

## RESOLUTION NO. 2206

### EAST NORRITON TOWNSHIP

#### MONTGOMERY COUNTY, PENNSYLVANIA

#### **A RESOLUTION GRANTING CONDITIONAL, PRELIMINARY APPROVAL OF THE APPLICATION FOR SUBDIVISION AND LAND DEVELOPMENT OF PHILOMENO & SALAMONE FOR JEFFERSON CROSSING LOCATED ALONG DEKALB PIKE.**

The Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania, hereby resolves to grant conditional, preliminary approval of the subdivision and land development plan for **Philomeno & Salamone** plan for a proposed 84-Age Restricted Residential Units as more fully detailed on the plans listed on Exhibit "A" attached hereto and made part hereof and further conditioned upon the following being satisfied by Applicant:

1. Fulfilling all obligations and requirements of the Robert E. Blue, Township Engineers letters dated August 31, 2004, November 22, 2004, Dick Smith, EDM Consultants letters dated November 18, 2004, the East Norriton Township Planning Commission meeting minutes dated March 23, 2004, the Montgomery County Planning Commission letter dated March 24, 2004 and August 27, 2004, the Fire Marshal's memorandum dated November 23, 2004 and the Staff Meeting minutes dated February 10, 2004, March 9, 2004 and June 28, 2004.
2. The Applicant shall enter into an Application and Agreement and Improvement Fund Agreement and post financial security for all improvements to the satisfaction of the Township Engineer and Township Solicitor.
3. The Applicant shall connect to East Norriton Township sanitary sewer system and pay tapping fees and inspection fees at the then current rates if required.
4. The Applicant shall be responsible for payment of all Townships Consultant fees related to this project
5. The Applicant shall be responsible for obtaining all other Regulatory Authority Permits having jurisdiction over this project.
6. The Applicant shall satisfy East Norriton Township's Park and Recreation ordinance requirements.
7. The Applicant shall satisfy East Norriton Township's Act 209, Traffic Impact Fee Requirements.
8. The Applicant shall comply with the East Norriton Township Zoning Hearing Board decision dated October 12, 2004 and obtaining approval from all applicable federal, state and local agencies necessary for a change of floodplain boundaries and flood map revision.

9. The Applicant shall provide for ownership and maintenance of the roadways, storm sewer facilities, street lights in the Declaration of the Homeowner's Association and shall provide that the Declaration shall run to the benefit of the Township and any breach may be remedied by the Township and the Township shall have the right, but not the obligation to enforce any breach of covenants contained in the Declaration or Bylaws of the Association. The Declaration shall provide that the cost expended by the Township in remedying such breach shall constitute a lien upon the Unit or Common Facilities upon which such breach occurred. Further, the Township shall be entitled to recover associated charges including, but not limited to attorneys' fees, from the Owner of the subject Unit, and/or from the Association in the event the affected property constitutes a Common Facility.
  
10. The Applicant shall reserve in the Declaration of the Homeowner's Association for the benefit of the Township, its successors and assigns, an easement of access, ingress and egress over such portion of the area designated for detention basin maintenance easement on the Plans for the purpose of inspecting, maintaining and repairing the Storm Water Management System in the event the Association fails to maintain any portion of the Storm Water Management System, provided that the Township shall have the right, but not the obligation to undertake such inspection, maintenance, and repair. In the event the Township undertakes any such inspection, maintenance or repair, the Township shall have right to assess the costs against the Association.
  
11. Applicant shall supply a copy of the Declaration of the Homeowner's Association to the Township and its Solicitor for review and approval prior to recording.
  
12. **NO WAIVERS HAVE BEEN GRANTED FOR THE ABOVE LAND DEVELOPMENT AT THIS TIME.**

DULY PRESENTED AND ADOPTED the Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania, in public meeting held this 21<sup>st</sup> day of December 2004.



Attest: *Helmut J. V. ...*  
Secretary

BOARD OF SUPERVISOR  
EAST NORRITON TOWNSHIP  
By: *Francis E. Denner*  
Francis E. Denner, Chairman

The above conditions are agreed to by *Rolph Philomeno* for Philomeno & Salamone, this 21<sup>st</sup> of December 2004.

*...*