

**CHELtenham TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION NO. 33-21

CTDA #21-05 FOR TRACI ROGERS

PRELIMINARY/FINAL SUBDIVISION APPROVAL (LOT LINE ADJUSTMENT)

WHEREAS, Traci Rogers (“Developer”) is the owner of a certain tract of land known as 8245 Forrest Avenue and proposes a lot line adjustment of two (2) existing lots transferring 1,458 square feet (40 Manor Road) onto one (1) lot in the R-2 District (8245 Forrest Avenue) (collectively, “Development”); and

WHEREAS, the Development is more particularly shown on a set of plans prepared by Richard A. Alaimo Associates dated June 2020 (the “Plans”); and

WHEREAS, the Township Engineer issued a review letter dated November 2, 2021; and

WHEREAS, the Township Zoning Hearing Board issued certain zoning relief for the subject property on April 28, 2021 in Appeal No. 21-3667, which decision is incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED that the Cheltenham Township Board of Commissioners hereby **GRANTS PRELIMINARY/FINAL APPROVAL** of the subdivision (lot line adjustment) 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 §260-15.C. that an existing features plan within the tract proposed for subdivision and within 200 feet of the tract boundaries (no permanent improvements are proposed by the Developer).

2. Prior to final plan submission to the Township, the Developer shall revise the Plans to resolve to the satisfaction of the Township Engineer all issues set forth in the review letter of the Township Engineer dated November 2, 2021, the entire contents of which are incorporated herein by reference.

3. The Development shall be subdivided in strict accordance with the content of the Plans, notes on the Plans and the terms and conditions of this Preliminary/Final Approval Resolution.

4. Prior to recording the Plans, Developer shall provide the Township with all required approvals from outside agencies having jurisdiction over the Development, including, but not limited to, approval from the Pennsylvania Department of Transportation, the Pennsylvania Department of Environmental Protection (“DEP”), the Montgomery County Conservation District and the Montgomery County Department of Assets and Infrastructure, as applicable.

5. The cost of accomplishing, satisfying and meeting all of the terms and conditions and requirements of the Plans, notes to the Plans, the Zoning Decision and this Approval Resolution, shall be borne entirely by the Developer and shall be at no cost to the Township.

6. Although the maintenance of all stormwater collection, detention and conveyance facilities shall be the responsibility of Developer, its successors and assigns, Developer shall, prior to the recording of the Plans, execute a declaration to reserve easements in favor of the Township so that the stormwater facilities may be maintained by the Township (with all expenses charged to the Developer) in the event that the maintenance responsibilities of the stormwater facilities are not fulfilled after reasonable notice to do so. The terms and conditions of the declaration shall be satisfactory to the Township Solicitor, and the declaration shall be recorded simultaneously with the Plans.

7. Under the provisions of the Municipalities Planning Code (“MPC”), the Developer has the right to accept or reject conditions imposed by the Board of Commissioners upon preliminary approval. In the absence of an appeal 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 Developer. If the Township receives written notice of an appeal of any of the conditions set forth herein filed 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 sections set forth in Paragraph 1, all as authorized by Section 508 of the MPC.

ADOPTED and **APPROVED** by the Cheltenham Township Board of Commissioners at its public meeting held on **November 17, 2021**.

ATTEST:



Robert Zienkowski
Township Manager and Secretary

**TOWNSHIP OF CHELTENHAM
BOARD OF COMMISSIONERS**

By: 
Daniel B. Norris, President