

RESOLUTION NO. 2216

EAST NORRITON TOWNSHIP

MONTGOMERY COUNTY, PENNSYLVANIA

A RESOLUTION GRANTING CONDITIONAL, FINAL APPROVAL OF THE PHASES 1 & 2 FOR SUBDIVISION AND LAND DEVELOPMENT APPLICATION OF THE PHILOMENO & SALAMONE PROJECT - JEFFERSON CROSSING LOCATED ALONG DEKALB PIKE.

The Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania, hereby resolves to grant conditional, final approval of Phases 1& 2 the subdivision and land development plan for **Philomeno & Salamone** for a proposed 84-unit Age Restricted Residential development 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 February 10, 2004, March 9, 2004, June 28, 2004, August 31, 2004, November 22, 2004, February 28, 2005 and March 14, 2005, Dick Smith, EDM Consultants letters dated November 18, 2004, February 21, 2005 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, Staff Meeting minutes dated February 10, 2004, March 9, 2004, June 28, 2004 and March 14, 2005, MONTCO Conservation District permit PAG2004605022 and Zoning Hearing Board decision for Case No. 2004-15 dated October 12, 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 for 50 additional EDU's (a credit of 34 EDU's has been applied for the current facility).
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 work with the Township Engineer to control the discharge of storm water exiting the western boundary of their property. This work will require the installation of storm sewer piping to Springview Rd.

7. A note shall be placed on the plan stating that the alternated post Route 202 improvement design of the entrance has not been approved by PennDOT.
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. The Applicant has agreed to negotiate the fees which normally accrue during a full land development process. It is agreed that as **part** of the usual Park and Recreation donation collected (**\$270,000.00**), the applicant will install and contribute significant and substantial offsite improvements in the amount of \$100,000.00 which will be credited against the Park and Recreation donation. The improvements are specifically defined in the plans listed below. The offsite improvements include: relocation of the existing gazebo on the Jefferson House property to an area designated by the Township's on it's municipal complex. The relocation will include movement of structure, construction of foundation and appropriate landscaping and walkways and installation of offsite storm sewer piping to Springview Road. In the event, the offset improvements exceed \$100,000.00 additional credits may be provided by the Township to offset such cost of improvements.

WAIVERS GRANTED

- a. Section 175-18(B) 2(a) to allow centerline radius less than 150 feet.
- b. Section 175-18(B) 2(b) to allow tangent between reverse curves less and 100 feet.
- c. Section 175-18(C)2 to allow width of drives less and minimum of 30 feet. The roads will be private. The main roadway will be 28 feet wide and side roads 26 feet wide
- d. Section 175-20(A) to permit sidewalks only on one side of interior roadways.
- e. Section 175-18(E) to permit and angle less than 90 degrees at existing signalized intersection.
- f. Section 175-26(C) 2 to permit Storm sewer piping for underground detention basin be HDP pipe in lieu of reinforced concrete. The basin will be privately owned and maintained.
- g. Section 175-26(C) 23(a) to allow the Rational Method for stormwater design instead of the TR-55 method.

DULY PRESENTED AND ADOPTED the Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania, in public meeting held this 22nd day of March 2005.

BOARD OF SUPERVISOR
EAST NORRITON TOWNSHIP

By: Francis E. Denner
Francis E. Denner, Chairman

Attest:

Secretary

The above conditions are agreed to by Ralph Philomeno for Philomeno & Salamone, this 22nd of March 2005.



Ralph Philomeno