RESOLUTION NO. 2307

EAST NORRITON TOWNSHIP

MONTGOMERY COUNTY, PENNSYLVANIA

A RESOLUTION GRANTING CONDITIONAL, FINAL APPROVAL OF THE APPLICATION FOR SUBDIVISION/LAND DEVELOPMENT OF FLEX-PLAN SUBMITTED BY NEWTEES CO., L.P. FOR THE NORTHWOOD PROJECT LOCATED ALONG GERMANTOWN PIKE.

The Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania, hereby resolves to grant conditional, final approval of the subdivision and land development plan for **Northwood Flex-Plan** for a proposed mixed use application 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 21, 2006, May 11, 2006 , June 16, 2006**, E. Van Reiker, Township Planner letters dated **March 2, 2006**, East Norriton Township Planning Commission meeting minutes dated **February 28, 2006** and **March 21, 2006**, Fire Marshal's and Norriton Fire Engine Company's marked plan sheet C1702 and C1002 last revised **1/19/06,** Staff Meeting minutes dated **May 3, 2005, July 25, 2005, November 21, 2005, March 16, 2006, April 11, 2006, June 16, 2006 and June 26, 2006**

2. The Applicant shall comply with Traffic Planning and Design's letters dated March 15, 2006, May 9, 2006, June 8, 2006, June 23, 2006 and June 27, 2006, **(See Paragraph 10 herein)** The applicant shall perform an alternatives analysis at the intersection of Arch Road and Germantown Pike to identify what other options besides signal retiming could be implemented to address the increase in delay at this intersection caused by the proposed development.

3. The Applicant shall enter into an Application and Agreement and Improvement fund agreement and post financial security for all improvements to the satisfaction of he Township Engineer and Township Solicitor.

4. 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.

5. The Applicant shall be responsible for payment of all Townships Consultant fees related to this project.

6. The Applicant shall be responsible for obtaining all other Regulatory Authority Permits having jurisdiction over this project.

7. The Applicant shall satisfy East Norriton Township's Park and Recreation fund requirements by providing a contribution in the amount of Two Hundred Seventy Two Thousand Dollars ($272,000.00). The Township and the Applicant have agreed that the Applicant will be entitled to a fifty percent (50%) credit of the work described as installing and completing significant and substantial offsite improvements, including the beautification and reconstruction of offsite retention and detention basins in Northtowne Plaza. The Applicant and Township shall agree on the extent of the improvements prior to any work and entitlement to the 50% credit of the cost.

8. The Applicant has provide an Auto-turn template and other documentation showing the ingress/egress and full movement of emergency vehicles throughout the property and the Applicant will ensure present Emergency Vehicle will be able to operate after construction is complete and during each phase of this Flex plan.

9. The Applicant shall offer for dedication the area between the legal right-of-way and ultimate right-of-way along its Germantown Pike frontages to the governing body having jurisdiction for these roadway.

10. The Applicant shall satisfy East Norriton Township's Act 209, Traffic Impact Fee requirements by contributing Four Hundred Seventy Six Thousand Three Hundred Forty One Dollars ($476,341.00). The Applicant shall offer for dedication right-of-way along its Germantown Pike frontages to the governing body having jurisdiction for these roadways. The Applicant shall be credited for its right-of-way dedication in the amount of Fifty Six Thousand Three Hundred Forty One Dollars ($56,341.00) from its Traffic Impact Fee payment stated above. The Applicant agrees that the attached Exhibit "B" will be the individual breakdown of the Act 209 Traffic Impact Fee contribution by uses on the project. The Applicant agrees that the credit stated above will be applied to the office use component of the attached schedule. The Applicant also agrees that the traffic signal controller and required emitters at Norriton Square/Northtowne Plaza will be upgraded for emergency preemption for east/west bound Germantown Pike. The cost for this upgrade will be offset by Act 209 fee.

    In addition, the Applicant and East Norriton Township agree to mitigate the traffic impact from full development of the site at the intersection of Germantown Pike and Arch Road. The revised timing and offsets, however, are not necessarily required until at least some time into the future when the proposed development is partially constructed and occupied. In particular, the reallocation of the 12 second signal green time from the Old Arch Road approach to the higher volume Germantown Pike approaches should be delayed as long as possible to minimize intersection delay. Accordingly, the Township and the Applicant agree that the Applicant will monitor traffic along Germantown Pike at such time as when the buildings identified below are occupied or within 6 months after occupancy permit is issued for the first building in each group (i) when the assisted living facility and the two (2) banks on Germantown Pike are constructed and open for business (ii) when the two (2)

restaurants on Germantown Pike are constructed and open for business (iii) when the office buildings are constructed and open for business. For the first study, the existing traffic counts at the intersection of Germantown Pike and Arch Road adjusted for growth factors can be used plus development of the first two buildings. After the initial study, new traffic counts will be needed for each new analysis. This monitoring, unless required by PENNDOT, will be limited to recounts of the three intersections in the study area (Germantown Pike and Old Arch Road, Germantown Pike at the Northwood Executive Campus and Bentwood Executive Campus intersection, and Germantown Pike at the intersection of Norriton Square Shopping Center and Northtowne Plaza Shopping Center) reanalysis of the three intersections to establish the optimum timing and offsets, and revision of the Traffic Signal Permit Plan(s). A revised Signal Permit Plan for all intersection identified by the reanalysis will be provided at that time by the Applicant. The revisions will consist of optimization of the signal timing and offsets. The potential need for physical improvement to the intersection or the addition of any equipment or hardware will be performed at the cost of East Norriton Township, in cooperation with Plymouth Township, through the established Act 209 process and the application of the Act 209 fee from the Applicant indicated above.

11. All buildings will be constructed or modified at the Applicants expense to be radio friendly to ensure the emergency services can communicate freely inside all buildings.

12. Applicant shall construct an emergency access at the rear of the property in the vicinity of the proposed Assisted Living facility over the Township easement to the K-Mart Plaza as per plans.

13. General Note No. 1 on the Record Plan shall be amended to read "The location of buildings, drives and parking may change upon review and approval of Township Staff and Consultants and must meet all the Township's Land Development and the ECII Zoning District requirements.

WAIVERS GRANTED

1. Land Development Section 175-20(B)1: 8" reveal curb required. 6" reveal proposed for on site curbing.

   Reason: 6" reveal curb will provide more visually pleasing site and it was previously requested by the East Norriton Planning Commission at previous approvals for the Applicant. 8" reveal will only be used for the entrance island and along Germantown Pike.

2. Land Development Section 175-19(B)3: 5% maximum grades for driveway paving. 7% maximum proposed.

   Reason: Required for transition from Germantown Pike grades at right in only entrance to on-site grades near NW corner of Restaurant A. Slopes will provide adequate clearance for emergency vehicles.

3. Land Development Section 175-26(C)3f: 4:1 slopes maximum for detention basin. 3:1 slopes proposed.

   Reason: 3:1 slopes required to provide adequate storage for detention basin.

4. Land Development Section 175-26(C)3g: Basin required to return to normal conditions in 12 hours. Dewatering of infiltration basin of 36.8 hours proposed.

   Reason: to provide for required BMP for infiltration of 2 year storm event for NPDES permit.

5. Land Development Section 175-26E(11): Concrete checker block pavers required for emergency spillways in fill areas. Permanent erosion control mat and seeding proposed.

   Reason: More aesthetically pleasing appearance.

6. Land Development Section 175-(E) 11: Existing features within 400' of site.

   Reason: Site improvements not fully surveyed for 400 feet past the property line. Applicant has provided an aerial photo showing existing features within 400 feet.

7. Land Development Section 175-6(C)4(a): 3:1 slopes maximum. 2:1 slopes proposed.

   Reason: Limited use of 2:1 slopes at edges to help balance site earth work. Erosion control blankets shall be utilized as an additional stabilizer.

8. Land Development Section 175-22(B)7: Grading shall be 3 ft. from property line.

   Reason: Grading past property line at NW corner of site due to widening of Germantown Pike. Adjacent owner in affected area is the same as Applicant.

9. Land Development Section 175-19(B)1(i)3: 15 ft. minimum radius for access drives.

   5 ft. minimum proposed.

   Reason: Required at end parking islands to maintain consistent parking fields throughout project. Provides adequate passenger vehicles turning radius (checked on AutoTurn™ program).

10. Land Development Section 175-36(A)2(a)5: Gas and electric main locations required on plans.

    Reason: Not indicated on plans at this time due to being a Flex Plan. Utility placement will be coordinated with the respective utility companies.

11. Land Development Section 175-20(A)3: 5 ft. offset required between sidewalks and curbs in area between right of way and curb. 0 ft. offset proposed in several internal parking areas.

    Reason: To better accommodate the ADA wheel chair ramps at various locations in the project. Used in several lower traffic areas near office buildings which will eliminate steeper slopes against building and at head in parking areas where a 5 foot space is not warranted.

12. Land Development Section 175-18(B)2: 150 ft. required centerline radius. WB-62 delivery truck encroachment into opposing lane.

    Reason: Larger (WB-62) truck deliveries will not be required as often for the office buildings and assisted living facility.

DULY PRESENTED AND ADOPTED the Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania, in public meeting held this 27th day of June 2006.

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

BOARD OF SUPERVISOR
EAST NORRITON TOWNSHIP

By: _____
Donald Gracia, Chairman

Attest: _____
Secretary

The above conditions are agreed to by OldTees, Inc., General Partner of NewTees Co., L.P., this 27th of June 2006.

NEWTEES CO., L.P.

_____
BY: OLDTEES INC., General Partner

EXHIBIT "A"

SHEET	DESCRIPTION	ORIGINAL	LAST REVISED
1	Cover Sheet	01-19-06	05-25-06
2	Overall Site Plan	01-19-06	05-25-06
3	Site Notes & Legend	01-19-06	03-13-06
4	Existing Conditions Plan – 1	01-19-06	04-24-06
5	Existing Conditions Plan – 2	01-19-06	03-13-06
6	Site Plan – 1	01-19-06	05-25-06
7	Site Plan – 2	01-19-06	05-25-06
8	Grading Plan – 1	01-19-06	05-25-06
9	Grading Plan – 2	01-19-06	05-25-06
10	Utility Plan – 1	01-19-06	05-25-06
11	Utility Plan – 2	01-19-06	05-25-06
12	Landscape Plan – 1	01-19-06	05-25-06
13	Landscape Plan – 2	01-19-06	05-25-06
14	Landscape Details & Notes	01-19-06	05-25-06
15	Lighting Plan	01-19-06	05-25-06
16	Germantown Pike Improvements #1	01-19-06	05-25-06
17	Germantown Pike Improvements #2	01-19-06	05-25-06
18	Germantown Pike Construction Improvements (Pavement & Signage Plan – 1)	01-19-06	05-25-06
19	Germantown Pike Construction Improvements (Pavement & Signage Plan – 2)	01-19-06	05-25-06
20	Germantown Pike Construction Improvements Details	01-19-06	05-25-06
21	Entrance Drive Profiles	01-19-06	05-25-06
22	Storm Sewer Profiles	01-19-06	05-25-06
23	Storm Sewer Profiles	01-19-06	05-25-06
24	Storm Sewer Profiles	01-19-06	05-25-06
25	Sanitary Sewer Profiles	01-19-06	05-25-06
26	Sanitary Sewer Profiles	03-13-06	04-24-06
27	Site Details	01-19-06	05-25-06
28	Site Details	01-19-06	05-25-06
29	Utility Details	01-19-06	04-24-06
30	Storm Sewer Details	01-19-06	05-25-06
31	Storm Sewer Details	01-19-06	05-25-06
32	Sanitary Sewer Details	01-19-06	03-13-06
33	Soil Conservation Plan – 1	01-19-06	05-25-06
34	Soil Conservation Plan – 2	01-19-06	05-25-06
35	Soil Conservation Notes & Details - 1	01-19-06	05-25-06
36	Soil Conservation Notes & Details - 2	01-19-06	05-25-06
37	Sediment and Permanent Stormwater Basin Details	01-19-06	05-25-06
1 of 1	ALTA/ACSM Land Title Survey	01-19-06	-
1 of 1	Fire Truck Access Plan	01-19-06	05-25-06
1 of 1	Delivery Truck Access Plan	05-25-06	
1 of 1	Easement Delivery Truck Access Plan	05-25-06	
1 of 1	Easement Plan	04-10-06	05-25-06

EXHIBIT "B"

HEINRICH & KLEIN ASSOCIATES, INC.
TRAFFIC ENGINEERING & PLANNING
480 Herald Drive • Ambler, Pennsylvania 19002
215-793-4177 • FAX 215-793-4179

June 20, 2006

Gus Tornetta
Tornetta Realty Corp.
910 Germantown Pike
Plymouth Meeting, PA 19462

Re: Northwood Commercial Development
Germantown Pike
East Norriton Township, Montgomery County, PA

Dear Gus:

In accordance with your request, I have had the opportunity to calculate the breakdown of new external trip generation for PM peak hour conditions for the individual buildings proposed within the Northwood Commercial Development located in East Norriton Township, Montgomery County, Pennsylvania. This breakdown, by percentage of total PM peak hour trips, can then be used to allocate the Traffic Impact Fee to each of the buildings/tenants. The percentage breakdown is as follows:

Building	PM Peak Hour Trips	Percentage
Bank "A" (5,175 SF)	107 vph	21.3%
Bank "B" (5,175 SF)	107 vph	21.3%
Restaurant "A" (9,150 SF)	43 vph	8.5%
Restaurant "B" (7,847 SF)	36 vph	7.2%
Office "A" (39,600 SF)	76 vph	15.1% - credit to be applied
Office "B" (39,600 SF)	76 vph	15.1% - credit to be applied
Assisted Living Facility	58 vph	11.5%

If you should have any questions, or wish to discuss these issues in greater detail, please call me at your convenience.

Sincerely,

Andreas Heinrich, P.E., P.T.O.E.
Principal

AH:rh