

**WORCESTER TOWNSHIP
BOARD OF SUPERVISORS**

MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA

RESOLUTION NO. 08 - 17

CIFELLI MINOR SUBDIVISION

PRELIMINARY/FINAL SUBDIVISION APPROVAL

WHEREAS, MICHAEL CIFELLI (hereinafter referred to as the "Developer") is the owner and developer of a certain tract of land situate in Worcester Township with frontage on Mill Road consisting of a gross tract area of 3.67± acres (the "Tract"); and

WHEREAS, Developer intends to subdivide the Tract into two (2) lots as more particularly shown on a nine-sheet plan set dated February 21, 2008 with sheets 1, 2, 3, 4, 5, 7, 8 and 9 last revised June 10, 2008, and sheet 6 last revised June 19, 2006, prepared by David Erb Contractors, Inc. of Norristown, Pennsylvania as accompanied by a Post-Construction Stormwater Management Plan, dated June, 2008, and an Erosion and Sediment Pollution Control Plan, also dated February, 2008 (the "Plans") which Plans are incorporated herein by reference; and

WHEREAS, Developer desires to obtain preliminary/final subdivision approval of the Plans from Worcester Township (the "Township") in accordance with Section 508 of the Pennsylvania Municipalities Planning Code.

NOW, THEREFORE, BE IT RESOLVED that Worcester Township hereby grants preliminary approval of the Development as shown on the Plans, subject, however, to the following conditions:

1. At this time, the Board of Supervisors hereby waives strict compliance with the following sections of the Worcester Township Subdivision and Land Development Ordinance:

- a. Section 130-10.B to consider the Plans as a preliminary/final submittal;
- b. Section 130-24.B.3 which requires a 15-inch minimum storm pipe size;
- c. Section 130-24.B.4.d.2 which requires a maximum detention basin slope of 5:1;
- d. Section 130-24.B.4.f.3 which requires perforated riser for detention basins;
- e. Section 130-24.B.4.f.7 which requires a 2-foot freeboard for emergency spillways and basin;
- f. Section 130-24.B.4.f.9 which requires a top berm width of 10 feet for detention basins;
- g. Section 130-24.B.4.f.13 which requires basin water surface to be 100 feet from a proposed dwelling; and
- h. Section 130-22.B pertaining to stormwater easements and building setbacks.

2. Prior to the recording of the Plans, Developer shall provide copies to Township of any and all permits and approvals required by any agency, authority or governmental body having jurisdiction in any manner over the Development.

3. Prior to the recording of the Plans, Developer shall provide Township with detailed metes and bounds descriptions of all applicable utility easements being reserved over any lots of the Development. In addition, Developer shall provide Township with true and correct copies of any utility easements, including stormwater, over adjacent properties which easements may be necessary to adequately serve the lots with such facilities.

4. The subdivision shall be completed in strict accordance with the contents of the Plans, notes on the Plans and the terms and conditions of this Preliminary/Final Approval Resolution.

5. The cost of accomplishing, satisfying and meeting all of the terms and conditions and requirements of the Plans and Notes to the Plans and this Preliminary/Final Approval Resolution shall be borne entirely by the Developer and shall be at no cost to the Township.

6. Developer shall provide the Township Manager and the Township Engineer with at least seventy-two (72) hours' notice prior to the initiation of any grading or ground clearing (whether for the construction of Public Improvements or in connection with individual building lots themselves) so that the Township may certify that all appropriate erosion and sedimentation control facilities have been properly installed.

7. Consistent with Section 513 of the Pennsylvania Municipalities Planning Code, it shall be the responsibility of the Developer to deliver fully and properly executed record Plans to the Township in sufficient time that such Plans may be recorded at the Montgomery County Recorder of Deeds Office within ninety (90) days from the date of final approval. Failure to deliver such properly executed Plans to the Township within this time frame shall render the approval of the Plans null and void.

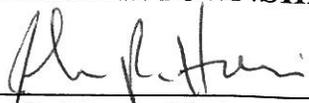
8. Consistent with Section 509(b) of the Pennsylvania Municipalities Planning Code (as amended) the payment of all applicable fees must be accomplished within ninety (90) days of the date of this Resolution unless a written extension is granted by Worcester Township. Until the applicable fees have been paid, the final plat or record Plans shall not be signed nor recorded. In the event that the fees have not been paid 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 unless an extension of time is granted by Worcester Township.

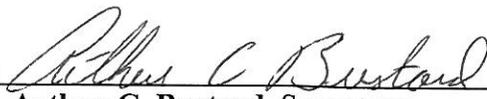
9. Under the provisions of the Pennsylvania Municipalities Planning Code, the Developer has the right to accept or reject conditions imposed by the Board of Supervisors upon final approval. In the absence of an appeal of a notice of rejection filed in writing within thirty (30) days from the date of this resolution, the conditions set forth herein shall be deemed to have been accepted by the applicant. If the Township receives written notice of an appeal or rejection of any of the conditions set forth

herein within thirty (30) days from the date of this resolution, this approval shall be deemed to have been automatically rescinded.

APPROVED at the public meeting of the Worcester Township Board of Supervisors held on August 20, 2008.

WORCESTER TOWNSHIP

By: 
John R. Harris, Chairman
Board of Supervisors

Attest: 
Arthur C. Bustard, Secretary