

RESOLUTION 25-10
WAIVER FROM LAND DEVELOPMENT
DG Sumneytown, LLC; 1390 Valley Forge Road
Proposed Site Modifications for Day Care Use
T.M.P. No. 53-00-08880-00-4

WHEREAS, a request was made to Towamencin Township Board of Supervisors for the approval of a Waiver from the Land Development Process for proposed site improvements associated with the proposed modifications to the parking lot and driveway accesses for a proposed Goddard School at 1390 Valley Forge Road;

WHEREAS, the overall site is 1.74 acres (\pm) within the "C – Commercial" Zoning District located on the northwestern corner of the intersection of Sumneytown Pike and Valley Forge Road (SR 0363);

WHEREAS, the Applicant is proposing to convert the existing building for a proposed day care, remove the existing parking area in the rear of the building and the drive-through lane, construct playground areas, modify the access driveways from Valley Forge Road and Sumneytown Pike, and construct other site improvements associated with the proposed day care use;

WHEREAS, the Applicant has been granted approval of a variance from the Zoning Hearing Board for the number of parking spaces required for a Use "E-3 – Day Care Center/Nursery School";

WHEREAS, the Applicant, due to the minor nature of the site improvements, has requested a waiver from proceeding through the complete and formal land development process;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Towamencin Township on this 6th day of January 2025 that the site improvements described in the application and the plans consisting of fourteen (14) sheets with twelve (12) sheets prepared by GreenHaus Design Group, LLC, and Sheets 3 and 4 prepared by K&W Engineers, as titled:

1. Cover Sheet, dated June 14, 2024 with latest revisions dated November 4, 2024, as sheet 1 of 14.
2. General Notes, dated June 14, 2024 with latest revisions dated November 4, 2024, as sheet 2 of 14.
3. Boundary and Topographic Survey Plan, dated May 31, 2024 with no revisions, as sheet 3 of 14.
4. Additional Road Topographic Survey Plan, dated May 31, 2024 with no revisions, as sheet 4 of 14.
5. Demolition Plan, dated June 14, 2024 with latest revisions dated November 4, 2024, as sheet 5 of 14.
6. Site Plan – Overall, dated June 14, 2024 with latest revisions dated November 4, 2024, as sheet 6 of 14.
7. Grading and Drainage Plan, dated June 14, 2024 with latest revisions dated November 4, 2024, as sheet 7 of 14.
8. Erosion and Sediment Control Plan, dated June 14, 2024 with latest revisions dated November 4, 2024, as sheet 8 of 14.

9. Erosion and Sediment Control Details, dated June 14, 2024 with latest revisions dated November 4, 2024, as sheet 9 of 14.
10. Landscape Plan, dated June 14, 2024 with latest revisions dated November 4, 2024, as sheet 10 of 14.
11. Landscape Details and Notes, dated June 14, 2024 with latest revisions dated November 4, 2024, as sheet 11 of 14.
12. Site Construction Details, dated June 14, 2024 with latest revisions dated November 4, 2024, as sheet 12 of 14.
13. Site Construction Details, dated June 14, 2024 with latest revisions dated November 4, 2024, as sheet 13 of 14.
14. Site Construction Details, dated June 14, 2024 with latest revisions dated November 4, 2024, as sheet 14 of 14.

are approved as a Waiver from the Land Development Process consistent with the provisions of the Towamencin Township Subdivision and Land Development Ordinance conditioned upon completion/satisfaction of all of the provisions and conditions set forth in the following, unless otherwise addressed in the following sections of this Approval Resolution:

1. CKS Engineers, Inc. review letter dated December 4, 2024,
2. Bowman review letter dated November 25, 2024,
3. Gilmore & Associates, Inc. review letter dated October 1, 2024,
4. Towamencin Township Fire Marshal letter dated July 16, and
5. Van Cleef Engineering email dated June 26, 2024.

BE IT FURTHER RESOLVED, that this Waiver from the Land Development Process is conditioned upon the following:

1. Payment of all costs incurred by the Township related to the processing of the land development waiver request.
2. Compliance with the Zoning Hearing Board Decision dated October 7, 2024 regarding a variance from the parking requirement for the proposed day care use for the subject property.
3. Submission of a copy of the Sewage Facilities Planning Approval from the Pennsylvania Department of Environmental Resources for any additional wastewater flow from the proposed change of use.
4. Submission of a copy of the approval from the Pennsylvania Department of Transportation for the access driveway onto Valley Forge Road (S.R. 0363).
5. Submission of a copy of the approval from the Montgomery County Department of Roads and Bridges for the access driveway(s) onto Sumneytown Pike.
6. Submission of a copy of the approval from North Penn Water Authority for any increased water usage for the proposed change of use.

7. Payment of a Traffic Impact Fee per the Bowman letter dated November 25, 2024 payable to Towamencin Township totaling \$24,173.16. (\$2,197.56 x 11 new trips).
8. Payment of sewer capital charges for the purchase of any required additional EDU's to Towamencin Township and Towamencin Municipal Authority.
9. Entering into an Security Agreement with the Township to guarantee the installation of the required site improvements that are proposed in conjunction with the project, in a format acceptable to the Township Solicitor.
10. Entering into a written agreement addressing the perpetual maintenance requirements of the stormwater management facilities, in a format acceptable to the Township Solicitor.
11. Entering into a landscape covenant addressing the perpetual maintenance and replacement requirements for the required landscape plantings for the development, in a format acceptable to the Township Solicitor.
12. Submission of the Final Record Plans to the Township for recording at the Montgomery County Recorder of Deeds office.
13. Submission of an electronic copy of the Final Record Plans to the Township.

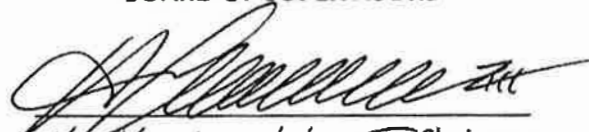
No waiver or deferral from any applicable provisions of the Towamencin Township Subdivision and Land Development Ordinance, the Towamencin Township Engineering Standards, the Towamencin Township Stormwater Management Ordinance, the Township Driveway Ordinance, the Towamencin Township Grading and Excavating Ordinance and the Township Streets, Curbs, and Sidewalks Ordinance are intended to be granted by virtue of this Waiver from Land Development approval unless such waiver requests are specifically granted herein. Any proposed design or construction on the plans, which would otherwise require a waiver by the Board of Supervisors, and which has not been specifically granted hereby must be addressed for approval to the Board of Supervisors.

This Waiver is further conditioned upon the acceptance of the conditions contained herein by the Applicant and his/her signifying his/her acceptance of these conditions by signing a copy of this Resolution and returning it to the Township.

In the event that said execution of the resolution is not delivered to the Township office by noon, January 22, 2025, it shall be deemed that the applicant does not accept these conditions and any approvals conditioned upon their acceptance of the conditions are revoked and the application shall be considered denied for the reasons set forth above and as authorized in Section 508 of the Municipalities Planning Code.

Adopted by the Towamencin Township Board of Supervisors on this 6th day of January 2025.

**TOWAMENCIN TOWNSHIP
BOARD OF SUPERVISORS**


H. Charles Wilson III, Chairman

ATTEST:


Joyce F. Snyder, Secretary

ACCEPT:



On Behalf of DG Sumneytown LLC

DAVID GOLDSTEIN PRESIDENT

Date

1/13/25