

**WORCESTER TOWNSHIP  
BOARD OF SUPERVISORS**

**MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA**

**RESOLUTION NO. 2014- 17**

**Methacton High School Athletic Field Reconstruction**

**PRELIMINARY / FINAL LAND DEVELOPMENT APPROVAL**

**WHEREAS, METHACTON SCHOOL DISTRICT** ("Developer") is the owner and developer of a certain tract of land consisting of 62.88± acres situate in Worcester Township with frontage on Kriebel Mill Road, on which the Developer proposed to construct two synthetic turf athletic fields, two softball fields, several track and field areas, supporting outbuildings and stormwater management facilities (the "Development"); and

**WHEREAS,** the Development is more particularly shown on plans prepared by Czop Spector, being plans consisting of forty (40) sheets dated August 27, 2013 with a final revision date of November 6, 2013 (the "Plans"); and

**WHEREAS,** 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,** the Developer desires to obtain preliminary/final land development 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 land development 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 130-24.B(4)(f)[4], permitting a maximum depth of 5 feet of water in a detention basin.

b. Section 130-24.B(4)(f)[7], requiring 2 feet of freeboard in the emergency spillway of a detention basin.

c. Section 130-16, requiring roadway frontage improvements.

d. Section 130-24.B(3)(e), requiring storm sewer piping to have a minimum pipe diameter of 15 inches.

e. Section 130-28.G(4), requiring street trees where suitable trees do not exist.

In consideration for the removal of trees in connection with the Development, the Developer shall plant 12 trees at various locations along the subject property's frontage on Mill Road in the area of the proposed javelin throw. The trees shall be planted so as to provide a screen buffer along the subject property's frontage on Mill Road in such area. The location of the trees and effectiveness of the buffer shall be subject to the review and approval of the Worcester Township Planning Commission, the Board of Supervisors and the Township Engineer, prior to the recording of the Plans.

f. Section 130-28.G(5), requiring a buffer along the perimeter of a property being developed.

g. Section 130-28.E(1), requiring the submission of a Tree Survey Plan.

- h. Section 130-28.G(6), requiring landscaping within off-street parking areas.
- i. Section 130-33.C(1), requiring existing features within 500 feet of a property to be shown on the plans.
- j. Section 130-33.G, requiring the submission of a Natural Resources Protection Plan.

2. At this time, the installation of sidewalks along the Property's frontage on in accordance with Section 130-18.A shall be deferred until such time as the Township deems it necessary to require the installation of such sidewalks. The Developer shall add a note to the Plans stating that the required sidewalk installation has been deferred. The language of such note shall be reviewed and approved by the Township Engineer and Township Solicitor, prior to the recording of Plans.

3. Prior to the recording of the Plans, the 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 December 3, 2013 prepared by the Township Engineer, the entire contents of which are incorporated herein by reference.

4. Prior to recording the Plans, Developer shall enter into a Land Development and Financial Security Agreement ("Agreement") with Worcester Township. The Agreement shall be satisfactory to the Township Solicitor and the Board of Supervisors and the Developer shall obligate itself to complete all of the public improvements shown on the Plans in accordance with Township criteria and specifications as well as to secure the completion of the said public improvements by posting satisfactory financial security as required by the Pennsylvania Municipalities Planning Code.

5. Although the maintenance of all detention basins and surface stormwater drainage easements shall be the responsibility of the lot owner on whose lot said facilities are

located, Developer shall, prior to the Township executing the Plans, execute a declaration to reserve easements in favor of the Township so that the drainage 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 owners are not fulfilled after reasonable notice to do so. The declaration shall be recorded simultaneously with the Plans.

6. Prior to the recording of the Plans, the Developer shall provide the Township with all required approvals from any outside agencies having jurisdiction over the Development, including, but not limited to, the Montgomery County Conservation District and the Pennsylvania Department of Environmental Protection.

7. 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.

8. The cost of accomplishing, satisfying and meeting all of the terms and conditions and requirements of the Plans, notes to the Plans, this Preliminary/Final Approval Resolution, and the Land Development and Financial Security Agreement shall be borne entirely by the Developer and shall be at no cost to the Township.

9. 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 Section 509(b) of the Pennsylvania Municipalities Planning Code (as amended) the payment of all applicable fees and the funding of all escrows under the Land Development and Financial Security Agreement 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 and the escrows fully funded, the final plat or record plan shall not be signed or recorded. 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.

11. 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 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 15, 2014.

**WORCESTER TOWNSHIP**

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

By:   
**F. Lee Mangan**, Secretary