.C requiring a Type 2 buffer when a non-residential use allows a residential use since no buffer currently exists and the existing use is not changing in the proposed land development.
  - b. From Section 22-518.B requiring no less than a five-foot radius of curvature shall be permitted for all curb lines in parking areas to allow a three foot radius of curvature.
6. Additional plan comments:

Sheet 1:

- a. The island numbered on the impervious summary should be identified on the plans. It should be verified that all areas listed as increase/decrease are the same as the areas on the proposed summary table.
- b. The proposed vacuum spaces should be dimensioned. Depth of the space should be measured from the proposed curb line.
- c. All proposed curbing and stripping should be labeled.
- d. The existing “Arrow Out” between the car wash and Bustleton Pike must remain and be added to the plans.

Sheet 3:

a. The designer indicates that a note for the proposed Type ‘M’ inlet has been revised. There is no note shown on the plans. Additionally, the plans must be revised to include the existing location of the storm sewer and if this inlet is included in the water recycling system.

The inlet will be specified as a water quality inlet with BMP snout in it to protect the receiving stream from any accidental pollutants that could possibly enter this inlet.

b. The TG elevation for the existing Type M inlet near the beer store should be shown. The inlet grate will need to be adjusted.

Sheet 4:

- a. The construction sequence, notes 7 and 8, list an asphalt overlay. Limits of overlay must be shown on the plans and a note will be added to the plan.
- b. Coordination of access to the Sparkle Beer Store will need to be provided.
- c. Additional measures must be added to now allow traffic into the car wash off of Bustleton Pike during construction.

Sheet 5:

a. The Erosion and Sedimentation Control Notes – Stabilization reference Chapter 11 and 16, pages, and tables that need to be specified.

Sheet 7:

Details of the “Do Not Enter” and “One Way Only” signs must be added to the plans.

### C. GENERAL PROVISIONS

1. Prior to construction, the Applicant shall submit to the Township evidence of all required permits and approvals necessary to complete construction
2. Compliance with all regulations, rules, resolutions and ordinances of the Township are a condition, except as otherwise provided for herein or by the terms of any future variances, waivers or resolutions related to this project.
3. All application fees and all administrative, legal and engineering expenses owed to the Township for plan review shall be paid in full by the owner prior to release of signed mylar record plans.
4. **The Applicant shall provide paper copies of the complete final record and two (2) signed and notarized mylars, no larger than 24" x 36" of the record plans to the Township. The record plan mylar shall be reviewed and approved by the Township Engineer and signed by the Township Engineer and the Board of Supervisors prior to its return to the Township Solicitor for recording purposes. The Applicant shall be required to provide to the County an additional paper copy along with the fully executed record plan for recording.**
5. Following release and recording of the record mylar plan, the Solicitor shall notify the Applicant, the Township Manager and the Zoning Office in writing of the plan book, page number and date of recording by the Bucks County Recorder of Deeds Office.
6. The owner shall comply in all respects with the rules, regulations and requirements of all governmental agencies and/or bodies having jurisdiction with respect to this plan application and shall assume all costs, expenses and responsibility in connection therewith, without any liability whatsoever on the part of the Township.
7. The Board of Supervisors hereby authorizes the Board of Supervisors and/or, the proper officers of the Township to execute and sign agreements and all necessary documents which have been prepared and approved by the appropriate Township professionals and to perform such other or further acts as required for the project to proceed.

**F. APPROVAL**

Approval of the waiver of land development is hereby granted subject to the above conditions.

**ADOPTED** and approved this   11   of September 2024.

**BOARD OF SUPERVISORS  
LOWER SOUTHAMPTON TOWNSHIP**

Attest:

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Joseph Galdo, Township Manager

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