

**CHELTENHAM TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION NO. 40-17

**ARCADIA UNIVERSITY AUXILIARY GYMNASIUM,
GLENSIDE LAND DEVELOPMENT
PRELIMINARY / FINAL LAND DEVELOPMENT APPROVAL**

WHEREAS, ARCADIA UNIVERSITY ("Developer") is the legal owner and developer of a certain tract of ground located at the intersection of Church Road and South Easton Road (450 South Easton Road) in the R-1 Residential Zoning District consisting of multiple, existing education buildings and associated driveways, sidewalks and parking; and

WHEREAS, the Cheltenham Township Zoning Hearing Board modified a previous grant of relief to allow the expansion of the educational use by constructing an 8,435 sq. ft. auxiliary gymnasium building at the site of the previously-approved, but never constructed, maintenance building, along with the installation of utility service, a concrete sidewalk and paving and parking improvements; and

WHEREAS, Pennoni Associates, Inc. has submitted a 12-sheet Plan of the proposed improvements dated April 1, 2016, last revised April 27, 2017 and Developer has supplied a 1-sheet as-built Stormwater Management Plan dated April 1, 2016 (collectively, the "Plans"); and

WHEREAS, Developer has also supplied an Engineer Response Letter dated April 27, 2017; and

WHEREAS, the Shade Tree Commission reviewed this Application at its July 14, 2016 meeting and recommended approval subject to conditions regarding landscaping items; and

WHEREAS, the Montgomery County Planning Commission reviewed the Application resulting in a letter dated June 22, 2016 in which it recommended approval with comments; and

WHEREAS, the Township Planning Commission reviewed the Application at its August 22, 2016 and March 27, 2017 meetings and recommended approval; and

WHEREAS, Developer has previously obtained and supplied or will obtain and supply to the Township: (1) all applicable permits from all authorities, agencies and districts having jurisdiction in any way over the Development and (2) all necessary off-site easements to legally discharge stormwater or connect to utilities; and

WHEREAS, Developer desires to obtain preliminary/final land development approval of the Plans from Cheltenham Township in accordance with Section 508 of the Pennsylvania Municipalities Planning Code.

NOW, THEREFORE, BE IT RESOLVED that the Cheltenham Township Board of Commissioners hereby grants preliminary/final approval of the land development as shown on the Plans described herein (the “Development”) 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 §260-32.D.(2), §260-32.D.(4), §260-32.D.(5), and §260-32.D.(6) that an existing features plan showing survey of all transportation and legal features, utilities and rights-of-way, topographic survey of all features, and buildings and natural features within 400 feet of the land be shown on the Plans. In lieu of this, the Developer has submitted an overall Record Plan for the Arcadia University property showing on-site information and topography surrounding the project area; and

b. the requirement per §260-33 of the submission of a record plan of the scale not less than 50 feet to one inch for any regulated subdivision or land development. In lieu of this, the Developer has provided an overall Record Plan at a scale of 120 feet to one inch which shows the entire Arcadia University property.

2. Prior to the recording of the Plans, the Developer shall revise the Plans to resolve to the satisfaction of the Township Engineer all issues set forth in the review letter of Boucher & James, Inc., dated June 21, 2017, the entire contents of which are incorporated herein by reference and which is attached hereto as an exhibit.

3. Prior to the recording of the Plans, the Developer shall revise the Plans to address the issues raised by the Shade Tree Advisory Commission at its July 14, 2016 meeting (*i.e.*, three (3) Oriental Spruce, Ilet Opaca and two (2) Viburnum Leather Leaf trees to be planted along the rear auxiliary gym wall and Red Oaks along the parking lot to be replaced with London Plane trees).

4. The Developer agrees to execute an Operations and Maintenance Agreement (“O&M Agreement”) with the Township covering all stormwater facilities and BMPs that are to be privately owned. The O&M Agreement shall be drafted to the satisfaction of the Township Solicitor.

5. Prior to recording the Plans, Developer shall enter into a Land Development and Financial Security Agreement with Cheltenham Township. The Agreement shall be satisfactory to the Township Solicitor and the Developer shall obligate itself to complete all of the public improvements shown on the Plans in accordance with Township criteria and specifications as well as to secure the completion of the said public improvements by posting satisfactory financial security as required by the Pennsylvania Municipalities Planning Code.

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 declaration shall be subject to the review and approval of the Township Solicitor and shall be recorded simultaneously with the Plans.

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

8. The cost of accomplishing, satisfying and meeting all of the terms and conditions and requirements of the Plans, notes to the Plans, this Preliminary/Final Approval Resolution, and the Land Development and Financial Security Agreement shall be borne entirely by the Developer and shall be at no cost to the Township.

9. 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, and the Montgomery County Department of Assets and Infrastructure, as applicable.

10. Developer shall provide the Township Manager and the Township Engineer with at least seventy-two (72) hours notice prior to the initiation of any grading or ground clearing (whether for the construction of public improvements or in connection with individual buildings or additions) so that the Township may certify that all appropriate erosion and sedimentation control facilities have been properly installed and also that snow fencing or other types of boundary markers (acceptable to the Township) have been installed to protect such trees as are specifically proposed not to be eliminated during the construction of the Development.

11. Consistent with Section 509(b) of the Pennsylvania Municipalities Planning Code (as amended) the payment of all applicable fees and the funding of all escrows under the Land Development and Financial Security Agreement must be accomplished within ninety (90) days of the date of this Resolution unless a written extension is granted by Cheltenham Township. Until the applicable fees have been paid and the escrows fully funded, the final plat or record plan shall not be signed nor recorded. In the event that the fees have not been paid and the escrow has not been funded within ninety (90) days of this Resolution (or any written extension thereof), this contingent approval shall expire and be deemed to have been revoked.

12. Under the provisions of the Pennsylvania Municipalities Planning Code, the Developer has the right to accept or reject conditions imposed by the Board of Commissioners upon preliminary/final approval. 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 Developer. If the Township receives written notice of an appeal or rejection 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 Pennsylvania Municipalities Planning Code.

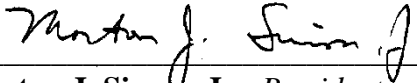
ADOPTED and **APPROVED** by the Cheltenham Township Board of Commissioners at its public meeting held on **July 19, 2017**.

ATTEST:

**TOWNSHIP OF CHELTENHAM
BOARD OF COMMISSIONERS**



Bryan T. Havir
Township Manager and Secretary

By: 

Morton J. Simon, Jr., President



Boucher & James, Inc.
CONSULTING ENGINEERS

AN EMPLOYEE OWNED COMPANY
INNOVATIVE ENGINEERING

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610-419-9407
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www.bjengineers.com

June 21, 2017

Mr. Henry Sekawungu, Director of Planning and Zoning
Cheltenham Township
8230 Old York Road
Elkins Park, Pennsylvania 19027

**SUBJECT: PRELIMINARY/FINAL PLAN REVIEW NO. 4
AUXILIARY GYMNASIUM
ARCADIA UNIVERSITY LAND DEVELOPMENT
CHELTENHAM TOWNSHIP, MONTGOMERY COUNTY, PA
PROJECT NO. 16-82-082R**

Dear Henry:

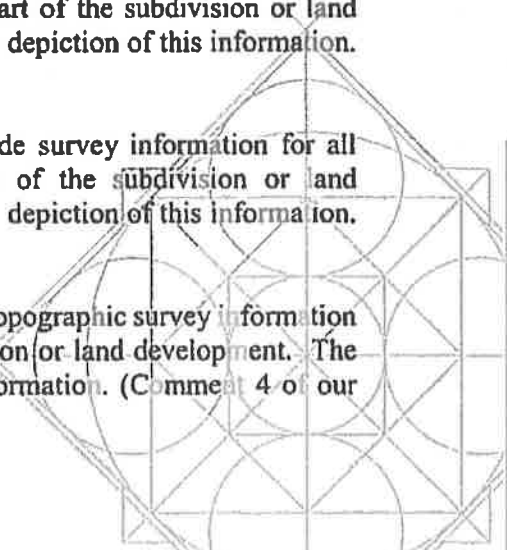
Pursuant to your request, we have completed our fourth review of the Preliminary/Final Land Development Plans submitted for the above referenced project. The submitted information was prepared by Pennoni Associates, Inc., and consists of the following items:

- A twelve (12) sheet plan set dated April 1, 2016, last revised April 27, 2017.
- A one (1) sheet As-Built Stormwater Management Plan, dated April 1, 2016.
- Engineers Response Letter dated April 27, 2017.

Based on our review of the information and our previous review letter dated March 17, 2017, we offer the following comments for your consideration.

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE COMMENTS

1. Per §260-32.D.(2), the existing features plan shall include survey information for all transportation and legal features within 400 feet of any part of the subdivision or land development. The applicant has requested a waiver for the depiction of this information. (Comment 2 of our previous review letter)
2. Per § 260-32.D.(4), the existing features plan shall include survey information for all utilities and rights-of-way within 400 feet of any part of the subdivision or land development. The applicant has requested a waiver for the depiction of this information. (Comment 3 of our previous review letter)
3. Per § 260-32.D.(5), the existing features plan shall include topographic survey information for all features within 400 feet of any part of the subdivision or land development. The applicant has requested a waiver for depiction of this information. (Comment 4 of our previous review letter)



Mr. Henry Sekawungu
Arcadia University Land Development – Auxiliary Gymnasium
June 21, 2017
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4. Per § 260-32.D.(6), the existing features plan shall include building and natural feature information for all features within 400 feet of any part of the subdivision or land development. The applicant has requested a waiver for depiction of this information. (Comment 5 of our previous review letter)
5. Per §260-33, a Record Plan of a scale not less than 50 feet to one inch is required for any subdivision or land development regulated by the Ordinance. The applicant shall provide a Record Plan that meets all requirements outlined in § 260-33. As the site boundary may not be completely represented at this scale, the Overall Site Plan shall serve as a second Record Plan satisfying § 260-33.C.(1).(a), specifically §260-32.D.(1). (Comment 6 of our previous review letter) The Applicant is requesting a waiver from this requirement to permit a Record Plan at a scale of 1" = 120'.

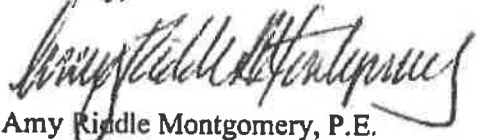
GENERAL COMMENTS

6. The Design Engineer shall update the variance information listed on the Cover Sheet to reflect the relief granted in the October 2010 zoning decision (Appeal No. 3381) regarding the Steep Slope Conservation District.
7. The latest revision date shall be added to the project information block in the center of the Cover Sheet.

We recommend the above comments be addressed to the satisfaction of Cheltenham Township prior to approval of this Land Development project.

Please contact me if you have any additional questions or concerns.

Sincerely,



Amy Riddle Montgomery, P.E.
Township Engineer

ARM/jad/cg

cc: Bryan T. Havir – Township Manager
Tom Macchi – Arcadia University (Applicant)
Brian Olszak – Montgomery County Planning Commission
William F. Wendling, P.E. – Pennoni Associates, Inc.
Hal Lichtman, A.I.A. – GLP Architects, P.C.