

**RESOLUTION NO. 2681**

**EAST NORRITON TOWNSHIP**

**MONTGOMERY COUNTY, PENNSYLVANIA**

**A RESOLUTION GRANTING A WAIVER OF THE REQUIREMENT FOR  
LAND DEVELOPMENT TO FELTON ROAD ASSOCIATES FOR THE  
PROPERTY LOCATED AT 2939 FELTON ROAD FOR IMPROVEMENTS**

**WHEREAS**, Section 175-17, “Modifications or adjustments to standards,” Chapter 175, “Subdivision and Land Development” of the Code of Ordinances (the “*Code*”) of East Norriton Township (the “*Township*”) provides that the Board of Supervisors (the “*Board*”) may waive any mandatory provision of Chapter 175, when literal compliance with same is shown to the satisfaction of the Board to cause undue hardship, and further provided that any such modification will not be contrary to the public interest; and

**WHEREAS**, Felton Road Associates (the “*Applicant*”) is the record owner of the property located at 2939 Felton Road, East Norriton, Pennsylvania, otherwise known as Tax Map Parcel Number 33-00-02638-00-2 (the “*Property*”), has caused to be filed a request for a waiver of land development; and

**WHEREAS**, the Applicant proposes to connect two existing buildings on the Property (the “*Combined Building*”) and increase the first floor warehouse of the Combined Building by 1339 sq. feet, and further, to increase the second floor of the Combined Building by 818 sq. feet for an office use, as depicted on a Site Improvement Plan dated February 3, 2016, prepared by Charles E. Shoemaker, Inc. (collectively, the “*Project*”); and

**WHEREAS**, the Board has determined that the Applicant has satisfactorily established that, due to the limited scope of the Project, the waiver request will not be contrary to the public interest.

**NOW, THEREFORE, BE IT RESOLVED**, and it is hereby resolved by the Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania, to grant a waiver of land development conditioned upon the following being satisfied by the Applicant:

1. Except as required by the Township Engineer, all improvements shall be constructed in accordance with the Site Improvement Plan set dated February 3, 2016 and titled “Proposed Warehouse Extension” that was prepared by Charles E. Shoemaker, Inc.
2. The Applicant shall submit plans to the Township Engineer for review and approval.
3. The Applicant shall fulfill all obligations, recommendations, and requirements of the Township Engineer’s review letter dated February 17, 2016 and the Township Sewer Consulting Engineer’s review letter dated February 18, 2016.
4. The Applicant shall pay the Township’s consultant fees related to this project.

5. The Applicant shall execute a Sanitary Sewer Connection Application and purchase one (1) EDU of sanitary sewer capacity at the then current rate.
6. In lieu of the donation of land, the Applicant agrees to a payment of \$5,000 to satisfy the requirements of the Township's Park and Recreation Ordinance.
7. All future development of this parcel shall be subject to review by the Board of Supervisors.
8. The Applicant shall obtain permits from all other regulatory agencies having jurisdiction over this project.

Should the Applicant violate any of the foregoing conditions, this Conditional Waiver of Land Development shall be deemed rescinded and the Applicant shall be required to proceed with Land Development pursuant to Chapter 175 of the Code.

This Conditional Waiver of Land Development Application does not and shall not authorize the construction of improvements or buildings exceeding those shown on the Plan. Furthermore, this Conditional Waiver of Land Development Application shall be rescinded automatically upon the Applicant's or the Applicant's agent's failure to accept, in writing, all conditions herein imposed within seven (7) days of receipt of this Resolution, such acceptance to be evidenced by Applicant's or Applicant's agent's signature below.

**DULY PRESENTED AND ADOPTED** by the Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania, in a public meeting held this 23rd day of February, 2016.



BOARD OF SUPERVISORS  
EAST NORRITON TOWNSHIP

By: Tina Howell  
Tina Howell, Chairwoman

ATTEST:

Donald D. Delamater  
Donald D. Delamater, Secretary

The above conditions are agreed to by Christen G. Pionzio, Esq. for  
Felton Road Associates, this 23<sup>rd</sup> day of Feb., 2016

By: Christen G. Pionzio  
Christen G. Pionzio, Attorney for Applicant