

RESOLUTION NO. 2025 - 10

NEW BRITAIN TOWNSHIP
BUCKS COUNTY, PENNSYLVANIA

A RESOLUTION OF THE BOARD OF SUPERVISORS OF NEW BRITAIN TOWNSHIP GRANTING PRELIMINARY/ FINAL SUBDIVISION DEVELOPMENT APPROVAL TO Cavendish Acquisitions, LP FOR THE SUBDIVISION OF TAX PARCEL #26-001-106-004 LOCATED AT OR NEAR BARRY ROAD, WHICH SAID PLANS WERE PREPARED BY HOLMES CUNNINGHAM ENGINEERING, DATED JANUARY 31, 2025, AND LAST REVISED JULY 3, 2025, CONSISTING OF 17 SHEETS, WHICH PROPOSE THE CONSTRUCTION OF A 4-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT

WHEREAS, Cavendish Acquisitions, LP ("*Applicant*") have submitted an application for Preliminary/ Final Land Development Approval which proposes a 4-lot single-family residential subdivision ("*Project*") on a parcel located at or near Barry Road, New Britain Township, Bucks County, Pennsylvania, further identified as Tax Map Parcel No. 26-001-106-004 ("*Property*"); and

WHEREAS, this proposal is reflected on a plan entitled Preliminary and Final Land Development and Major Subdivision Plans for Barry Road Subdivision, prepared by Holmes Cunningham Engineering, dated January 31, 2025, last revised July 3, 2025, consisting of seventeen (17) sheets ("*Plan*"); and

WHEREAS, the New Britain Township Planning Commission recommended the Project for Preliminary and Final Approval at its March 25, 2025 Meeting;

NOW THEREFORE, BE IT ADOPTED AND RESOLVED, that the Board of Supervisors of New Britain Township hereby grants Final Land Development Approval to the Project subject to Applicant's compliance with the following conditions:

1. Applicant shall comply with all requirements and recommendations of the Gilmore and Associates Review Letter dated September 18, 2025 and as may be amended, unless herein modified. A true and correct copy of this letter is attached hereto and incorporated herein as Exhibit "A".
2. Applicant has requested, and the Board of Supervisors does hereby Grant waiver from the following provisions of the Subdivision and Land Development Ordinance:
 - a. §22-403 & 404 – A waiver is granted to permit the preliminary and final plan submissions as one combined submission.

- b. §22-502.1.H – A waiver is granted from the requirement to provide a lighting plan.
 - c. §22-705.3.C – A waiver is granted from the requirement to widen Barry Road. This waiver is conditioned upon the Barry Road right-of-way improvements shown on the Plan being installed as approved by PennDOT.
 - d. §22-705.3.E – A waiver is granted to allow the private street to have a 20-foot wide cartway ending in a hammerhead turnaround within a 50-foot wideright-of-way and 60-foot right-of-way bulb. This waiver is conditioned upon the Developer establishing a Homeowners' Association to own and maintain the private street.
 - e. §22-705.3.G – A partial waiver is granted from the requirement to mill and overlay the entire width of Barry Road. Developer shall mill and overlay the stub street and Barry Road to the centerline along the Property frontage once the utilities have been installed.
 - f. §22-705.8.C – A waiver is granted from the cul-de-sac configuration requirements of this Section of the Ordinance.
 - g. §22-705.8.F – A waiver is granted from the requirement to provide a snow removal easement along the right-of-way of the hammerhead turnaround.
 - h. §22-706 – A waiver is granted from the requirement to provide sidewalk along Barry Road and curb and sidewalk along both sides of the private street.
 - i. §22-710.4 – A waiver is granted from the requirement to provide an emergency access.
 - j. §22-713.4.A & B – A waiver is granted from the required placement of street trees along the existing stub street and from plantings street trees 3-5 feet outside the ultimate right-of-way to avoid conflicts with underground utilities.
 - k. §22-714.3.A – A waiver is granted from the requirement to provide street lights at the intersection of the private street with Barry Road and the turnaround. This waiver is conditioned upon lampposts being installed on each lot as shown on Sheet 15 of the Plan.
- 3. Applicant shall comply with any other technical design comments from the Township Engineer prior to the recording of the Record Plans.
 - 4. Applicant shall consult with the Township Fire Marshal on the naming of the private roadway.
 - 5. Since no natural resources are being preserved on Lots 3 and 4, the conservation easements shall be labeled "Deed-Restricted Easement Area for Lot X" to prohibit

primary and accessory structures within the areas.

6. Uplighting shall be regulated in the Homeowners' Association documents to the satisfaction of the Township.
7. Applicant shall only use native plant species for the Project. Lists of acceptable plant species can be found in Appendix D – Required Plant Material List to the Township's Subdivision and Land Development, last amended July 21, 2025.
8. Applicant shall construct all public improvements shown on the approved Final Plan, including, but not limited to, water and sewer facilities, stormwater facilities, street trees, roadway widening, installation of curbs and sidewalks, and roadway milling and overlay.
9. Applicant shall execute the required Stormwater Maintenance Agreement in a form approved by the Township Solicitor. Applicant shall pay the required stormwater fee to be based on \$0.25 per every square foot of net increase of impervious area proposed.
9. Applicant shall obtain all required approvals from various agencies having jurisdiction over the Project, including, but not limited to: Pennsylvania Department of Environmental Protection ("DEP") NPDES Permit, DEP Sewage Facilities Planning Module, Bucks County Health Department, Bucks County Conservation District E & S Permit, and Pennsylvania Department of Transportation Highway Occupancy Permit.
10. Applicant shall submit to the Township Engineer for review all necessary legal descriptions and construction cost estimates of the site improvements.
11. Applicant shall execute Development and Financial Security Agreements and all other development documents (including all necessary guarantees, agreements, easements, deeds, and declarations), all in a form and manner to be approved by the Township Solicitor; Applicant shall post sufficient financial security in a form acceptable to the Township; Applicant shall provide proof of sufficient insurance coverage to the Township.
12. Applicant shall execute all deeds of dedication, legal descriptions of rights-of-way, access easement descriptions, conservation easements, stormwater easements, lot descriptions, notes, etc., all in a form and manner to be approved by the Township Solicitor. These deeds shall be accompanied by title insurance to the benefit of the Township indicating that title to these areas is free and clear of all liens, encumbrances and restrictions that could adversely affect the use of these dedicated for roadways and other proper purposes.
13. Applicant shall pay all appropriate fees applicable to this Project including all outstanding bills from the Township's professional consultants.
14. All documentation shall be executed prior to recording of Record Plans.

15. Applicant and its professionals shall execute, notarize and seal the Final Record Plan.
16. Applicant shall comply with all other applicable Township, County, State, and Federal rules, regulations, codes, ordinances, and statutes.
17. The plans shall be ADA compliant, if applicable.
18. Park and recreation land is required at a ratio of 2,500 square feet per new dwelling unit or 10,000 square feet. A fee-in-lieu of park and recreation at a rate of \$2,500 per dwelling unit or \$10,000.00 for 4 units may be provided in lieu of land at the Board's discretion.
19. Any existing mature tree in good condition that is 30" caliper or greater shall be preserved unless otherwise approved by the Township Engineer.

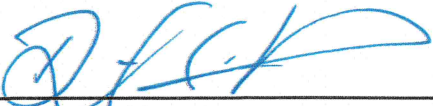
BE IT FINALLY RESOLVED that the conditions of approval have been made known to Applicant, and this Final Land Development Approval is to be deemed expressly contingent upon Applicant's affirmative written acceptance of the said conditions on a form prescribed by the Township within 30 days of the approval of this Resolution. If an unconditional acceptance of the conditions is not received in writing by that date, the application for Final plan approval shall be deemed denied based upon Applicant's failure to agree to and/or fulfill the said conditions.

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NEW BRITAIN TOWNSHIP
BUCKS COUNTY, PENNSYLVANIA
RESOLUTION NO. 2025- 10

DULY ADOPTED, this 20 day of October, 2025, by the Board of Supervisors of New Britain Township, in lawful session duly assembled.

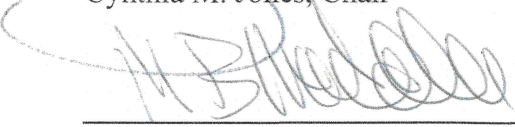
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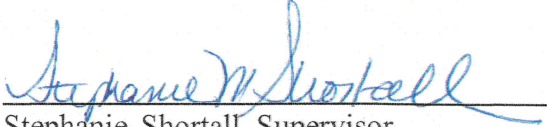
Dan Fox, Township Manager



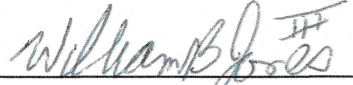
Cynthia M. Jones, Chair



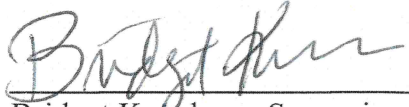
MaryBeth McCabe, Vice-Chair



Stephanie Shortall, Supervisor



William Jones, III, Supervisor



Bridget Kuhakorn, Supervisor

APPLICANT'S ACCEPTANCE OF THE RESOLUTION'S CONDITIONS

Applicant agrees to the above terms and conditions contained in Resolution 2025- 10
this the 29th day of October, 2025.

APPLICANT:
Cavendish Acquisitions, LP

Justin B. Strahorn .
Name: Justin B.

Strahorn _____

Title: Project

Manager _____