

RESOLUTION NO. 2402

EAST NORRITON TOWNSHIP

MONTGOMERY COUNTY, PENNSYLVANIA

**A RESOLUTION GRANTING AMENDED CONDITIONAL, FINAL APPROVAL OF THE APPLICATION FOR SUBDIVISION AND LAND DEVELOPMENT OF PHILOMENO AND SALAMONE BUILDERS FOR THE WILLIAMSTADT DEVELOPMENT LOCATED AT THE NORTHWEST CORNER OF DEKALB PIKE AND JOHNSON HIGHWAY IN EAST NORRITON TOWNSHIP**

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 **Williamstadt**, an age restricted community consisting of 66 residential units proposed by Philomeno and Salamone Builders as more fully detailed on the plans, sheets 1 through 20, last revised February 28, 2008 being further conditioned upon the following being satisfied by Applicant. The conditions and grants of waiver contained herein supersede those made on December 19, 2006 by Resolution No. 2334 which granted conditional final approval for the subdivision and land development plan for Williamstadt as the plan has been revised through December 19, 2006.

1. Fulfilling all obligations and requirements of the Robert E. Blue, Township Engineers letter(s) dated **January 3, 2006 and May 2, 2006, October 10, 2006, December 13, 2006 and April 30, 2008** the East Norriton Township Planning Commission meeting minutes dated **December 19, 2005**, E. Van Reiker, Township Planner review letter(s) dated **January 31, 2006 and March 15, 2006**, the Montgomery County Planning Commission recommendation letter dated **January 11, 2006**, the Staff Meeting minute(s) dated **February 23, 2006, March 24, 2006, January 9, 2008 March 4, 2008 and May 19, 2008** the Norriton Fire Engine Company review, **meeting the Township's requirements for installation of approved street lighting along the roadways and providing a Auto-track drawing showing movement of emergency equipment throughout the proposed project.**
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 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. Access to the property from DeKalb Pike shall be subject to the approval of a Highway Occupancy Permit from the Pennsylvania Department of Transportation.

**THE FOLLOWING WAIVERS ARE REQUESTED:**

1. § 175-18(b2)a.- Relief to permit a centerline radius of less than 150 feet, considering the private driveway nature of the application.
2. § 175-18(b3) – Relief from the design requirements of the vertical curves with an algebraic difference of 1 % or more in grade, considering the private driveway nature of the application.
3. § 175-18 (c1)a – Relief from the design requirement of sidewalks along all sides of residential streets, considering the private driveway nature of the application.
4. § 175-18(e6) – Relief to permit a centerline grade in excess of 1% for the intersection and for a centerline entering an intersection to follow a straight course for less than 100 feet considering the private driveway nature of the application. The Applicant will work with the Township Traffic Consultant on this matter.
5. § 175-19(b1)i – Relief from the design guidance for driveway embankments not to exceed a 10:1 ratio to permit an 8:1 ratio.
6. § 175-20(B)1 – Relief from requirements to utilize concrete curb along proposed roadways. The use of Belgium block has been proposed.
7. § 175-22(b7) – Relief from the design guidance for top or bottom edge of slopes to be a minimum of three (3) feet from the property line or right-of-way line of streets or alleys. Grading is proposed in some locations to encroach outside of the property and also out into right-of-way of the state routes.
8. § 175-26(c2) – Relief from the design guidance to use reinforced concrete pipe for the proposed storm sewers. High-density polyethylene (HDPE) pipe is proposed.
9. § 175-26(m)6 – Relief to permit a hydraulic grade line providing less than 1 foot of freeboard in the run between storm sewer 14 and storm sewer 18.
10. § 175-30.C.(1) – Relief from the design guidance that street trees be planted five feet to fifteen feet from the ultimate right-of-way along the Johnson Highway frontage.

DULY PRESENTED AND ADOPTED the Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania. in public meeting held this 27<sup>th</sup> day of May, 2008.

BOARD OF SUPERVISOR  
EAST NORRITON TOWNSHIP

By: Lewis K. McJannet  
Chairman

Robert J. S. ...  
Secretary



The above conditions are agreed to by Marc Salamone of  
Philomeno and Salamone Builders for Williamstadt, this 27<sup>th</sup> day of May, 2008.

Marc Salamone