

**PERKASIE BOROUGH
RESOLUTION NO. 2024-59**

**A RESOLUTION OF THE BOROUGH COUNCIL IN AND FOR THE
BOROUGH OF PERKASIE, BUCKS COUNTY, COMMONWEALTH OF
PENNSYLVANIA, APPROVING THE SUBDIVISION APPLICATION
SUBMITTED BY XTREME X FLIPPERS, LLC
AS A PRELIMINARY AS FINAL SUBDIVISION PLAN**

WHEREAS, Xtreme Flippers, LLC (hereinafter referred to as “Applicant”) proposes to subdivide Bucks County Tax Parcel Nos. 33-001-001 and 12-008-129, such 3.1 acres are located in Perkasia Borough and 1.72 acres are located in East Rockhill Township. Applicant proposes to subdivide the entirety of the 4.82 acres into eight (8) lots. Six (6) of the proposed lots will be located in Perkasia Borough and the remaining two (2) lots will be located in East Rockhill Township. The existing dwelling and accessory buildings are to be removed; and

WHEREAS, The plans were prepared by Bolo Engineering, LLC dated September 19, 2019, and last revised by Urwiler & Walter, Inc., dated July 17, 2024; and

WHEREAS, The plans consist of twelve (12) sheets of the Land Development Plans, two (2) sheets for the Erosion & Sediment Control Plans , two (2) sheets for the Post Construction Stormwater Management Plans, two (2) sheets for the Drainage Area Plans and eleven (11) sheets for the PennDOT Highway Occupancy Plan; and

WHEREAS, The Perkasia Borough Planning Commission at its meeting held on January 25, 2023, recommended approval as a Preliminary as Final Subdivision proposed by the Applicant and the Planning Commission also supported the grant of the Subdivision waivers referenced in correspondence from Urwiler & Walter, Inc., dated December 8, 2022, and revised January 23, 2023.

The Applicant is requesting the following waivers, as noted on the Site Plan, sheet 3 of 12:

a. §164-8.B. – Requires a separate stage of approval for the submission of preliminary plans and final plans for all major subdivisions and land development. The Applicant is requesting a waiver from separate Preliminary and Final Subdivision plans given that the plans were prepared in compliance with the final plan provisions in the Borough’s ordinance, conditioned upon the Applicant providing the deposit and fee as required in §164-11.C.(1);

b. §164-20.C. – Requires streets be constructed in accordance with the following requirement: Cartway width of 48 feet for arterial streets. South Ridge Road (S.R. 0563) is classified as an arterial street but has a cartway width of approximately 23 feet. The Applicant is requesting a waiver from widening S. Ridge Road along the property frontage in order to reduce the impervious surfaces of the new development for less of an impact on the environment, conditioned upon the Applicant obtaining a Highway Occupancy Permit (HOP) from the Pennsylvania Department of Transportation (PennDOT) and installing all improvements required by PennDOT. As the Borough does not have the Authority to waive the requirements of PennDOT;

c. §164-20.C. & §164-52.A. – Requires curbs be provided along both sides of all streets, unless in the opinion of Borough Council with the advice of the Borough Engineer that they are unnecessary. The Applicant is requesting a waiver from providing curbs along the frontage of S. Ridge Road. S. Ridge Road is a PennDOT roadway and improvements shall be coordinated with PennDOT. As the Borough does not have the Authority to waive the requirements of PennDOT.

d. §164-20.E.(2) – Requires a minimum radius for horizontal curves be 150 feet for secondary streets. The Applicant is requesting a waiver to provide a 100-foot horizontal radius on Jordan Lane in-lieu-of the required 150-foot radius in order to minimize impervious coverage within the development;

e. §164-30.D. – Requires side lot lines be at right angles or radial to the street line. The Applicant is requesting a waiver from providing side lot lines at right angles or radial to the street line of Jordan Lane. The side lot lines between Lots 2 and 3 and Lots 4 and 5 do not appear to be at right angles or radial to the street line of Jordan Lane. However, these lot lines follow the Borough boundary line, as required in §164-16.C. of the Borough Code. This waiver is granted conditioned upon the granted relief only pertaining to the lot lines determined by the municipal boundary line.

f. §164-32. – Requires easements to have a minimum width of 20 feet for utilities and drainage. The Applicant is requesting a waiver to provide drainage easements with a width of ten (10) feet across Lots 6, 7 and 8 based on the width of the drainage swales. The smaller easement width is also necessary for Lot 7 to meet the minimum lot area requirement. In addition, a 5-foot wide Electric/ Utility Easement is proposed along the Jordan Lane right-of-way. The stormwater facilities will be owned by the Green Ridge Estates West Homeowner’s Association and the Electric Department Superintendent shall be consulted about the width of the electric easement, with the understanding that the Borough Electric Department must approve this waiver;

g. §164-36.D. – Requires suitable open areas be dedicated for recreation in residential subdivisions at a minimum of 1,500 square feet of land for each residential dwelling unit. The Applicant is requesting a waiver to provide a fee-in-lieu for recreation areas since the size of the development is not suitable to provide a location for recreation space. This waiver is granted conditioned upon the Applicant meeting the requirements of §164-36.E.(1);

h. §164-68.C.(2) & §164-70.C.(2) – Requires the location, names and widths of streets, the location and name of railroads, the location of property lines and name of owners, the location of watercourses, sanitary sewers, storm drains and similar features within 400 feet of any part of the land to be subdivided or developed to be shown on the plans. The waiver request notes that there

is an Aerial Map provided on the Cover Sheet, sheet 1 of 12, at a scale of one-inch equals 100 feet, which shows the existing features within 400 feet of any part of the land to be subdivided or developed;

i. §164-70.A.(5) – Requires that Final Plans be on sheets either 18 inches by 22 inches or 36 inches by 44 inches, and all lettering be so drawn as to be legible if the plan should be reduced to half size. The Applicant has prepared and submitted plan sets with sheet sizes of 24 inches by 36 inches in order to provide for plan clarity and detail for the project;

j. §158-18.C.(2) – Requires all storm sewer piping to be either Class III reinforced concrete pipe (RCP) or high-density polyethylene pipe (HDPE). The Applicant is requesting a waiver to use ductile iron pipe in lieu of RCP under Jordan Lane, between Inlets IN-2 and EW-1 due to storm pipe cover requirements;

k. §158-18.C.(3) – Requires a minimum pipe diameter of 15 inches (or an equivalent flow area of 1.23 square feet). The Applicant is requesting a waiver to use three (3) 12-inch pipes under Jordan Lane, between Inlets IN-2 and EW-1. The waiver is granted conditioned upon the submission of updated pipe capacity calculations verifying the reduced pipe size will not surcharge the inlets on Jordan Lane.

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Perkasio, that the Borough Council hereby approves the Preliminary as Final Subdivision Plan of Xtreme Flippers, LLC., subject to the following conditions:

1. Compliance with the Gilmore & Associates, Inc., review letter dated August 23, 2024, except to the extent waivers are granted pursuant to this Resolution;

2. Applicant shall pay a Park and Recreation fee in lieu of dedication of Park and Recreation land for the Lots created in Perkasio Borough in the amount of \$1,500.00 per lot payable at the time of the application for a building permit;

3. Compliance with the Bucks County Planning Commission review letters dated in 2012 and 2016, to the extent not resolved by this approval;

4. Compliance with the Gilmore & Associates, Inc., planning review letter dated August 1, 2024,

5. Applicant shall obtain any and all additional permits and/or approvals as required by the applicable utility, including the Perkasie Regional Authority, and the Bucks County Conservation District; Pennsylvania Department of Environmental Protection; and/or any other local, state, county, and/or federal authority or agency requiring permit applications and approvals (“Additional Permits”). Copies of these permits and approvals shall be submitted to the Borough;

6. Applicant shall fund and execute land development and financial security agreements, in a form satisfactory to the Borough Solicitor, prior to plan recordation;

7. Applicant shall secure final approval from East Rockhill Township;

8. If required to obtain permits by the Applicant, the Borough agrees to sign paper copies of the approved preliminary as final subdivision plan provided they bear the legend "not to be recorded" if signed paper copies are required to be submitted to the various local, state and federal agencies that must approve the various approvals, permits, certificates and the like for the project; provided, however, that the Borough reserves the right to participate in all approval and permitting procedures which may be required for the approval of this plan;

9. Applicant shall pay all review and professional fees in connection with all prior reviews and the reviews in connection with this approval as required by the Borough Subdivision and Land Development Ordinance and its applicable rate structure;

10. The Plan shall be ADA compliant;

11. The Borough reserves the right to require the placement of any traffic control signs deemed necessary by the Borough Council, Borough Manager, or his/her designees due to any present or future site conditions even though the same is not otherwise currently designated on the Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Perkasio Borough Council, in lieu of a public hearing, has offered the public the opportunity to comment on the proposed plan at a public meeting in accordance with the requirements of 53 P.S. § 10508, and has provided residents with the ability to comment and address concerns relative to the Preliminary as Final Subdivision Plan at all public meetings discussing this Plan, and after consideration of the Plan and the aforementioned conditions, finds that the approval of the Applicant's Preliminary as Final Subdivision Plan will not be detrimental to the welfare, health, peace, and morals of the Perkasio Borough or its residents; and

BE IT FURTHER RESOLVED, that the Perkasio Borough Council approves, by adoption of this Resolution, the Applicant's Preliminary as Final Subdivision Plan and the Waivers referenced above subject to the aforementioned conditions; and

THIS RESOLUTION WAS DULY ADOPTED by the Perkasio Borough Council on the 7th day of October, 2024.

ATTEST:

By: 
Andrea Coaxum, Secretary

BOROUGH OF PERKASIE:

By: 
James Ryder, Council President