RESOLUTION NO. 2456

EAST NORRITON TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA

A RESOLUTION GRANTING CONDITIONAL, FINAL APPROVAL OF THE APPLICATION FOR LAND DEVELOPMENT OF ALBERT EINSTEIN HEALTHCARE NETWORK

The Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania, hereby resolves to grant conditional, final approval of the land development application of Albert Einstein Healthcare Network ("Applicant") for a proposed hospital, medical office building and associated improvements identified in a plan set prepared by Bohler Engineering dated January 15, 2009 consisting of sheets 1 through 61 (Exhibit "A") and in a plan set prepared by Wells Appel dated January 15, 2009 consisting of sheets L01 through L32 (Exhibit "B") and in a plan set prepared by Traffic Planning & Design, Inc. dated January 15, 2009 consisting of sheets 1 through 54 (drawings for construction), sheets 1 through 6 (traffic signal permit plans), sheets 1 through 3 (truck turning plans) and sheets 1 through 35 (cross sections) (collectively, Exhibit "C") and a noise report prepared by Cerami & Associates, Inc, dated April 29, 2009 (Exhibit "D"); and further conditioned upon the following being satisfied by Applicant:

1. Fulfilling all obligations and requirements of the **Pennoni Associates, Inc.**, Township Engineering Consultant, review letters dated September 9, 2008 (plan review letter), September 9, 2008 (waiver review letter), November 14, 2008 (plan review letter), November 14, 2008 (waiver review letter), November 14, 2008 (traffic impact study and traffic plan review letter), March 12, 2009 (plan review letter), March 18, 2009 (traffic engineering review letter), March 26, 2009 (waiver review letter) and May 11, 2009 (Cerami, Inc. report review letter); the **Gilmore & Associates, Inc.**, Township Sewer Engineer, letters dated July 29, 2008, November 11, 2008, and February 25, 2009; the **E. Van Rieker**, Township Planner, review letters/memos dated July 30, 2008, September 10, 2008, September 11, 2008, September 30, 2008, November 3, 2008, November 11, 2008, November 17, 2008, February 3, 2009, February 9, 2009, February 10, 2009, February 26, 2009 and May 7, 2009; the **East Norriton Township Planning Commission** meeting minutes dated October 1, 2008, October 8, 2008, April 1, 2009 and April 8, 2009; the **East Norriton Township Shade Tree Commission** meeting minutes dated December 8, 2008 and April 30, 2009; and the **Montgomery County Planning Commission** review letters dated September 10, 2008 and February 18, 2009.

2. The Applicant shall comply with all provisions of Resolution 2430 which was adopted by the East Norriton Township Board of Supervisors on December 23, 2008.

3. The Applicant shall employ methods and materials to reduce the impact to surrounding residential homes from noise generated on the site in accordance with the report prepared by Cerami & Associates, Inc. dated April 29, 2009 (Exhibit "D"). The methods and materials used to reduce the impact to surrounding residential homes from said noise generating activity shall be subject to the review and approval of the Township's engineering consultant and Township Solicitor.

4. For the duration of site improvements and building construction, the Applicant shall provide and maintain a tire wash station in addition to a standard stone construction entrance to prevent mud and sediment from being deposited onto adjacent roadways from vehicles leaving the site. If it is found that mud and sediment are being deposited onto the adjacent roadways despite these measures, then the Applicant agrees to provide for additional or alternate methods of controlling the situation in accordance with the direction of the Township's engineering consultant.

5. For the purpose of monitoring the costs of Sewer Improvements and Roadway Improvements, the Applicant shall submit to the Township, on a bi-monthly basis, an accounting of costs expended for completed Sewer Improvements and Roadway Improvements and the estimated costs of Sewer Improvements and Roadway Improvements which have not yet been completed as of that period.

6. As early in the project as is reasonably possible as reasonably determined by the Director of Code Enforcement, the Applicant shall install buffer materials including berming, landscaping and other shielding methods which have been proposed in the plans to reduce the visual and acoustical impact of the development on the surrounding residential properties.

7. The Applicant shall grant a pedestrian easement to the entity having jurisdiction wherever the public sidewalk along Germantown Pike is proposed to be located outside of the dedicated right-of-way.

8. The Applicant shall contact the property owners immediately adjacent to the emergency access of Whitehall Road and shall consider the adjacent property owners desires with respect to the installation, height, style and type of fencing, or lack thereof, to be installed.

9. The top of the oxygen tank shall be no higher than the berm separating it from the neighboring residential properties along Whitehall Road.

10. In the event the Township Code will permit additional signage at the driveways along Germantown Pike, Applicant shall make application for same and agrees to follow the recommendations of the Director of Code Enforcement regarding the sign(s)' location, size and style. The internal signage shall promote efficient circulation within the site for both vehicular and pedestrian traffic and meet the approval of the Township's land planner.

Waivers granted:

1. *§175-8* A waiver from the requirement that planting strips are to be mounded at slopes of no more than 4:1 and from the requirement that planting strips be protected by curbs, wheel stops or bollards where needed for drainage design.

2. *§175-19.E(2)(c)* A waiver from the requirement that parking area landscape islands be uniformly elevated with topsoil so that the center shall be crowned at least 6" above the adjoining top of curb elevation where needed for drainage design.

3. *§175-26.C(2)* A waiver from the requirement that storm water piping be constructed of reinforced concrete pipe (RCP).

4. *§175-26.C(3)(g)* A waiver from the requirement that detention basins dewater within 12 hours.

5. *§175-26.C(3)(k)* A waiver from the requirement that all basins be provided with a pipe underdrain that is outletted from the basin.

6. *§175-29.E(9)* A waiver from the requirement that a minimum slope of 2% be provided for basins with grass bottoms.

7. *§175-19.D(2)* A waiver from the requirement that all parking lots and bays allowing any parking other than parallel shall be confined by barrier curbing.

8. *§175-20.A.(3)* A waiver from the requirement that sidewalks be located between the curb and the right-of-way line, five feet from the curbline.

9. *§175-25.A* A waiver from the requirement that permanent reference monuments be located at all property corners if iron pins are existing at these locations.

10. *§175-26.C(3)(f)* A waiver from the requirement that all basins shall have a slope of 4 horizontal to one vertical or less for areas with retaining walls.

11. *§175-22.1.E(1)(g)* A waiver from the requirement that plant materials are to be selected from the recommended plant material list subject to approval by the Township's engineering consultant.

12 *§175-24.B(1)* A waiver from the requirement that nothing shall be permitted to be placed, planted, set or put within the area of an easement to allow landscaping within the area of the sanitary pump station easement.

13. *§175-26.M(3)* A waiver from the requirement that the minimum diameter of storm pipe shall be 18" in the following locations only: (a) to allow the pipes exiting the rain

gardens to be no less than 12" in diameter and (b) to allow the pipe under the sidewalk on the western side of the medical office building to be no less than 15" in diameter.

14. *§175-30.C(1)* A waiver from the requirement that a tree shall be planted a minimum distance of 5' and a maximum distance of 15' from all ultimate right-of-way line for the street trees along Germantown Pike.

The Township acknowledges that the Applicant may request additional waivers from various provisions of the Township's Subdivision and Land Development Ordinance. Additional waiver requests will be considered as they are requested by the Applicant.

DULY PRESENTED AND ADOPTED the Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania, in public meeting held this 26th day of May, 2009.

BOARD OF SUPERVISOR
EAST NORRITON TOWNSHIP

TOWNSHIP OF EAST NORRITON MONTGOMERY COUNTY PENNSYLVANIA INCORPORATE MARCH 9, 1909

By: Lewis K. McQuirns
Lewis K. McQuirns, Chairman

Donald Delamater, Secretary

The above conditions are agreed to by RICHARD MONTALBANO for Albert Einstein Healthcare Network, this 26th day of May, 2009.

By: _____