

**WORCESTER TOWNSHIP
BOARD OF SUPERVISORS**

MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA

RESOLUTION 2015-31

**A RESOLUTION TO GRANT PRELIMINARY/FINAL LAND DEVELOPMENT
APPROVAL FOR A PROPOSED DEVELOPMENT AT THE MEADOWOOD
RETIREMENT COMMUNITY**

WHEREAS, the Meadowood Corporation (“Developer”), is the owner of a certain tract of land known as the Meadowood Retirement Community, consisting of 125.1± acres situate in Worcester Township, with frontage at Skippack Pike and Valley Forge Road, and further identified as Montgomery County Tax Parcel No. 67-00-03185-00-6 (“Property”); and,

WHEREAS, Developer proposes to construct an expansion to the Meadowood Retirement Community which includes a pool, expanded rehabilitation facility, activities patio, recreational amenities, stormwater facilities, landscaping and other improvements (“Development”), as shown on a plan of land development prepared by Woodrow and Associates, Inc., consisting of sheets 1 to 13 inclusive, dated July 31, 2015 and last revised September 18, 2015 (“Plans”); and,

WHEREAS, Developer has previously obtained and supplied to the Township, 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 off-site 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 Land Development Approval of the Plans, 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 Township Code:
 - a. Section 130-24.B.3.a, requiring storm systems designed to carry 50-yr peak flow rate.
 - b. Section 130-24.B.3.h, requiring maximum allowable headwater depth of one foot for inlets.
 - c. Section 130-24.B.4.f.2, requiring detention basin design criteria 100-yr/10-yr release rate.
 - d. Section 130-24.B.4.f.7, requiring minimum freeboard of two feet over emergency spillway and top of berm.
 - e. Section 130-24.B.4.f.13, requiring 100-foot distance from highest free water surface to dwelling unit.
 - f. Section 130-24.B.4.j, requiring a minimum three foot of cover over all storm pipes.
 - g. Section 130-24.B.4.k, requiring crown of all pipes tying into inlet or manhole to be set at equal elevations.
 - h. Section 130-28.E.1, requiring an existing tree survey.
 - i. Section 130-28.G.4, requiring the planting of street trees. In order to fill in gaps and promote healthy tree growth by finding suitable planting areas on the Property to plant trees, the Developer shall plant trees, after completion of the Development, at the direction of the Township Engineer and in consultation with the Worcester Planning Commission, with the number and location of such trees shall be reasonably determined by the Township Engineer.

- j. Section 130-33.C.1 and 4, requiring the Plans show all existing features within 400 feet of the Property.
 - k. Section 130-24.A; requiring monuments be set at right-of-way lines and corners and angle points.
2. Prior to recording the Plans, Developer shall revise the Plans to resolve, to the satisfaction of the Township, all issues set forth in the review letter of the Township Engineer dated October 1, 2015, the entire contents of which are incorporated herein by reference.
 3. Prior to recording the Plans, Developer shall provide the Township with all necessary permits and approvals from all authorities, agencies, municipalities and duly constituted public authorities having jurisdiction in any way over the Development.
 4. Prior to recording the Plans, Developer shall enter into a Land Development and Financial Security Agreement ("Agreement") with the Township. The Agreement shall be in a form satisfactory to the Township Solicitor, and the Developer shall obligate itself to complete all of the improvements shown on the Plans in accordance with applicable Township criteria and specifications, as well as to secure the completion of the 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 Developer, or his successor or assigns at the Property, 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, at the Township's sole discretion, with all expenses being charged to the Developer, in the event said maintenance responsibilities are not fulfilled by the Developer after the Township provides reasonable notice to the Developer 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 Resolution.
7. Developer shall provide to the Township for signature, that number of plan sets required for recordation and filing with the various Departments of Montgomery County, plus an additional three (3) copies to be retained by the Township, within seven (7) days of the recordation of same;
8. Developer shall provide a copy of the recorded plans in an electronic format acceptable to the Township Engineer, within seven (7) days of the recordation of same;
9. The cost of accomplishing, satisfying and meeting all of the terms and conditions and requirements of the Plans, notes to the Plans, this Resolution, and the Agreement shall be borne entirely by the Developer, and shall be at no cost to the Township.
10. Developer shall provide the Township Manager and the Township Engineer with at least seventy-two (72) hour notice prior to the initiation of any grading or ground clearing, whether for the construction of public improvements or in connection with any portion of the Development, so that the Township may certify all appropriate erosion and sedimentation control facilities have been properly installed, and also that snow fencing or other types of boundary markers have been installed so to protect such trees as are specifically proposed not to be eliminated during the construction of the Development.
11. 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 said fees have been paid and said escrows fully funded, the Plans shall neither be signed by the Township nor recorded. In the event the fees have not been paid and the escrow has not been funded within ninety (90) days of the date of this Resolution, or any written extension thereof so granted by the Township, this contingent approval shall expire and be deemed to have been revoked.

12. Under the provisions of the Pennsylvania Municipalities Planning Code, the Developer has the right to accept or reject conditions imposed in this Resolution. 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.

BE IT RESOLVED THIS 18TH DAY OF NOVEMBER, 2015.

FOR WORCESTER TOWNSHIP

By: 
Arthur C. Bustard, Chairman
Board of Supervisors

Attest: 
Tommy Ryan, Secretary