

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 2025-06

**A RESOLUTION TO GRANT PRELIMINARY/FINAL LAND
DEVELOPMENT APPROVAL OF BRADFORD MINOR
SUBDIVISION PLAN**

WHEREAS, C. Bradford Smith and Sandra B. Smith, (hereinafter referred to as "Applicants") have submitted a Minor Subdivision Plan to Worcester Township and have made application for Preliminary/Final Plan Approval of a plan known as Minor Subdivision Plan for C. Bradford and Sandra B. Smith. The Applicants are owners of an approximate 10.20 acre tract of land located at 3120 Fisher Road, Worcester Township, Montgomery County, Pennsylvania in the LPD Land Preservation Zoning District of the Township, being Tax Parcel No. 67-00-01190-003 as more fully described in the Deed recorded in the Montgomery County Recorder of Deeds Office; and

WHEREAS, the Applicants propose the subdivision of an existing 10.2 acre tract into 2 lots, with lot 1 consisting of a 7.79 acre tract for the existing residence with accessory structures, and lot 2 consisting of 2.32 acres for a future residential building lot (the "Development"); and

WHEREAS, said plan received a recommendation for Preliminary/Final Plan Approval by the Worcester Township Planning Commission at their meeting on November 21, 2024; and

WHEREAS, the Preliminary/Final Plan for the proposed minor subdivision prepared by Urwiler & Walter, Inc., titled, "Minor Subdivision Plan prepared for C. Bradford and Sandra B. Smith" consisting of 1 sheet, dated October 3, 2024, with latest revisions dated December 5, 2024, is now in a form suitable for Preliminary/Final Plan Approval by the Worcester Township Board of Supervisors, subject to certain conditions.

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING,

IT IS HEREBY RESOLVED by the Board of Supervisors of Worcester Township, as follows:

1. **Approval of Plan.** The Preliminary/Final Plan as described above, is hereby approved, subject to the conditions set forth below.

2. **Conditions of Approval.** The approval of the Preliminary/Final Plan is subject to strict compliance with the following conditions:

- A. Compliance with all comments and conditions set forth in the CKS Engineers, Inc. letter of January 7, 2025 relative to the Plan.
- B. Compliance with all comments and conditions set forth in the Montgomery County Planning Commission review letter of November 20, 2024.
- C. Prior to construction on Lot 2, the approval and/or receipt of permits required from any and all outside agencies, including but not limited to, Montgomery County Conservation District, Pennsylvania Department of Environmental Protection, Pennsylvania Department of Transportation, the receipt of will-serve letters from all applicable utilities, and all other authorities, agencies, municipalities, and duly constituted public authorities having jurisdiction in any way over the development.
- D. The Applicants' obligation to install sidewalks pursuant to Section 130-18.A of the Worcester Township Subdivision and Land Development Ordinance is deferred until such time as required by the Township. Future owners of each lot will be responsible for the installation of sidewalk along their respective road frontage when requested by Worcester Township, at no cost to Worcester Township. A Note regarding this deferral shall be added to the Plan.
- E. The Applicants' obligation to install concrete curbing along the street frontage pursuant to Section 130-18.B.(1)(a) of the Worcester Township Subdivision and Land Development Ordinance is deferred until such time as required by the

Township. Future owners of each lot will be responsible for the installation of concrete curbing along their respective road frontage when requested by Worcester Township, at no cost to Worcester Township. A note regarding this deferral shall be added to the Plan.

- F. The Applicants shall provide to the Township for signature that number of Plans required for recording and filing with the various Departments of Montgomery County, plus an additional three (3) Plans to be retained by the Township, and the Applicants shall have all Plans recorded, and the Applicants return the three (3) Plans to the Township within seven (7) days of Plan recording.
- G. The Applicants shall provide a copy of the recorded Plan in an electronic format acceptable to the Township Engineer, within seven (7) days of Plan recording.
- H. The Applicants shall make payment of all outstanding review fees and other charges due to the Township prior to Plan recording.
- I. The Development shall be in strict accordance with the content of the Plans, notes on the Plans and the terms and conditions of this Resolution.
- J. The cost of accomplishing, satisfying and meeting all of the terms and conditions and requirements of the Plans, notes to the Plans, this Resolution, and the Agreement shall be borne entirely by the Applicants, and shall be at no cost to the Township.
- K. Prior to Plan recording, legal descriptions for the following shall be provided to the Township engineer for review and approval:
 - (1) The 20 foot wide electric/utility service easement through Lot 2 in favor of Lot 1; and
 - (2) The 1,861 square foot cross access easement over Lot 2 in favor of Lot 1.

Easement Agreements in form satisfactory to the Township Solicitor regarding the aforesaid easements shall be recorded contemporaneously with the Plan.

3. **Waivers.** The Worcester Township Board of Supervisors hereby grants the following waivers requested with respect to this Plan:

- A. Section 130-16.C.(2) of the Worcester Township Subdivision and Land Development Ordinance - minimum width of paving for the roadway classification;
- B. Section 130-20.A.(6) of the of the Worcester Township Subdivision and Land Development Ordinance - sidelines of a lot shall be set at right angles or radial to the right-of-way line;
- C. Section 130-28.G.(4) of the of the Worcester Township Subdivision and Land Development Ordinance - street trees to be planted every 25 feet along Fisher Road; and
- D. Section 130-28.G.(5).b of the of the Worcester Township Subdivision and Land Development Ordinance - softening buffer along the side & rear property lot lines where existing vegetation is not sufficient to meet the buffering requirements.

4. **Acceptance.** The conditions set forth in paragraph 2 above shall be accepted by the Applicants, in writing, within ten (10) days from the date of receipt of this Resolution.

5. **Effective Date.** This Resolution shall become effective on the date upon which the Conditions are accepted by the Applicants in writing.

BE IT FURTHER RESOLVED that the Plans shall be considered to have received Preliminary/Final Approval once staff appointed by the Worcester Township Board of Supervisors determines that any and all conditions attached to said approval have been resolved to

the satisfaction of Township staff and appropriate Township officials have signed said Plans and submitted them for recording with the Montgomery County Recorder of Deeds. Applicants shall provide the Township with executed Preliminary/Final Plans, record plans, development agreements, easements, and other associated documentation, according to Township procedures. Any changes to the approved site plan will require the submission of an amended site plan for land development review by all Township review parties.

RESOLVED and **ENACTED** this 15th day of January, 2025 by the Worcester Township Board of Supervisors.

**WORCESTER TOWNSHIP
BOARD OF SUPERVISORS**

By: 

Rick DeLello, Chair

Attest:



Daniel DeMeno, Secretary

ACCEPTANCE

The undersigned states that they are authorized to execute this Acceptance on behalf of the Applicants and owners of the property which is the subject matter of this Resolution, that they have reviewed the Conditions imposed by the Board of Supervisors in the foregoing Resolution and that they accept the Conditions on behalf of the Applicants and the owners and agree to be bound thereto. This Acceptance is made subject to the penalties of 18 Pa. C.S.A. Section 4904 relating to unsworn falsifications to authorities.

Date: Jan 15, 2025

C. Bradford Smith
C. Bradford Smith

Sandra B Smith
Sandra B. Smith