

**NEW HANOVER TOWNSHIP  
MONTGOMERY COUNTY, PENNSYLVANIA**

**RESOLUTION 24-10 (MINOR SUBDIVISION PLAN)**

**DAVID BRADLEY  
N.H.T.P.C. #2023-02\_Subdivision for David Bradley**

**BACKGROUND**

David Bradley, (“Applicant”), a New Hanover Township resident with an address of 757 Henning Road, Perkiomenville, New Hanover Township, Pennsylvania, has submitted a Subdivision Application (“Application”) for the properties located at 757 Henning Road, Perkiomenville, New Hanover Township, Pennsylvania, (being Tax Parcel Nos. 47-00-02003-00-2 (5.3537 acres gross) and 47-00-01972-00-6 (22.0669 acres gross)), in New Hanover Township (“Township”), consisting of six (6) sheets, dated June 27, 2023, with a last revised date of October 25, 2023, (“Plan”), copies of which are attached hereto as Exhibit “A,” for a minor subdivision/lot line adjustment which will result in Tax Parcel No. 47-00-02003-00-2 being merged into Tax Parcel No. 47-00-01972-00-6, (“Lot 1”) and, separately, a new 2.3939 acre lot (“Lot 2”) will be subdivided off for residential use by the Applicant. Lot 2 will have a single-family detached dwelling, on-lot septic system, driveway, stormwater management facilities and other associated residential improvements. No improvements are proposed for Lot 1. The Property is located within the R-2 Residential Zoning District of the Township.

**WHEREAS**, the Applicant desires to obtain Preliminary/Final Subdivision Approval of the Application from the New Hanover Township Board of Supervisors in accordance with Section 508 of the Pennsylvania Municipalities Planning Code (53 P.S. §10101 *et seq.*)

**WHEREAS**, the Township and the Township’s professional consultants have reviewed the Plan and issued review letters that note outstanding issues and the need for certain conditions to accompany any approval; and

**WHEREAS**, the New Hanover Township Planning Commission reviewed the Plan, most recently on May 8, 2024, and voted to recommend approval with conditions, as set forth in its recommendation letter dated May 31, 2024; and

**WHEREAS**, the Applicant has requested the ability to move this project forward on terms acceptable to the Township, with certain assurances made part of the agreements referenced in paragraph 2 below; and

**WHEREAS**, the Plan is now in a form suitable for consideration by the New Hanover Township Board of Supervisors for approval, subject to satisfying certain conditions as set forth herein.

**NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING, IT IS HEREBY RESOLVED** by the Board of Supervisors of New Hanover Township, as follows:

1. **Approval of Plan.** The New Hanover Township Board of Supervisors hereby grants Preliminary/Final Subdivision approval of the Plan, as described above, subject to the conditions set forth below.
2. **Conditions of Approval.** The Preliminary/Final Subdivision approval of the Plan is subject to strict compliance with the following conditions prior to the release of the Final Plans for recording:
  - A. The Property and Plan shall comply with all applicable terms and provisions of the Township Zoning Ordinance, the Township Subdivision and Land Development Ordinance, and all other applicable regulations. Applicant shall further comply with all Notes referenced on the Plan.
  - B. Compliance with all comments and conditions set forth in the Knight Engineering, Inc. review letter of May 1, 2024, attached hereto as exhibit "B." Applicant shall also provide supplemental information to the Township Engineer, for review, verification and approval, as set forth in the May 1, 2024 review letter.
  - C. Compliance with all comments and conditions set forth in the McMahon Associates review letter of May 1, 2024, attached hereto as Exhibit "C."
  - D. Execution by Applicant of a Plan Note, and other documentation that is satisfactory to the Township, to memorialize that Lot 1 will be restricted against further subdivision (inclusive of the acreage being appended to it through current Parcel No. 47-00-02003-00-2).
  - E. The approval and/or receipt of permits required from any and all outside agencies.
  - F. Execution by Applicant of a Stormwater Management Operations and Maintenance Agreement associated with the stormwater facilities to be located on Lot 2, in form and substance satisfactory to the Township.
  - G. Reimbursement to the Township by Applicant for all professional consultant review and inspection fees associated with the Plan review (and to be incurred as to ensuring continuing compliance with any Township approval).

H. Execution by Applicant of this Resolution noting acceptance of the conditions as stated herein within ten (10) days of the approval of this Resolution.

The time period for satisfying these conditions may be extended by the Board of Supervisors provided Applicant is proceeding in good faith toward the resolution of these issues. The Board of Supervisors finds that these conditions are reasonable, appropriate and necessary to effectuate and implement the Township's Ordinance. To the extent that any of the above conditions are determined to be invalid, the invalid condition(s) are severable and the invalidity shall not affect the validity of the remaining conditions imposed.

3. **Waivers.** The Applicant has requested waivers from certain provisions of the Township Subdivision and Land Development Ordinance, ("SALDO") and the Township Stormwater Management Ordinance ("SWM Ordinance") by and through a letter from Cowan Associates, Inc., dated May 2, 2024. Those waiver requests include the following:

- A. SALDO Section 22-305.4 (Existing Features Plan), which requires that existing features within 100 feet of the tract boundaries information be depicted on the plan.
- B. SALDO Sections 22-305.4.F.1 and 22-305.4.F.1 (Existing Features Plan, Other natural features) which require the location, size, species and condition of trees six inches in diameter (dbh) or greater; and the outer limits of woodlands and a general description of their types, sizes and conditions to be depicted on the Plan.
- C. SALDO Section 22-805.9.D.6 (Design Standards for Flag Lots) which requires shared driveways to be a minimum of 16 feet wide.
- D. SALDO Section 22-815.1.A (Existing Streets and Roads, Standards) which requires a collector street (Hildebrandt Road) to have a minimum cartway width of 30 feet; and requires a local road/residential street (Henning Road) to have a minimum cartway width of 28 feet.
- E. SALDO Section 22-815.2 (Existing Streets and Roads) which requires curbs to be provided for existing streets.
- F. SALDO Section 22-815.4 (Existing Streets and Roads) which requires the dedication of additional cartway width.
- G. SALDO Section 22-828.1.B (Sidewalks, Verges, and Shared-Use Paths) which requires sidewalks to be provided along both sides of existing streets.
- H. SALDO Section 22-828.1.B (Sidewalks, Verges, and Shared-Use Paths) which requires shared-use paths to be provided within all proposed subdivisions.

- I. SALDO Section 22-840.3.A (Bicycle Facility Requirements) which requires bicycle facilities to be provided along all collector roads.
- J. SWM Ordinance Section 23-405.A(c) (Groundwater Recharge) which requires complete infiltration of the recharge volume within 72 hours or less.
- K. SWM Ordinance Section 23-408.1 (Stormwater Peak Rate Control) which requires reduction of pre-development runoff rates for the various storm events by 50%.
- L. SWM Ordinance Sections 23-409.2, 23-409.10 and 23-409.14 (Calculation Methodology) which require the use of the Soil Cover Complex Method for stormwater management design.
- M. SWM Ordinance Sections 23-410.1 and 23-410.8.J (Other Requirements) which require an infiltration trench to be designed to store runoff and provide an emergency spillway; and discharge conveyance facilities that are constructed of reinforced concrete.

The New Hanover Township Board of Supervisors hereby grants the waivers, as requested above.

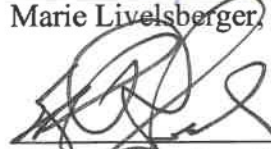
- 4. **Effective Date.** This resolution shall become effective on the date upon which the conditions are accepted by Applicant in writing. If, for any reason, Applicant fails to acknowledge the acceptance of the conditions contained in this Resolution within ten (10) days from the date of this Resolution, then the Plan approval and waivers granted herein shall become null and void, and the Plan shall be denied for failure to comply with the Township Subdivision and Land Development Ordinance for the reasons set forth in the aforementioned planning review letters more fully described in paragraph 2 hereof, as well as failure to comply with Ordinance sections set forth in paragraph 3 hereof.

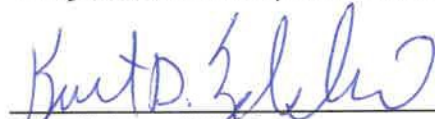
[Remainder of page intentionally left blank]

**RESOLVED** and **ENACTED** this 20 day of June, 2024 by the Board of Supervisors of New Hanover Township, Montgomery County, Pennsylvania, in lawful session duly assembled.

**NEW HANOVER TOWNSHIP  
BOARD OF SUPERVISORS**

  
\_\_\_\_\_  
Marie Livelsberger, Chair

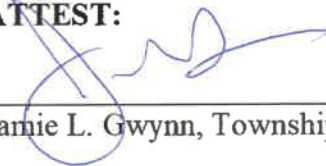
  
\_\_\_\_\_  
William Ross Snook, Vice Chair

  
\_\_\_\_\_  
Kurt Zebrowski, Member

\_\_\_\_\_  
Boone Flint, Member

  
\_\_\_\_\_  
Keith Youse, Treasurer

**ATTEST:**

  
\_\_\_\_\_  
Jamie L. Gwynn, Township Manager