WORCESTER TOWNSHIP
BOARD OF SUPERVISORS

MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA

RESOLUTION NO. 2013-23

Roman Brothers, LLC
2845 Potshop Road Subdivision

FINAL SUBDIVISION APPROVAL

WHEREAS, ROMAN BROTHERS, LLC ("Owner/Developer") is the owner and developer of a certain tract of land consisting of 11± acres situate in Worcester Township with frontage on Potshop Road, which tract is more specifically identified as Montgomery County Tax Parcel No. 67-00-02803-00-1 (the "Property"); and

WHEREAS, Owner/Developer proposes to subdivide the Property into three (3) residential lots (the "Development"); and

WHEREAS, the Development received preliminary subdivision approval from the Board of Supervisors on February 20, 2013 pursuant to Resolution No. 2013-18; and

WHEREAS, the Property and the Development are more particularly shown on plans prepared by George B. Standbridge, PLS, being plans consisting of five (5) sheets, dated November 15, 2012, last revised March 21, 2013 (the "Plans"); and

WHEREAS, Owner/Developer has previously obtained and supplied or will obtain and supply to the Township all applicable permits from all Authorities, Agencies and Municipalities having jurisdiction in any way over the Development and any necessary offsite easements to legally discharge stormwater or connect to utilities; and

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

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

1. At this time, the Worcester Township Board of Supervisors confirms its grant of waivers from strict compliance with the following provisions of the Worcester Township Subdivision and Land Development Ordinance, as stated in Resolution No. 2013-18, granting preliminary subdivision approval of the Development:

a. Section 130-16.C.2, Section 130-18.A and Section 130-18.B requiring road widening, curb and sidewalk improvements.

b. Section 130-24.B requiring the preparation of a stormwater management plan for all subdivision and land development proposals.

c. Section 130-28.E, Section 130-28.G.5 and Section 130-33.I requiring the preparation of a landscaping plan and tree survey, as well as requiring landscape buffering around the perimeter of the site to be developed.

d. Section 130-33.B.1 requiring a context map.

e. Section 130-33.C requiring an existing resources and site analysis plan. A partial waiver from the requirements of this section has been granted to the extent that the aerial photograph submitted by Owner/Developer as part of the Plans depicts some of the existing resources and provides a portion of the required site analysis on, and adjacent to, the Property.

f. Section 130-33.G requiring the submission of a Natural Resource Protection Plan.

2. Prior to the recording of the Plans, the Owner/Developer shall revise the Plans to resolve to the satisfaction of the Township, all issues set forth in the Township Engineer's review letter dated April 9, 2013, the entire contents of which are incorporated herein by reference.

3. Prior to recording the Plans, Owner/Developer shall execute a declaration of conservation easement, the contents of which shall be satisfactory to the Township Solicitor and Township Engineer, along the riparian corridor on the Property, up to and including Zone 2. The aforementioned declaration shall be reviewed and approved by the Township Solicitor and the Township Engineer, and shall be recorded contemporaneously with the recording of the Plans.

4. Prior to the recording of the Plans, Owner/Developer shall provide the Township with certificates of approval from the Montgomery County Health Department for sewage disposal facilities for the Development.

5. Prior to the recording of the Plans, Owner/Developer shall execute a declaration of shared driveway and utility easement agreement for Lots 2 and 3, the contents of which shall be satisfactory to the Township Solicitor. The aforementioned declaration shall be recorded contemporaneously with the recording of the Plans.

6. Although the maintenance of all stormwater management facilities shall be the responsibility of the lot owner on whose lot said facilities are located, prior to the issuance of a building permit as aforesaid, the lot owner shall reserve easements in favor of the Township so that the required stormwater management facilities may be maintained by the Township (with all expenses being charged to the appropriate property owner) in the event that the maintenance responsibilities of the individual lot owner is not fulfilled after reasonable notice to do so.

7. The Development shall be constructed in strict accordance with the content of the Plans, notes on the Plans, the terms and conditions Resolution No. 2013-18 and this Final Subdivision Approval Resolution.

8. The cost of accomplishing, satisfying and meeting all of the terms and conditions and requirements of the Plans, notes to the Plans, Resolution No. 2013-18 and this Final Subdivision Approval Resolution shall be borne entirely by the Owner/Developer or his successors in title and shall be at no cost to the Township.

9. Owner/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 buildings or additions) so that the Township may certify that all appropriate erosion and sedimentation control facilities have been properly installed and also that snow fencing or other types of boundary markers (acceptable to the Township) have been installed to protect such trees as are specifically proposed not to be eliminated during the construction of the Development.

10. Consistent with Sections 509(b) and 513(a) of the Pennsylvania Municipalities Planning Code (as amended), the payment of all applicable fees and recording of the Plans must all be accomplished within ninety (90) days of the date of this Resolution unless a written extension is granted by the Township. The final plat or record plan shall not be signed nor recorded by the Township until the applicable fees have been paid. In the event the fees have not been paid and the Plans have not been recorded within 90 days of the date of this Resolution (or any written extension thereof), this contingent subdivision approval shall expire and be deemed to have been revoked.

11. Under the provisions of the Pennsylvania Municipalities Planning Code, the Owner/Developer has the right to accept or reject conditions imposed by the Board of Supervisors

upon final approval. In the absence of an appeal or 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 Owner/Developer. 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 and the waivers granted by Resolution No. 2013-18 and confirmed in Paragraph 1 (which waivers were granted contingent upon the acceptance of the conditions set forth therein) shall be deemed to be automatically rescinded and revoked and the application shall be considered denied based upon the failure to fully comply with all of the sections set forth in Paragraph 1, all as authorized by Section 508 of the Pennsylvania Municipalities Planning Code.

APPROVED at the public meeting of the Worcester Township Board of Supervisors held on May 15, 2013.

WORCESTER TOWNSHIP

By: _____
Arthur C. Bustard, Chairman,
Board of Supervisors

Attest: _____
F. Lee Mangan, Secretary