



**BOROUGH OF
WEST CONSHOHOCKEN**
MONTGOMERY COUNTY, PENNSYLVANIA

Borough Hall
112 Ford Street
West Conshohocken, PA 19428
Phone: 610-828-9747
Fax: 610-940-5845
Hours: Mon-Fri (8am to 4:30pm)

**SUBDIVISION / LAND DEVELOPMENT
APPLICATION PACKET**

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Stormwater Best Management Practices (SWM BMPS)

Revised: 2/2022



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MEMORANDUM OF INSTRUCTIONS

TO: Applicant
FROM: West Conshohocken Borough
DATE: April 5, 2022

RE: SUBDIVISION AND LAND DEVELOPMENT PROCEDURE

The Building & Zoning Department staff interacts with the development community using a streamlined and business friendly model. Before acquiring land, closing a deal, or commencement with the engineering of a plan, a developer or resident who is contemplating a development project can meet with Borough staff and consultants at their regularly scheduled meetings to discuss basic project scope and receive recommendation on how to navigate potential project obstacles. Upon direction from staff, and if desired, a developer can schedule a **Confirmed Appointment** to appear in front of the Borough Council at a regularly scheduled public meeting to present their project to the Council and receive preliminary feedback.

The typical formal land development process consists of the following steps: **Project Review Phase, Recording Review Phase, Recording Phase, Preconstruction Phase, Construction Phase, and Maintenance Phase**. This Memo will provide a brief description of each phase to assist in navigating the land development process. If you have any questions regarding the subdivision/land development submission procedure or the Borough's review process, contact us at (610)-828-9747.

I. PROJECT REVIEW PHASE - Preliminary and/or Final Plan

All of the items outlined in the **Application Submission Checklist** (see Appendix A) are required at the time of submission for an application to be considered complete and to avoid unnecessary delays in the review process. Applications determined to be incomplete at the time of submission will **not** be accepted. Applicant will be notified if an application is determined to be incomplete after submission and prior to the start of the Borough's 90-day review period. The 90-day review period, as set forth in the Pennsylvania Municipalities Planning Code ("MPC"), begins on the date of the next regularly scheduled meeting of the Planning Commission following the date of submission of a complete application.



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The application fee is non-refundable and separate from the escrow required – Please use two separate checks. Application fee comprises one **Base Fee** and as many **PLUS** per unit fees that apply. Application Fees are paid at preliminary submission only.

Application	Base Fee	Escrow
1. <u>Lot Line Adjustment</u>	\$550.00	\$2,500.00
2. <u>Residential 3 lots / dwelling units</u>	\$550.00	\$2,500.00
3. <u>Residential 4 or more lots / dwelling units</u>	\$1,100.00	\$7,500.00
4. <u>Non-Residential < 10,000 GSF</u>	\$1,100.00	\$5,500.00
5. <u>Non-Residential 10,000 GSF or greater</u>	\$2,200.00	\$10,000.00
6. <u>Mixed Use Projects</u>	Use the greater of any applicable Base Fee/Escrow	

Plus Per Unit Fee (Use all that apply) PLUS Fee

1. <u>Residential PLUS Fee</u>	\$55.00	per lot or dwelling unit
2. <u>Non-Residential Plus Fee</u> choose one of the following		
a. <u>Up to 25,000 GSF</u>	\$28.00	per nearest 1,000 GSF, rounded up
b. <u>25,001 to 50,000 GSF</u>	\$27.00	per nearest 1,000 GSF, rounded up
c. <u>50,001 to 100,000 GSF</u>	\$25.00	per nearest 1,000 GSF, rounded up
d. <u>Over 100,000 GSF</u>	\$23.00	per nearest 1,000 GSF, rounded up

The submission will generally be scheduled for Planning Commission review after comprehensive engineering, legal, county and other administrative agency reviews are complete.

If plans change due to consultant feedback; submit the following for further review:

- Six (6) sets of revised plans
- A CD of the plans, containing all sheets

The Borough will closely monitor the 90-day review period and contact the applicant or the applicant's representative for an extension of time when necessary.



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The Applicant is required to post the property at least 48 hours prior to formal review by the Planning Commission; proof of posting is to be provided to the Borough at least 24-hours prior to such review. The notice shall be printed on a **36" x 24" sign**.

THIS PROPERTY IS THE SUBJECT OF
A SUBDIVISION AND/OR
LAND DEVELOPMENT APPLICATION
WEST CONSHOHOCKEN BOROUGH NO. ____

The notice must be posted by the Applicant on the property in such location(s) to be clearly visible from each adjacent roadway(s) (*if your property fronts two roads, you need two signs to be posted*) and must remain on the property throughout the duration of the land development and/or subdivision process.

II. RECORDING REVIEW PHASE

Upon receipt of resolution by the Borough Council for the final plan, the Borough will ask the Applicant to submit the following documents:

- Three (3) sets of revised plans which satisfy all conditions of approval as stipulated in the resolution.
- Improvements escrow estimate
- Legal descriptions
- The Operation and Maintenance (O&M) Agreement (see Appendix B)

The Borough Solicitor will prepare a Land Development Agreement to be executed by the Applicant and the Borough.

III. RECORDING PHASE

Upon authorization from Borough Engineer that the plans satisfy all of the conditions set forth in the Final Resolution adopted by the Borough Council, the Borough will ask the Applicant to submit the following:

- a One (1) paper set of **rolled** Record Plans (signature pages) for recording. The Montgomery County Recorder of Deeds keeps this copy.



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b. Four (4) paper sets of **rolled** Plans (full set) for distribution as follows:

- 1 copy: Montgomery County Planning Commission
- 1 copy: West Conshohocken Borough
- 2 copies: Applicant

Please note: applicant may produce more than four (4) full sets of the Plan should the applicant need more than two (2) copies

c. A CD containing the following: Full set of the Plans, CAD file of the full Plans, final version of all reports and outside agency permits (including, but not limited: Stormwater Management Report, Traffic Impact Study, Planning Module, DEP Stream crossing permits, PennDOT HOP, etc.)

d. Approved executed Home Owners Association/Condo Documents and/or recorded agreement to be provided after approval, if applicable

All Plans are returned to the Applicant for recording after all signatures have been obtained, all other required documents have been submitted and executed, all fees have been paid and escrow to secure public improvements have been posted. The Applicant records the approved Land Development Plan, the Land Development Agreement, and all required operation & maintenance and other agreements and returns the stamped Plans to the Borough for distribution.

IV. PRE-CONSTRUCTION PHASE

Prior to the start of construction activities, a pre-construction meeting for site work shall be requested by the Applicant and held at the Borough Hall. The following items are typically completed prior to scheduling a pre-construction meeting:

- NPDES permit is issued;
- Final plan is approved for recording by the Borough Engineer;
- A Drainage Permit from West Conshohocken Borough has been approved; and
- A construction schedule for site work has been approved to the Borough Engineer.



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To schedule a pre-construction meeting, please contact the Borough at 610-828-9747 at least one week in advance of desired meeting date. Please be prepared to remit at least three (3) possible dates to coordinate with the appropriate individuals to ensure all may attend. The Borough will coordinate with the following professionals as needed:

- All Borough Department Heads;
- Borough Engineer;
- Borough Traffic Engineer;
- Montgomery County Conservation District;
- PA American Water Company; and
- Montgomery County Department of Health, as applicable.

After the preconstruction meeting and to the satisfaction of the Borough Engineer, the Borough Engineer issues notice to proceed for Applicant to begin construction.

V. CONSTRUCTION PHASE

During construction, inspections of public improvements are performed by the Borough Engineer's office. Periodic reimbursement requests shall be submitted to the Borough Treasurer and will be processed in accordance with the Land Development Agreement and the MPC. At end of construction, the Applicant requests final draw of escrow funds. Borough Engineer will conduct final inspection and upon resolution of all outstanding items, Borough Engineer recommends the balance of all funds be released. If the Applicant is offering improvements for dedication, a maintenance bond is calculated by Borough Engineer, posted by the Applicant and held by the Borough for a minimum of 18 months. At a public meeting of the Borough Council, the maintenance bond is accepted, the improvements are accepted for dedication, and the final release of financial security is authorized.

VI. MAINTENANCE PHASE

Borough will notify the Applicant prior to expiration of the maintenance bond of any construction deficiencies or deterioration of public improvements. Applicant remedies the deficiencies to the satisfaction of the Borough Engineer.



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APPENDIX A

PROJECT REVIEW SUBMISSION FORMS

1. Application Submission Checklist
2. Application for Subdivision and/or Land Development Review
3. Cash Escrow Agreement
4. Permission to Access Property
5. Montgomery County Planning Commission Municipal Request for Review



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APPLICATION SUBMISSION CHECKLIST

Prelim	Final	Item	Submitted
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Application: Signed and dated West Conshohocken Borough Application for Subdivision and/or Land Development Review (1 copy)	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	CD: Adobe PDF version of the plan containing all sheets and reports	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Plans: Six (6) <u>individually folded</u> sets of engineering plans	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Permission to Access Property Subject to Subdivision and Land Development	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Waiver Letter: letter listing all waivers applicant is requesting (1 copy)	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Cash Escrow Agreement	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Application Fee (Payable to West Conshohocken Borough): \$ _____	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Escrow (Payable to West Conshohocken Borough): \$ _____	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Montgomery County Planning Commission - Applicant Request for County Review. County will contact applicant regarding review fee. *** DO NOT SEND PAYMENT TO THE BOROUGH ***	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Emergency Services Coordination Plan: Provide a comprehensive emergency services coordination plan with the following details; how fire apparatus will fully circulate the building when possible, utilizing all ingress and egress points; all building ingress and egress points, fire lane designations/striping when applicable, fire hydrant locations, all building utility locations i.e. electric rooms, mechanical rooms, sprinkler control rooms, and fire alarm control panel rooms; proposed Knox Box locations, exterior site utilities like power and water lines, as well as roof access if applicable. Plan Sheet # _____ of _____ (total)	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Stormwater Management Reports (2 copies + electronic PDF))	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Copy of the deed (1 copy)	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	2 discs containing colored site photos (in PDF or JPG) from each face of the parcel looking into the site and all buildings and structures on the parcel prior to development must also be included.	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Traffic Study (as required) (2 copies + electronic PDF)	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will Serve Letter from the Water Company (1 copy)	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will Serve Letter from the Sewer Company (1 copy)	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	If required, DEP Planning Module Application Mailer	<input type="checkbox"/>



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APPLICATION FOR SUBDIVISION AND/OR LAND DEVELOPMENT REVIEW

TYPE OF SUBMISSION: SUBDIVISION LAND DEVELOPMENT LOT LINE ADJ.
PHASE OF SUBMISSION: PRELIMINARY FINAL

1. Applicant(s):

a. Business Entity/Corporation: _____

b. Individual Name(s) or Authorized Agent: _____

c. Title of Authorized Agent: _____

d. Address(s): _____

e. Phone: _____ Fax: _____ E-Mail: _____

f. Interest in Property: Fee Owner Equitable Owner Agent

2. Record Owner(s): Same As Applicant

a. Business Entity/Corporation _____

b. Individual Name(s) or Authorized Agent: _____

c. Title of Authorized Agent: _____

d. Address(s): _____

e. Phone: _____ Fax: _____ E-Mail: _____

3. Property Information:

a. Address: _____

b. Parcel #: 37-	_____	Area (Acreage/SF):	_____	Zoning District:	_____
Parcel #: 37-	_____	Area (Acreage/SF):	_____	Zoning District:	_____
Parcel #: 37-	_____	Area (Acreage/SF):	_____	Zoning District:	_____
Parcel #: 37-	_____	Area (Acreage/SF):	_____	Zoning District:	_____

Total Parcels: _____ **Total Area (Acreage/SF):** _____



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4. Project Information:

Project Name: _____

Proposed Use: _____ Residential Commercial Industrial

Project Description: _____

Conditional Use Received: _____ ZHB Decision Received: _____

SD No. of Exist. Lots _____ No. of New Lots _____ Total No. of Dwelling Units _____

LD Exist. Bldg. GSF _____ Prop. Bldg. GSF _____ No. of Stories _____

Utilities: Water Public Well Other _____

 Sewer Public On-Lot Other _____

Note: West Conshohocken Municipal Authority owns the sewer system. We advise coordination with West Conshohocken Municipal Authority early in the process.

Deeds & easements proposed to be dedicated:

- New Residential Roads
- Ultimate Right-of-way of existing roads
- Emergency Access Easements
- Sanitary Sewer
- Stormwater BMPs Private HOA Condo Association
- Trail Easements

5. Financial Security for Improvements: Cash LOC Tri-Party Agreement

Lender: _____

6. Engineer(s) or Surveyor(s) of Record:

a. Name(s): _____

b. Address(s): _____

c. Phone: _____ Fax: _____ E-Mail: _____



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7. Attorney:

- a. Name(s): _____
- b. Address(s): _____
- c. Phone: _____ Fax: _____ E-Mail: _____

8. Authorized Representative:

Person(s) appointed or designated by Applicant and/or Owner as an authorized representative to make requests upon and receive any and all information and communications from Borough relative to the Plans:
(Applicant must notify Borough, in writing, of any changes of the authorized designee.)

- Engineer Attorney Applicant Other, please specify below:

- a. Name(s): _____
- b. Address(s): _____
- c. Phone: _____ Fax: _____ E-Mail: _____

9. Billing Information:

- a. Name(s): _____
- b. Address(s): _____
- c. Phone: _____ Fax: _____ E-Mail: _____



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VERIFICATION

The person(s) whose name appears below does hereby certify that they are authorized to execute the Application, that they have reviewed the responses to the Application and the attachments to it, and that all the facts set forth therein are true and correct to the best of their knowledge, information and belief. This Verification is made subject to the penalties of 18 Pa. C.S.A. Section 4904 relating to unsworn falsifications to authorities.

OWNER(S)

APPLICANT(S)

Signature of Individual or Authorized Agent /**Date**

Signature of Individual or Authorized Agent /**Date**

Printed Name of Individual or Authorized /Agent

Printed Name of Individual or Authorized Agent

Title of Authorized Agent

Title of Authorized Agent

Business Entity/Corporation

Business Entity/Corporation

Signature of Individual or Authorized Agent /**Date**

Signature of Individual or Authorized Agent /**Date**

Printed Name of Individual or Authorized Agent

Printed Name of Individual or Authorized Agent

Title of Authorized Agent

Title of Authorized Agent

Business Entity/Corporation

Business Entity/Corporation

FOR COMPLETION BY BOROUGH

Received By: _____

Date Received: _____

Borough Fee: _____

Borough Escrow: _____

90-day review expires: _____



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CASH ESCROW AGREEMENT

DEVELOPER NAME: _____

DEVELOPER ADDRESS: _____

NAME OF PROJECT: _____

REVIEW ESCROW AMOUNT: _____ **DATE:** _____

Developer has submitted to West Conshohocken Borough an application for subdivision and land development ("Application") relating to the above Project. Pursuant to the provisions of the Pennsylvania Municipalities Planning Code ("MPC"), West Conshohocken Borough has established by resolution schedule of fees for review of an Application submitted. The schedule is attached to this Agreement as Exhibit "A". These fees are designed to offset the reasonable and necessary expenses incurred by the Borough for processing the plans and for review and report by the Borough's professional consultants, including but not limited to the Borough Engineer, Borough Traffic Engineer, Borough Planner, Borough GIS consultant and the Borough Solicitor. The Borough Council has determined that consultant fees are reasonable and in accordance with the ordinary and customary charges by the Borough consultants for similar service in the community.

To offset the charges and fees to be incurred by the Borough, including engineering, legal and administrative costs and expenses Developer shall deposit with Borough the Review Escrow amount stated above. Borough shall hold such amount, without interest to Developer. Borough shall not be required to hold the funds in a separate account but may commingle the funds with other funds held by the Borough for similar purposes.

Borough shall hold the Review Escrow as security for the payment of all costs and expenses, charges and fees set forth in the paragraphs above. Developer shall pay the full amount of any invoice within fifteen (15) days from the date of such notice. In the event the invoice is not paid within this time, a ten percent (10%) late charge on the deficiency shall be imposed and processing and review of the plan shall be suspended until the account is made current. Developer shall remain responsible for payment of all invoices regardless of the balance within the Review Escrow account.

The Review Escrow account shall be terminated and all funds remaining therein shall be returned to Developer within sixty (60) days of the recording of the plans at Montgomery County Recorder of Deeds, within sixty (60) days following denial of the Application by the Borough Council; or, within sixty (60) days following withdrawal of the Application by Developer.

Neither this Agreement nor the funds within the Review Escrow account established pursuant to its terms may be assigned or transferred by Developer without the written consent of Borough. No transfer shall relieve Developer of the duties and responsibilities of this Agreement which shall be binding upon Developer, its successors and assigns.

ANY VIOLATION OR BREACH OF THE TERMS OF THIS AGREEMENT BY DEVELOPER SHALL BE SUFFICIENT GROUNDS FOR THE DENIAL OF ANY APPLICATION SUBMITTED IN CONNECTION HEREWITH.

Developer:

West Conshohocken Borough:

By: _____

By: _____

Title: _____

Title: _____



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**PERMISSION TO ACCESS PROPERTY
SUBJECT TO SUBDIVISION AND LAND DEVELOPMENT**

DATE: _____

TO: West Conshohocken Borough

FROM: _____
(Name(s) of Applicant(s))

(Address)

PROJECT NAME: _____

PROPERTY ADDRESS: _____

The owner(s) of the subject property hereby grants West Conshohocken Borough, its agents and/or representatives, permission to enter the above referenced property for the purposes of inspecting and measuring, surveying, photographing, testing or sampling the property for the purpose of obtaining the information required in order to review the plan as requested by the applicant.

(Record Owner)

(Record Owner)

Name (Printed)

Name (Printed)

Applicant Request for County Review

This request should be filled out by the applicant and submitted to the municipality where the application is being filed along with digital copies of all plan sets/information. Municipal staff will electronically file the application with the county, and a notice for the prompt payment of any fees will be emailed to the Applicant's Representative.



MONTGOMERY COUNTY PLANNING COMMISSION

MCPC

P.O. Box 311, Norristown, PA 19404-0311
 Phone: 610-278-3722
 Business Hours: 8:30 A.M. to 4:15 P.M.
www.planning.montcopa.org

Date: _____
 Municipality: _____
 Proposal Name: _____
 Applicant Name: _____
 Address: _____
 City/State/Zip: _____
 Phone: _____
 Email: _____

Applicant's Representative: _____
 Address: _____
 City/State/Zip: _____
 Business Phone (required): _____
 Business Email (required): _____

Type of Review Requested:

(Check All Appropriate Boxes)

- Land Development Plan
- Subdivision Plan
- Residential Lot Line Change
- Nonresidential Lot Line Change
- Zoning Ordinance Amendment
- Zoning Map Amendment
- Subdivision Ordinance Amendment
- Curative Amendment
- Comprehensive / Other Plan
- Special Review*

**(Not included in any other category - includes parking lot or structures that are not associated with new building square footage)*

Type of Plan:

- Tentative (Sketch)
- Preliminary / Final

Type of Submission:

- New Proposal
- Resubmission*

** A proposal is NOT a resubmission if A) The proposed land use changes, or B) The amount of residential units or square footage proposed changes more than 40%, or C) The previous submission was over 5 years ago.*

Zoning:

Existing District: _____
 Special Exception Granted Yes No
 Variance Granted Yes No For _____

Plan Information:

Tax Parcel Number(s) _____

Location *(address or frontage)* _____

Nearest Cross Street _____

Total Tract Area _____

Total Tract Area Impacted By Development _____

(If the development is a building expansion, or additional building on existing development, or only impacts a portion of the tract, please provide a rough estimate of the land impacted, including associated yards, drives, and facilities.)

Land Use(s)	Number of New		Senior Housing		Open Space Acres*	Nonresidential New Square Feet
	Lots	Units	Yes	No		
Single-Family						
Townhouses/Twins						
Apartments						
Commercial						
Industrial						
Office						
Institutional						
Other						

**Only indicate Open Space if it will be on a separate lot or deed restricted with an easement shown on the plan.*

Additional Information: _____



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APPENDIX B

RECORDING REVIEW SUBMISSION FORMS

1. Operation and Maintenance (O&M) Agreement Stormwater Management Best Management Practices (SWM BMPS)

Prepared by: John J. Iannozzi, Esquire
Return to: John J. Iannozzi, Esquire
Hamburg, Rubin, Mullin, Maxwell & Lupin
375 Morris Road, P.O. Box 1479
Lansdale, PA 19446-0773
215-661-0400
jiannozzi@hrmml.com

Parcel Nos.: _____

OPERATION AND MAINTENANCE (O&M) AGREEMENT
STORMWATER MANAGEMENT BEST MANAGEMENT PRACTICES (SWM BMPS)

THIS AGREEMENT, made and entered into this ____ day of _____, 20__, by and between _____, (hereinafter the "Landowner"), and West Conshohocken Borough, Montgomery County, Pennsylvania, (hereinafter "Municipality");

WHEREAS, the Landowner is the owner of certain real property as recorded by deed in the land records of Montgomery County, Pennsylvania, Deed Book _____ at Page _____ (hereinafter "Property").

WHEREAS, the Landowner is proceeding to build and develop the Property; and

WHEREAS, the SWM BMP Operation and Maintenance (O&M) Plan approved by the Municipality (hereinafter referred to as the "O&M Plan") for the Property identified herein, which is attached hereto as Appendix A and made part hereof, as approved by the Municipality, provides for management of stormwater within the confines of the Property through the use of BMPs; and

WHEREAS, the Municipality and the Landowner, their successors and assigns, agree that the health, safety, and welfare of the residents of the Municipality and the protection and maintenance of water quality require that on-site SWM BMPs be constructed and maintained on the Property; and

WHEREAS, the Municipality requires, through the implementation of the SWM Site Plan, that SWM BMPs as required by said SWM Site Plan and the Municipal Stormwater Management Ordinance be constructed and adequately operated and maintained by the Landowner, their successors and assigns.

NOW, THEREFORE, in consideration of the foregoing promises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto agree as follows:

1. The Landowner shall construct the BMPs in accordance with the plans and specifications identified in the SWM Site Plan.
2. The Landowner shall operate and maintain the BMPs as shown on the SWM Plan in good working order in accordance with the specific operation and maintenance requirements noted on the approved O&M Plan.
3. The Landowner hereby grants permission to the Municipality, its authorized agents and employees, to enter upon the Property at reasonable times and upon presentation of proper credentials, to inspect the BMPs whenever necessary. Whenever possible, the Municipality shall notify the Landowner prior to entering the Property.
4. In the event the Landowner fails to operate and maintain the BMPs per paragraph 2, the Municipality or its representatives may enter upon the Property and take whatever action is deemed necessary to maintain said BMPs. It is expressly understood and agreed that the Municipality is under no obligation to maintain or repair said facilities, and in no event shall this Agreement be construed to impose any such obligation on the Municipality.
5. In the event the Municipality, pursuant to this Agreement, performs work of any nature, or expends any funds in performance of said work for labor, use of equipment, supplies, materials, and the like, the Landowner shall reimburse the Municipality for all expenses (direct and indirect) incurred within 10 days of receipt of invoice from the Municipality.
6. The intent and purpose of this Agreement is to ensure the proper maintenance of the onsite BMPs by the Landowner; provided, however, that this Agreement shall not be deemed to create or effect any additional liability of any party for damage alleged to result from or be caused by stormwater runoff.
7. The Landowner, its executors, administrators, assigns, and other successors in interests, shall release the Municipality from all damages, accidents, casualties, occurrences, or claims which might arise or be asserted against said employees and representatives from the construction, presence, existence, or maintenance of the BMPs by the Landowner or Municipality.
8. The Municipality intends to inspect the BMPs at a minimum of once every three years to ensure their continued functioning.

This Agreement shall be recorded at the Office of the Recorder of Deeds of Montgomery County, Pennsylvania, and shall constitute a covenant running with the Property and/or equitable servitude, and shall be binding on the Landowner, his administrators, executors, assigns, heirs, and any other successors in interests, in perpetuity.

WEST CONSHOHOCKEN BOROUGH:

By: _____
Michael F. English, Borough
Manager

LANDOWNER 1:

By: _____

Print Name

Corporate Title: _____
(If Landowner is a Corporation)

LANDOWNER 2:

By: _____

Print Name

ACKNOWLEDGMENT
(For Borough)

COMMONWEALTH OF PENNSYLVANIA	:	
	:	ss.
COUNTY OF MONTGOMERY	:	

On this ____ day of _____, 20__, before me, the undersigned officer, personally appeared Michael F. English, who acknowledged himself to be the Borough Manager of West Conshohocken Borough, and acknowledged that he was authorized to execute this document on behalf of the Borough and that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

ACKNOWLEDGMENT

(use for corporation)

COMMONWEALTH OF PENNSYLVANIA :
 : ss.
COUNTY OF _____ :

On this ____ day of _____, 20__, before me, the undersigned officer, personally appeared _____, who acknowledged himself/herself to be the _____ of _____, and that he/she being authorized to do so, executed this document for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

ACKNOWLEDGMENT
(use for individual)

COMMONWEALTH OF PENNSYLVANIA :
 :
 COUNTY OF _____ : ss.

On this ____ day of _____, 20__, before me, the undersigned officer, personally appeared _____, known to me to be (or satisfactorily proven to be) the person whose name is subscribed to the within instrument, and acknowledged that he/she executed this document for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

ACKNOWLEDGMENT
(use for individual)

COMMONWEALTH OF PENNSYLVANIA :
 :
 COUNTY OF _____ : ss.

On this ____ day of _____, 20__, before me, the undersigned officer, personally appeared _____, known to me to be (or satisfactorily proven to be) the person whose name is subscribed to the within instrument, and acknowledged that he/she executed this document for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public