

MUNICIPALITY OF NORRISTOWN
A HOME RULE MUNICIPALITY
MONTGOMERY COUNTY, PENNSYLVANIA

RESOLUTION NO. 20-48

A RESOLUTION OF THE MUNICIPALITY OF NORRISTOWN, MONTGOMERY COUNTY, PENNSYLVANIA, GRANTING PRELIMINARY PLAN APPROVAL TO RICK GALLO AND JAR INVESTMENTS LLC FOR THE DEVELOPMENT OF A CLUSTER OF ROWHOMES AT 750 FORREST AVENUE, 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 Municipal residents; and

WHEREAS, Rick Gallo and JAR Investments, LLC (hereafter referred to collectively as “Applicant”) have submitted plans for certain land development at 750 Forest Avenue based on plans prepared by Joseph M. Estock, Consulting Engineers and Land Surveyors dated October 11, 2019, (with no further revision date) that proposes to remove an existing one-story dwelling and driveway and to construct seven (7) rowhomes along West Elm Street with a detached garage for each rowhome in the rear; to construct a private alley that intersects with West Elm Street and Forrest Avenue to allow access to the garages; to construct sidewalk along the frontage of West Elm and Forrest Avenue as well as related landscaping, stormwater, resident parking and other related improvements (hereafter referred to collectively as the “Plan”); and

WHEREAS, the Applicant obtained certain zoning relief from the Norristown Zoning Hearing Board by a decision dated May 28, 2019 for Application 7-19; and

WHEREAS, the Municipal Engineer reviewed the Plan and, based upon this review, issued a review letter dated June 1, 2020 that provided various comments with regard to the Plan; and

WHEREAS, the Montgomery County Planning Commission also reviewed the Plan and provided a review letter dated May 22, 2020 that also provided comments with regard to the Plan; and

WHEREAS, the Applicant is the owner of real property in Pennsylvania, including real property located within the Municipality, on which there are delinquent and/or unpaid property taxes as reflected in the records of the Montgomery County Tax Claim Bureau; and

WHEREAS, the Applicant is the owner of real property in Pennsylvania, including real property located within the Municipality, on which there are delinquent and/or unpaid trash and refuse fees owed and due;

NOW, THEREFORE, BE IT RESOLVED by Norristown Municipal Council, that the preliminary land development plan for the development at 450 Forrest Avenue as submitted by Rick Gallo and JAR Investments, LLC, and prepared by Joseph M. Estock, Consulting Engineers and Land Surveyors dated October 11, 2019, (with no further revision date) and consisting of ten

(10) sheets is hereby **APPROVED** subject to Applicant's compliance with the following conditions:

1. Compliance with all conditions and comments set forth in the Pennoni *Review Letter* dated June 1, 2020;
2. Compliance with all Sewer Authority requirements to obtain sewer certification and all required EDUs as determined by the Sewer Authority;
3. Compliance with the recommendations of the Montgomery County Planning Commission review letter dated May 22, 2020 unless otherwise waived herein or contrary to the conditions or recommendations set forth in the Pennoni Review Letter referenced above;
4. Compliance with all conditions, representations and other requirements as set forth by the Norristown Zoning Hearing Board in its decision dated May 28, 2019 for Application 7-19, which decision is hereby incorporated herein by reference;
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; and
8. Payment of all outstanding fees, including professional review fees, owed to the Municipality.
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 the Norristown Stormwater Management Ordinance are hereby approved or denied as indicated as follows:

1. **§276 Attachment 15 F-6.A** – for relief from all storm sewer pipelines being reinforced concrete pipe with a minimum allowable pipe size of eighteen (18) inches when the Applicant proposes only eight (8) inch PVC pipe.

APPROVED DENIED

2. § 282-304.6.I.2 – for relief from showing buildings and other structures located less than 100 feet beyond the tract boundary lines.

APPROVED DENIED

3. §282-433.1.A – for relief from the requirement that the landscaping plan submitted be prepared by a certified planting professional.

APPROVED DENIED

4. §282-433.2.E – for relief from the landscaping requirements relating to the buffer area including minimum quantities, types and sizes of plant material for the eternal street buffer along West Elm Street.

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. 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 _____ day of August 2020

Seal:

**Municipality of Norristown
Municipal Council**

By: _____

Derrick D. Perry
Council President

Attest _____

Crandall O. Jones
Municipal Administrator

THE UNDERSIGNED HEREBY REPRESENTS THAT HE/SHE IS AUTHORIZED ON BEHALF OF THE APPLICANT TO AGREE, AND HEREBY AGREES TO THE ABOVE PRELIMINARY LAND DEVELOPMENT PLAN APPROVAL RESOLUTION:

APPLICANT: JAR INVESTMENTS, LLC

By: _____ Date : _____

Name :

Title :

Attest:

By: _____ Date: _____

Name:

Title:

APPLICANT: Rick Gallo

By: _____ Date : _____

Name :

Title :

Attest:

By: _____ Date: _____

Name:

Title:

