

RESOLUTION NO. 2316

EAST NORRITON TOWNSHIP

MONTGOMERY COUNTY, PENNSYLVANIA

A RESOLUTION GRANTING CONDITIONAL, PRELIMINARY APPROVAL OF THE APPLICATION FOR SUBDIVISION AND LAND DEVELOPMENT OF EVERGREEN TERRACE LOCATED ON EVERGREEN ROAD AT THE INTERSECTION OF HILLCREST AVENUE FOR ERB MASICO BUILDERS.

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 **Evergreen Terrace** plan for a proposed 10 Lot Twin Development by Erb Masico Builders 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 letter(s) dated **April 28, 2005, September 20, 2005, May 9, 2006, August 14, 2006**, the East Norriton Township Planning Commission meeting minutes dated **April 19, 2005, September 20, 2005 and May 15, 2006**, E. Van Reiker, Township Planner review letter(s) dated **October 6, 2005**, the Montgomery County Planning Commission recommendation letter dated **April 20, 2006**, the Staff Meeting minute(s) dated **January 27, 2006**, the Norriton Fire Engine Company review dated **September 22, 2005 and meeting the Township's requirements for installation of approved street lighting along the roadways.**
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.

Resolution No. 2316

Page 2 of 4

7. The Applicant shall satisfy East Norriton Township's Act 209, Traffic Impact Fee requirement.
8. The Applicant shall provide for ownership and maintenance of the **roadways, storm sewer facilities, sidewalks, curbing, sanitary sewers and 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.
9. 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.
10. 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.
11. The Applicant shall be in compliance with the Conditional Use Approval granted on **November 22, 2005** and the Zoning Hearing Board approval dated **April 11, 2006**.

Waiver request will be addressed at Final Plan approval

Resolution No. 2316

Page 3 of 4

DULY PRESENTED AND ADOPTED the Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania, in public meeting held this 26th day of September 2006



BOARD OF SUPERVISOR
EAST NORRITON TOWNSHIP

By: 
Donald Gracia, Chairman

Attest: 
Helmuth J. Baerwald, Secretary

The above conditions are agreed to by representative of Erb Masico Builders for Evergreen Terrace, this 26th of September 2006.



Resolution No. 2316

Page 4 of 4

EXHIBIT "A"

PLANS

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>ORIGINAL</u>	<u>REVISED</u>
1	Cover Sheet	03-29-05	06-26-06
2	Tract Boundary Plan	03-29-05	06-26-06
3	Existing Site Plan	03-29-05	06-26-06
4	Grading Plan and Utility Plan	03-29-05	06-26-06
5	Utility Plan	03-29-05	06-26-06
6	Private Road Plan and Profile	03-29-05	06-26-06
7	Landscape Plan	03-29-05	06-26-06
8	Lighting Plan	03-29-05	06-26-06
9	Offsite Road Improvement Plan	03-29-05	06-26-06
10	Road Construction Details	03-29-05	06-26-06
11	Utility Construction Details	03-29-05	06-26-06
12	Stormwater and Basin Details	03-29-05	06-26-06
13	Trench and Pipe Construction Detail	06-26-06	06-26-06
14	Post Construction Stormwater Management Plan	07-17-06	
15	Sediment Erosion Control Plan	07-15-06	
16	Sediment Erosion Control Plan	07-15-06	
17	Sediment Erosion Control Plan	07-15-06	