

**CHELTENHAM TOWNSHIP
BOARD OF COMMISSIONERS**

MONTGOMERY COUNTY, PENNSYLVANIA

RESOLUTION NO. 16-21

**CTDA #21-03- SUBDIVISION PLAN FOR
213 FERNBROOK AVENUE, WYNCOTE, PA**

PRELIMINARY/FINAL MINOR SUBDIVISION APPROVAL

WHEREAS, CALVARY PRESBYTERIAN CHURCH ("Applicant") is the owner and developer of an existing 48,727 square foot lot located at 213 Fernbrook Avenue, Wyncote, further identified as Tax Parcel No. 31-00-09991-00-4, zoned R-2 Residential which the Applicant proposes to subdivide to create two (2) lots, Lot No. 1 consisting of 33,106 square feet and Lot No. 2 to consist of 15,621 square feet ("Subdivision"); and

WHEREAS, the Subdivision is currently proposed as more particularly shown on certain subdivision plans prepared by Eustace Engineers dated January 21, 2021, last revised April 22, 2021 (the "Plans"); and

WHEREAS, the Township Engineer, Gannett Fleming, Inc., issued a review letter on the Plans dated May 10, 2021 ("Review Letter"); and

WHEREAS, the Montgomery County Planning Commission ("MCPC") issued a review letter on the Plans dated April 15, 2021.

NOW, THEREFORE, BE IT RESOLVED that the Cheltenham Township Board of Commissioners hereby **GRANTS** preliminary/final subdivision approval as shown on the Plans described herein subject, however, to the following conditions:

1. At this time, the Cheltenham Township Board of Commissioners **WAIVES** strict compliance with the following provisions of the Cheltenham Township Subdivision and Land Development Ordinance:

a. the requirement per Chapter 260, §15.C. that an existing features plan with all features within 200 feet of the tract boundary be provided but to show the area around the proposed subdivision by aerial photograph;

b. the requirement per Chapter 260, §15.D. of proposed features and lotting as this plan is for subdivision only and no proposed improvements are proposed within the Subdivision Plan;

c. the requirement per Chapter 260, §16 to allow a combined preliminary/ final subdivision in lieu of a separate preliminary land development review;

d. the requirement per Chapter 260, §48.A(1) that street trees shall be planted along all existing streets when they abut or lie within the proposed Subdivision.

2. As required by Chapter 260, the Applicant shall either: (a) plant two (2) street trees on the lots **or** (b) pay a total of One Thousand Five Hundred Dollars (\$1,500.00) to a designated Township tree fund in lieu of planting said trees.

3. The Applicant shall provide/construct two (2) parking spaces for the proposed Lot No. 2 as required by §295-2301.E. and in doing so shall comply with: (a) the stormwater management requirements of the Township Code; (b) the impervious coverage provisions of the Zoning Code; and (c) the Township Code requirements for an earth disturbance permit.

4. Prior to the recording of the Plans, the Applicant shall revise the Plans to conform to the review comments and recommendations of the Township's Engineer set forth in the Review Letter.

5. The Subdivision shall be constructed in strict accordance with the content of the Plans, notes on the Plans, the Township Engineer's Review Letter and the terms and conditions of this Subdivision Approval Resolution.

6. Prior to recording the Plans, the Applicant shall provide the Township with all required approvals, or approved waivers where applicable, from outside agencies having jurisdiction over the Subdivision including, but not limited to, approval from the Pennsylvania Department of Transportation, the Pennsylvania Department of Environmental Protection ("DEP"), and the Montgomery County Conservation District, as applicable.

7. The cost of accomplishing, satisfying and complying with all of the terms and conditions and requirements of the Plans, notes to the Plans, the Township Engineer's Review Letter and the Subdivision Approval Resolution, shall be borne entirely by the Applicant and shall be at no cost to the Township.

8. Under the provisions of the MPC, the Applicant has the right to accept or reject conditions imposed by the Board of Commissioners upon the Subdivision in the Approval Resolution. In the absence of an appeal or a notice of rejection filed in writing within thirty (30) days from the date of this Resolution, the conditions set forth herein shall be deemed to have been accepted by the Applicant. If (a) the Township receives written notice of a rejection of any of the conditions set forth herein within thirty (30) days from the date of this Resolution or (b) the Applicant files an appeal of any of the conditions set forth herein within thirty (30) days from the date of this Resolution, this approval and the waivers granted in Paragraph 1 (which waivers are granted contingent upon the acceptance of the conditions set forth herein) shall be deemed to be automatically rescinded and revoked and the application shall be considered denied based upon the failure to fully comply with all of the conditions set forth in Paragraph 1, all as authorized by Section 508 of the MPC.

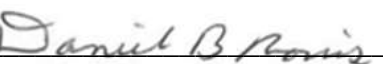
APPROVED by the Cheltenham Township Board of Commissioners at its meeting held on May 19, 2021.

ATTEST:

**TOWNSHIP OF CHELTENHAM
BOARD OF COMMISSIONERS**



Robert Zienkowski
Township Manager and Secretary

By: 
Daniel B. Norris, President