

**WORCESTER TOWNSHIP**

**BOARD OF SUPERVISORS**

**MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA**

**RESOLUTION NO. 2011- 04**

**Rhoads Subdivision – 2062 Weber Road**

**PRELIMINARY / FINAL SUBDIVISION APPROVAL**

**WHEREAS, J. DAVID and MARGARET RHOADS and RHOADS REAL ESTATE VENTURES** (collectively, "Owners") submitted a subdivision application for two adjoining tracts of land situate in Worcester Township ("Property"), which are more particularly shown on a plan prepared by Woodrow & Associates, Inc. consisting of one (1) sheet dated August 6, 2010 with a final revision date of November 3, 2010 (the "Plan"), setting forth the proposed lot line adjustment and the creation of a new lot; and

**WHEREAS,** the purpose of the subdivision is to create one single-family flag lot from the two tracts owned by Owners; and

**WHEREAS,** the Owners desire 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 final approval of the land development as shown on the Plans described herein, the Stormwater Management Report and Erosion and Sediment Control Narrative 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 130-28 and Section 130-33.G requiring lot landscaping and perimeter buffers. Relief from providing lot landscaping and perimeter buffers is hereby granted due to the amount of existing trees and vegetation on the Property.

b. Section 130-16.C.6.A, Section 130-18.A(1) and Section 130-18.B requiring road widening, curbing and sidewalk improvements along Berks Road and Weber Road.

c. Section 130-33.C requiring an existing resources and site analysis plan for the existing lots and locations within 500 feet of the Property.

d. Section 130-33.C.2 requiring the submission of an aerial photograph of the Property.

e. Section 130-33.C.3 requiring that the Plan depict natural features on the Property and within 500 feet of the Property. A partial waiver is granted consistent with the Plan. The Plan shows existing features within the area of the proposed lot sufficient to identify natural resources.

f. Section 130-33.C.3(k) requiring a scenic viewshed analysis of the Property.

2. Prior to the recording of the Plan, the Owners shall revise the Plan to resolve to the satisfaction of the Township, all issues set forth in the Township Engineer's review letter dated November 12, 2010 and any subsequent review letters prepared by the Township Engineer, the entire contents of which are incorporated herein by reference.

3. Prior to recording the Plan, Owners shall provide the Township with a Cross-Access Easement ("Easement") between proposed Lot 3 and existing Lot 1. The Easement shall establish the respective rights with regard to the use of the existing driveway serving existing

Lot 1, a portion of which shown on the Plan as located within the “25 Ft. Wide Access Strip in favor of Lot 3”. The Easement shall be reviewed and approved by the Township Solicitor and recorded simultaneously with the Plan. Owners shall revise the Plan to note the existence of the Easement to the satisfaction of the Township Engineer.

4. Prior to recording the Plan, Owners shall provide the Township with an easement agreement for the “Proposed 20-Foot Wide Access Easement to Lot 3 (0.45 Acres)” depicted on the Plan. The easement agreement shall be reviewed and approved by the Township Solicitor and recorded simultaneously with the Plan.

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

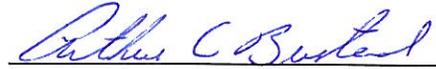
6. Consistent with Sections 509(b) and 513(a) of the Pennsylvania Municipalities Planning Code (as amended), the payment of all applicable fees and recording of the final plan(s) must all be accomplished within 90 days of the date of this Resolution unless a written extension is granted by the Township. 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 final plans have not been recorded within 90 days of the date of this Resolution (or any written extension thereof), this contingent subdivision shall expire and be deemed to have been revoked.

7. Under the provisions of the Pennsylvania Municipalities Planning Code, Owners have 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 Owners. 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 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.

**APPROVED** at the public meeting of the Worcester Township Board of Supervisors held on January 19, 2011.

**WORCESTER TOWNSHIP**

  
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**ARTHUR C. BUSTARD, CHAIRMAN**

  
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**SUSAN G. CAUGHLAN, VICE CHAIR**

  
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**STEPHEN C. QUIGLEY, MEMBER**