



# Township of Haverford

## Resolution No. 2443 - 2025

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Resolution for subdivision plan approval for Thomas and Joanne Storey for a four lot consolidation at 30 Ellis Road, Havertown.

Whereas, Act 247 of 1968, the Pennsylvania Municipalities Planning Code, empowers the Haverford Township Board of Commissioners to regulate subdivisions and land developments within the Township; and

Whereas, Haverford Township desires orderly and appropriate land use and development to protect the health, safety, and welfare of residents; and

Whereas, Thomas and Joanne Storey (collectively, "Applicant") desire to consolidate four existing properties owned by the Applicant and located at 30 Ellis Road, Havertown, PA, Delaware County, known as D.C. Folio Nos. 22-04-00281-00, 22-04-00282-00, 22-04-00283-00, and 22-04-00284-00 ("Property"). The Property is zoned R-4 Residential District and is located in the 4th Ward.

Whereas, the Subdivision plan submitted for the Project was prepared by H. Gilroy Damon Associates, Inc., Sharon Hill, PA, latest plan revision dated December 19, 2024 ("Plan"); and

Whereas, the Planning Commission of Haverford Township, at the public meeting of Thursday, January 9, 2025, voted to recommend approval of the Plan subject to the comments contained within the January 2, 2025 review letter prepared by Pennoni Associates; and

Whereas, said Plan has been submitted to the Board of Commissioners of the Township of Haverford for consideration in accordance with the Pennsylvania Municipalities Planning Code and pursuant to the Haverford Township Subdivision and Land Development Regulations, Ordinance 1960, Chapter 160, Sections 4. A and B.

Now, Therefore, Be It Resolved by the Board of Commissioners of the Township of Haverford that the Plan is Approved subject to the following conditions:

### A. Conditions of Plan Approval.

1. The Applicant must ensure that the Plan address any outstanding comments in the January 2, 2025 Township engineer review letter prepared by Pennoni Associates. Further, the Applicant shall comply with future review letters related to future Plan revisions made in response to prior comments to the reasonable satisfaction of the Township Engineer.

2. A subsequent recordable final plan shall be submitted for internal Township review that addresses all Township review letter requests, further Plan details and clarifications, or revisions based upon the terms of this Resolution.

3. Applicant must comply with any applicable requirements of the Delaware County Conservation District, Pennsylvania Department of Environmental Protection, Pennsylvania Department of Transportation (including, but not limited to, obtaining any necessary Highway Occupancy Permits and Signal Permits required by PennDot), United States Environmental Protection Agency, or any other necessary outside agency, and obtain any necessary planning modules, approvals, or permits from such agencies, or enter into any required agreements such agencies require, before the Plan is recorded.

4. The conditions of this Resolution must be satisfied, and all fees and costs set forth in this Resolution shall be paid, before the issuance of a building permit for the Project.

5. Applicant must complete and record all required easements and/or maintenance agreements or declarations, including, but not limited to, a stormwater management facilities operation and maintenance agreement (requiring, in part, perpetual maintenance of all stormwater management facilities installed according to the Plan by the landowner of the Property) in forms reasonably satisfactory to the Township Engineer and Township Solicitor prior to recording the Plan.

6. A new deed for the consolidated lots must be approved by the Township Solicitor and thereafter recorded contemporaneously with the recording of the Plan. The Applicant shall provide a legal description for the consolidated lot and shall provide all necessary legal descriptions for any necessary easements or rights-of-way to the Township Engineer for the Township Engineer's review and approval.

7. All outstanding Township fees, including review and recording costs and fees, Township Engineering fees, and Township legal fees, and any other professional fees associated with the review and approval of the application and Plan shall be paid in full before the Plan is recorded, in accordance with the Pennsylvania Municipalities Planning Code.

8. A note shall be included on the Plan listing any waivers granted by the Board of Commissioners.

9. Except for the conditions and requirements placed upon the future development as specified herein, this Resolution shall not apply in any way to any future construction or land development on any lot or the consolidated lot. Upon any applicable construction or commencement of development on the consolidated lot, the Applicant will obtain any necessary Township approvals, relief, and/or permits, and pay all applicable fees, unless additional relief is obtained.

10. The terms and conditions of this Resolution shall run with the land and shall apply to any assignee, transferee, or other successor in interest in the Property or the development of the Project. This Resolution or a memorandum of this Resolution may be recorded against the Property by the Township, or a subdivided portion of the Property, at the Township's sole discretion, to which the then-current landowner of the Property shall be deemed to have consented to such recording. Regardless of whether this Resolution is recorded, the Township shall have the right to enforce any violations of the conditions of this Resolution as a violation of the Township's Subdivision of Land Chapter and/or pursuant to Section 616.1 of the Pennsylvania Municipalities Planning Code.

B. Waivers. The Applicant has requested the following waivers from the Township's Subdivision of Land Chapter pursuant to a written waiver request. An indication that a waiver was granted reflects that the Township has determined that the Applicant has sufficiently established that the literal enforcement of the provision waived will exact undue hardship because of peculiar conditions pertaining to the land in question, and that the waiver is not contrary to the public interest or otherwise contrary to the purpose and intent of the Township Code, as demonstrated and explained by appearances of the Applicant before the Board at public meetings and through the waiver request letter(s) submitted. A lack of indication of the decision on the waiver after the Township has executed this Resolution shall be interpreted to mean that the waiver was granted, unless the minutes of the associated Township meeting reflect otherwise:

1. From Section 160-3.B to request a waiver to submit a preliminary plan simultaneously with a final plan. The waiver is hereby:

Granted \_\_\_\_\_ Denied \_\_\_\_\_

2. From Section 160-5.B.(4)[a] to not install curbing along streets. The waiver is hereby:

Granted \_\_\_\_\_ Denied \_\_\_\_\_

3. Partial waiver from Section 160-5.B.(4)[c] to not install sidewalks along streets. The waiver is hereby:

Granted \_\_\_\_\_ Denied \_\_\_\_\_

This Resolution shall bind the Applicant, and the Applicant's successors and assigns. This Resolution does not and shall not authorize any construction of improvements or buildings exceeding those shown on the Plan. Furthermore, this Resolution, and the approvals/waiver and conditions contained herein, shall be rescinded automatically and deemed denied upon Applicant's failure to accept, in writing, all conditions herein imposed within ten (10) days of receipt of this Resolution, such acceptance to be evidenced by the Applicant's signature below. The Applicant understands that accepting the Plan conditions and failing to appeal any conditions, as drafted, within thirty (30) days of the approval date set forth below shall serve as a waiver of any such right to appeal and an acceptable of all conditions that, where applicable, shall bind future owners of the Property. The Applicant agrees that the interpretation of any conditions in this Resolution, if later challenged, shall be interpreted in favor of the Township.

Resolved this 10th day of February, 2025.

Township of Haverford



By: Judy Trombetta,  
President Board of Commissioners



Attest: David R. Burman,  
Township Manager/Secretary

Acceptance of Conditions:

Applicant and Landowner

We, Thomas and Joanne Storey, being the Applicant and Landowner, do hereby acknowledge and accept the approval for the Plan issued by the Haverford Township Board of Commissioners and accept the conditions of approval contained therein, including the conditions impacting the Property. By signing this Resolution, the Applicant/Landowner is signifying acceptance of the conditions of approval contained herein and the conditions established for the Property.

Applicant and Landowner :

By:  
Print:  
Date:

By:  
Print:  
Date:

WITNESS:  
Name:  
Date:

WITNESS:  
Name:  
Date: