

WORCESTER TOWNSHIP
BOARD OF SUPERVISORS
MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA
RESOLUTION NO. 2014- 34
3040 Woodlyn Avenue Lot Line Adjustment
PRELIMINARY / FINAL LAND DEVELOPMENT APPROVAL

WHEREAS, A. KENT GEHRET and CYNTHIA GEHRET (the “Gehrets”) are the owners of a certain tract of land consisting of 4.64± acres situate in Worcester Township with frontage on Woodlyn Avenue and Dell Road, which tract is further identified as Montgomery County Tax Parcel No. 67-00-04206-80-3 (“3040 Woodlyn Avenue”); and

WHEREAS, ALLAN KENT GEHRET, JR. (“Junior”), is the owner of a certain tract of land consisting of 3.5± acres situate in Worcester Township with frontage on Dell Road, which tract is further identified as Montgomery County Tax Parcel No. 67-00-00776-00-3 (“1270 Dell Road”), which parcel adjoins 3040 Woodlyn Avenue (the Gehrets and Junior are hereinafter collectively referred to as the “Owners”; 3040 Woodlyn Avenue and 1270 Dell Road are hereinafter sometimes referred to collectively as the “Tracts”); and

WHEREAS, Owners propose to subdivide an approximately 1.1± acre portion of land from 1270 Dell Road, and convey the same to the Gehrets to be merged in common deed with 3040 Woodlyn Avenue, in accordance with a plan prepared by Woodrow & Associates, Inc., dated July 18, 2014 (the “Plan”); and

WHEREAS, the Owners desire to obtain preliminary/final approval of the Plan 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 lot line adjustment shown on the Plan 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 certain road frontage improvements.
- b. Section 130-18.A, requiring sidewalks along all streets.
- c. Section 130-18.B, requiring curbing along all residential, secondary, or commercial streets or roads.
- d. Section 130-28.G(4), requiring the planting of street trees for any subdivision.
- e. Section 130-28.G(5), requiring perimeter buffers for property being subdivided.
- f. Section 130-28.G(9), requiring certain individual lot landscaping.
- g. Section 130-33.C(1), requiring plans to contain all existing conditions within five hundred feet (500') of the tract being subdivided.
- h. Section 130-33.G, requiring a natural resource protection plan.

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 September 5, 2014, the entire contents of which are incorporated herein by reference.

3. Prior to the recording of the Plan, Owners shall provide to the Township Solicitor for review and approval a deed of consolidation transferring the portion of 1270 Dell Road to 3040 Woodlyn Avenue, consistent with the Plan. The deed of consolidation shall be recorded simultaneously with the Plan.

4. Prior to the recording of the Plan, the Plan shall be revised to the satisfaction of the Township Solicitor to properly identify the ownership information for the Tracts.

5. The lot line adjustment of the Tracts shall be in strict accordance with the content of the Plan, notes on the Plan and the terms and conditions of this Preliminary/Final Approval Resolution.

6. 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.

7. Consistent with Section 509(b) of the Pennsylvania Municipalities Planning Code (as amended) the payment of all applicable fees and the recording of the Plan 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, the final plat or record plan shall not be signed or recorded. In the event that the fees have not been paid and the final Plan has not been recorded within ninety (90) days of this Resolution (or any written extension thereof), this contingent approval shall expire and be deemed to have been revoked.

8. Under the provisions of the Pennsylvania Municipalities Planning Code, the Owners have 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 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 October 15, 2014.

WORCESTER TOWNSHIP

By: 

Arthur C. Bustard, Chairman,
Board of Supervisors

Attest: 

F. Lee Mangan, Secretary