

RESOLUTION NO. 2015-09

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

**IN RE: APPLICATION OF PPG STEARLY, LLC FOR REVISION TO FINAL LAND
DEVELOPMENT APPROVAL FOR THE STEARLY TRACT LOCATED AT MAIN
STREET AND WEST FIRST AVENUE, TRAPPE, PA**

APPROVAL RESOLUTION

AND NOW, this 1st day of September, 2015, upon consideration of the application of PPG Stearly, LLC ("Developer") for a revision to the final plan approval of thirty one (31) residential townhome units on 7.85 acre tract located in the R-3 High Density Residential District and the VC-Village Commercial District being parcel numbers 23-00-00391-009, 23-00-00682-006, and 23-00-00688-027 ("Property") pursuant to a certain Land Development Plan dated March 23, 2007. Applicant seeks a revision to add two townhomes for a total of thirty three (33) residential townhomes pursuant to a plan last revised July 24, 2015 prepared by Woodrow and Associates ("Plan"). A revision to final land development approval is hereby GRANTED subject to the following conditions:

1. Developer shall obtain Conditional Use Approval for townhome units Nos. 32 and 33. Without conditional use approval granted by the Borough of Trappe, this approval is for 31 units only.
2. Prior to the issuance of any building permit and the construction of any improvements on the Property, Developer shall execute a development agreement prepared and approved by the Borough Solicitor. Further, Developer shall establish financial security for public improvements determined by the Borough Engineer and

Borough Solicitor pursuant to the Pennsylvania Municipalities Planning Code and shall execute a financial security agreement prepared and approved by the Borough Solicitor.

3. Prior to the issuance of any building permit and the construction of any improvements on the Property, Developer 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.

4. Developer shall construct the proposed development on the Property in accordance with the Plan and all notes, descriptions and requirements set forth thereon, all to be in compliance with the Preliminary/Final Land Development Approval Resolution dated December 4, 2007, the Resolution approving waivers from the provisions of the Subdivision and Land Development Ordinance dated December 4, 2007, Conditional Use Decision dated March 6, 2007, the Conditional Use Decision dated November 13, 2007, and Resolution 2009-21, unless modified herein.

5. The Developer shall comply with and satisfy all of the comments of the Borough Engineer set forth in the Gilmore & Associates letter dated August 27, 2015.

6. In lieu of providing open space for recreational facilities of 4000 square feet per dwelling unit, Developer shall pay a fee in lieu of such requirement as allowed in the amount of \$18,000.00 prior to issuance of any building permit.

7. The Developer 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 the issuance of any building permit.

8. The Developer 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 the issuance of any building permit.
9. The Developer shall enter into an easement agreement with the Borough of Trappe, to the satisfaction of the Borough Solicitor, with regard to the stormwater facilities to be located in West First Avenue, 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.
10. The Developer of lot BL1-U27 shall design and construct a traffic light at First Avenue and Main Street if PennDOT warrants are met at the time of building permit application for any development occurring on Lot BL1-U27.
11. The Developer shall enter into an easement agreement to the satisfaction of the Borough Solicitor regarding the proposed future well site area, prior to the issuance of any building permit.
12. The Developer shall comply with the Montgomery County Conservation District with regard to review and approval of the erosion and settlement control plans.
13. The Developer shall comply with the recommendations of the Trappe Borough Fire Chief with regard to the proposed hydrant placement.
14. The Developer shall provide well testing information as required by Borough ordinance prior to the issuance of any building permit.
15. The Developer shall be served by public water and public sewer.

16. The Developer shall enter into the necessary agreements with the Collegeville Trappe Municipal Authority with respect to sanitary sewer service.

17. The Developer shall enter into the necessary agreements with the Collegeville Trappe Joint Public Works with respect to water service.

18. The Developer 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 20 of the Plan, as well as the responsibilities of the homeowners' association referenced herein.

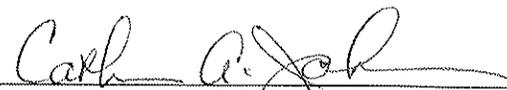
19. The homeowners' association shall be responsible for maintaining all landscaping in the development including grass cutting and tree and shrubbery maintenance contained in the open space areas and on all private lots.

RESOLVED AND ENACTED THIS 1ST day of September, 2015, by the Borough Council of the Borough of Trappe, Montgomery County, Pennsylvania.

ATTEST:

TRAPPE BOROUGH COUNCIL


Robert T. Umstead, Secretary

By: 
Cathy Johnson, Vice President

Approved this 1st day of September 2015


Connie Peck, Mayor