

WORCESTER TOWNSHIP
BOARD OF SUPERVISORS
MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA
RESOLUTION NO. 2014-22
Evangelical Lutheran Church Land Development
PRELIMINARY / FINAL LAND DEVELOPMENT APPROVAL

WHEREAS, EVANGELICAL LUTHERAN CHURCH OF THE TRINITY ("Owner/Developer") is the owner and developer of a certain tract of land consisting of 26.059± acres situate in Worcester Township, with frontage on Trooper Road and Valley Forge Road, further identified as Montgomery County Tax Parcel No. 67-00-03825-27-5 (the "Property"); and

WHEREAS, Owner/Developer proposes to construct a 5,430 square foot sanctuary addition to the existing church structure, reconfigure and restripe an existing parking lot, place temporary storage containers adjacent to the existing parking lot, and construct related stormwater management facilities (the "Development") on the Property; and

WHEREAS, the Development is more particularly shown on plans prepared by Woodrow & Associates, Inc., being plans consisting of three (3) sheets dated October 4, 2013 with a final revision date of January 24, 2014 (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. Sections 130-16, 130-18.A, and 130-18.B , requiring improvements to road frontages, requiring sidewalks along all road frontages, and requiring curbing along all road frontages. As a condition to, and in consideration of the waiver of the requirements of these sections, the Developer shall, at its sole cost and expense, install a pedestrian/bicycle trail up to a maximum width of 12 feet at such time as the construction of a Township trail (regardless of who actually constructs such trail) is brought up to either the northern or southern boundary line of the Property along its frontage on Valley Forge Road. Should the design of the trail, as approved by the Township Engineer, take the path of the trail outside of the ultimate right of way shown on the Plans (which is being dedicated to the entity having jurisdiction), an easement for public access shall be offered to the Township to the extent the trail is outside of the legal right of way of the road (after dedication). With the exception of a maximum width of 12 feet, the trail on the Property shall be constructed with exactly the same specifications and materials as the Township trail being constructed to the Property line(s) by others. This obligation shall be binding upon the Developer, its successors and assigns, and the Developer shall revise the Plans prior to recording

to include a note regarding this obligation, the language of which shall be reviewed and approved by the Township Engineer and Township Solicitor.

b. Section 130-17.D(10), requiring a five foot (5') radius for all curbs and islands in parking areas.

c. Section 130-17.D(11), requiring parking stalls to have certain dimensions.

d. Sections 130-23.A and 130-23.C, requiring monuments to be set on right-of-way lines, and permanent markers to be set at property corners.

e. Section 130-23.B, requiring all contour and elevation benchmarks shown on plans to be based on Township Sanitary Sewer System Datum.

f. Section 130-28.G(4), requiring certain plantings along all road frontages. A partial waiver is granted, in that the waiver shall only apply to the Property's frontage on Trooper Road. In consideration of this grant of partial waiver, Owner/Developer shall utilize the planting materials which would otherwise be required along the Property's frontage on Trooper Road to create a cluster of plantings around the Verizon utility box located at the south corner of the Property's frontage on Valley Forge Road. The proposed cluster of plantings shall be subject to the review and approval of the Township Engineer.

g. Section 130-28.G(5), requiring landscaped perimeter buffers.

h. Section 130-28.G(6), requiring screening buffers for parking lots.

i. Section 130-28.G(7), requiring one shade tree for every 50 linear feet of stormwater basin perimeter.

j. Section 130-33.C, requiring preliminary plans to depict all existing conditions on the property, as well as such conditions within five hundred feet (500') of the property.

k. Section 130-33.G, requiring the submission of a natural resources protection plan.

1. Section 130-24.B(4)(e)[2], requiring seepage beds to fully drain within 24 hours.

2. Prior to recording the Plans, Owner/Developer shall revise the Plans to resolve, to the satisfaction of the Township Engineer, all issues set forth in the Township Engineer's review letter dated January 6, 2014, the entire contents of which are incorporated herein by reference.

3. Prior to recording the Plans, Owner/Developer shall execute and record a Conservation Easement covering the approximately 4.98± acres depicted on the Plans as the "Natural Features Conservation Easement". The terms and conditions of the Conservation Easement shall be satisfactory the Township Solicitor.

4. Prior to recording the Plans, Owner/Developer shall enter into a Land Development and Financial Security Agreement ("Agreement") with the Township. The Agreement shall be satisfactory to the Township Solicitor and the Board of Supervisors and the Owner/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, Owner/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 satisfactory to the Township Solicitor and shall be recorded simultaneously with the Plans.

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, this Preliminary/Final Approval Resolution, and the Agreement shall be borne entirely by the Owner/Developer and shall be at no cost to the Township.

8. 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.

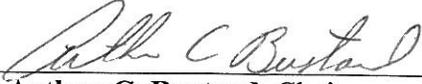
9. Consistent with Section 509(b) of the Pennsylvania Municipalities Planning Code (as amended) the payment of all applicable fees and the funding of all escrows under the

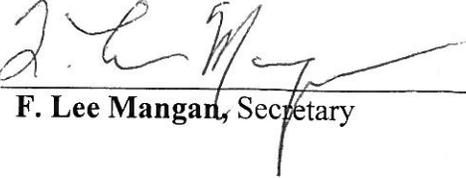
Agreement must be accomplished within ninety (90) days of the date of this Resolution unless a written extension is granted by the Township. Until the applicable fees have been paid and the escrows fully funded, the final plat or record plan shall not be signed or recorded. In the event that the fees 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.

10. 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 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 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 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 March 19, 2014.

WORCESTER TOWNSHIP

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

By: 
F. Lee Mangan, Secretary