

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 2015-33

**A RESOLUTION TO GRANT PRELIMINARY/FINAL SUBDIVISION
PLAN APPROVAL AT 3330 WATER STREET ROAD**

WHEREAS, Water Street Road LP (“Developer”), is the owner of a certain tract of land known at 3330 Water Street Road, consisting of 11.6 ± acres situate in Worcester Township, and presently improved with a single-family detached dwelling, further identified as Montgomery County Tax Parcel No. 67-00-03880-004 (“Property”); and,

WHEREAS, Developer proposes to subdivide the Property so to create one (1) additional building lot (“Subdivision”), on which a single-family detached dwelling may be constructed at some point in the future (“Development”), as shown on a plan of minor subdivision prepared by Woodrow and Associates, Inc., consisting of sheet 1 of 1, dated September 28, 2015 with no subsequent revisions (“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 Subdivision and Development and any necessary off-site easements to legally discharge stormwater or connect to utilities; and,

WHEREAS, the Developer desires 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 Preliminary/Final Subdivision 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 130-16, requiring road frontage improvements;
 - b. Section 130-18.A, requiring sidewalks at street frontages;
 - c. Section 130-18.B, requiring curbs at street frontages;
 - d. Section 130-28.G(4), requiring street trees to be planted at the Property frontage, and instead requiring the Applicant to install those trees shown on the Landscape Plan and Planting Schedule, dated November 25, 2015, as approved by the Township Engineer, with the trees to be installed within six (6) months of the recordation of the Plan and before any building or zoning permits are issued for improvements at Lot 2, and further conditioned upon the Applicant providing for the replacement of any damaged or dead trees prior to the issuance of a Use & Occupancy permit at Lot 2;

- e. Section 130-28.G(5), requiring perimeter buffers;
 - f. Section 130-28.G(9), requiring individual lot landscape requirements;
 - g. Section 130-33.C(1), requiring an Existing Features Plan that shows existing features within 400' of the Property boundaries; and,
 - h. Section 130-33.G, requiring a Natural Resource and Protection Plan with the subdivision submission.
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 November 19, 2015, the entire contents of which are incorporated herein by reference, absent the street tree waiver, which shall be addressed by 1.d above.
 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 Subdivision.
 4. The Subdivision shall be effected in strict accordance with the content of the Plans, notes on the Plans and the terms and conditions of this Resolution.
 5. 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.
 6. 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.
 7. The cost of accomplishing, satisfying and meeting all of the terms and conditions and requirements of the Plans, notes to the Plans and this Resolution shall be borne entirely by the Developer, and shall be at no cost to the Township.
 8. 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.
 9. Consistent with Section 509(b) of the Pennsylvania Municipalities Planning Code, as amended, the payment of all applicable fees and the funding of any escrows 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.

10. 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 16TH DAY OF DECEMBER, 2015.

FOR WORCESTER TOWNSHIP

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

Attest: Tommy Ryan
Tommy Ryan, Secretary

ACCEPTED BY DEVELOPER

By: _____
signature

printed

title

date