

The regular meeting of the **BOARD OF COMMISSIONERS** for November 2020 was held this evening via web-conference, President Daniel B. Norris presiding. Members present were Commissioners Holland, Rappoport, Areman, Pransky, Brockington and Zygmund-Felt.

Staff present via web-conference were Robert Zienkowski, Township Manager; Alyson Elliott, Assistant Township Manager; John Frye, Chief of Police; Scott Lynch, Fire Marshal; Christopher Clewell, Public Works Superintendent; Bruce Rangnow, Director of Fiscal Affairs; Joseph Stuckert, Street Lighting and Traffic Signal Superintendent; and Henry Sekawungu, Director of Planning and Zoning. Also present via web-conference was Joseph Bagley, Esq., Township Solicitor.

Mr. Bagley announced that the Board met in an Executive Session prior to this evening's meeting to discuss personnel matters, potential litigation, emergency preparedness and the protection of public safety, and matters which if discussed in public would violate a lawful privilege.

1. The meeting was commenced by Mr. Norris at 7:33 pm.
2. Mr. Zygmund-Felt led the Pledge of Allegiance.
3. Each member having received a copy of the Commissioners' Regular Meeting Minutes dated October 21, 2020 and the Minutes of the Special Meeting of the Board of Commissioners dated November 4, 2020, upon motion of Mr. Pransky, the minutes were unanimously approved by the Board of Commissioners.
4. Each member having received a copy of the Executive Summary Financial Report of the Manager/Secretary for the month of October 2020, upon motion of Mr. Pransky, the report was unanimously approved by the Board of Commissioners.
5. Each member having received a copy of the Accounts Paid Report for the month of October 2020, upon motion of Ms. Rappoport, the report was unanimously approved by the Board of Commissioners.
6. Consider approval of the recommendations of the Public Works Committee and acceptance of its Regular Meeting Minutes dated November 4, 2020:
  - a. Upon motion of Mr. Zygmund-Felt, the Board of Commissioners unanimously approved the adoption of **Resolution No. 30-20** granting conditional approval for CTDA #20-04, Land Development for Calvary Orthodox Presbyterian Church located at 734 Willow Grove Avenue, Glenside PA, to construct a one-story, 14 foot by 40 foot (560 sf) modular classroom along with an exterior walkway and stairs and ADA accessibility building with landscaping, for educational use at this site located in the R2 Residential Zoning District (see attached).
  - b. Upon motion of Mr. Zygmund-Felt, the Board of Commissioners unanimously approved traffic signal repairs for the 309/Ogontz Avenue Corridor on the condition that conversation takes place with the Township Solicitor about certain legalities.
  - c. Upon motion of Mr. Zygmund-Felt, the Board of Commissioners unanimously authorized of the expenditure of \$8,500 for traffic signal repairs at the intersection of Old York Road and Spring Avenue.

Mr. Norris took a moment to thank Mr. Zienkowski for all his hard work since he began his role as Township Manager back in September.

Upon motion of Mr. Zygmund-Felt, the Board of Commissioners unanimously accepted the Public Works Committee Meeting Minutes of November 4, 2020.

7. Consider approval of the recommendations of the Building and Zoning Committee and acceptance of its Regular Meeting Minutes dated November 4, 2020.

Mr. Areman mentioned that under New Business, there were actually two votes that evening, one was a unanimous vote to table the discussion on authorizing a Cooperation Agreement among Salus University, Cheltenham Township and the Redevelopment Authority of Montgomery County and the approval of a Certificate of Applicable Elected Representative to approve of Salus University undertaking a tax-exempt private activity bond to finance a project in Cheltenham Township. The second vote, which was a 5-2 vote, authorized the advertisement of a public hearing required by the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) at the November 18, 2020 Board of Commissioners meeting, after public notice, regarding Salus University's \$15,000,000 tax-exempt private activity bond. Mr. Areman asked that these changes be made to the November 4, 2020 Building and Zoning Minutes.

Upon motion of Mr. Pransky, the Board of Commissioners unanimously accepted the Building and Zoning Regular Meeting Minutes of November 4, 2020, *contingent upon making the requested changes by Mr. Areman under New Business.*

8. Consider approval of the recommendations of the Public Safety Committee and acceptance of its Regular Meeting Minutes dated November 10, 2020.

a. Upon motion of Mr. Brockington, the Board of Commissioners unanimously approved **Ordinance No. 2412-20** amending Chapter 285, Vehicles and Traffic, Section 285-43, Street and Parking Regulations, of the Cheltenham Township Code to amend traffic regulations to add Handicapped Parking in front of 1828 Chelsea Road (Ayes: Norris, Brockington, Holland, Rappoport, Areman, Pransky, Zygmund-Felt) (see attached).

b. Upon motion of Mr. Brockington, the Board of Commissioners unanimously approved authorizing the advertisement of the Board of Commissioners' intention to consider the adoption of an Ordinance amending Chapter 285, Vehicles and Traffic, Section 285-43, Street and Parking Regulations, of the Cheltenham Township Code to amend traffic regulations to add Handicapped Parking in front of 473 Valley Road at its regularly-scheduled meeting on December 16, 2020.

c. Upon motion of Mr. Brockington, the Board of Commissioners unanimously approved the Cheltenham Township Police Department's Body-Worn Camera Policy, as amended (see attached).

Mr. Brockington asked about the status of the body-worn cameras. Chief Frye stated that he reached out to the vendor, but has not received a response back yet and he hopes to have the cameras by the end of the year. Mr. Norris thanked the Chief and his Department for all their hard work over the last few months.

d. Upon motion of Mr. Brockington, the Board of Commissioners unanimously approved the purchase of a new Fire Marshal vehicle in an amount not to exceed \$52,370.41.

Mr. Pransky asked if the Township considered purchasing an electric vehicle (EV) instead. Ms. Elliott said the Environmental Advisory Council met with a consultant who advises organizes about converting fleets to EVs. The consultant said there instances where it does not make sense to purchase an EV and the Fire Marshal vehicle is one where it does not make sense.

Upon motion of Mr. Brockington, the Board of Commissioners unanimously accepted the Public Safety Regular Meeting Minutes dated November 10, 2020.

9. Consider approval of the recommendations of the Public Affairs Committee and acceptance of its Regular Meeting Minutes dated November 10, 2020.

a. Upon motion of Ms. Rappoport, the Board of Commissioners unanimously approved **Resolution No. 31-20** granting conditional approval for CTDA #20-01, to demolish the existing Dunkin' Donuts store in Cheltenham Plaza to rebuild it on a smaller foot print along with two new commercial structures for a total of 10,370 sq. ft. at 8200 Ogontz Avenue, Wyncote in the C2 Commercial Zoning District (see attached).

- b. Mr. Areman mentioned that under item two, letter e, it should say Human Relations, not Human Resources. Ms. Elliott said that change was made and corrected on the Township website.

Public Comment

*Theresa Camerota, 1112 Church Road, Wyncote, PA*, commented on the demolition and rebuild of the Dunkin Donuts and whether a building will be located in the corner of the lot. She also commented that the Welcome to Cheltenham sign looked very nice. Mr. Sekawungu said there will not be any buildings going in the corner and that the developer agreed to put a welcome sign and landscaping in the corner when the billboard was relocated.

Upon motion of Ms. Rappoport, the Board of Commissioners unanimously accepted the Public Affairs Committee Regular Meeting Minutes of November 10, 2020.

10. Consider approval of the recommendations of the Finance Committee and acceptance of its Regular Meeting Minutes dated November 10, 2020.

- a. Upon motion of Mr. Holland, the Board of Commissioners unanimously approved the adoption of the Preliminary 2021 Operating and Capital Budgets and authorized advertisement of a Public Hearing at the Board of Commissioners' regularly-scheduled meeting on December 16, 2020, to hear Public Comment prior to considering adoption of the 2021 Operating and Capital Budgets.
- b. Upon motion of Mr. Holland, the Board of Commissioners unanimously approved the authorization to advertise the Board of Commissioners intention to consider the adoption of an Ordinance to increase the Township's share of the Earned Income Tax to 0.5% at its regularly-scheduled meeting on December 16, 2020.

Mr. Holland mentioned that this item has been discussed in great detail at multiple meetings.

Mr. Zygmund-Felt asked that the language "share of the Earned Income Tax to 0.5%" be amended to say "share of the Earned Income Tax by 0.5%".

- c. Upon motion of Mr. Holland, the Board of Commissioners unanimously approved moving forward with repairs to the ambulance in an amount not to exceed \$13,000, provided all considerations for reducing the cost of the repairs are made.

Mr. Zienkowski noted that the total cost for repairs will be \$12,991.10, which is in line with the not to exceed of \$13,000.

Upon motion of Mr. Holland, the Board of Commissioners unanimously accepted the Finance Committee Regular Meeting Minutes of November 10, 2020.

11. Consider approval of the recommendations of the Pension Board and acceptance of its Regular Meeting Minutes dated November 6, 2020.

Upon motion of Mr. Norris, the Board of Commissioners unanimously accepted the Pension Board Regular Meeting Minutes of November 6, 2020.

12. Old Business:

- a. Upon motion of Mr. Norris, the Board of Commissioners with a 6-0 vote approved the authorization to advertise the Board of Commissioners intention to consider an Ordinance amending Chapter 270: Taxation, Article VI: Property Tax Abatements, of the Cheltenham Township Code of Ordinances to expand the number of properties that qualify for Property Tax Abatements through the addition of Commercial Districts, extend the abatement period from five years to 10 years, add definitions for clarification,

and add exclusions/revocations and disqualifying events, as amended (Ayes: Norris, Brockington, Holland, Areman, Pransky, Zygmund-Felt; Nays: Rappoport)

Mr. Pransky said that the LERTA is to help businesses grow or establish themselves in the Township. This is available in other municipalities, such as Jenkintown, who used it as an opportunity to build up their area around the Fairway.

Mr. Zygmund-Felt commented that there was discussion with the Township's Economic Development Council (EDTF) on the coordination of Commercial District Liaisons who would help promote and support businesses in the different business areas in the Township.

Mr. Norris commented that the vote tonight does not put this into place, it just starts the process of implementing it, as this would still need to be approved by the School District and County.

Mr. Areman commented that above attracting new businesses, the current businesses that are already here can utilize this to continue to grow.

Ms. Rappoport commented that she does not disagree with all of the advantages and supports business incentives, but believes the Ordinance misses some valuable opportunities to incentivize certain benefits to the Township over others.

#### Public Comment

*Robert Hyslop, 211 Harrison Avenue, Glenside, PA*, noted that the Ordinance was attached to the agenda twice and wanted clarification that both attachments were the same. Mr. Areman confirmed that it was the same attachment. He also mentioned that the attached maps had multiple colors, but did not see a legend that explained the difference of the colors. Ms. Elliott said the colors are just delineating the different commercial districts. Lastly Mr. Hyslop asked staff to note items that are changed on an agenda after it has been made public. Mr. Zienkowski said staff will do that in the future and noted that the change made to this agenda was the attachment of the body-worn camera policy.

#### 13. New Business:

- a. Upon motion of Mr. Norris, the Board of Commissioners with a 6-0-1 vote approved to retain the services of Lewis Environmental to clean the soot from the boiler room at the Glenside Library in the amount of \$2,450 (Ayes: Norris, Brockington, Holland, Areman, Pransky, Zygmund-Felt; Abstained: Rappoport).

Ms. Rappoport expressed some concerns about the services of Lewis Environmental. Mr. Clewell said he has worked with this company many times in the past and has not had any issues with them. Mr. Clewell also stated that there are not too many companies in the area that perform this type of work. Mr. Zienkowski explained that there are a multitude of issues with this boiler and the removal of soot is just one of the many problems that needs to be addressed. The proposal is just to clean the boiler room. Ms. Rappoport asked staff to take another look at the provisions, as they are very prohibitive, and to place a not-to-exceed price on the project. She also asked staff to make sure the company will properly remove and dispose of the soot and the Township is not responsible for that.

- b. Mr. Zienkowski provided a brief update on COVID-19. At this time, staff is working remotely until after Thanksgiving. He noted that a few of the staff in the Administration Building tested positive and their symptoms have not been severe. He also provided an update on the civilian employee in the Police Department who has been in the hospital due to COVID-19 and he is showing improvement. Mr. Zienkowski thanked staff for all their hard work during these unknown times.

- c. Mr. Areman announced that he will be holding a Ward 1 Town Hall Meeting on Monday, December 7, 2020 via Zoom at 7:00 p.m. This meeting is to discuss local updates and issues, as well as introducing Mr. Zienkowski as the new Township Manager.
  - d. Mr. Norris commented on the rise of COVID cases around the Country and that we need to continue to do our part to follow the guidelines set forth by the CDC and the State, which includes wearing masks and social distancing.
14. Citizens Forum:

*Rhonda Isser, Cheltenham Lateral Solutions*, expressed her appreciation for posting on the Township website about the free PPE that is available through Senator Haywood's Office. She also expressed appreciation to Mr. Sekawungu for updating the Township website with information about starting a new business within the Township. She asked if this information could be made available on the home page of the Township website to help promote new businesses within the Township.

*Robert Hyslop, 211 Harrison Avenue, Glenside, PA*, mentioned the Zoom Bomb that took place last week during the Public Safety meeting and that the Township should research ways that we can keep these meetings safe so that this does not happen again.

Mr. Areman thanked Mr. Zienkowski and Ms. Elliott for their professionalism on how they handled the Zoom Bomb.

*Emily Steinberg, 411 Randall Road, Wyncote, PA*, said she heard a report on the radio that Philadelphia is having issues with ATVs and loud scooters and motorcycles. She also said she has been receiving a lot of comments on her citizens' voice site about this issue on Tookany Creek Parkway. She also asked if the Township has ever used an advertising strategy to advertise the benefits of living in Cheltenham to help bring in new homeowners into the Township. Ms. Rappoport said the Township worked with the School District a few years ago, but there has not been much follow through since. Ms. Steinberg said she would be more than happy to donate her time to promote this idea.

*Theresa Camerota, 1112 Church Road, Wyncote, PA*, also commented on the ATV issue and that the Township is not focusing enough on the issue and asked if an Ordinance can be put together to regulate some of this problem. Mr. Norris said it can be discussed at a future Public Safety meeting.

*Rhonda Isser, Cheltenham Lateral Solutions*, said that she has a group of people getting together to discuss branding and business development, which would include ways to attract people to the Township.

On behalf of the Board, Mr. Norris wished everyone a safe and healthy Thanksgiving.

There being no further business, Mr. Norris adjourned the meeting at 9:07 p.m.



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Robert Zienkowski  
Township Manager

per Ashley Lupino

**CHELTENHAM TOWNSHIP  
MONTGOMERY COUNTY, PENNSYLVANIA**

**RESOLUTION NO. 30-20**

**734 WILLOW GROVE AVENUE  
CALVARY ORTHODOX PRESBYTERIAN CHURCH  
PRELIMINARY/FINAL LAND DEVELOPMENT APPROVAL**

**WHEREAS**, Calvary Orthodox Presbyterian Church (“Developer”) is the owner and developer of a lot at the intersection of Church Road and Willow Grove Avenue in Cheltenham Township with an existing two-story Church building and parking lot on which is proposed the construction of a 560 SF classroom building, a concrete sidewalk and elevated ramp to the classroom, the installation of underground stormwater facilities and the installation of 8 new trees (“Development”); and

**WHEREAS**, the Developer was granted zoning relief by the Cheltenham Township Zoning Hearing Board on or about November 18, 2019 (“Zoning Decision”) wherein certain a special exception and certain zoning variances were granted (the Zoning Decision is incorporated herein by reference as though set forth at length herein); and

**WHEREAS**, the Development is currently proposed as more particularly shown on certain preliminary/final land development plans prepared by Knudsen Engineering, Inc. dated September 10, 2020 (the “Plans”); and

**WHEREAS**, the Developer has also submitted stormwater management computations dated September 25, 2019 prepared by Knudsen Engineering, Inc. (referred to as the "Submittal"); and

**WHEREAS**, the Montgomery County Planning Commission (“MCPC”) issued a review letter on the Plans dated October 22, 2020;

**NOW, THEREFORE, BE IT RESOLVED** that the Cheltenham Township Board of Commissioners hereby **GRANTS** preliminary/final approval of the land development as shown on the Plans and Submittal described herein subject, however, to the following conditions:

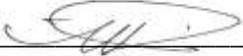
1. At this time, the Cheltenham Township Board of Commissioners **WAIVES** strict compliance with the following provisions of the Cheltenham Township Subdivision and Land Development Ordinance:
  - a. the requirement per Chapter 260, §304.C requiring the items within 200 feet of the site which must be shown on the Existing Features Plan (an aerial plan has been submitted instead) ;
  - b. the requirement per Chapter 260, §309A.5. a permitting small project to be considered a “Minor Land Development” (the Development does not meet the precise definition of “Minor Land Development”); and
  - c. the requirement per Chapter 260, §422.M.2 requiring the minimum storm sewer pipe size diameter of fifteen (15) inches (six (6) inch diameter pipes are shown on the Plans).
2. Prior to the recording of the Plans, the Developer shall revise the Plans to conform to the review comments and recommendations of the Township's Engineer set forth in the review letter of October 22, 2020.

3. The Development shall be constructed in strict accordance with the content of the Plans, notes on the Plans and the terms and conditions of this Preliminary/Final Approval Resolution, the Submittal, and the Zoning Decision.
4. Prior to recording the Plans, Developer shall provide the Township with all required approvals from outside agencies having jurisdiction over the Development including, but not limited to, approval from the Pennsylvania Department of Transportation, the Pennsylvania Department of Environmental Protection (“DEP”), and the Montgomery County Conservation District, as applicable.
5. Prior to the start of construction, Developer shall notify the Township Manager and the Township Engineer and schedule a preconstruction meeting with the Township. Developer shall provide the Township Manager and the Township Engineer with at least seventy-two (72) hours’ notice prior to the initiation of any grading or ground clearing (whether for the construction of public improvements or in connection with individual buildings or additions) so that the Township may certify that all appropriate erosion and sedimentation control facilities have been properly installed and also that snow fencing or other types of boundary markers (acceptable to the Township) have been installed to protect such trees as are specifically proposed to not be eliminated during the construction of the Development.
6. Prior to recording of the Plans, Developer shall enter into a Land Development and Financial Security Agreement (“Financial Security Agreement”) with the Township. The Financial Security Agreement shall be satisfactory to the Township Solicitor and the Developer shall obligate itself to complete all of the public improvements shown on the Plans in accordance with Township criteria and specifications as well as to secure the completion of the said public improvements by posting satisfactory financial security as required by the Pennsylvania Municipalities Planning Code (“MPC”).
7. The cost of accomplishing, satisfying and complying with all of the terms and conditions and requirements of the Plans, notes to the Plans, the Submittals, this Preliminary/Final Approval Resolution, and the Financial Security Agreement shall be borne entirely by the Developer and shall be at no cost to the Township.
8. Although the maintenance of all stormwater collection, detention and conveyance facilities shall be the responsibility of Developer, its successors and assigns, Developer shall, prior to the recording of the Plans, execute a declaration to reserve easements in favor of the Township so that the stormwater facilities may be maintained by the Township (with all expenses charged to the Developer) in the event that the maintenance responsibilities of the stormwater facilities are not fulfilled after reasonable notice to do so. The terms and conditions of the declaration shall be satisfactory to the Township Solicitor, and the declaration shall be recorded simultaneously with the Plans.
9. Consistent with Section 509(b) of the MPC (as amended) the payment of all applicable fees and the funding of all escrows under the Land Development and Financial Security Agreement shall be accomplished within ninety (90) days of the date of this Resolution unless a written extension is granted by the Township. Until the applicable fees have been paid and the escrows fully funded, the final plat or record plan shall not be signed nor recorded. In the event that the fees have not been paid and the escrow has not been funded within ninety (90) days of this Resolution (or any written extension thereof), this contingent approval shall expire and be deemed to have been revoked.

10. Under the provisions of the MPC, the Developer has the right to accept or reject conditions imposed by the Board of Commissioners upon preliminary/final approval. In the absence of an appeal or a notice of rejection filed in writing within thirty (30) days from the date of this Resolution, the conditions set forth herein shall be deemed to have been accepted by the Developer. If (a) the Township receives written notice of a rejection of any of the conditions set forth herein within thirty (30) days from the date of this Resolution or (b) the Developer files an appeal of any of the conditions set forth herein within thirty (30) days from the date of this Resolution, this approval and the waivers granted in Paragraph 1 (which waivers are granted contingent upon the acceptance of the conditions set forth herein) shall be deemed to be automatically rescinded and revoked and the application shall be considered denied based upon the failure to fully comply with the conditions set forth in Paragraph 2, all as authorized by Section 508 of the MPC.

**APPROVED** at the public meeting of the Cheltenham Township Board of Commissioners held on November 18, 2020.

**ATTEST:**

  
**Robert Zienkowski**  
*Township Manager and Secretary*

**TOWNSHIP OF CHELTENHAM  
BOARD OF COMMISSIONERS**

By:   
**Daniel B. Norris, President**



**CHELTENHAM TOWNSHIP  
MONTGOMERY COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2412-20**

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**AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF  
CHELTENHAM TOWNSHIP, MONTGOMERY COUNTY,  
PENNSYLVANIA, TO AMEND THE CODE OF THE TOWNSHIP  
OF CHELTENHAM, CHAPTER 285 THEREOF, ENTITLED  
VEHICLES AND TRAFFIC, BY AMENDING CERTAIN STREET  
AND PARKING REGULATIONS**

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The Board of Commissioners of the Township of Cheltenham hereby ordains:

**SECTION 1.** The Code of the Township of Cheltenham, Chapter 285, entitled “Vehicles and traffic,” Article IV, entitled “Schedule of traffic regulations,” Section 285-43, entitled “Street and parking regulations” thereof is hereby amended by **ADDING** the following:

CHELSEA ROAD (12) Handicapped Parking in front of 1828 Chelsea Road

**SECTION 2.** That in all other respects Chapter 285 of the Code of the Township of Cheltenham is hereby approved and accepted as amended, and shall continue in full force and effect.

**SECTION 3.** This Ordinance shall take effect and be in force from and after its approval as required by law.

**ENACTED** into an Ordinance this 18<sup>th</sup> day of **November 2020**.

**ATTEST:**

**Robert Zienkowski**  
*Township Manager and Secretary*

**TOWNSHIP OF CHELTENHAM  
BOARD OF COMMISSIONERS**

By:   
**Daniel B. Norris, President**

**CHELTENHAM TOWNSHIP  
MONTGOMERY COUNTY, PENNSYLVANIA**

**RESOLUTION NO. 31-20**

**8200 OGONTZ AVENUE  
CHELTENHAM PLAZA  
PRELIMINARY/FINAL LAND DEVELOPMENT APPROVAL**

**WHEREAS**, KL Investments, LLC (“Developer”) is the owner and developer of a lot located south of the intersection of Ogontz Avenue and State Route 309, 8200 Ogontz Avenue, and located within the C-2 Commercial District in Cheltenham Township, with an existing shopping center, stand-alone Dunkin Donuts store, associated parking lots on which is proposed the demolition of the existing Dunkin Donuts building, the demolition of selective pavement areas, landscape beds, and concrete curbs, the construction of a new 1,815 square foot Dunkin Donuts store, the construction of a new 5,855 square foot commercial building, the reconstruction and restriping of the asphalt parking areas, the closure of the existing driveway on Ogontz Avenue at the North side of the property, and other associated work on underground stormwater facilities, landscape islands and landscaped beds (the “Development”); and

**WHEREAS**, the Development is currently proposed as more particularly shown on certain preliminary/final land development plans prepared by Mainstay Engineering Group, Inc. dated January 17, 2020, last revised October 2, 2020, with Sheets 12 and 41 of 41 Sheets last revised November 9, 2020 (the “Plans”).

**NOW, THEREFORE, BE IT RESOLVED** that the Cheltenham Township Board of Commissioners hereby **GRANTS** preliminary/final approval of the land development as shown on the Plans described herein subject, however, to the following conditions:

1. At this time, the Cheltenham Township Board of Commissioners **WAIVES** strict compliance with the following provisions of the applicable Cheltenham Township Subdivision and Land Development Ordinance:
  - a. SALDO Section 260-30.D. - requiring a noise analysis for the environmental impact study;
  - b. SALDO Section 260-30.E. - requiring an open space analysis for the environmental impact study;
  - c. SALDO Section 260-30.F. - requiring a traffic study for the environmental impact study;
  - d. SALDO Section 260-30.G.(3) - requiring a real estate appraisal analysis for the environmental impact study;
  - e. SALDO Section 260-33.B.(2) - requiring the Record Plan(s) to be drawn on linen tracing cloth, rather than accepting paper copies of the Record Plan(s);
  - f. SALDO Section 260-33.B.(4) - requiring the Record Plan(s) to be printed on linen cloth, rather than accepting paper copies of the Record Plan(s);
  - g. SALDO Section 260-32.C.(6) and SALDO Section 260-32.D.(5) - requiring the provision of elevations based on Cheltenham Township Sanitary Sewer Datum (The Developer offers to provide a calculation for the conversion of the given Datum to Cheltenham Township Sanitary Sewer Datum);
  - h. SALDO Section 260-32.D.(2) - requiring the provision of the location of property lines and names of owners; and the location of watercourses, sanitary sewers, storm drains

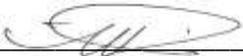
and similar features within four hundred (400) feet of any part of the land to be subdivided (The Developer offers the Topographic Survey Plan of the site and supplement with aerial imagery within 400 feet); and

- i. SALDO Section 260-32.D.(5) - requiring the provision of topography adjacent to the property for a minimum distance of four hundred (400) feet (The Developer offers the Topographic Survey Plan of the site and supplements with aerial imagery within 400 feet).
2. Prior to the recording of the Plans, the Developer shall revise the Plans to conform to the review comments and recommendations of the Township's Engineer set forth in the review letter of October 29, 2020.
3. Prior to the recording of the Plans, the Developer shall revise the Plans to conform to the review comments and recommendations of the Township's Traffic Engineer set forth in the review letter of September 14, 2020.
4. The Development shall be constructed in strict accordance with the content of the Plans, notes on the Plans and the terms and conditions of this Preliminary/Final Approval Resolution, the Submittal, and the Zoning Decision.
5. Prior to recording the Plans, Developer shall provide the Township with all required approvals from outside agencies having jurisdiction over the Development including, but not limited to, approval from the Pennsylvania Department of Transportation, the Pennsylvania Department of Environmental Protection ("DEP"), and the Montgomery County Conservation District, as applicable.
6. Prior to the start of construction, Developer shall notify the Township Manager and the Township Engineer and schedule a preconstruction meeting with the Township. Developer shall provide the Township Manager and the Township Engineer with at least seventy-two (72) hours' notice prior to the initiation of any grading or ground clearing (whether for the construction of public improvements or in connection with individual buildings or additions) so that the Township may certify that all appropriate erosion and sedimentation control facilities have been properly installed and also that snow fencing or other types of boundary markers (acceptable to the Township) have been installed to protect such trees as are specifically proposed to not be eliminated during the construction of the Development.
7. Prior to recording of the Plans, Developer shall enter into a Land Development and Financial Security Agreement ("Financial Security Agreement") with the Township. The Financial Security Agreement shall be satisfactory to the Township Solicitor and the Developer shall obligate itself to complete all of the public improvements shown on the Plans in accordance with Township criteria and specifications as well as to secure the completion of the said public improvements by posting satisfactory financial security as required by the Pennsylvania Municipalities Planning Code ("MPC").
8. The cost of accomplishing, satisfying and complying with all of the terms and conditions and requirements of the Plans, notes to the Plans, the Submittals, this Preliminary/Final Approval Resolution, and the Financial Security Agreement shall be borne entirely by the Developer and shall be at no cost to the Township.
9. Although the maintenance of all stormwater collection, detention and conveyance facilities shall be the responsibility of Developer, its successors and assigns, Developer shall, prior to the recording of the Plans, execute a declaration to reserve easements in favor of the Township so that the stormwater facilities may be maintained by the Township (with all expenses charged to the Developer) in the event that the maintenance responsibilities of the stormwater facilities are not fulfilled after reasonable notice to do so. The terms and conditions of the declaration shall be satisfactory to the Township Solicitor, and the declaration shall be recorded simultaneously with the Plans.

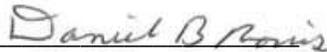
10. Consistent with Section 509(b) of the MPC (as amended) the payment of all applicable fees and the funding of all escrows under the Land Development and Financial Security Agreement shall be accomplished within ninety (90) days of the date of this Resolution unless a written extension is granted by the Township. Until the applicable fees have been paid and the escrows fully funded, the final plat or record plan shall not be signed nor recorded. In the event that the fees have not been paid and the escrow has not been funded within ninety (90) days of this Resolution (or any written extension thereof), this contingent approval shall expire and be deemed to have been revoked.
11. Under the provisions of the MPC, the Developer has the right to accept or reject conditions imposed by the Board of Commissioners upon preliminary/final approval. In the absence of an appeal or a notice of rejection filed in writing within thirty (30) days from the date of this Resolution, the conditions set forth herein shall be deemed to have been accepted by the Developer. If (a) the Township receives written notice of a rejection of any of the conditions set forth herein within thirty (30) days from the date of this Resolution or (b) the Developer files an appeal of any of the conditions set forth herein within thirty (30) days from the date of this Resolution, this approval and the waivers granted in Paragraph 1 (which waivers are granted contingent upon the acceptance of the conditions set forth herein) shall be deemed to be automatically rescinded and revoked and the application shall be considered denied based upon the failure to fully comply with the conditions set forth in Paragraph 2, all as authorized by Section 508 of the MPC.

**APPROVED** at the public meeting of the Cheltenham Township Board of Commissioners held on November 18, 2020.

**ATTEST:**

  
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**Robert Zienkowski**  
*Township Manager and Secretary*

**TOWNSHIP OF CHELTENHAM  
BOARD OF COMMISSIONERS**

By:   
**Daniel B. Norris, President**