TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA

RESOLUTION NO 2016-24

A RESOLUTION TO GRANT PRELIMINARY/FINAL LAND DEVELOPMENT APPROVAL OF THE IBEW TRAINING FACILITY, 3455 GERMANTOWN PIKE PLAN

WHEREAS, Trustees of the Local Union No. 126 Occupational Safety, Health & Education Trust Fund (hereinafter referred to as "Applicant") has submitted a land development plan to Worcester Township and has made application for preliminary/final plan approval of a plan known as IBEW Training Facility Land Development Plan. The Applicant is the owner of an approximate 5.168 acre tract of land located at 3455 Germantown Pike, Worcester Township, Montgomery County, Pennsylvania in the AGR - Agricultural Zoning District of the Township, being Tax Parcel No. 67-00-01366-007 as more fully described in the Deed recorded in the Montgomery County Recorder of Deeds Office; and,

WHEREAS, the Applicant proposes the expansion of the existing training facility, including two new building additions of 7,873 square feet and 8,274 square feet to serve as additional classroom, training and office space as well as expansion of the existing parking lot; and,

WHEREAS, said plan has received a recommendation for preliminary/final plan approval by the Worcester Township Planning Commission at their regularly scheduled meeting on May 26, 2016; and,

WHEREAS, the preliminary/final plan for the proposed land development, prepared by D. L. Howell & Associates, Inc., titled, "IBEW Training Facility at 3455 Germantown Pike" consisting of 14 sheets, dated August 28, 2015, with latest revisions dated May 31, 2016, is now in a form suitable for preliminary/final plan approval by the Worcester Township Board of Supervisors, subject to certain conditions.

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING,

IT IS HEREBY RESOLVED by the Board of Supervisors of Worcester Township, as follows:

1. **Approval of Plan.** The preliminary/final plan prepared by D. L. Howell & Associates, Inc. as described above, is hereby approved, subject to the conditions set forth below.

2. **Conditions of Approval.** The approval of the preliminary/final plan is subject to strict compliance with the following conditions:

   A. Compliance with all comments and conditions set forth in the CKS Engineers, Inc. letter of June 3, 2016.

   B. Compliance with all comments and conditions set forth in the Montgomery County Planning Commission letter of May 18, 2016.

C. Compliance with all conditions set forth in the Decision and Order of the Worcester Township Zoning Hearing Board entered on July 23, 2013, and extended by the Decisions and Orders entered on January 28, 2014 and December 22, 2015.

D. The approval and/or receipt of permits required from any and all outside agencies, including but not limited to, Montgomery County Conservation District, Pennsylvania Department of Environmental Protection, Pennsylvania Department of Transportation, and all other authorities, agencies, municipalities, and duly constituted public authorities having jurisdiction in any way over the development.

E. Prior to recording the Plans, Applicant 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 Applicant 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.

F. Although the maintenance of all detention basins and surface stormwater drainage easements shall be the responsibility of the Applicant, or his successor or assigns at the Property, Applicant 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 Applicant, in the event said maintenance responsibilities are not fulfilled by the Applicant after the Township provides reasonable notice to the Applicant to do so. The declaration shall be satisfactory to the Township Solicitor and shall be recorded simultaneously with the Plans.

G. Applicant shall pay to the Township a Transportation Impact Fee in the amount of $21,875.00, for seven (7) weekday afternoon peak PM trips at $3,125.00 per trip. Said payment is to be payable prior to the recording of the preliminary/final plan.

H. Execution of an Intermunicipal Agreement between the Township of Worcester, the Township of Lower Providence and the Lower Providence Township Sewer Authority, in form satisfactory to the Worcester Township Solicitor, prior to recording of the preliminary/final plan.

I. Execution of a Sewer Service Agreement in form satisfactory to the Worcester Township Solicitor, which shall be recorded at the time of recording of the preliminary/final.

J. The Applicant shall provide to the Township for signature that number of Plans required for recordation and filing with the various Departments of Montgomery County, plus an additional three (3) Plans to be retained by the Township, and the Applicant shall have all Plans recorded, and the Applicant return the three (3) Plans to the Township within seven (7) days of Plan recordation.

K. The Applicant shall provide a copy of the recorded Plan in an electronic format acceptable to the Township Engineer, within seven (7) days of Plan recordation.

L. The Applicant shall make payment of all outstanding review fees and other charges due to the Township prior to Plan recordation.

M. 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.

N. 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 Applicant, and shall be at no cost to the Township.

O. Applicant 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.

P. Applicant understands that it will not be granted Township building or grading permits until the record plan, financial security, and all appropriate development and financial security agreements, easements, and other required legal documents are approved by the Township and recorded with the Montgomery County Recorder of Deeds and all appropriate approvals and/or permits from Township or other agencies for the above mentioned project are received. Any work performed on this project without the proper permits, approvals, and agreements in place will be stopped.

3. **Waiver.** The Worcester Township Board of Supervisors hereby grants the following waiver requested with respect to this Plan:

A. Section 130-24.B.(4)(e)[2] of the Worcester Township Subdivision and Land Development Ordinance to allow dewatering time to be greater than twenty-four (24) hours.

4. **Acceptance.** The conditions set forth in paragraph 2 above shall be accepted by the Applicant, in writing, within ten (10) days from the date of receipt of this Resolution.

5. **Effective Date.** This Resolution shall become effective on the date upon which the Conditions are accepted by the Applicant in writing.

BE IT FURTHER RESOLVED that the Plans shall be considered to have received final approval once staff appointed by the Worcester Township Board of Supervisors determines that any and all conditions attached to said approval have been resolved to the satisfaction of Township staff and appropriate Township officials have signed said Plans and submitted them for recording with the Montgomery County Recorder of Deeds. Applicant shall provide the Township with executed final plans, record plans, development agreements, easements, and other associated documentation, according to Township procedures. Any changes to the approved site plan will require the submission of an amended site plan for land development review by all Township review parties.

RESOLVED and **ENACTED** this 15th day of June, 2016 by the Worcester Township Board of Supervisors.

FOR WORCESTER TOWNSHIP

By: _____
Susan G. Caughlan, Chair
Board of Supervisors

Attest: _____
Tommy Ryan, Secretary

ACCEPTANCE

The undersigned states that he/she is authorized to execute this Acceptance on behalf of the Applicant and owner of the property which is the subject matter of this Resolution, that he/she has reviewed the Conditions imposed by the Board of Supervisors in the foregoing Resolution and that he/she accepts the Conditions on behalf of the Applicant and the owner and agrees to be bound thereto. This Acceptance is made subject to the penalties of 18 Pa. C.S.A. Section 4904 relating to unsworn falsifications to authorities.

Trustees of the Local Union No. 126 Occupational Safety, Health & Education Trust Fund

Date: _____

By: _____

_____
(PRINT NAME AND TITLE)