

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

**IN RE: APPLICATION OF THE BOROUGH OF TRAPPE FOR LAND
DEVELOPMENT OF 20 WEST 5TH AVENUE, TRAPPE, PA**

RESOLUTION NO. 2023-12

PREMININARY/FINAL PLAN APPROVAL

WHEREAS, the Borough of Trappe has submitted an application for land development approval of a Plan entitled Trappe Fire Company Fire House, prepared by Gorski Engineering, Inc. and Urwiler and Walter, Inc., dated September 22, 2022, last revised May 19, 2023; and

WHEREAS, the subject parcel is located at 20 West 5th Avenue, Trappe Borough, Pennsylvania; and

WHEREAS, the land is zoned VC-Village Commercial and the total tract contains 2.6109 acres; and

WHEREAS, the Borough proposes to construct a 17,000 sf. fire station; and

WHEREAS, the Borough Engineer has issued a review letter dated July 3, 2023; and

WHEREAS, the Montgomery County Planning Commission issued a review letter dated May 30, 2023; and

NOW, THEREFORE, be it **RESOLVED** by the Borough Council of the Borough of Trappe Borough this 1st day of August, 2023, that said preliminary/final land development plan for the construction of a 17,000 square foot fire station at 20 West 5th Avenue, being parcel no. 23-00-000307-00-3 is approved with conditions:

1. Plans. Borough Council grants approval subject to conditions described hereinafter to plans prepared by Gorski Engineering, Inc. and Urwiler and Walter, Inc. dated September 22, 2022 last revised May 19, 2023, sheets 1 through 31.

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

- A. Receipt of Montgomery County Conservation District Adequacy Letter, if required.
- B. NPDES Permit for construction activities, if required.
- C. PENNDOT Highway Occupancy Permit, if required.
- D. Approval of the Collegeville-Trappe Joint Public Works Department for water service and shall pay all applicable fees.
- E. Approval of the Collegeville-Trappe Municipal Authority for sanitary sewer service and pay all applicable fees.

- F. Approval of the Lower Perkiomen Valley Regional Sewer Authority and shall pay all applicable fees.
- G. An approved DEP Land Planning Module or Waiver.

3. Condition of Preliminary/Final Land Development Approval. Preliminary/Final Land Development Approval is GRANTED subject to the following conditions:

- A. Applicant shall comply with the Barry Isett & Associates review letter dated July 3, 2023.
- B. Applicant will provide (will serve) letters or other evidence that premises are adequately served by public water and public sewer.
- C. Prior to 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 B & P Operations and Maintenance Plan and shall execute a Declaration of Covenants and Restrictions prepared and approved by the Borough Solicitor.
- D. Applicant shall construct a proposed development on the property in accordance with the Plan and all notes, descriptions and requirements set forth thereon.
- E. 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.

4. Waivers. Applicant has received from Borough Council the following Waivers:

- A. A Waiver from §295-26C regarding the number of shade trees.
- B. A Waiver from §295-26. D.15.d regarding landscape plan to be sealed by a professional engineer

ATTEST:

**BOROUGH COUNCIL,
BOROUGH OF TRAPPE**



Marcus V. Dolny, Secretary



Scott Martin, President

ACCEPTANCE OF CONDITIONS:

I, Marcus V. Dolny, being authorized as the Borough Manager of the Borough of Trappe, 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:



Scott Martin, President



Marcus V. Dolny, Secretary

Dated: August 1, 2023

Prepared by and Return to:

David C. Onorato, Esquire
HLADIK, ONORATO & FEDERMAN, LLP
298 Wissahickon Avenue
North Wales, PA 19454

Parcel Number: 23-00-000307-00-3

DECLARATION OF COVENANTS AND RESTRICTIONS

THIS DECLARATION is made this 1 day of August , 2023, by **BOROUGH OF TRAPPE** (the “Landowner”).

W I T N E S S T H :

WHEREAS, the Landowner is the owner of certain real property located at 20 West Fifth Avenue, Trappe Borough, Pennsylvania, being Tax Parcel No.: 23-00-000307-00-3, hereinafter “Property”; and

WHEREAS, the Landowner has received preliminary / final land development approval to construct a Fire Station on the property; and

WHEREAS, the Stormwater Management BMP Operations and Maintenance Plan consisting of Sheets 9 of 31, 10 of 31, 14 of 31 and 16 of 31 of a certain land development plan prepared by Gorski Engineering, Inc. and Urwiler & Walter, Inc., dated 09/22/2022, last revised 05/19/2023, attached hereto collectively as Exhibit “A” hereinafter referred as “The Plan” provides for the management of stormwater within the confines of the property for the use of Best Managements Practices “BMPs”; and,

WHEREAS, the Landowner, its successors and its assigns agree that the health, safety and welfare of the residents of Trappe Borough and the protection and maintenance of the water quality require that onsite Stormwater Best Management Practices be constructed and maintained on the property; and

WHEREAS, for the purposes of this Declaration, the following definitions shall apply:

BMP "Best Management Practice": activities, facilities, designs, measures or procedures used to manage stormwater impacts from land development, to protect and maintain water quality and groundwater recharge and to otherwise meet the purposes of the Municipal Stormwater Management Ordinance including, but not limited to infiltration, trenches, seepage pits, filter strips, bioretention, wet ponds, permeable paving, rain gardens, grassed swales, forested buffers, sand filters and detention basins.

Infiltration Trench: A BMP surface structure designed, constructed and maintained for the purpose of providing infiltration or recharge of stormwater into the soil and/or groundwater aquifer.

Seepage Pit: An underground BMP structure designed, constructed and maintained for the purpose of providing infiltration or recharge of stormwater into the soil and/or groundwater aquifer.

Rain Garden: A BMP overlain with appropriate mulch and suitable vegetation designed, constructed and maintained for the purpose of providing infiltration or recharge of stormwater into the soil and/or underground aquifer; and

WHEREAS, the Landowner agrees that through the implementation of The Plan, the Stormwater Management BMPs, as required by said Plan, and Municipal Stormwater Management Ordinance, be constructed and operated and maintained by The Landowner, its successors and its assigns; and

NOW THEREFORE, intending to be legally bound, hereby, the Declarants, and its heirs, personal representatives, successor and assigns, declare that the Property shall be held, transferred, sold conveyed and occupied subject to the restrictive covenants hereinafter set forth and place the following covenant record on the Premises.

1. The BMPs shall be constructed by the Landowner in accordance with the plans and specifications identified in the Plan.
2. The Landowner shall operate and maintain the BMPs as shown on the Plan in good working order and in accordance with the specific maintenance requirements noted on the Plan.

3. The intent and purpose of this Declaration is to ensure the proper maintenance of the onsite BMPs by the Landowner; provided, however, that this Declaration shall not be deemed to create or affect any additional liability of any party for damage alleged to result from or be caused by stormwater runoff.

4. This Declaration shall be recorded at the Office of the Recorder of Deeds of Montgomery County, Pennsylvania, and shall constitute a covenant running with the Property and/or equitable servitude and shall be binding on the Landowner, its successors and assigns, and any other successors in interests, in perpetuity.

IN WITNESS WHEREOF, the Declarant has executed this Declaration of Covenants and Restrictions to the date and year first written above.

Attest:


Marcus V. Dolny, Secretary

BOROUGH OF TRAPPE

By: 

Name: Scott Martin

Title: President of Borough Council

COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF MONTGOMERY :

On this, the 1 day of August, 2023, before me, a Notary Public in and for the Commonwealth of Pennsylvania, the undersigned officer, personally appeared Scott Martin, who acknowledged himself to be the President of Borough Council of Trappe Borough, and that he as such, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing on behalf of the Borough.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Notary Public

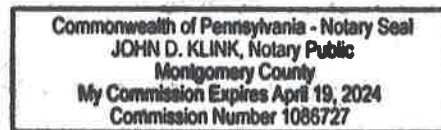


EXHIBIT "A"

