

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

**IN RE: APPLICATION OF AZAD ISKENDER, LLC/CONFIDENT SMILE DENTAL
FOR SUBDIVISION/LAND DEVELOPMENT
OF 803 W. MAIN STREET, TRAPPE, PA**

RESOLUTION NO. 2022-08

PRELIMINARY FINAL PLAN APPROVAL

WHEREAS, Applicant, Azad Iskender, LLC/Confident Smile Dental, requests review and approval of a subdivision/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 a lot line revision wherein an area of land consisting of 17,455 square feet presently owned by the Borough of Trappe is to be conveyed to the applicant in exchange for an area of land consisting of 17,457 square feet which is to be conveyed to the Borough of Trappe; and

WHEREAS, the applicant proposes to construct a one-story 5,000 square foot building on the reconfigured subject property; and

WHEREAS, the Montgomery County Planning Commission has issued a review letter dated November 10, 2021; and

WHEREAS, the Borough of Trappe Planning Commission has recommended approval of the plan; and

WHEREAS, the Borough Engineer has issued a review letter last revised on March 28, 2022.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Borough Council of the Borough of Trappe this 2nd day of May, 2022, that said Preliminary/Final Plan approval for the construction of a 5,000 square feet office building at 803 W. Main Street, being parcel number 23-00-00703-00-3, pursuant to a certain land development plan dated July 21, 2021, last revised January 26, 2022, prepared by Bursich Associates; is **APPROVED WITH CONDITIONS**:

1. Plan. The Borough Council grants Preliminary/Final Plan approval subject to the conditions described hereinafter to the Plan dated July 21, 2021 and last revised January 26, 2022, consisting of eighteen (18) sheets titled as follows:

- a. Sheet 1 of 18 – Record Plan 1 of 5;
- b. Sheet 2 of 18 – Record Plan 2 of 5;
- c. Sheet 3 of 18 – Record Plan 3 of 5;
- d. Sheet 4 of 18 – Record Plan 4 of 5;
- e. Sheet 5 of 18 – Existing Features and Demolition Plan;
- f. Sheet 6 of 18 – Surrounding Features within 400 Foot Plan;
- g. Sheet 7 of 18 – Grading Plan;
- h. Sheet 8 of 18 – Utility Plan;
- i. Sheet 9 of 18 – Landscaping Plan;
- j. Sheet 10 of 18 – Lighting Plan;
- k. Sheet 11 of 18 – Construction Details;
- l. Sheet 12 of 18 – Construction Details and Profiles;
- m. Sheet 13 of 18 – Construction Details;
- n. Sheet 14 of 18 – Erosion and Sediment Control Plan;
- o. Sheet 15 of 18 – Erosion and Sediment Control Plan;
- p. Sheet 16 of 18 – Post Construction Stormwater Management Plan Record Plan 5 of 5;
- q. Sheet 17 of 18 – Post Construction Stormwater Management Details; and
- r. Sheet 18 of 18 – Post Construction Stormwater Management Details and Notes

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 for the driveway;
- b. Approval of the Collegeville Trappe Joint Public Works Department for water service and shall pay all applicable fees;
- c. Approval of the Collegeville Trappe Municipal Authority for sanitary sewer service and shall pay all applicable fees;

- d. Approval of the Lower Perkiomen Valley Regional Sewer Authority and shall pay all applicable fees;
- e. An approved DEP Land Planning Module or waiver;
- f. Approval of the Montgomery County Conservation District;
- g. An NPDES Permit, if applicable.

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 letter of the Borough Engineer, Barry Isett & Associates, dated March 28, 2022;
- b. Applicant will provide (will serve) letter or other evidence that the premises are adequately 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 in an amount determined by the Borough Engineer and in a form determined by the 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. Applicant shall construct the proposed development on the property in accordance with the Plan and all notes, descriptions and requirements set forth hereon;
- g. 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;
- h. In lieu of planting replacement trees, the Applicant shall pay a fee in the amount of Six thousand, seventy-five dollars (\$6,375) prior to issuance of a building permit;
- i. Applicant shall install curbs and sidewalks along West Main Street as depicted on the Plan;
- j. In lieu of providing open space recreational facilities, the Applicant shall pay a fee in the amount of Six thousand, seventy-five dollars (\$6,375) prior to issuance of a building permit;
- k. Applicant shall execute all required documents to affect the lot line revision as depicted on the Plan and shall provide plot plans and legal descriptions for the areas of land to be exchanged per the Plan with the Borough of Trappe; and
- l. All costs incurred by the Borough of Trappe for the lot line revision will be reimbursed by the Applicant.

4. Waivers. Applicant is requesting the following Waivers from the Borough of Trappe Subdivision and Land Development Ordinance and same have been approved by the Borough Council of the Borough of Trappe and its meeting on March 1, 2022:

- a. §295-33.C – A waiver is requested to allow the application and plan to be processed as a combined preliminary and final plan.

APPROVED X DENIED _____

- b. §295-9.A(3) – A waiver is requested to allow the sidewalk along West Main Street to be located adjacent to the curb instead of providing a 4' grass strip. This is proposed in order to maintain the continuity of the sidewalk/curb relationship that exists along other parts of Main Street in the Borough, and also to be consistent with future sidewalk that the Borough is contemplating along the adjacent park property.

APPROVED X DENIED _____

- c. §295-9.B(1) – A waiver is requested to allow the height of the concrete curb reveal to be 6" within the site to lessen the chance of car bumpers hitting the curb. The reveal of the curbs in West Main Street shall remain 8" in accordance with PennDOT requirements.

APPROVED X DENIED _____

- d. §295-10.D(5) – A waiver is required to allow the driveway to be constructed at a 7% slope; beginning 34 feet from the edge of the pavement for a distance of 20 feet.

APPROVED X DENIED _____

- e. §295-25.E – A waiver is requested from the requirement to provide replacement trees. A total of 44 trees are required to be planted at the site and only 10 trees are proposed. The Applicant is requesting that the 34 required remaining trees can be donated to the Borough or that a fee in lieu of the remaining trees to be paid to the Borough. The fee to be determined at land development approval.

APPROVED X DENIED _____


- f. §295-34.C(1) & 295-34.E(1) – A waiver is requested from the requirement to show existing and proposed features within 400 feet of any part of the land being subdivided. An aerial plan has been added to the plan set showing the relationship of the site to the surrounding area.

APPROVED X DENIED _____

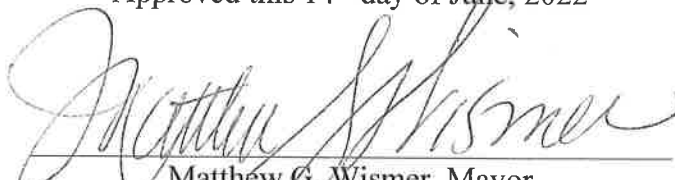
ATTEST:

BOROUGH COUNCIL, BOROUGH OF TRAPPE


Marcus V. Dolny, Secretary

By: 
Scott Martin, President

Approved this 14th day of June, 2022


Matthew G. Wismer, Mayor

ACCEPTANCE OF CONDITIONS:

I, Azad Iskender , being authorized as the 07/18/2022 of Azad Iskender, LLC/Confident Smile Dental 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:





Dated: 07/18/2022 , 2022