

**BEFORE THE BOROUGH COUNCIL OF THE
BOROUGH OF TRAPPE, MONTGOMERY COUNTY, PENNSYLVANIA**

**IN RE: APPLICATION OF PPG STEARLY, LLC FOR LAND DEVELOPMENT
OF THE STEARLY TRACT (PHASE 2) LOCATED AT
MAIN STREET AND WEST FIRST AVENUE, TRAPPE, PA**

RESOLUTION NO. 2017- 06

PRELIMINARY/FINAL PLAN APPROVAL

WHEREAS, Applicant, PPG Stearly, LLC, requests review and approval of a land development plan; and

WHEREAS, said application was submitted following the Applicant addressing all of the conditions of the Borough Council of the Borough of Trappe; and

WHEREAS, the land is zoned VC – Village Commercial; and

WHEREAS, the Applicant proposes to construct eight (8) twin homes; and

WHEREAS, the Borough Engineer has issued review letters dated April 28, 2017, June 14, 2017, and July 24, 2017; and

WHEREAS, the Montgomery County Planning Commission has issued a review letter dated May 17, 2017; and

WHEREAS, the Borough of Trappe Planning Commission has recommended approval of the plan at its meeting on June 28, 2017; and

WHEREAS, the Montgomery County Conservation District has issued a review letter on May 19, 2017; and

WHEREAS, the Pennsylvania Department of Environmental Protection has issued a review letter on June 16, 2017; and

WHEREAS, Emtech Engineering has issued a review letter with respect to sanitary sewer and domestic water service dated May 30, 2017.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Borough Council of the Borough of Trappe this 1st day of August, 2017, that said Preliminary/Final Plan approval for the construction of eight (8) twin homes on parcel number 23-00-00682-00-6, pursuant to a certain land development plan dated March 24, 2017 and last revised July 14, 2017, prepared by Woodrow & Associates, Inc., is **APPROVED WITH CONDITIONS**:

1. Plans. The Borough Council grants Preliminary/Final Plan approval subject to the conditions described hereinafter to the Plan consisting of eight (8) sheets titled "Main Street Crossing" dated March 24, 2017 and last revised July 14, 2017.

2. Permits and Approvals. The Applicant or its successors or assigns shall provide evidence of securing the following permits or approvals:

- a. A PennDOT Highway Occupancy Permit, if applicable;
- b. Approval of the Colledgeville Trappe Joint Public Works Department for water service;
- c. Approval of the Colledgeville Trappe Municipal Authority for sanitary sewer service;
- d. An approved DEP Land Planning Module or waiver;
- e. Approval of the Montgomery County Conservation District;
- f. An NPDES Permits.

3. Conditions of Preliminary/Final Plan Approval. Preliminary/Final Plan approval is granted subject to the following conditions:

- a. Applicant will comply with the provisions of the review letters of the Borough Engineer dated April 28, 2017, June 14, 2017, and July 24, 2017;

b. Applicant will provide (will serve) letters or other evidence that the premises are to be served by public water and public sewer;

c. Applicant will enter into a land development agreement with the Borough of Trappe;

d. Applicant will post adequate financial security for public improvements determined by the Borough Engineer and Borough Solicitor pursuant to the Municipalities Planning Code and shall execute a financial security agreement prepared and approved by the Borough Solicitor;

e. Prior to the issuance of any building permit and the construction of any improvements on the property, Applicant shall prepare and the Borough shall approve a Stormwater Management BMP Operations and Maintenance Plan and shall execute a Stormwater Best Management Practices Operations and Maintenance Agreement prepared and approved by the Borough Solicitor;

f. Prior to the issuance of any building permit and the construction of any improvements on the property, Applicant shall pay a park and recreation fee (if applicable) in an amount to be determined upon the Borough Engineers confirmation of the open space provided;

g. Applicant shall construct the proposed development on the property in accordance with the Plan and all notes, descriptions and requirements set forth hereon;

h. Applicant shall construct the proposed development on the property in full compliance with the Borough's Grading, Erosion and Sediment Control and Stormwater Management Ordinance;

i. Applicant will replace the existing sidewalks and curbs along Main Street, in sections as may be determined by the Borough Engineer;

j. The Applicant shall enter into an agreement with the Borough of Trappe, to the satisfaction of the Borough Solicitor, with regard to the improvements that will not be dedicated for public use, prior to issuance of any Building Permit;

k. The Applicant shall enter into an Easement Agreement to the satisfaction of the Borough Solicitor with regard to any stormwater to be discharged onto neighboring properties prior to issuance of any Building Permit;

l. The Applicant shall enter into an Easement Agreement with the Borough of Trappe to the satisfaction of the Borough Solicitor, with regard to the stormwater facilities, which shall provide that the ownership and maintenance of such facilities shall be the responsibility of the Homeowners' Association, prior to the issuance of any Building Permit;

m. The Applicant shall comply with the Montgomery County Conservation District with regard to review and approval of the Erosion and Sediment Control Plan;

n. The Applicant shall enter into the necessary agreements with the Collegeville Trappe Municipal Authority with respect to sanitary sewer service;

o. The Applicant shall enter into the necessary agreements with the Collegeville Trappe Joint Public Works with respect to water service;

p. The Applicant shall submit for review and approval by the Borough Solicitor, a Homeowners' Association Declaration and Bylaws which shall delineate the responsibilities of the Homeowners' Association as provided in Note 24 of the Plan, and which shall provide documentation to the satisfaction of the Borough Solicitor which shall prohibit sheds, play structures, fences and other fixtures anywhere in the development per paragraph 10 of the Conditional Use Decision dated March 7, 2017;

q. Prior to the issuance of any Building Permit, Applicant shall provide architectural renderings of the front façade of the four (4) twin homes adjacent to Main Street which shall be substantially similar to the front façades depicted on the exhibits offered by the Applicant during the Conditional Use Hearing;

r. The Homeowners' Association shall be responsible for maintaining all landscaping in the development including grass cutting and tree and shrubbery maintenance contained in the open-space areas and common areas;

s. Applicant shall comply with the Conditional Use Decision and Order dated March 7, 2017; and

t. Applicant agrees to submit a Final Plan to the Borough of Trappe and Borough of Trappe Engineer for approval prior to recording. This Plan shall indicate compliance with all the conditions set forth in this Resolution.

u. Applicant shall provide a sign easement to the benefit of the Borough of Trappe at the corner of West First Avenue and Main Street.

4. Waivers. Applicant is granted the following Waivers from the provisions of the Subdivision Land Development Ordinance:

a. Waiver from Section 295-10E(1 & 2) – to allow perpendicular parking along the proposed shared drive.

APPROVED X DENIED _____

b. Waiver from Section 295-23B that requires contours based upon Borough datum, a conversion factor is shown on the Plan.

APPROVED X DENIED _____

c. A partial waiver from Section 295-26 to allow alternate locations for required street trees.

APPROVED X DENIED _____

d. Waiver from Sections 295-34C(1) and 295-34.E(1) from providing existing features within four hundred (400) feet of the proposed site.

APPROVED X DENIED _____

This approval is further conditioned upon acceptance of the conditions contained herein by the Applicant and signifying acceptance thereof by signing a copy of this Resolution.

In the event execution of the Resolution is not delivered to the Borough within ten (10) days from receipt, it shall be deemed that the Applicant does not accept these conditions and approvals conditioned upon its acceptance are revoked, and the Application shall be considered denied for the reasons set forth above.

ATTEST:

Robert Umstead
Robert Umstead, Secretary

BOROUGH COUNCIL, BOROUGH OF
TRAPPE

By: Nevin H. Scholl
Nevin Scholl, President

Approved this 1st day of AUGUST, 2017

Connie Peck
Connie Peck, Mayor

ACCEPTANCE OF CONDITIONS:

I, Benjamin Goldthorp, being authorized as the Member of PPG Stearly, LLC do hereby acknowledge and accept the Preliminary/Final Plan Approval issued by the Borough Council of the Borough of Trappe and accept the conditions contained therein as recited above.

Witness:

Applicant:

Allen L Hoodman

B

Dated: August 8th, 2017