

**UPPER DUBLIN TOWNSHIP BOARD OF COMMISSIONERS**  
**MONTGOMERY COUNTY, PA**  
**RESOLUTION NO. 18- 2275**  
**LAND DEVELOPMENT APPLICATION U.D. NO. 16-01 FOR FINAL LAND**  
**DEVELOPMENT/SUBDIVISION APPROVAL FOR THE RESIDENTIAL DEVELOPMENT KNOWN**  
**AS "BT DRESHERTOWN, L.P."**

WHEREAS, BT Dreshertown, LP ("Developer") is the owner of a property located at Welsh & Dreshertown Roads, comprising approximately 50.5 acres of land (the "Property"); and,

WHEREAS, the Property is located in the A Residential Zoning District and designed according to the Age Qualified Residential Community standards of Chapter 255.43.2 of the Township Zoning Ordinance; and,

WHEREAS, the Property will be developed pursuant to Final Land Development Plans prepared by Gilmore & Associates, Inc., dated March 2, 2016, last revised January 12, 2018, consisting of sheets 1 through 84 (the "Plans"), together with a Post-Construction Stormwater Management Report, prepared by Gilmore & Associates, Inc. dated October 14, 2016, last revised January 12, 2018 (the "Report"), all of which are incorporated herein by reference and expressly made a part hereof; all of which are subject to revision or amendment prior to final plan submission or approval; and

WHEREAS, it is the intent of the Developer to reduce the maximum allowable impervious surface for this Property to partially offset impervious surface developed on adjoining properties owned by affiliate companies of the Developer; and

WHEREAS, the Developer desires to obtain final land development/subdivision approval of the Plans from Upper Dublin Township in accordance with Section 508 of the Pennsylvania Municipalities Planning Code; and

WHEREAS, the application has received Preliminary Subdivision/Land Development approval from the Township, by Resolution 17-2247, dated February 14, 2017, which resolution identifies preliminary application plans, documents, reports, approved waivers, and accompanying data that depicts the specific improvements and layouts associated with the project, and also identifies pertinent conditions of approval that the Developer has agreed to satisfy to the Township's satisfaction, and the Township desires to incorporate those conditions and resolution items as if they are fully written out as part of this resolution.

NOW, THEREFORE, be it resolved, that Upper Dublin Township hereby grants final approval of the land development as shown on the Plans subject, however, to the following conditions:

1. The WHEREAS clauses are incorporated by reference as if fully set forth herein.
2. The development shall be constructed in strict accordance with the Plans, the comments and details on the Plans, the Report, the terms and conditions of this Resolution, and the terms and conditions of a Land Development Agreement between the Developer and the Township, in a form to be approved by the Township Solicitor and entered into prior to recording of the final plans.

3. The development shall be constructed in strict accordance with the Upper Dublin Township Resolution 17-2247, the contents of which identify specific conditions applicable to this project and which are necessary to accomplish the objectives of the Ordinances and regulations of the Township, and which the Developer has previously agreed to satisfy and complete in accordance with the Township's reasonable direction regarding compliance.
4. The Developer will provide security in a form acceptable to the Township Solicitor and in an amount to be agreed upon by the Township Engineer for the infrastructure improvements and landscaping shown on the Plans.
5. The Developer shall comply with all conditions set forth in the review letter of the Township Engineer, Tom Fountain, dated February 8, 2018 except as modified herein.
6. Developer shall satisfy the following additional recommendations of the Township:
  - a. Where there is any duplication of construction details in the plans, or where a 'generic' detail mimics a Township-approved detail, the requirements of the Township-approved detail will govern.
  - b. The Developer agrees to a three-year maintenance period for vegetation proposed within the stormwater basins, buffer vegetation adjacent to Dublin Hunt, and any vegetation serving as a buffer between this parcel and the adjacent residential parcel (the BET-Promenade tract).
7. Developer shall provide traffic improvements, as approved by the Township Traffic Engineer, along Dreshertown and Welsh Roads, except as may be modified or superseded by future improvements associated with the development of Lot #3, Premises A.
8. Developer shall provide to the Township Engineer for his approval the legal descriptions for the open space areas, easements, rights of way, walking trails and the internal roads prior to the Plans being recorded. Legal descriptions and geometric closures for the individual lots shall be provided to the Township prior to the conveyance of the individual lots/homes.
9. Developer shall provide deeds of dedication in a form and manner approved by the Township Solicitor. All deeds shall be accompanied by title insurance benefitting the Township indicating free and clear title from all liens, encumbrances, and restrictions that could adversely affect the use of the areas for roadways and other municipal purposes..
10. The Developer shall offer in recordable form, subject to the approval of the Township Solicitor, a Declaration of Covenants and Restrictions binding all of the lots in the development to the development plan, prohibiting the subdivision of the tract into a greater number of lots, and creating a Homeowners Association for the perpetual maintenance of the neighborhood open space, the trails, roadways, rights-of-way, any retaining walls, streetlights, snow plowing, trash and recycling pickup, the Belgian block curbs and the stormwater management facilities. In addition, the Association will be responsible for maintenance and repair of all improvements, both above grade and subsurface, along Dreshertown and Welsh Roads, if said improvements are not maintained by PennDOT.
11. Developer shall comply with all applicable Township, County, Commonwealth and Federal rules, regulations, codes, ordinances, and statutes.

12. Developer shall obtain all required approvals from various agencies having jurisdiction over the Project, including but not limited to, Pennsylvania DEP, Montgomery County Health Department, Montgomery County Conservation District, Pennsylvania Department of Labor & Industry, PennDOT, and shall comply with all rules and regulations of these agencies.
13. All documentation shall be executed prior to recording of the Record Plans.
14. The cost of accomplishing, satisfying and meeting all of the terms, conditions and requirements of the Plans, notes to the Plans and the Land Development Agreement shall be borne entirely by the Developer and shall be at no cost to the Township.
15. Consistent with Section 509(b) of the Pennsylvania Municipalities Planning Code (as amended), the payment of all applicable fees and the funding of all escrows under the Land Development Agreement, and as required by the Upper Dublin Township Code, must be accomplished within ninety (90) days from the date of this Resolution unless a written extension is granted by Upper Dublin Township. Until such time as the applicable fees and contributions have been paid, the escrow is fully funded, the security provided and the Land Development Agreement executed, the final plat or record plan shall not be signed or recorded. In the event that the fees have not been paid and the escrow has not been funded within ninety (90) days of this Resolution (or any written extension thereof), this contingent subdivision approval shall expire and be deemed to have been revoked.

Approved by the Board of Commissioners of Upper Dublin Township this 13<sup>th</sup> day of March, 2018.

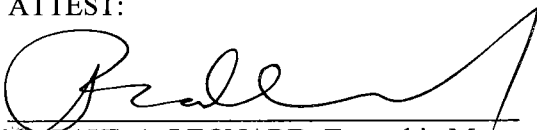
UPPER DUBLIN TOWNSHIP

By:



IRA S. TACKEL, President

ATTEST:



PAUL A. LEONARD, Township Manager/Secretary