

**WORCESTER TOWNSHIP
BOARD OF SUPERVISORS**

MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA

RESOLUTION NO. 2013-27

MJE Builders - Valley Forge Road Tract

PRELIMINARY / FINAL SUBDIVISION APPROVAL

WHEREAS, M.J.E BUILDERS ("Developer") has submitted an application for the subdivision of a certain tract of land consisting of 119.47± acres situate in Worcester Township with frontage on Hollow Road, Heebner Road and Valley Forge Road into two lots (the "Development"); and

WHEREAS, the Development is more particularly shown on plans prepared by Woodrow & Associates, Inc., being plans consisting of three (3) sheets dated October 18, 2012 (collectively, the "Plans"); and

WHEREAS, the Plans indicate that Lot 1 will contain the existing dwelling and outbuildings on approximately 116.47± acres, which will take access from Heebner Road; and

WHEREAS, the Plans propose a new, single-family dwelling for Lot 2, which will consist of approximate 2± acres and take access from Valley Forge Road; and

WHEREAS, the Plans do not propose any improvements to the newly created Lot 2 at this time; and

WHEREAS, the Developer desires to obtain preliminary/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 preliminary/final approval of the subdivision as shown on the Plans described herein subject, however, to the following conditions:

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

a. Section 130-16 requiring roadway frontage improvements along Hollow Road, Heebner Road and Valley Forge Road.

b. Section 130-18.A requiring roadway widening, curb and sidewalk installation, and other improvements along the Hollow Road, Heebner Road and Valley Forge Road.

c. Section 130-18.B requiring curbing along all residential, secondary or commercial streets.

d. Section 130-24.B.1.e requiring a plan of grading of the Development with regard to Lot 1.

e. Section 130-28.E.1 requiring a Tree Survey Plan.

f. Section 130-28.G.4 requiring street trees where suitable trees do not exist.

g. Section 130-28.G.5 requiring a buffer along the perimeter of the Development.

h. Section 130-28.G.9 requiring individual lot landscaping.

i. Section 130-33.C.1 requiring existing features within 400 feet of the Development to be shown on the Plans.

j. Section 130-33.g requiring a Natural Resources Protection Plan.

k. Sections 130-33 and 130-34 regarding plan requirements for major subdivisions.

2. Prior to the recording of the Plans, the Owner shall revise the Plans to resolve to the satisfaction of the Township, all issues set forth in the Township Engineer's review letter dated August 28, 2013, the entire contents of which are incorporated herein by reference, and a true and correct copy of which is attached hereto as Exhibit "A".

3. Prior to the recording of the Plans, Developer shall provide the Township with certificates as to the quality and adequacy of water supply for the Development, which certificates shall be satisfactory to the Township Engineer.

4. Prior to the recording of the Plans, the Developer shall provide the Township with certificates of approval from either the Montgomery County Health Department or the Pennsylvania Department of Environmental Protection, as appropriate, for sewage disposal facilities for each proposed lot

5. Prior to the recording of the Plans, the developer shall provide the Township with a permit from the Pennsylvania Department of Transportation for the proposed driveway for Lot 2.

6. The Development shall be constructed in strict accordance with the content of the Plans, notes on the Plans and the terms and conditions of this Preliminary/Final Approval Resolution.

7. The cost of accomplishing, satisfying and meeting all of the terms and conditions and requirements of the Plans, 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.

8. Consistent with Section 509(b) of the Pennsylvania Municipalities Planning Code (as amended) the payment of all applicable fees and recording of the final plans must be

accomplished within ninety (90) days of the date of this Resolution unless a written extension is granted by Worcester 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 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 approval shall expire and be deemed to have been revoked.

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 preliminary/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 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 preliminary/final approval and the waivers granted in Paragraph 1 (which waivers are granted contingent upon the acceptance of the conditions set forth herein) 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.

(Signature page follows)

APPROVED at the public meeting of the Worcester Township Board of Supervisors held on September 18, 2013.

WORCESTER TOWNSHIP

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

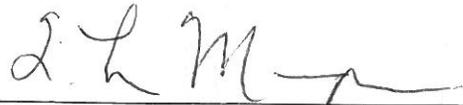
Attest: 
F. Lee Mangan, Secretary
WORCESTER TOWNSHIP

EXHIBIT "A"

Worcester Township Engineer Review Letter – August 28, 2013