

**MUNICIPALITY OF NORRISTOWN**  
A HOME RULE MUNICIPALITY  
MONTGOMERY COUNTY, PENNSYLVANIA

**RESOLUTION NO. 20-07 of 2020**

**A RESOLUTION OF THE MUNICIPALITY OF NORRISTOWN, MONTGOMERY COUNTY, PENNSYLVANIA, GRANTING PRELIMINARY PLAN APPROVAL TO NEW CENTURY BUILDERS & DEVELOPERS, LLC FOR A 30-UNIT ROWHOME DEVELOPMENT CALLED "BENJAMIN COURT" AT 200 EAST LOGAN STREET, NORRISTOWN, PA**

**WHEREAS**, Act 247 of 1968, The Pennsylvania Municipalities Planning Code, empowers the governing body of a municipality to regulate subdivisions and land developments within the municipality;

**WHEREAS**, the Municipality of Norristown is desirous of orderly and appropriate land use and development to protect the health, safety and welfare of residents; and

**WHEREAS**, New Century Builders & Developers, LLC ("Applicant") has submitted Preliminary Land Development Plans and a Post Construction Stormwater Management & Erosion & Sediment Control Report, both prepared by Joseph M. Estock Consulting Engineers & Land Surveyors and dated September 11, 2019; that propose certain improvements to property located at 200 East Logan Street, Norristown, PA that include the construction of five (5) building groups of six (6) rowhomes for a total of thirty (30) dwelling units to be known as "Benjamin Court," as well as an access road, parking, landscaping, lighting, stormwater management and other related improvements (hereafter referred to collectively as the "Plan");

**WHEREAS**, Applicant previously sought and obtained variances and/or other zoning relief from the Norristown Zoning Hearing Board for the Plans as evidenced by a decision and order dated April 23, 2019 and that is incorporated herein by reference;

**WHEREAS**, the Municipal Engineer, Pennoni Associates, Inc. reviewed the Plan and, based upon this review, issued a review letter dated November 8, 2019;

**WHEREAS**, the Norristown Planning Commission also reviewed the Plan at its public meeting on November 12, 2019, and also recommended preliminary approval, subject to review and approval of a planting and landscaping plan and based upon applicant's confirmation that they will comply with the remainder of the comments and notes in Pennoni's November 8, 2019 letter to the satisfaction of Pennoni; and

**WHEREAS**, the Montgomery County Planning Commission also reviewed the Plan and provided a review letter dated November 4, 2019 stating general support for the proposed project but suggesting certain comments with regard to sidewalks, proposed access, cartway width, street vacation, tree replacement and stormwater management; and

**WHEREAS**, Applicant has submitted a revised waiver request letter dated January 14, 2020 in which Applicant has reduced the number of requested waivers and now desires Council consider its land development submission and its Plans for preliminary approval pursuant to Section 508 of the Municipalities Planning Code.

**NOW, THEREFORE, BE IT RESOLVED** by Norristown Municipal Council, that the preliminary land development plan submitted by New Century Builders & Developers, LLC and prepared by Joseph M. Estock Consulting Engineers & Land Surveyors and dated September 11, 2019 for the development of rowhomes containing thirty (30) dwelling units to be known as "Benjamin Court," with related site improvements at 200 East Logan Street is hereby **GRANTED PRELIMINARY APPROVAL** subject to Applicant's compliance with the following conditions:

1. Compliance with all conditions and recommendations set forth in the Pennoni *Review Letter* dated November 8, 2019 unless otherwise waived as set forth below.
2. Unless otherwise waived herein, compliance with all comments by the Fire Marshall, if any, relating to fire access and fire safety; and compliance with all comments by the Sewer Engineer, if any, relating to sewer issues, including obtaining the requisite number of EDUs as determined by the Sewer Authority;
3. Compliance with the Decision and Order of the Norristown Zoning Hearing Board dated April 23, 2019 including all conditions and representations made to the Zoning Hearing Board;
4. Compliance with the recommendations of the Montgomery County Planning Commission's review letter dated November 4, 2019 unless otherwise waived herein or contrary to the conditions or recommendations as set forth in the Pennoni *Review Letter* referenced above;
5. Preparation and recordation of a Blanket Stormwater Drainage Easement and Stormwater Operations and Maintenance Agreement in a form acceptable to the Municipal Engineer and Municipal Solicitor;
6. Execution of a Land Development Agreement as prepared by the Municipal Solicitor;
7. Execution of a Financial Security Agreement as prepared by the Municipal Solicitor for the proposed improvements and in an amount to be approved by the Municipal Engineer;
8. Payment of all outstanding fees, including professional review fees, owed to the Municipality; and
9. Applicant acceptance of the conditions as set forth herein as referenced below.

In addition, the following waivers from the Norristown Subdivision and Land Development Ordinance and Stormwater Ordinance are hereby approved or denied as indicated as follows:

1. **Chapter 276 Attachment 15 F-6.A.** – for relief to allow the use of 15” diameter HDPE pipe instead of the required 18” diameter reinforced concrete pipe (RCP).

APPROVED  DENIED

2. **§282-304.6.I.2.** – for relief to not show buildings and other structures located less than 100 feet beyond the tract boundary lines.

APPROVED  DENIED

3. **§282-414.1.B.** – for relief to waive the sidewalk requirement along the proposed internal, single loop access street to be named “Honey Lane” by providing a more desirable alternative pedestrian path.

APPROVED  DENIED

4. **§282-416.12.A.** – for relief to allow for a pathway width of 4 feet instead of the required width of 6 feet.

APPROVED  DENIED

5. **§282-433.1.A.** – for relief to not require the landscaping plan to be prepared by a certified planting professional.

APPROVED  DENIED

6. **§282-433.1.C.5.c.** – for relief to allow for an equivalent fee-in-lieu-of-plantings contribution instead of meeting the tree replacement requirement.

APPROVED  DENIED

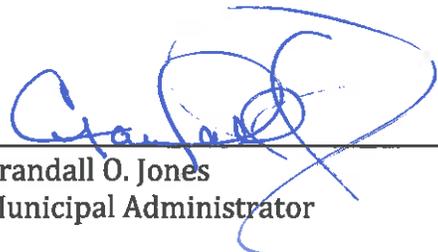
Further, this Resolution with approvals and conditions as contained herein does not and shall not authorize the construction of improvements or buildings exceeding those shown on the Plans and Applicant shall be required to obtain final land development approval prior to proceeding with development. Furthermore, this Resolution with approvals and conditions as contained herein shall be rescinded automatically upon Applicant’s or Applicant’s agent’s failure to accept, in writing, all conditions herein imposed within seven (7) days of receipt of this Resolution, such acceptance to be evidenced by Applicant’s or Applicant’s agent’s signature below.

ENACTED and ORDAINED this 21<sup>st</sup> day of January, 2020

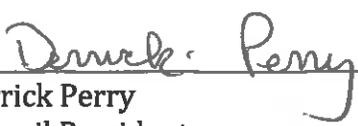
Seal:

Municipality of Norristown  
Municipal Council

Attest

  
Crandall O. Jones  
Municipal Administrator

By:

  
Derrick Perry  
Council President

