

MUNICIPALITY OF NORRISTOWN
A HOME RULE MUNICIPALITY
MONTGOMERY COUNTY, PENNSYLVANIA

RESOLUTION NO. 21-29 of 2021

A RESOLUTION OF THE MUNICIPALITY OF NORRISTOWN, MONTGOMERY COUNTY, PENNSYLVANIA, GRANTING PRELIMINARY/FINAL PLAN APPROVAL TO FRANK VENEZIA FOR A TWIN DWELLING (2 UNITS) SPANNING TWO EXISTING LOTS AT 15 AND 17 EAST FORNANCE 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; and

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, Frank Venezia (“Applicant”) has submitted Preliminary/Final Minor Land Development Plans and a Post Construction Stormwater Management Report, prepared by Joseph M. Estock dated October 21, 2020, last revised January 27, 2021, that propose certain improvements to two parcels of land located at 15 East Fornance Street (Parcel No. 13-00-11836-00-4) and 17 East Fornance Street (Parcel No. 13-00-11840-00-9) that include the construction of a twin dwelling spanning said parcels as well as sidewalk along the frontage of Fornance Street, stormwater management and other related improvements (hereafter referred to collectively as the “Plan”); and

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 September 22, 2020 (Application No. 33-20) that is incorporated herein by reference; and

WHEREAS, the Municipal Engineer, Pennoni Associates, Inc. reviewed the Plan and, based upon this review, issued a review letter dated December 3, 2020; and

WHEREAS, the Norristown Planning Commission also reviewed the Plan at its public meeting on January 12, 2021; and

WHEREAS, the Montgomery County Planning Commission reviewed the Plan and provided a review letter dated December 15, 2020 stating general support for the proposed project but suggesting certain comments with regard to clarification of ownership of the existing rear alleyway and incorporation of plants/ plantings to make the proposed swale a bioswale; and

WHEREAS, Applicant has requested six (6) waivers by letter dated March 15, 2021 and Applicant now desires Council consider its land development submission and its Plans for final 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 Frank Venezia and prepared by Joseph M. Estock and dated October 21, 2020, last revised January 27, 2021 for a twin dwelling spanning two parcels with related site improvements at 15 and 17 East Fornance Street is hereby **GRANTED PRELIMINARY/FINAL 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 March 12, 2021 unless otherwise waived as set forth below, including compliance with the Municipal Engineer's comments relating to follow-up and notation of the existing five (5) foot wide private alley;
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 September 22, 2020 for Application 33-20 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 December 15, 2020 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, if determined by the Municipality to be required, 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. **§282-433.1.A.** – for relief to not require the plan to be prepared by a certified planting professional.

APPROVED **DENIED**

2. **§282-433.2.C.3.** – for relief to not require the buffer area to be a continuous pervious planting area.

APPROVED **DENIED**

3. **§282-433.2.E.** – for relief to not require the minimum quantities, types, and sizes of plant material for an eternal street buffer along East Fornance Street and Bringhurst Alley.

APPROVED **DENIED**

4. **§282-433.3.B.2.** – for partial relief from providing street trees a minimum distance of five (5) feet and a maximum distance of ten (10) feet from the ultimate right-of-way line when the Applicant proposes to plant three (3) street trees along East Fornance and Bringhurst Alley within the legal right-of-way.

APPROVED **DENIED**

5. **§282-411.5.A.** – for relief to allow grading within three (3) feet of the property line.

APPROVED **DENIED**

6. **§282-414.2.G.** – for relief to allow three (3) foot wide sidewalk along Bringhurst Alley with no boarder area when the existing and surrounding sidewalk is 3 feet wide.

APPROVED **DENIED**

ENACTED and **ORDAINED** this 16th day of March 202.

Seal:

**Municipality of Norristown
Municipal Council**

By: _____

Derrick Perry
Council President

Attest _____

Crandall O. Jones
Municipal Administrator
Municipal Secretary