

AGENDA
MONTGOMERY TOWNSHIP
BOARD OF SUPERVISORS
MARCH 26, 2018

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Tanya C. Bamford
Candyce Fluehr Chimera
Michael J. Fox
Jeffrey W. McDonnell
Matthew W. Quigg

Lawrence J. Gregan
Township Manager

ACTION MEETING – 8:00 PM

1. Call to Order by Chairman
2. Pledge of Allegiance
3. Public Comment
4. Announcement of Executive Session
5. Consider Approval of Minutes of March 12, 2018 Meeting
6. Consider Resolution in Support of Fair Districts Legislation
7. Consider Out of State Training Request – Department of Fire Services
8. Consider Authorization to Award the Contract for the Repair and Sealcoating of the Wood Siding on the Administration, Police, and VMSC Buildings
9. Public Hearing – Conditional Use Application #C-67-Firebirds Wood Fired Grill – Gwynedd Crossing at Route 309 and Welsh Road
10. Public Hearing – Conditional Use Application #C-68 – Pro Real Ventures LLC – Shine Time Car Wash – DeKalb Pike & Welsh Road
11. Consider Request for Waiver of Landscape Screening Buffer – Pro Real Ventures LLC - Shine Time Carwash- DeKalb Pike and Welsh Road
12. Consider Payment of Bills
13. Other Business
14. Adjournment

Future Public Hearings/Meetings:

03-27-2018 @ 7:00 p.m. – Environmental Advisory Committee
04-04-2018 @ 7:00 p.m. – Senior Advisory Committee (MontCRC)
04-05-2018 @ 7:30 p.m. – Zoning Hearing Board
04-09-2018 @ 8:00 p.m. – Board of Supervisors

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Public Comment

MEETING DATE: March 26, 2018

ITEM NUMBER: #3

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

REASON FOR CONSIDERATION: Operational: XX Information: Discussion: Policy:

INITIATED BY: Lawrence J. Gregan,
Township Manager

BOARD LIAISON: Candyce Fluehr Chimera,
Chairman of the Board of Supervisors

BACKGROUND:

The Chairman needs to remind all individual(s) making a comment that they need to identify themselves by name and address for public record.

The Chairman needs to remind the public about the policy of recording devices. The individual(s) needs to request permission to record the meeting from the Chairman and needs to identify themselves, by name and address for public record.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

None.

MOTION/RESOLUTION:

None.

DISTRIBUTION: Board of Supervisors, Frank R. Bartle, Esq.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Approval of Minutes for March 12, 2018

MEETING DATE: March 26, 2018 ITEM NUMBER: #5.

MEETING/AGENDA: WORK SESSION ACTION XX NONE

REASON FOR CONSIDERATION: Operational: XX Information: Discussion: Policy:

INITIATED BY: Lawrence J. Gregan BOARD LIAISON: Candyce Fluehr Chimera,
Township Manager Chairman of the Board of Supervisors

BACKGROUND:

Please contact Deb Rivas on Monday, March 26, 2018 before noon with any changes to the minutes.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

None.

MOTION/RESOLUTION:

None.

DISTRIBUTION: Board of Supervisors, Frank R. Bartle, Esq.

DRAFT

MINUTES OF MEETING MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS MARCH 12, 2018

At 7:30 p.m. Vice Chairman Michael J. Fox called to order an executive session. In attendance were Supervisors Tanya C. Bamford, Jeffrey W. McDonnell and Matthew W. Quigg. Chairman Candyce Fluehr Chimera was absent. Also in attendance were Township Manager Lawrence J. Gregan, Township Solicitor Frank R. Bartle, Esquire, Director of Administration and Human Resources Ann Shade and Director of Recreation and Community Center Floyd Shaffer.

Vice Chairman Michael J. Fox called the action meeting to order at 8:08 p.m. In attendance were Supervisors Tanya C. Bamford, Jeffrey W. McDonnell and Matthew W. Quigg. Chairman Candyce Fluehr Chimera was absent. Also in attendance were Township Solicitor Frank R. Bartle, Esquire, Township Manager Lawrence J. Gregan, Police Chief J. Scott Bendig, Director of Finance Ami Tarburton, Director of Administration and Human Resources Ann M. Shade, Assistant to the Township Manager Stacy Crandell, Director of Planning Bruce Shoupe, Director of Public Works Kevin Costello, Director of Recreation and Community Center Floyd Shaffer, Information Technology Associate Lance Allen and Recording Secretary Deborah A. Rivas.

Following the Pledge of Allegiance, Vice Chairman Michael J. Fox called for public comment from the audience and there was none.

Solicitor Frank R. Bartle, Esquire announced that the Board had met in an executive session prior to this meeting and discussed two personnel matters. One item was a personnel matter involving a grievance. Mr. Bartle stated that these matters are legitimate subjects of executive session pursuant to Pennsylvania's Sunshine Law.

Vice-Chairman Michael J. Fox recognized Director of Finance Ami Tarburton on receipt of the Certificate of Achievement for Financial Reporting (CAFR Award), which was presented at the previous board meeting as Ms. Tarburton was not able to attend the meeting. He stated that he wanted to make sure her efforts did not go unnoticed and thanked her for her efforts.

Supervisor Tanya C. Bamford recognized the Public Works Department, Police Department and the Fire Department for their hard work during the last two Nor'easter snow and wind storms. The Board all commented about the great job each department did handling the many calls for service during the storm and how well the roads were plowed.

Vice-Chairman Michael J. Fox made a motion to approve the minutes of the February 26, 2018 Board of Supervisors meeting, and Supervisor Matthew W. Quigg seconded the motion. The minutes of the meeting were unanimously approved as submitted.

Assistant to the Township Manager Stacy Crandell announced that a special storm debris drop off event would be held on March 17, 2018. This special debris collection event will be held in conjunction with the Township's regular monthly leaf and yard waste drop-off to assist Township Residents who have large branches and trees that have fallen during past two storms.

Assistant to the Township Manager Stacy Crandell announced that an E-Recycling and Shredding Event will be held on April 7, 2018 from 9:00am-11:00am. This event will be co-hosted by Representative Todd Stephens' office and will be held in the parking lot of his office located at 515 Stump Road, North Wales. There will be \$30 fee per TV and Monitor at the event. The fee will be paid directly to the e-recycling company.

Assistant to the Township Manager Stacy Crandell presented a proposed Access Easement Agreement with R & F Montgomeryville, L.P. located at 985 Bethlehem Pike for approval. The agreement for approval is requested for the following improvements at the intersection of Bethlehem Pike and Stump Road:

- Maintaining existing traffic signal mast arm and underground electric to the mast arm;
- Installing and maintaining proposed pedestal pole/button/hand-man signal and associated underground electric and;
- The construction of an ADA compliant ramp and associated sidewalk reconstruction with the agreed upon easement area.

This agreement is being coordinated as part of the traffic signal improvements required by PennDOT for LDS#694- Higher Rock Partners, LP. All improvements are the responsibility of the Higher Rock development and will be included in the escrow funds posted to guarantee the completion of the traffic signal/ADA ramp improvements. Resolution #1 made by Supervisor Tanya C. Bamford, seconded by Supervisor Matthew W. Quigg and adopted unanimously, authorized the execution of an Access Easement Agreement with R & F Montgomeryville, L.P., 985 Bethlehem Pike for traffic signal and ADA compliant ramp improvements at the intersection of Bethlehem Pike and Stump Road.

Director of Public Works Kevin Costello reported that bids were opened on February 28, 2018 at 10:00am by staff for asphalt, stone aggregate and lawn care treatments. Resolution #2 made by Vice Chairman Michael J. Fox, seconded by Supervisor Tanya C. Bamford and adopted unanimously, awarded the following contracts:

- | | | |
|-------------------------------|---------------------|----------------------|
| • Asphalt/Bituminous Concrete | Eureka Stone Quarry | Various Unit Pricing |
| • Stone Aggregate | Glasgow, Inc. | Various Unit Pricing |
| • Lawn Care Treatments | Moyer & Son, Inc. | \$17,310 Annually |

Director of Public Works Kevin Costello reported that staff received and opened bids on February 28, 2018 at 10:30am for the Windlestrae- Rose Twig Tennis Court Repair Project. Resolution #3, made by Vice Chairman Michael J. Fox, seconded by Supervisor Matthew W. Quigg and adopted unanimously, awarded the bid for the Windlestrae-Rose Twig Tennis Court Repair Project to Top-A-Court, for a total projected cost of \$24,590.00.

Director of Public Works Kevin Costello reported that the Public Works Department is proposing to purchase (1) Rotary MCH Flex 419, 75,200 lb. capacity portable truck lift with remote control under Co-Stars Contract #025-134 from Rotary Lift of Madison, IN. The total cost of lift and accessories is \$45,503.60 compared to a list price of \$76,278.00, which represents a cost savings of \$30,774.40 or 40%. The lift is part of our Capital Replacement Plan and was included in the 2018 Final Approved Budget. The current lift which is 22 year old will be

submitted for auction sale once the new lift is set up and operational. Resolution #4 made by Vice Chairman Michael J. Fox, seconded by Supervisor Tanya C. Bamford and adopted unanimously, awarded the contract for the purchase of a MCH Flex 419 Truck Lift to Rotary Lift of Madison IN, authorized vendor under the Co-Stars Purchasing Contract #025-134, at a cost of \$45,503.60.

Director of Planning and Zoning Bruce Shoupe requested authorization to advertise proposed Ordinance #18-306-Z – Zoning Code Text Amendment Deleting Language Permitting Waiver of Landscaping and Security Fencing Requirements. This Ordinance proposes to amend the Township's Zoning Code by deleting language permitting a waiver or reduction of required planting area language in the "Landscaping and Screen" provisions of Article XIII, Section 230-78(A) of the C-Commercial District; Article XV, Section 230-89(I) of the S-Shopping Center district; Article XVI, Section 230-95(B) of the RS-Regional Shopping Center district and Article XXX, and deleting language permitting waiver of required security fencing language in Section 230-223(5)(C) - Wireless Communication Facilities. Resolution #5 made by Vice Chairman Michael J. Fox, seconded by Supervisor Tanya C. Bamford and adopted unanimously, authorized the Township Solicitor to advertise for a Public Hearing to consider Proposed Ordinance #18-306Z.

Director of Planning and Zoning Bruce Shoupe requested approval for a PADEP Sewage Facilities Planning Module for LDS #694 Higher Rock Partners, LP located at Stump Road and Bethlehem Pike. The Township's Act 537 Plan serves as the plan for provision of sanitary sewer service for the Township. The Montgomery Township Municipal Sewer Authority (MTMSA) is responsible for the implementation of this plan. Occasionally, the plan must be changed due to development and a planning module must be submitted to Pennsylvania Department of Environmental Protection (PADEP). The Montgomery Township Municipal Sewer Authority has approved the Planning Module. Resolution #6 made by Vice Chairman Michael J. Fox, seconded by Supervisor Matthew W. Quigg and adopted unanimously, accepted the DEP Sewage Facilities Planning Module for LDS#694 Higher Rock Partners, LP.

A motion to approve the payment of bills was made by Vice Chairman Michael J. Fox, seconded by Supervisor Jeffrey W. McDonnell, and adopted unanimously, approving the payment of bills as submitted.

Under Other Business, Supervisor Tanya C. Bamford encouraged everyone to attend the Networking Event the Township is hosting with the Chamber of Commerce of Greater Montgomery County that will be held on March 15, 2018 at 8:00am at the Community and Recreation Center.

There being no further business to come before the Board, the meeting adjourned at 8:29 p.m.

**MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY**

SUBJECT: Consider Resolution in Support of Fair Districts Legislation

MEETING DATE: March 26, 2018

ITEM NUMBER: #6.

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

REASON FOR CONSIDERATION: Operational: XX Policy: Discussion: Information:

INITIATED BY: Lawrence J. Gregan
Township Manager

BOARD LIAISON: Candyce Fluehr Chimera,
Chairman

BACKGROUND:

At the February 26, 2018 Board meeting, the Board was approached by a representative of Fair District PA asking that the Board consider a resolution to support the adoption of State legislation to amend the Pennsylvania State Constitution to provide for nonpartisan redistricting of state legislative and congressional districts following the 2020 Decennial Census. As directed by the Board, the Township staff and Solicitor have prepared a draft Resolution for the Board's consideration.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT: None.

PREVIOUS BOARD ACTION: None.

ALTERNATIVES/OPTIONS: None.

BUDGET IMPACT: None.

RECOMMENDATION: Consider adoption of attached Resolution.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby approve Resolution stating Montgomery Township's support of Legislative efforts to amend the Pennsylvania Constitution to assign the decennial task of both the legislative and congressional redistricting to an independent citizens redistricting commission.

MOTION: _____ **SECOND:** _____

ROLL CALL:

| | | | | |
|------------------------|-----|---------|---------|--------|
| Tanya C. Bamford | Aye | Opposed | Abstain | Absent |
| Michael J. Fox | Aye | Opposed | Abstain | Absent |
| Jeffrey W. McDonnell | Aye | Opposed | Abstain | Absent |
| Matthew W. Quigg | Aye | Opposed | Abstain | Absent |
| Candyce Fluehr Chimera | Aye | Opposed | Abstain | Absent |

DISTRIBUTION: Board of Supervisors, Frank R. Bartle, Esq.

MONTGOMERY TOWNSHIP

RESOLUTION NO.

**A Resolution Stating Montgomery Township's Support of
Nonpartisan Redistricting Efforts for Legislative and
Congressional Offices**

WHEREAS, Montgomery Township, Montgomery County, PA seeks an equitable, transparent, and impartial process for the decennial drawing of state legislative and congressional districts; and

WHEREAS, at times Pennsylvania's legislative and congressional redistricting has resulted in gerrymandering of districts to favor one political party; and

WHEREAS, Montgomery Township is currently split between multiple State legislative and congressional districts; and

WHEREAS, Montgomery Township acknowledges that the United States Supreme Court's impending decision in Gill v. Whitford may provide further guidance and perhaps controlling guidance to state redistricting efforts; and

WHEREAS, in the absence of controlling guidance by the United States Supreme Court, Montgomery Township supports the creation of an independent citizen's panel, working within the bounds of the Pennsylvania state constitution, to determine the drawing of decennial state legislative and congressional districts that is free of political partisanship and does not assign representation based on party affiliation; and

WHEREAS, state and congressional legislative districts should be drawn in a manner that fully complies with all federal laws and regulations, avoids unnecessarily dividing municipalities into multiple districts whenever possible, assures that districts are as compactly formed as possible to assure convenience of travel and communications, and

NOW, THEREFORE, BE IT RESOLVED, that the Montgomery Township Board of Supervisors does hereby support nonpartisan efforts to remove partisan politics from the decennial drawing of state legislative and congressional districts.

RESOLVED AND ADOPTED on this _____ day of _____, 2018.

**MONTGOMERY TOWNSHIP
BOARD OF SUPERVISORS**

Lawrence J. Grogan, Secretary

Candyce Fluehr Chimera, Chairman

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Out-of-State Training – Department of Fire Services

MEETING DATE: March 26, 2018 ITEM NUMBER: # 7.

MEETING/AGENDA: ACTION NONE

REASON FOR CONSIDERATION: Operational: xx Policy: Discussion: Information:

INITIATED BY: Richard M. Lesniak
Director of Fire Services

BOARD LIAISON: Tanya Bamford, Liaison to the
Public Safety Committee

BACKGROUND:

In 1999, Pennsylvania adopted legislation that enacted the Uniform Construction Code (UCC). One aspect of the UCC is the requirement for inspectors to receive and maintain certification based on the type of work performed. Inspectors are required to complete 15 credit hours of continuing education credits in courses relating to the professional competency of code administration. An applicant with multiple certification areas must complete a minimum of 15 credit hours of continuing education credits for each certification but not more than 45 credit hours during each three year certification cycle.

Continuing education credit hours are offered through a variety of means including the attendance at meetings and courses. Most commonly, inspectors attend courses presented by the Pennsylvania Construction Codes Academy. The courses, ranging from one to five days, are held across the state and cost between \$25.00 and \$325.00.

Firefighter Robert Hedden currently holds three certifications in the State of Pennsylvania and has recently submitted an application for renewal of those certifications for a new three year cycle (2016 - 2019). He is requesting approval to take a course titled "Inspecting Grease Duct Wrap" and "Annual Permit Procedure" courses to satisfy 16 of his required 45 Continuing Education credits. These courses are being offered on April 26, 2018 and June 21, 2018, respectively, through the New Jersey Department of Community Affairs at the Foundation for Educational Administration, Monroe, NJ and The Inn at Lambertville Station, Lambertville, NJ. Courses offered through the Center for Government Services are offered free of charge.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

There is no charge for courses taken through the New Jersey Department of Community Affairs.

RECOMMENDATION:

It is recommended that authorization be given to allow Firefighter Hedden to attend the "Inspecting Grease Duct Wrap" on April 26, 2018 at the Foundation for Educational Administration, Monroe, NJ and "Annual Permit Procedure" on June 21, 2018 at The Inn at Lambertville Station, Lambertville, NJ.

MOTION/RESOLUTION:

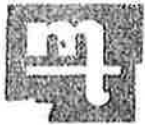
BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby authorize Firefighter Hedden to attend the "Inspecting Grease Duct Wrap" and "Annual Permit Procedure" on April 26, 2018 and June 21, 2018, respectively.

MOTION: _____ SECOND: _____

ROLL CALL:

| | | | | |
|------------------------|-----|---------|---------|--------|
| Tanya Bamford | Aye | Opposed | Abstain | Absent |
| Jeffrey W. McDonnell | Aye | Opposed | Abstain | Absent |
| Matthew Quigg | Aye | Opposed | Abstain | Absent |
| Michael J. Fox | Aye | Opposed | Abstain | Absent |
| Candyce Fluehr Chimera | Aye | Opposed | Abstain | Absent |

DISTRIBUTION: Board of Supervisors, Frank R. Bartle, Esq.



TRAINING AND DEVELOPMENT REQUEST

This application and other required documentation must be submitted prior to training seminar/course registration. Attach and submit seminar/course description(s) and/or degree curriculum with this form. Upon approval, the Township shall pay up to the maximum reimbursement for seminar/course and registration fees, tuition, and books in accordance with the Training and Development policy.

SECTION A: EMPLOYEE REQUEST (Complete Sections A, B, C, as applicable)

Name (Print) Robert J. Dellen Date 3.15.18
 Current Position Fire Fighter Supervisor R. Lesniak

Check one: ☒ Seminar ☐ College Course ☐ Workshop ☐ Conference ☐ Other: _____

Seminar/Course Title Inspecting Grease Duct Wrap

School or Organization N. J. D.C.A.

Date(s) of attendance 4.26.18 Total Hours Training 8 Cost: \$ 0.00

Reason: ☐ License ☒ Certification ☒ Performance Goal ☒ Skill

Describe applicable license/certification/performance goal/skill training will affect?

See Attached

MONTGOMERY TOWNSHIP

Employee Signature Robert J. Dellen

SECTION B: APPROVALS based on appropriateness, cost, scheduling, and training quality.

Supervisor _____ Date _____

Department Head Richard D. Date 3/22/18

Human Resources _____ Date _____

Township Manager _____ Date _____

Upon approval, Human Resources will return this request for employee retention and registration. If payment is to be made in advance, approve below; otherwise, if reimbursement is to be made to employee (e.g., tuition reimbursement), employee must submit official grade of C or higher, plus original receipts.

SECTION C: PAYMENT (Check (✓) method of payment – either method needs approval signatures below)

- ☐ Make check payable to employee (for reimbursement) or to training facility: _____ (Name)
☐ Charge Township Credit Card (authorized below)

ITEMIZED FEES FOR PAYMENT:

REGISTRATION \$ _____
 COURSE FEE/TUITION \$ _____
 BOOKS \$ _____
 OTHER: \$ _____
 =
 TOTAL \$\$ PAYABLE \$ _____

ACCOUNT #: \$ _____
 PRICE CHECK \$ _____
 AUTH. BY: \$ _____
 MGR. APP. \$ _____
 DATE PD. _____
 AMT.: \$ _____ CK # _____

D290 O

INSPECTING GREASE DUCT WRAP

Instructor: Halpert Life Safety Consulting, Sharron Halpert

Credit: building, fire protection, mechanical

From 2006 to 2010, the major cause of fires in eating and drinking establishments was cooking equipment. This seminar discusses grease duct wrap installation and inspection. In addition, the following topics are covered: the requirements of various manufacturers, ducts with angles or branches, encapsulating items, penetrations, threaded rods, strut or hangers, how to properly install applications with limited access, firestopping grease ducts through rated walls and more. This hands-on seminar helps inspectors understand how to install the material, identify mistakes made by an installer, as well as explain how the materials are tested and how they fail.

0.5 CEU

**Thurs, Apr 26 - Foundation for Educational Administration,
Monroe**



TRAINING AND DEVELOPMENT REQUEST

This application and other required documentation must be submitted prior to training seminar/course registration. Attach and submit seminar/course description(s) and/or degree curriculum with this form. Upon approval, the Township shall pay up to the maximum reimbursement for seminar/course and registration fees, tuition, and books in accordance with the Training and Development policy.

SECTION A: EMPLOYEE REQUEST (Complete Sections A, B, C, as applicable)

Name (Print) Robert Dedden Date 3.14.18
Current Position Fire Fighter Supervisor R. Hermink

Check one: ☒ Seminar ☐ College Course ☐ Workshop ☐ Conference ☐ Other: _____

Seminar/Course Title Annual Permit Procedure

School or Organization N.J.D.C.A.

Date(s) of attendance 6.21.18 Total Hours Training 8 Cost: \$ 0.00

Reason: ☒ License ☒ Certification ☒ Performance Goal ☒ Skill

Describe applicable license/certification/performance goal/skill training will affect?

See Attached Sheet

Employee Signature Robert Dedden

SECTION B: APPROVALS based on appropriateness, cost, scheduling, and training quality

Supervisor _____ Date _____

Department Head Richard O. Date 3/22/18

Human Resources _____ Date _____

Township Manager _____ Date _____

Department of Fire Services
Resident Services

Upon approval, Human Resources will return this request for employee retention and registration. If payment is to be made in advance, approve below; otherwise, if reimbursement is to be made to employee (e.g., tuition reimbursement), employee must submit official grade of C or higher, plus original receipts.

SECTION C: PAYMENT (Check (✓) method of payment – either method needs approval signatures below)

- ☐ Make check payable to employee (for reimbursement) or to training facility: _____ (Name)
☐ Charge Township Credit Card (authorized below)

ITEMIZED FEES FOR PAYMENT:

REGISTRATION \$ _____
COURSE FEE/TUITION \$ _____
BOOKS \$ _____
OTHER: \$ _____
= _____
TOTAL \$\$ PAYABLE \$ _____

ACCOUNT #: \$ _____
PRICE CHECK \$ _____
AUTH. BY: \$ _____
MGR. APP. \$ _____
DATE PD. _____
AMT.: \$ _____ CK # _____

A606 O

THE ANNUAL PERMIT

Instructor: Richard Osworth

Credit: administrative

Local officials are always looking for ways to streamline processes, and local companies are looking for ways to be more effective and efficient. However, the annual permit process is a concept that is overlooked and not necessarily seen as a potential savings to all concerned. This seminar takes the participants through the UCC Act and Regulations with both a historic and current presentation of the annual permit process. The presentation fully explains the concept of a construction permit, its origins in the law and how it has been amended over time. The seminar focuses on the annual permit process with a full explanation of the approval process, the inspection process, the training requirements and the facility manager's responsibilities. Participants will leave with a full understanding of the annual permit process including sample documents for potential clients. 0.5 CEU

Thurs, June 21 - The Inn at Lambertville Station, Lambertville

**MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY**

SUBJECT: Consider Authorization to Award the Contract for the Repair and Sealcoating of the Wood Siding on the Administration, Police and VMSC Buildings

MEETING DATE: March 26, 2018

ITEM NUMBER: #8.

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

REASON FOR CONSIDERATION: Operational: XX Policy: Discussion: Information:

INITIATED BY: Kevin A. Costello
Director of Public Works

BOARD LIAISON: Candyce Fluehr Chimera,
Chairman

BACKGROUND:

The approved 2018 Budget for Building Maintenance includes a project for the repair and sealcoating of the exterior wood siding on the Administration, Police and VMSC Buildings. Although this project does not exceed the limit required for Public Bidding, the Township's Purchasing Policy, requires obtaining of three quotes and Board approval for expenditures in excess of \$10,000. A copy of the three bids that were received are attached with the lowest quote provided by General Painting of Pennsylvania Inc. at a total cost of \$19,998.00.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT: None.

PREVIOUS BOARD ACTION: None.

ALTERNATIVES/OPTIONS: None

BUDGET IMPACT: A total of \$19,660.00 has been allocated in the 2018 Building Maintenance Budget.

RECOMMENDATION: Approve the contract for the repair and sealcoating of the wood siding on the Administration, Police and VMSC Buildings to General Painting of Pennsylvania Inc. for a total cost of \$19,998.00.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby approve the contract for the repair and sealcoating of the wood siding on the Administration, Police and VMSC Buildings to General Painting of Pennsylvania Inc. for a total cost of \$19,998.00.

MOTION: _____ **SECOND:** _____

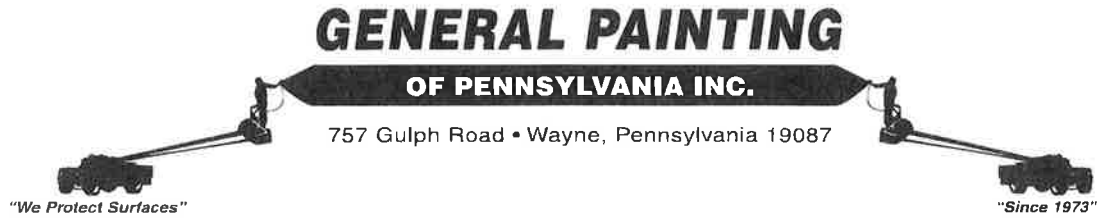
ROLL CALL:

| | | | | |
|------------------------|-----|---------|---------|--------|
| Tanya C. Bamford | Aye | Opposed | Abstain | Absent |
| Michael J. Fox | Aye | Opposed | Abstain | Absent |
| Jeffrey W. McDonnell | Aye | Opposed | Abstain | Absent |
| Matthew W. Quigg | Aye | Opposed | Abstain | Absent |
| Candyce Fluehr Chimera | Aye | Opposed | Abstain | Absent |

DISTRIBUTION: Board of Supervisors, Frank R. Bartle, Esq.

Telephone (610) • 783-0808
Facsimile (610) • 831-0134

Robert A. Miller, President
E-Mail RMILLER@GENERALPAINTING.COM



February 23, 2018

Mr. Glenn Heberlig
Montgomery Township
1001 Stump Road
Montgomeryville PA 18936

gheberlig@montgomerytp.org
215-783-1982 Cell

Re: 1001 Stump Road – Exterior Staining

Dear Glenn:

Thank for you this opportunity.

We are pleased to submit the following proposal to prepare and stain the exterior wood at 1001 Stump Road.

Pricing

| | |
|--|-----------------|
| Main Building | \$7,472 |
| Roof Blinds | \$8,315 |
| K-9 And Volunteer Medical Buildings | \$4,211 |
| Total | \$19,998 |

We completed the preparation and staining of the same surfaces in 2000.

The work will be performed as follows:

Scope

Prepare and stain all wood siding at 1001 Stump Road, including roof blinds, and the adjacent K-9 and volunteer medical buildings. The roof blinds include the non-visible sides.

Preparation

Protect adjacent areas against preparation and staining damage, including shrubs, grass, and windows. High-pressure (4,000 p.s.i.) wash all surfaces.

Industrial

Commercial

Fill holes in siding. Renail boards as needed. Install provided boards as needed.

Staining

Apply Sherwin Williams WoodScapes Exterior Acrylic Solid Color Stain to match existing color in accordance with the manufacturer's specifications. The material will be backrolled or backbrushed.

Guarantee

We guarantee that the Sherwin-Williams WoodScapes Exterior Acrylic Solid Color Stain, as applied in accordance with this proposal will not noticeably fade, discolor, or allow weathering damage to the wood for eight years.

Notes

All Material & Safety Data Sheets and an insurance certificate, naming Montgomery Township as additional insured, will be forwarded prior to start date.

The work will be performed within O.S.H.A. guidelines and in accordance with our company Health & Safety Plan.

Sincerely,

Rob Miller

103 Dickens Court
North Wales, PA 19454
215-901-5254

1610 Butler Pike
Maple Glen, PA 19002
(215) 542-8222



February 28, 2018

Kevin Costello
Director of Public Works
Montgomery Township
1001 Stump Road
Montgomeryville, PA

This is proposal for the exterior painting of all wood siding on the main building, roof blinds (both sides), K-9 and Volunteer Medical buildings at 1001 Stump Road, Montgomeryville, PA.

Preparation:

1. Power wash the siding to remove all dirt and mildew prior to painting.
2. Fill all holes in the siding.
3. Renail all loose boards.
4. Install new boards supplied by the township.

Painting:

1. Apply two coats of Sherwin Williams Woodscapes exterior acrylic solid color stain to match the existing color.

Work, including materials, completed for: \$21,235.00

Thank you,

Bob Schneider

Kevin Costello

From: chris francione <chris_francione@hotmail.com>
Sent: Friday, March 16, 2018 9:41 AM
To: Kevin Costello
Subject: Painting proposal

Mr. Kevin A. Costello
Director of Public Works
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18944
kcostello@montgomerytp.org
215-855-0510
215-855-4474 (fax)

Main Building, Roof Blinds (Both Sides), K-9 & Volunteer Medical Buildings

The following procedures will be performed:

Pressure wash siding, Fill holes and resecure boards as needed. Install new board material as provided by Township. Apply Sherwin Williams Woodscapes Exterior Acrylic Solid Color Stain (match existing color). Applied stain will be backrolled or backbrushed following spray application.

Total cost

Labor and materials

\$22,340.

R. Francione & Sons

401 Hastings Ave.

Havertown, Pa 19083

610-731-5601

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Conditional Use Application – Montgomery Crossing Associates C-67
Firebirds Wood Fired Grill – Gwynedd Crossing – Route 309 and Welsh Road

MEETING DATE: March 26, 2018 **ITEM NUMBER:** #9

MEETING/AGENDA: WORK ACTION XX NONE

REASON FOR CONSIDERATION: Operational: XX Policy: Discussion: Information:

INITIATED BY: Bruce Shoupe *[Signature]* **BOARD LIAISON:** Candyce Fluehr Chimera
Director of Planning and Zoning Chairman

BACKGROUND:

The applicant, Montgomery Crossing Associates, is seeking Conditional Use approval for a proposed "satellite use" to be located at the Gwynedd Crossing Shopping at the intersection of Route 309 and Welsh Road, which is zoned C-Commercial

The 17.98-acre property is currently occupied with a movie theater, located in Horsham Township (5.35 acres), a retail shopping center and freestanding Olive Garden Restaurant (12.63 acres).

Applicant proposes to construct an approximately 7,025 s.f. (+/-) free-standing restaurant on an areas of the existing parking lot, adjacent to the signalized access driveway from Welsh Road. A restaurant use is permitted in the C-Commercial District. However, a use of less than 7,500 s.f. that is located in a separate building, is defined as a "satellite use" and requires condition use approval which is the subject of this public hearing.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT: The applicant was granted the following relief from the Zoning Hearing Board on March 8, 2018:

- 230-78.1.B(2) to permit a satellite use that is not separated from the primary parking area parking
- 230-77.F permit impervious coverage of 80.6% where maximum is 75%
- 230-77.G permit green area coverage of 19.4% where minimum is 25%
- 230-156.4 to permit outdoor dining on the enclosed patio

PREVIOUS BOARD ACTION: None.

ALTERNATIVES/OPTIONS: None

BUDGET IMPACT: None.

RECOMMENDATION: Provide Staff with recommendation regarding this application.

MOTION/RESOLUTION:

A proposed resolution is attached.

MOTION _____ **SECOND** _____ **VOTE:** _____

ROLL CALL:

| | | | | |
|------------------------|-----|---------|---------|--------|
| Tanya C. Bamford | Aye | Opposed | Abstain | Absent |
| Michael J. Fox | Aye | Opposed | Abstain | Absent |
| Jeffrey W. McDonnell | Aye | Opposed | Abstain | Absent |
| Matthew W. Quigg | Aye | Opposed | Abstain | Absent |
| Candyce Fluehr Chimera | Aye | Opposed | Abstain | Absent |

DISTRIBUTION: Board of Supervisors, Frank R. Bartle, Esq.

Resolution #

WHEREAS, Montgomery Crossing Associates, has submitted an application to the Township of Montgomery for Conditional Use approval to develop the property located at Route 309 and Welsh Road, Gwynedd Crossing Shopping Center adding a new freestanding Firebirds Wood Fired Grill restaurant use; and

WHEREAS, said application was submitted in compliance with Section 230-78.1 "Satellite Use"; and

WHEREAS, the Board has considered said application, the evidence presented at this hearing, and compliance with the recommendations of the Township staff and consultants, and the opinions of the citizens of the Township.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby approve the Conditional Use Application for Montgomery Crossing Associates, subject to compliance with the all applicable Conditional Use review letters. This approved Conditional Use shall be in strict conformance with the testimony and exhibits presented at this hearing.

MOTION BY:

SECOND BY:

VOTE:

DATE:

xc: Applicant, F. Bartle, R. Dunlevy, B. Shoupe, M. Gambino, MCPC, MTPC, J. Goldstein, K. Amey, K. Johnson, Minute Book, Resolution File, File

RECEIVED

JAN 29 2018

MONTGOMERY TOWNSHIP

ORIGINAL

APPLICATION
FOR
CONDITIONAL USE

MONTGOMERY TOWNSHIP
1001 STUMP ROAD
MONTGOMERYVILLE, PA 18936

REVISED: 1-2015

Application for Conditional Use

Township of Montgomery, Montgomery County, Pennsylvania

Notice Of Appeal

Appellant: Name: Montgomery Crossing Associates
Address: 636 Old York Road, 2nd Floor
Jenkintown, PA 19046
Phone: (610) 941-2547 Fax: (610) 684-2010
E-Mail c/o afarrell@kaplaw.com

Owner: Name: Same as Appellant
Address: _____

Phone: _____ Fax: _____
E-Mail _____

Attorney: Name: Ame S. Farrell, Esquire/Kaplin Stewart
Address: 910 Harvest Drive, P.O. Box 3037
Blue Bell, PA 19422
Phone: (610) 941-2547 Fax: (610) 684-2010
E-Mail c/o afarrell@kaplaw.com

Notice of Appeal
Page 2

Interest of appellant, if not owner (agent, lessee, etc.):

N/A

1. Brief Description of Real Estate Affected:

Block and Unit Number Block 019, Unit 013

Location Welsh Road and Bethlehem Pike

Lot Size 17.98 acre (+/-)

Present Use Shopping Center

Present Zoning Classification C. Commercial

Present Improvements Upon Land Shopping Center w/ Restaurant and Movie Theater

Deed Recorded at Norristown in Deed Book _____ Page Multiple - see enclosed

2. Specific reference to section of the Zoning Ordinance upon which application is based.

Section 230-78.1. See attached Addendum.

3.

Action desired by appellant or applicant (statement of proposed use)

Conditional use for satellite use as permitted pursuant to Section 230-78.1.
See attached Addendum.

4. Reasons appellant believes Board should approved desired action (refer to section(s) of Ordinance under which it is felt that desired action may be allowed, as well as regulations contained in Article XVII, Signs, Article XIX, Off Street Parking and Loading and Article XXI, Miscellaneous Provisions.

See attached Addendum.

5. Has previous application for conditional use been filed in connection with these premises?
_____ Yes X No

NOTE:

If more space is required, attach a separate sheet and make specific reference to the question being answered.

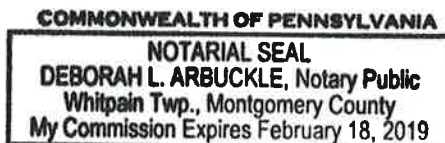
I, hereby depose and say that all of the above statements and the statements contained in any papers or plans submitted herewith, are true to the best of my knowledge and belief.

SWORN TO AND SUBSCRIBED BEFORE ME THIS

22th DAY OF January 2018

Deborah L. Arbuttle
Notary Public

Amee S. Farrell
Appellant's or Owner's Signature
by: Amee S. Farrell, Esquire
Counsel for Owner/Appellant



Kaplin Stewart Meloff Reiter & Stein, PC
Union Meeting Corporate Center
910 Harvest Drive
Post Office Box 3037
Blue Bell, PA 19422

Attorneys for Applicant

Amee S. Farrell, Esquire
(610) 941-2547
afarrell@kaplaw.com

**BEFORE THE BOARD OF SUPERVISORS
OF MONTGOMERY TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

In the Matter of:

**MONTGOMERY CROSSING ASSOCIATES
GWYNEDD CROSSING
1210 BETHLEHEM PIKE**

**46-00-00259-001
36-00-00712-026
36-00-00712-008
36-00-00712-107**

ADDENDUM TO CONDITIONAL USE APPLICATION

Montgomery Crossing Associates, by and through its attorney Amee S. Farrell, Esquire, hereby files this addendum to the Montgomery Township Board of Supervisors Application for Conditional Use, seeking conditional use approval as further described herein, for the properties identified above, and in support thereof states as follows:

1. **Name and Address of Applicant.** The Applicant is Montgomery Crossing Associates (“MCA”), legal owner of the four (4) parcels identified as Montgomery County Tax Parcel Nos. 46-00-00259-001, 36-00-00712-026, 36-00-00712-008, and 36-00-00712-107; otherwise generally identified as 1210 Bethlehem Pike, Montgomery Township (collectively, “Property”). A copy of the associated deeds are included with the within application package.

2. **Description of Property.** Although comprised of multiple parcels, the Property functions as a unified development and is a combined approximately 17.98 acre (+/-) triangular parcel bounded along its eastern boundary by Bethlehem Pike, its western boundary by Welsh Road, and its northern boundary by Evans Road. The Property is bisected by the township lines of Montgomery Township and Horsham Township.

The Property, known generally as Gwynydd Crossing, is improved with a retail shopping center, together with associated internal access driveways and surface parking. Primary ingress and egress to the Property is provided via signalized driveways at Bethlehem Pike and Welsh Road. Additional access is provided via two right-in/right-out driveways from Bethlehem Pike and a signalized driveway at the intersection of Welsh Road and Evans Road. The shopping center consists of a principal retail building of approximately 83,900 s.f. (+/-), together with a free-standing restaurant of approximately 9,900 s.f. (+/-) and free-standing movie theater. The movie theater is located entirely within Horsham Township.

The existing improvements are depicted on a sheet entitled Existing Site Plan, Sheet 5 of 13, prepared by Charles E. Shoemaker, Inc., dated January 22, 2018, with no revisions, and included as part of the within application package.

3. **Zoning.** Pursuant to the Montgomery Township Zoning Map, the portions of the Property within Montgomery Township are located in the C-Commercial District (“**C District**”).

4. **Proposed Improvements.** Applicant proposes to construct an approximately 7,026 s.f. (+/-) freestanding restaurant on an area of the existing parking, adjacent to the signalized access driveway from Welsh Road. There is no increase in impervious surface and the building complies with all dimensional requirements of the Montgomery Township Zoning Ordinance (“**Ordinance**”).

The proposed improvements are depicted on three (3) sheets, entitled Overall Site Plan (Sheet 2 of 13), Project Notes (Sheet 3 of 13), and Detail Site Plan (Sheet 4 of 13), prepared by Charles E. Shoemaker, Inc., dated January 22, 2018, with no revisions, and included as part of the within application package.

5. **Conditional Use Requested.** A restaurant use is permitted in the C-Commercial District. *See §230-75.A and Appendix Table 230-A.* However, a use of less than 7,500 s.f. that is located in a separate building, is defined as a “satellite use” and requires a conditional use.¹ *See §230-78.1.* Accordingly, Applicant requests a conditional use pursuant to §230-78.1 to permit a satellite use of less than 7,500 s.f. on the Property.

6. **Nature of a Conditional Use.** A conditional use is not an exception to a zoning ordinance, but rather, is a use to which an applicant is entitled unless objectors demonstrate, according to standards set forth in the zoning ordinance and the law, that the proposed use would adversely affect the community. *Blancett Maddock v. City of Pittsburgh Zoning Board of Adjustment*, 640 A.2d 498 (Pa. Cmwlth. 1994); *Rapaport v. Zoning Hearing Board of the City of Allentown*, 687 A.2d 29 (Pa. Cmwlth. 1996). The existence of a conditional use provision in a zoning ordinance indicates a legislative determination that the use is consistent with the municipality’s zoning plan, and is a use which is presumptively consistent with the public health, safety, and welfare. *In re Cutler Group, Inc.*, 880 A.2d 39 (Pa. Cmwlth. 2005); *Borough of Perkasi v. Moulton Builders*, 850 A.2d 778 (Pa. Cmwlth. 2004); *Evans v. Zoning Hearing Board of Easttown Township*, 396 A.2d 889 (Pa. Cmwlth. 1979); *Ruddy v. Lower Southampton Township Zoning Hearing Board*, 669 A.2d 1051 (Pa. Cmwlth. 1995).

¹ The existing free-standing restaurant and movie theater are each greater than 7,500 s.f. in area, and accordingly are not considered satellite uses.

7. **Conclusion.** The proposed satellite use complies with all objective criteria of the Ordinance: (i) the proposed use represents less than 10% of the allowable building coverage for the Property; (ii) access to parking is taken from internal access drives and not directly from an abutting street; (iii) the parking is appropriately separated by landscaped islands which safely and efficiently direct traffic flow; and (iv) ample on-site parking exists for the satellite use, without negative impact on the existing uses. Accordingly the proposal satisfies all standards and considerations for the grant of conditional use under §230-78.1 and should be granted.

Respectfully Submitted,



AMEE S. FARRELL, ESQUIRE
Attorney for Applicant

Date: January 29, 2018

ORIGINAL

No. 750-S CORPORATION DEED.

Printed for and Sold by John C. Clark Co., 1328 Walnut St., Phila.

This Indenture Made the

24th

day of

January

in the year of our Lord one thousand nine

hundred and eighty-nine (1989)

Between SMITH-BUDCO PARTNERSHIP,

a Pennsylvania general partnership,

(hereinafter called the Grantor), of the one part, and

MONTGOMERY CROSSING ASSOCIATES, a Pennsylvania general partnership

(hereinafter called the Grantee), of the other part,

Witnesseth,

That the said Grantor

for and in consideration of the sum of

Two Million Dollars (\$2,000,000.00)

lawful

money of the United States of America, unto it well and truly paid by the said Grantee, at or before the sealing and delivery, hereof, the receipt whereof is hereby acknowledged, has granted, bargained and sold, aliened, enfeoffed, released and confirmed, and by these presents does grant, bargain and sell, alien, enfeoff, release and confirm unto the said Grantee, its successors and assigns, purchased with partnership funds to be held as partnership property, in fee.

ALL that certain tract of land being known as Goodman Properties property situate in the Township of Horsham and Montgomery, County of Montgomery, Commonwealth of Pennsylvania, bounded and described according to a plan prepared by Lotz Designers Engineers Constructors, Inc., plan dated 10-21-88.

BEGINNING at a point on the center line of Welsh road (being also the line dividing the Townships of Horsham, Lower Gwynedd and Montgomery) at a corner of lands now or late of Budco 309 Cinema.

1. Thence along the center line of Welsh Road (being also the line dividing the Townships of Horsham, Lower Gwynedd and Montgomery) North 50 degrees 49 minutes 45 seconds West 537.97 to a point;
2. Thence leaving Welsh Road North 35 degrees 19 minutes 35 seconds East 136.54 feet to a point;
3. Thence North 50 degrees 49 minutes 45 seconds West 101.54 feet to a point in the center line of said Evans Road;
4. Thence along the center line of Evans Road North 35 degrees 19 minutes 35 seconds East 335.93 feet to a point;

BOOK 491018 227

REGISTERED

TOTAL 250
LP
5-4-89

Paul-46-00-00259 00/ 4 36-00-00712 026-(2)

1989 MAY -4 PM 12:25

Together with all and singular the buildings and Improvements, Ways, Streets, Alleys, Passages, Waters, Water-courses, Rights, Liberties, Privileges, Hereditaments and Appurtenances, whatsoever thereunto belonging, or in any wise appertaining, and the Reversions and Remainders, Rents, Issues and Profits thereof; and all the Estate, Right, Title, Interest, Property, Claim and Demand whatsoever of it, the said Grantor, in law as in equity, or otherwise howsoever, of, in, and to the same and every part thereof.

To have and to hold the said lot or piece of ground above described with the messuage or tenement thereon erected.

Hereditaments and Premises hereby granted, or mentioned and intended so to be, with the Appurtenances, unto the said Grantee, its successors and Assigns, to and for the only proper use and behoof of the said Grantee, its successors and Assigns, forever.

UNDER and subject, nevertheless to certain conditions and restrictions of record, as aforesaid.

And the said Grantor, for itself, its successors and assigns

does by these presents, covenant, grant and agree, to and with the said Grantee, its successors and Assigns, that it, the said Grantor, and its successors and assigns,

all and singular the

Hereditaments and Premises herein above described and granted, or mentioned and intended so to be, with the Appurtenances, unto the said Grantee, its successors

and Assigns, against it the said Grantor and its successors and assigns and against all and every Person or Persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under it, him, her, them or any of them, shall and will, subject as aforesaid, :

WARRANT and forever DEFEND.

In Witness Whereof the said Grantor, by its duly authorized general partners, has set its hand and seal dated the day and year first written above.

Sealed and Delivered

IN THE PRESENCE OF US:

WITNESS:

ATTEST:

(CORPORATE SEAL)

SMITH-BUDCO PARTNERSHIP

BY:

V.C. Smith, General Partner

BUDCO THEATRES, INC., General Partner

BY:

H. Donald Busch
President

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5. Thence continuing along the center line of Evans Road North 35 degrees 43 minutes 44 seconds East 219.85 feet to a point of curvation;
6. Thence continuing along Evans Road along an arc of a curve to the right in an easterly direction, having a radius 396.46 feet an arc distance of 286.82 feet to a point of tangency;
7. Thence continuing along the center line of Evans Road North 77 degrees 10 minutes 42 seconds East 330.80 feet to a point of curvature in the center line of Bethlehem Pike;
8. Thence along the center line of Bethlehem Pike along an arc of a curve to the right in an southerly direction having a radius of 1432.71 feet and an arc distance of 134.55 feet to a point;
9. Thence continuing along the center line of Bethlehem Pike South 03 degrees 25 minutes 30 seconds East 753.75 feet to a point;
10. Thence leaving Bethlehem Pike South 86 degrees 34 minutes 30 seconds West 283.09 feet to a point;
11. Thence South 39 degrees 10 minutes 15 seconds West 378.33 feet to a point and place of BEGINNING. Containing 16.348 acres of land.

BEING part of the same premises which Inez M. Banes, Robert C. Banes and Helen Harclerode, Trustees under the Will of J. Walter Banes, deceased and Inez M. Banes, individually, by Deed dated February 1, 1984 and recorded in the Office for the Recording of Deeds in and for the County of Montgomery, Commonwealth of Pennsylvania in Deed Book 4729 page 1209, granted and conveyed unto Smith-Budco Partnership, a General Partnership, in fee.

UNDER AND SUBJECT to the following restrictions which shall constitute a covenant running with the land: The Premises being conveyed hereby shall not be used for the exhibition of motion pictures to the public after the date hereof by anyone other than AMC Philadelphia, Inc., Budco Theatres, Inc., or their successors or assigns; provided however, that this covenant shall terminate and be of no force and effect at the earlier of (i) forty (40) years from date of this Deed, or (ii) at such time as AMC Philadelphia, Inc., Budco Theatres, Inc. or their affiliates, parents, subsidiaries, successors and assigns are no longer in the business of exhibiting motion pictures to the public within the distance of ten (10) miles of the Premises.

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
46-00-00259-00-1 MONTGOMERY
BETHLEHEM PIKE
SMITH BUDCO PARTNERSHIP
B 019 U 013 L 4297 DATE: 05/04/89

Dep't Treasury Paid by check
John F. Hightower 5/16/89
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF REVENUE
\$20,000.00
REALTY TRANSFER TAX MAY-1989
00.00
5-489 CMC

All Transfer Taxes to
Montgomery Township
per
Jerry Sokolow.
Kyrtone Reg. Inc.

HORSHAM TWP

| |
|------------------------|
| REALTY TRANS. TAX PAID |
| STATE |
| LOCAL |
| PER |

Montgomery Twp.

| |
|------------------------|
| REALTY TRANS. TAX PAID |
| STATE 20,000.00 |
| LOCAL 20,000.00 |
| PER |

BOOK 491012 228

Commonwealth of Pennsylvania

County of *Philadelphia*On this, the *25th* day of January, 1989, before me,

personally appeared H. Donald Busch

to be the President

a corporation, and that he as such President

the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself (herself) as *President*

the undersigned officer,

who acknowledged himself (herself)

of Budco Theatres, Inc., General Partner of *Smith-Budco*

, being authorized to do so, executed

himself (herself) as *President*

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

Notary Public

NOTARIAL SEAL

MICHAEL S. BAURER, NOTARY PUBLIC
PHILADELPHIA, PHILADELPHIA COUNTY
MY COMMISSION EXPIRES JAN 16, 1992

Member, Pennsylvania Association of Notaries



1983

John C. Clark Co., Phila

750-S

KeyStone Agency, Inc.

1500 Walnut St.

Suite 301

Phila., PA 19102

BCEA

SMITH-BUDCO PARTNERSHIP,

a Pennsylvania general partnership,

Grantor

to

MONTGOMERY CROSSING ASSOCIATES,

a Pennsylvania general partnership,

Grantee

Montgomery County, S.S.

Recorded in the Office for Recording of Deeds &

in and for said county in *Book*No. *4910* Page *227*Witness my hand and seal of office this *4th*day of *May* 1989*Maryanne Beckwith*

Recorder

State of Florida :

County of *Indian* :On this *24* day of January, 1989, before me,

the undersigned officer, personally appeared, V. C. Smith, known to

me (or satisfactorily proven) to be the person whose name is

subscribed to the within instrument and acknowledged that he

executed the same for the purposes therein contained, as *General**Partner of Smith-Budco Partnership.*

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

Barbara L. Lockwood

Notary Public

Notary Public, State of Florida

My Commission Expires Jan. 23, 1990

Bonded By American Fire & Casualty Company

The address of the above-named Grantee

is

*201 Old York Road**Temkinboro, PA 19046*

On behalf of the Grantee

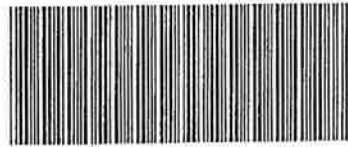
BOOK 4910 230

RECORDER OF DEEDS
MONTGOMERY COUNTY
Nancy J. Becker

One Montgomery Plaza
Swede and Airy Streets ~ Suite 303
P.O. Box 311 ~ Norristown, PA 19404
Office: (610) 278-3289 ~ Fax: (610) 278-3869



DEED BK 5724 PG 02286 to 02293
INSTRUMENT # : 2009025161
RECORDED DATE: 03/19/2009 11:55:39 AM





0525047-0006M

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Page 1 of 8

| | | |
|---|--|--|
| Document Type: Deed | | Transaction #: 431919 - 3 Doc(s) |
| Document Date: 03/09/2009 | | Document Page Count: 7 |
| Reference Info: | | Operator Id: cclark |
| RETURN TO: (Mail) | | SUBMITTED BY: STEWART TITLE GUARANTY CO 900 W VALLEY RD STE 1302 WAYNE, PA 19087 |
| * PROPERTY DATA: Parcel ID #: 36-00-00712-00-8 Address: BETHLEHEM PIKE PA Municipality: Horsham Township (100%) School District: Hatboro-Horsham | | |
| * ASSOCIATED DOCUMENT(S): | | |
| CONSIDERATION/SECURED AMT: \$2,600,000.00 | | DEED BK 5724 PG 02286 to 02293 Recorded Date: 03/19/2009 11:55:39 AM |
| FEES / TAXES: Recording Fee:Deed \$46.50 Additional Pages Fee \$6.00 Affordable Housing Pages \$6.00 State RTT \$26,000.00 Horsham Township RTT \$13,000.00 Hatboro-Horsham School District RTT \$13,000.00 Total: \$52,058.50 | | I hereby CERTIFY that this document is recorded in the Recorder of Deeds Office in Montgomery County, Pennsylvania.   Nancy J. Becker Recorder of Deeds |

PLEASE DO NOT DETACH

THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

NOTE: If document data differs from cover sheet, document data always supersedes.
*COVER PAGE DOES NOT INCLUDE ALL DATA, PLEASE SEE INDEX AND DOCUMENT FOR ANY ADDITIONAL INFORMATION.

Montgomery County

MAR 19 2009

Recorder of Deeds

Record and Return to:
Stewart Title Guaranty Company
900 West Valley Road, Suite 400
Wayne, PA 19087

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
36-00-00712-00-8 HORSHAM
BETHLEHEM PIKE
AMERICAN MULTI-CINEMA INC
B 001 U 035 L 4296 DATE: 03/19/2009

\$5.00
JG

Tax Parcel #: 36-00-00712-00-8

(Space Above for Recorder's Use)

SPECIAL WARRANTY DEED

THIS INDENTURE, MADE to be effective as of March 9, 2009, between SMITH-BUDCO PARTNERSHIP, a Pennsylvania general partnership ("Grantor"), and MONTGOMERY CROSSING ASSOCIATES, a Pennsylvania general partnership ("Grantee"),

WITNESSETH, that said Grantor, for and in consideration of the sum of TWO MILLION SIX HUNDRED THOUSAND DOLLARS (\$2,600,000.00) lawful money of the United States of America, unto it well and truly paid by said Grantee, at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, has granted, bargained and sold, released and confirmed, and by these presents does grant, bargain and sell, release and confirm unto said Grantee, its successors and assigns, in fee, all that certain real property more fully described on Exhibit A attached hereto and made a part hereof (the "Property").

UNDER AND SUBJECT to those matters set forth on Exhibit B attached here and made a part hereof and also subject to all easements, covenants, conditions, restrictions, declarations, community contracts and other matters of record (including, without limitation, a Pennsylvania Department of Transportation plan authorizing condemnation of a portion of the Property in connection with widening S.R. 309); unrecorded easements and other matters which would be disclosed by a current, accurate survey and inspection of the Property; zoning laws; the lien of taxes and assessments not yet due and payable; the rights of tenants under existing written leases; and rights of the public in and to any parts of the Property in streets, roads or alleys (collectively, the "Permitted Encumbrances").

TOGETHER with all and singular the buildings and improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever unto the Property belonging, or in any wise appertaining, and the reversions and remainders thereof; and all the estate, right, title and interest, property, claim and demand whatsoever of said Grantor, at law as well as in equity; of, in and to the same.

TO HAVE AND TO HOLD the Property with the buildings and improvements thereon erected, hereditaments and premises hereby granted or mentioned and intended so to be, with the


appurtenances, unto said Grantee, its successors and assigns, to and for the only proper use and behalf of said Grantee, its successors and assigns forever.

UNDER AND SUBJECT as aforesaid.

AND said Grantor, for itself, its successors and assigns, does covenant, promise and agree, to and with said Grantee, its successors and assigns, by these presents, that said Grantor and its successors and assigns shall and will, subject as aforesaid, WARRANT and forever DEFEND, all and singular the hereditaments and premises hereby granted or mentioned and intended so to be, with the appurtenances, unto said Grantee, its successors and assigns, against said Grantor and its successors and assigns, and against all and every person and persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under it, them or any of them.

SMITH-BUDCO PARTNERSHIP, a
Pennsylvania general partnership


By:


Sarah E. Smith, as Trustee of the Vigor
Cranstan Smith Revocable Trust - 1989,
General Partner

By:

American Multi-Cinema, Inc., General
Partner

By:


Craig R. Ramsey, Executive Vice
President and Chief Financial Officer

STATE OF NORTH CAROLINA)
) SS.
COUNTY OF Jackson)

ON THIS 10 day of March, 2009, before me, the undersigned, a Notary Public in and for said County and State, personally appeared **Sarah E. Smith**, not individually but as Trustee of the Vigor Cranston Smith Revocable Trust – 1989, to me personally known to be the person described in and who executed the within and foregoing instrument, who, being by me first duly sworn, stated that in her capacity as Trustee of said Trust, she is a General Partner of **Smith-Budco Partnership**, a Pennsylvania general partnership, that said Trust has not been amended or revoked and is in full force and effect, and that she is duly empowered and authorized under the terms of said Trust to execute and deliver said instrument, and said person acknowledged to me that she executed said instrument, in her capacity as Trustee of said Trust, on behalf of said partnership, as her free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Lauren E. Baxley-Kittle
Notary Public
Printed Name: Lauren E. Baxley-Kittle

My Commission Expires:


11/02/2010



STATE OF MISSOURI)
) SS.
COUNTY OF JACKSON)

ON THIS 9th day of MARCH, 2009, before me, the undersigned, a Notary Public in and for said County and State, personally appeared **Craig R. Ramsey**, to me personally known to be the person described in and who executed the within and foregoing instrument, who, being by me first duly sworn, stated that he is Executive Vice President and Chief Financial Officer of **American Multi-Cinema, Inc.**, a Missouri corporation, said corporation being a General Partner of **Smith-Budco Partnership**, a Pennsylvania general partnership, and that he executed said instrument on behalf of said corporation by authority of its board of directors, and on behalf of said partnership with due authority, and said person acknowledged to me that he executed said instrument as the free act and deed of said corporation and said partnership.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.



Notary Public
Printed Name: SARAH E. NEWHAM

My Commission Expires: June 14, 2009

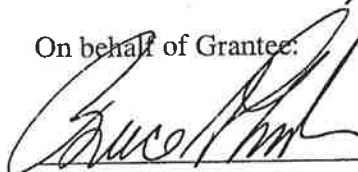
SARAH E. NEWHAM
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: June 14, 2009
Commission # 05729802

The undersigned hereby certifies that the address of the above named Grantee is:

MONTGOMERY CROSSING ASSOCIATES
c/o KAHN & CO

580 VIRGINIA DRIVE SUITE 100
FORT WASHINGTON, PA 19034

On behalf of Grantee:



Name: _____

EXHIBIT A

LEGAL DESCRIPTION

All that certain tract of land situate in the Township of Horsham, County of Montgomery, Commonwealth of Pennsylvania, bounded and described according to a plan prepared by Lotz Designers Engineers Constructors, Inc., plan dated 10-21-88.

BEGINNING at a point on the center line of Welsh Road (being also the line dividing the Townships of Horsham and Lower Gwynedd) at a corner of lands now or late of Shell Oil.

1. Thence along the center line of Welsh Road (being also the line dividing the Townships of Horsham and Lower Gwynedd) North 50 degrees 31 minutes 39 seconds West 154.68 feet to a point;
2. Thence along the center line of Welsh Road (being also the line dividing the Townships of Horsham and Lower Gwynedd) North 50 degrees 49 minutes 45 seconds West 205.32 feet to a point;
3. Thence leaving Welsh Road North 39 degrees 10 minutes 15 seconds East 378.33 feet to a point;
4. Thence North 86 degrees 34 minutes 30 seconds East 283.09 feet to a point in the center line of the said Bethlehem Pike;
5. Thence along the said center line of Bethlehem Pike South 3 degrees 25 minutes 30 seconds East 378.00 feet to a point;
6. Thence leaving Bethlehem Pike South 58 degrees 47 minutes 10 seconds West 310.50 feet to the first mentioned point and place of BEGINNING.

Exhibit B

1. Memorandum of Lease by and between Smith-Budco Partnership and Budco Theatres, Inc. dated 03/08/1989 and recorded in Deed Book 4905 Page 2228.
2. Agreement by and between Budco Theatres, Inc., Smith-Budco Partnership and Township of Horsham Sewer Authority, dated 11/09/1985 and recorded in Deed Book 4800 page 676.
3. Capital and Capacity Contribution and Development Agreement by and between Montgomery Township Municipal Sewer Authority, Smith-Budco Partnership and Budco Theatres, Inc., dated 04/16/1986 and recorded in Deed Book 5169, Page 2475, and First Addendum thereto dated 04/15/1988 and recorded in Deed Book 5223, Page 1125, and Second Addendum thereto dated 03/15/2000 and recorded in Deed Book 5312, Page 437.
4. Reciprocal Operating and Easement Agreement by and between Montgomery Crossing Associates Smith-Budco Partnership and Budco Theatres, Inc., dated 01/21/1989 and recorded in Deed Book 4910 page 240, and First Amendment thereto dated 09/14/1993 and recorded in Deed Book 5057, Page 2060.
5. Easement Agreement by and between Estate of J. Walter Banes, deceased, etc., and North Wales Water Authority, dated 06/16/1980 and recorded in Deed Book 4557, Page 67.
6. Covenants and Conditions (if any) as in Deed to Commonwealth of Pennsylvania, Department of Transportation as recorded in Deed Book 5040, Page 1809.
7. Rights granted to Philadelphia Electric Company as being recorded in Deed Book 3295, Page 17.
8. Rights granted to Bell Atlantic-Pennsylvania, Inc., as being recorded in Deed Book 5148, Page 164.
9. Declaration of Taking for road purposes as being recorded in Deed Book 5605, Page 2285.
10. Title to that portion of the premises in the beds of (if any) Welsh Road and Bethlehem Pike is subject to public and private rights therein.
11. Subject to all notes, easements, conditions and other items of interest as being set forth and recorded on Plan Book A-51, Page 26, Highway Plan Book 46, Pages 38-39 and Plan Book 23, Pages 88-91.



Boucher & James, Inc.
CONSULTING ENGINEERS

AN EMPLOYEE OWNED COMPANY
INNOVATIVE ENGINEERING

Fountainville Professional Building
1456 Ferry Road, Building 500
Doylestown, PA 18901
215-345-9400
Fax 215-345-9401

2738 Rimrock Drive
Stroudsburg, PA 18360
570-629-0300
Fax 570-629-0306

559 Main Street, Suite 230
Bethlehem, PA 18018
610-419-9407
Fax 610-419-9408
www.bjengineers.com

February 15, 2018

Lawrence Gegan, Township Manager
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936

**SUBJECT: FIREBIRDS GRILL
CONDITIONAL USE APPLICATION
TOWNSHIP LD/S NO. C-67
PROJECT NO. 1855321R**

Dear Mr. Gegan:

Please be advised that we have reviewed the Conditional Use Application plans for the Proposed Firebirds Wood Fired Grill Restaurant prepared by Charles E. Shoemaker, Inc., dated January 22, 2018.

The application seeks approval of a 7,026 SF (+/-) satellite restaurant adjacent to Welsh Road in the Gwynedd Crossing shopping center, within the C Commercial Zoning District.

We offer the following comments for your consideration.

1. ZO 230-78.1.B(2) requires that parking intended for satellite uses shall be separated from the primary paving area by landscaped planting islands to allow for proper traffic flow channelization. It does not appear that the proposed layout provides the landscape planting island separation called for by the Ordinance. The plans should be revised to provide adequate separation between the restaurant use and the main shopping center parking lot, or a variance would be required.
2. ZO 230-78.1.B(3) requires that when satellite use(s) are added to a shopping center development at any time after initial development is completed, adjustments to the parking area shall be made to comply with the requirements of this section and current requirements of the Zoning Ordinance and Subdivision and Land Development Ordinance for parking and landscaping. We recommend that Conditional Use Approval be contingent on the provision of landscape plans demonstrating compliance with current ZO and SLDO landscaping requirements.

Sincerely,

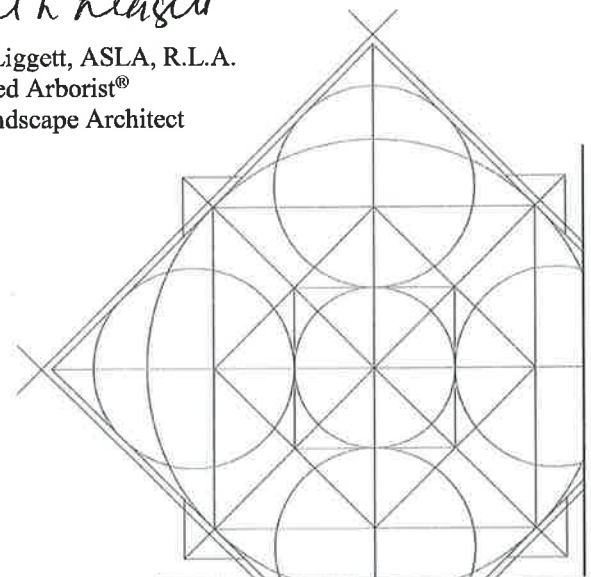
Judith Stern Goldstein, ASLA, R.L.A.
Managing Director

Valerie L. Liggett, ASLA, R.L.A.
ISA Certified Arborist®
Planner/Landscape Architect

JSG/vll/kam

ec: Board of Supervisors
Planning Commission
Bruce Shoupe, Director of Planning and Zoning
Marianne McConnell, Deputy Zoning Officer
James P. Dougherty, P.E., Gilmore & Associates, Inc.
Kevin Johnson, P.E., Traffic Planning & Design
Ken Amey, AICP
Amea S. Farrell, Esq., Kaplin Stewart
Gary Tilford, Charles E. Shoemaker, Inc.

P:\2018\1855321R\Documents\Correspondence\Review Letters\CURew.001.doc





TRAFFIC PLANNING AND DESIGN, INC.

WWW.TRAFFICPD.COM

March 1, 2018

Mr. Bruce S. Shoupe
Township Director of Planning and Zoning
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936-9605

**RE: Montgomery Crossing Associates – Firebirds Restaurant
Welsh Road and Bethlehem Pike
Conditional Use Plan Review**
Montgomery Township, Montgomery County, PA
Montgomery Township C-
TPD No. MOTO-00115

Dear Bruce:

In our role as Township Traffic/Street Lighting Engineer, Traffic Planning and Design, Inc. (TPD) has reviewed the Conditional Use Plans (Sheets 2-5) prepared by Charles E. Shoemaker, Inc., dated January 22, 2018, which were received in our office on February 14, 2018:

Based on our review, we offer the following comments:

Plan Comments

1. TPD has prepared the attached three color coded plans comparing two examples of similar uses pertaining to Zoning Ordinance 230-781.B(2) with that for this project:
 - a. Olive Garden Compliance Plan showing Olive Garden complies with ZO 230-78.1.B(2)
 - b. Water Tower Square Plan showing 2003 Proposed Outparcel compliance with ZO 230-78.1.B(2)
 - c. Proposed Plan for Firebirds Site highlighting the Main Circulation Aisles (all other travel ways are parking aisles)

By definition, main circulation aisles are those travel ways within the shopping center without direct access to parking spaces. By contrast, parking aisles are lower ordered

travel ways within the shopping center with direct access to parking spaces. As indicated in the first plan, the Olive Garden and its adjacent parking field are separated from other parking fields in the shopping center by main circulation aisles consisting of internal collectors and access drives on three sides with the other side adjacent to Route 309. As shown on the plan, landscaped islands separate the adjacent parking field from these main circulation aisles.

As indicated in the second plan, an outparcel was proposed, but never constructed, in a parking field separated from the main body of the Water Tower Square shopping center by main circulation aisles consisting of an internal collector and an access drive. This proposed outparcel and its adjacent parking field were to be separated from other parking fields in the shopping center by the same main circulation aisles consisting of an internal collector and an access drive. As shown on the plan, landscaped islands would have separated the adjacent parking field from these main circulation aisles. As a result, access to this parking field from the internal collector would have been reduced from four points to two points.

As indicated in the third plan, a Firebirds restaurant is proposed in an existing parking field fronting on Welsh Road on one side, an access drive on another side and parking aisles on the north and west sides. The parking spaces on both sides of the proposed Firebirds are served directly by parking aisles. As with the Olive Garden and the proposed outparcel at the Water Tower Square site, no access to any of the parking spaces is directly provided from any of the main circulation aisles.

TPD was not the Montgomery Township Traffic Engineer at the time ZO 230-78.1.B(2) was prepared. However, it is our understanding that one of the intents of the ordinance was to ensure that all parking spaces at an outparcel were accessed from parking aisles instead of being accessed directly from internal collector roads or access drives. Comparing the proposed plan with that of the two other sites, it is our opinion that the site complies with such an intent.

2. The crosswalk at the internal intersection of the "Main Drive" with the access points for the 309 Cinema and the proposed Firebirds restaurant needs to be relocated. In our opinion, pedestrians should first cross the Firebirds parking aisle with the handicapped parking spaces, then cross the stop controlled portion of the Main Drive.
3. A traffic impact study should be provided for the proposed restaurant as part of the land development plans for the project. The study should include the intersections of the state highways with all access driveways to the Gwynedd Crossing Shopping Center as well as the internal intersection of the "Main Drive" with the access points for the 309 Cinema and the proposed Firebirds restaurant.

We reserve the right to make additional comments as additional information is submitted.

Mr. Bruce S. Shoupe
March 1, 2018
Page 3

Please call if you have any questions.

Sincerely,

TRAFFIC PLANNING AND DESIGN INC.



Kevin L. Johnson, P.E.

President

kjohnson@TrafficPD.com

Attachments: Example Zoning Compliance Plans

cc: Larry Gregan, Township Manager
Marita Stoerrle, Township Development Coordinator
Kevin Costello, Township Public Works Director
Russ Dunlevy, P.E., Township Engineer
Frank Falzone, P.E., TPD
Joseph Platt, P.E., TPD
Jerry Baker, P.E., TPD
Eric Hammond, TPD
Gary Tilford, P.L.S., Charles E. Shoemaker, Inc.
Amea Farrell, Esq., Kaplin Stewart

Main Circulation Aisle



OLIVE GARDEN SATELLITE USE PLAN

GENERAL NOTES:

1. Existing mile and half-way intermediate line surveyed by Charles T. Schumacher in June during March 2016.
2. The subject site is located within the 1000-year and 500-year floodplain, an information by Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map No. 22055C0078E, last revised March 5, 2016.
3. The City of Everett Building Center, within the boundaries of Municipality of Everett, is Jones C-Commercial District and within Municipality "CE" – General Commercial and Industrial District.
4. Topographical elevations are based upon the Dept. of Transportation Datum from a map titled "Commensability of Municipality, Department of Highway, drainage, and flood control, City of Everett, Washington, 1965, sheet 2, 11, 12, 13 and 21, on Section 26, dated December 13, 1965, sheets 2, 11, 12, 13 and 21, on the map obtained from plan by the City of Everett, Washington.
5. The right-of-way width of all Evans Road was previously vacated and granted to the adjacent property owners in the former extension of Evans Road.

REFERENCED PLANS:

- a) Soil Development Plan of Chemical Enriching Shopping Center prepared by L&L Engineers, Conshohocken, Inc., dated January 29, 1989 and last revised October 18, 1994
- b) Land Development Plan of Residence Inn/Alto Restalino prepared for Goodman Properties, and prepared by Charles F. Shoemaker, Inc. dated September 30, 1993, and last revised July 17, 2007
- c) ALTA/ACSM Land Title & Topographical Survey Plan of Goodman Properties, dated 12/12/94, prepared by Carlson Plant Associates, Inc., dated July 21, 1999
- d) Variation Plan of Evans Road prepared by Charles F. Shoemaker, Inc., dated August 1, 2000, and last revised May 5, 2014

PROPERTY DATA:

| | |
|--|--|
| HORSHAM TOWNSHIP: | 232 844 S.F. or 5.345 Acres: |
| ITIN 36-100712-00-8 | ITIN 36-100712-02-A |
| Block/Parcel 36-001-1035 | Block/Parcel 36-001-1045 |
| Address: Bethlehem Pike | Address: Bethlehem Pike |
| Owner: Montgomery Clipping Association | Owner: Montgomery Clipping Association |
| Deno: 1724-2208 | Deno: 5511-0215 |
| Acres: 134.560 S.F. or 3.0873 Acres | Acres: 36.302 S.F. or 1.3035 Acres |
| ITIN 36-100712-10-7 | |
| Block/Parcel 36-001-145 | |
| Address: Bethlehem Pike | |
| Owner: Montgomery Clipping Association | |
| Deno: 4441-1522 | |
| Acres: 19.302 S.F. or 0.4431 Acres | |

MONTGOMERY TOWNSHIP:
 076-46-00-0010-00-1

(TN 46-000259-00-1
 Direct Unit 46-019-013
 Address 1200-1210 Elmhurst Pike
 Owner: Montgomery Crisling Associates
 Dist 5511-0418
 Area 606,778 S.F. or 13.943 Acres
 (Montgomery Two 550,194 S.F. / 12.6202 Ac
 + Harrison Two 56,582 S.F. / 1.2935 Ac)

TWP. TOTAL SITE AREAS:

232 B44 S.F. or 53454 Ac.
Tpm 36 ch-00712-02-A
Batch/Link 36-001-100
Address Beinhorn Pike
Owner: Hartgomery Crossing Assoc
Dend 5511-0515
Acres 58,702 S.F. or 1,3035 Acres

300.18-4 E.F., et 12.4357 No.

TOTAL GWYNEDO CROSSING SHOPPING CENTER
SITE AREA TO THE PERMITS LEGAL R/W LINES
783,038 S.F. or 17.9761 Acres

Main Circulation Aisle

Landscaped Separation Island

Compliant Parking

LEGEND

- | | |
|--|---------------------------------|
| | DRAWING CENTER LINE |
| | DRAWING FIRE HYDRANT |
| | DRAWING UTILITY POLE |
| | DRAWING MANHOLE |
| | DRAWING ELEVATION |
| | DRAWING TWO-WAY BOTTOM |
| | CLUMP CLUMPING |
| | DRAWING SLOPE |
| | DRAWING CENTER POINT |
| | DRAWING STATION NUMBER OR POINT |
| | DRAWING BOUNDARY |
| | DRAWING DITCHED ROAD |
| | DRAWING ROAD |
| | DRAWING ELECTRIC CONDUIT |
| | DRAWING WATER MAIN |
| | DRAWING TELEPHONE CONDUIT |
| | DRAWING COMMUNICATION CONDUIT |
| | DRAWING RAILWAY |
| | DRAWING LATERAL |
| | DRAWING SLOPE |
| | AREA PARKING SPACE |
| | DRAWING BOUNDARY LINE |



LOCATION MAP
SCALE: 1" = 600'



RECORD OWNER
MONTGOMERY CROSSING
ASSOCIATES
C/O GOODMAN PROPERTIES
635 OLD YORK ROAD
JENKINTOWN, PA 19046

CHARLES E. SHOEMAKER, INC.
ENGINEERS & SURVEYORS
1007 EDGE HILL ROAD ARLINGTON, PA. 19001
PHONE: 215-667-2185 FAX: 215-576-7781
www.ceshoemaker.com



SCALE: 1" = 30'

GWYNEDD CROSSING
EXISTING SITE PLAN
FIREBIRDS WOOD FIRED GRILL
PREPARED FOR
GOODMAN PROPERTIES
MORSHAM & MONTGOMERY TOWNSHIPS
MONTGOMERY COUNTY, PA

DATE: JANUARY 22, 2018
DWG NO: MONTO-1138
JOB NO: 24480-C
SHEET NO: 5 OF 13



TRAFFIC PLANNING AND DESIGN, INC.

WWW.TRAFFICPD.COM

March 9, 2018

Mr. Bruce S. Shoupe
Township Director of Planning and Zoning
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936-9605

**RE: Montgomery Crossing Associates – Firebirds Restaurant
Welsh Road and Bethlehem Pike**

Conditional Use Plan Review

Montgomery Township, Montgomery County, PA
Montgomery Township C-
TPD No. MOTO-00115

Dear Bruce:

Earlier today, we received the two attached plans from Gary Tilford of Charles E. Shoemaker, Inc. in response to our Review letter of March 1, 2018. The first, entitled DETAIL SITE PLAN, with a most recent revision date of February 13, 2018, is a color plan of what we reviewed previously. The second, entitled PARKING EXHIBIT W/PLANTED ISLANDS, with a date of March 6, 2018, segregates the 77 parking spaces that are needed for a standalone Firebirds restaurant of 7028 sf from the rest of the retail spaces by enclosure within landscaped islands. In our role as Township Traffic/Street Lighting Engineer, Traffic Planning and Design, Inc. (TPD) offers the following comments to expand upon and clarify Comments 1 and 3 in our March 1, 2018 Review Letter in response to these two new plans:

Plan Comments

1. Similar to what was done for the March 1, 2018 Review Letter, the two attached plans have been color coded by TPD to show the main circulation aisles on each plan. We also numbered the internal intersections in the area bounded by Welsh Road to the south, the main circulation aisle in front of the Supermarket and the Chuck E Cheese to the west, the "Main Drive" to the east and the parking aisle extending between internal intersection numbers 5 and 6 to the north. This area will be referred to as "the study area" in this review letter. Comparing the two plans:
 - a. Two main circulation aisles are shown in this study area on the DETAIL SITE PLAN compared to three main circulation aisles shown on the PARKING EXHIBIT W/PLANTED ISLANDS. Main circulation aisles are higher order internal drives with higher average travel speeds than parking aisles.

- b. Eleven internal intersections are shown in this study area on the DETAIL SITE PLAN compared to sixteen internal intersections shown on the PARKING EXHIBIT W/PLANTED ISLANDS. The five new intersections shown on the PARKING EXHIBIT W/PLANTED ISLANDS plan are intersections of parking aisles with main circulation aisles. For safety reasons, the goal of transportation engineers is to manage access to a site by limiting the number of access points/intersections where there could be pedestrian crossings. In this case, the latter plan has five (45%) more internal intersections (of which all are intersections of parking aisles with main circulation aisles) than the original plan in the study area.
- c. A total of 203 parking spaces are shown in the study area on the DETAIL SITE PLAN compared to 167 shown on the PARKING EXHIBIT W/PLANTED ISLANDS.
- d. A more important comparison is the number of parking spaces between main circulation aisles on the west and east using the same study area boundary lines to the north and south. In this analysis, a total of 203 parking spaces are shown in the study area on the DETAIL SITE PLAN compared to 90 shown on the PARKING EXHIBIT W/PLANTED ISLANDS. Of these 90 spaces, only 68 are directly in front of the supermarket compared to 119 parking spaces on the DETAIL SITE PLAN. Thus, a significant number of supermarket patrons will need to park on the other side of what would be a new main circulation aisle if the PARKING EXHIBIT W/PLANTED ISLANDS plan is constructed. To return to their vehicles with a shopping cart, they will either need to walk down the parking aisle connecting internal intersections 1 and 9 or else they will need to walk along the new main circulation aisle between internal intersections 10 and 13 to access the 77 space parking field via internal intersection 9. As such, these new landscaped islands encircling the 77 parking spaces on the west and north impact the shared parking concept normally found in a shopping center.

For these safety reason, it is our opinion that the DETAIL SITE PLAN is significantly safer than the PARKING EXHIBIT W/PLANTED ISLANDS plan.

- 2. Unchanged.
- 3. A traffic impact study consisting of 1) a Trip Generation Comparison study and 2) a Traffic Impact Analysis needs to be provided for the proposed restaurant as part of the land development plans for the project. The purpose of the Trip Generation Comparison study will be to use the Institute of Transportation Engineers Trip Generation manual to determine if traffic volumes generated by the two new uses (an 829 seat movie theater and a 7028 sf Firebirds restaurant) of this area of the Gwynedd Crossing Shopping Center exceed that formerly generated by a 2260 seat movie theater occupying this same general area. If the trip generation from the two new uses exceed that of the

Mr. Bruce S. Shoupe
March 9, 2018
Page 3

former use, then a Traffic Impact Analysis will be required to analyze the impact and determine if any mitigation measures are needed at the intersections of the state highways with all access driveways to the Gwynedd Crossing Shopping Center as well as the internal intersection of the "Main Drive" with the access points for the 309 Cinema and the proposed Firebirds restaurant.

We reserve the right to make additional comments as additional information is submitted. Please call if you have any questions.

Sincerely,

TRAFFIC PLANNING AND DESIGN, INC.

A handwritten signature in blue ink, appearing to read "Kevin L. Johnson", with a long horizontal flourish extending to the right.

Kevin L. Johnson, P.E.

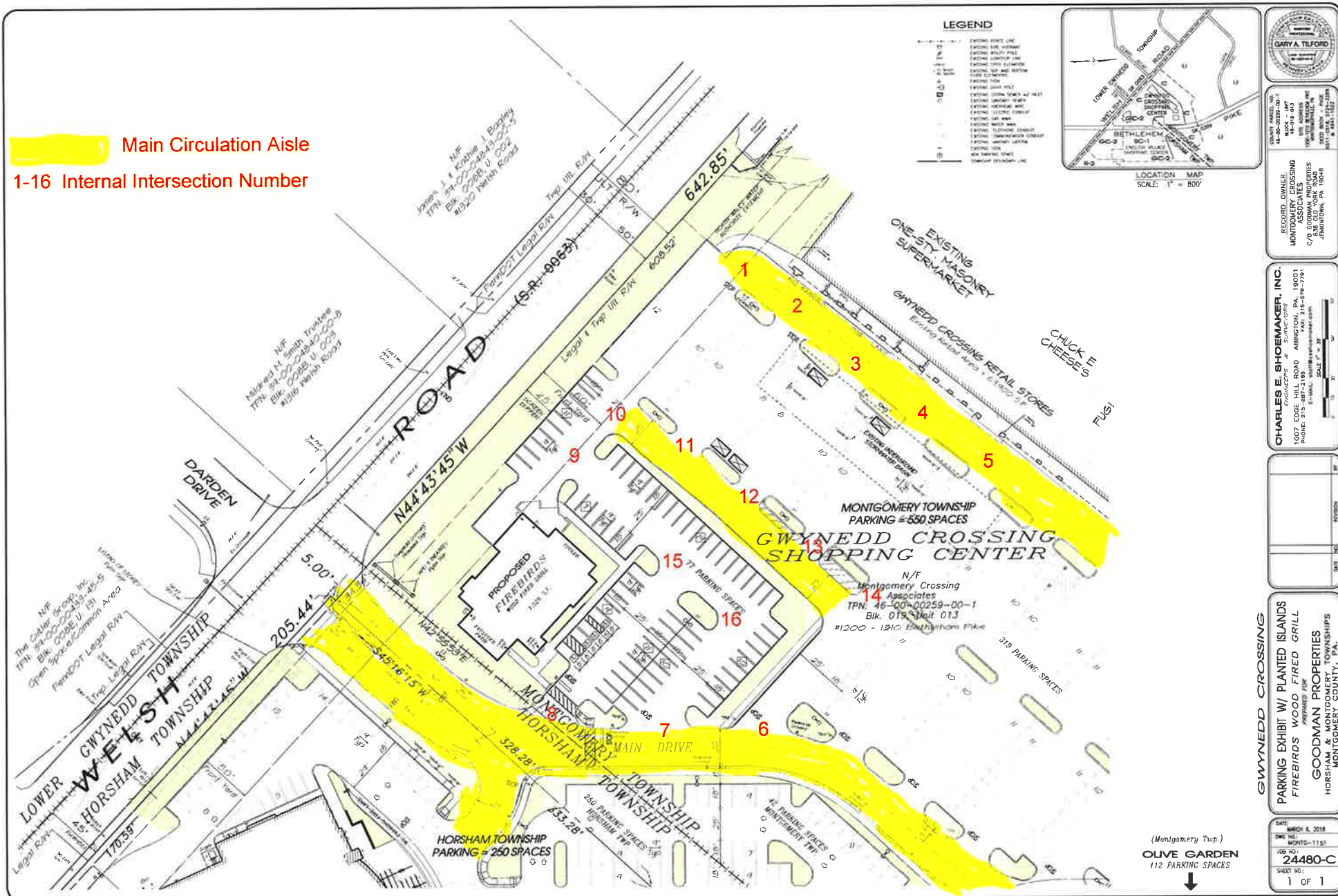
President

kjohnson@TrafficPD.com

Attachments:

cc: Larry Gegan, Township Manager
Marita Stoerrle, Township Development Coordinator
Kevin Costello, Township Public Works Director
Russ Dunlevy, P.E., Township Engineer
Frank Falzone, P.E., TPD
Joseph Platt, P.E., TPD
Jerry Baker, P.E., TPD
Eric Hammond, TPD
Gary Tilford, P.L.S., Charles E. Shoemaker, Inc.
Amea Farrell, Esq., Kaplin Stewart
Bruce Goodman, Goodman Properties

1 Main Circulation Aisle
1-16 Internal Intersection Number



KENNETH AMEY, AICP
professional land planner

March 2, 2018

(via e-mail)

Lawrence J. Gegan, Township Manager
MONTGOMERY TOWNSHIP
1001 Stump Road
Montgomeryville, PA 18936

Re: FIREBIRDS GRILL
Application for Conditional Use
Gwynedd Crossing Shopping Center
Township File #C-67

Dear Mr. Gegan:

I have reviewed the above referenced application and plans prepared by Charles E. Shoemaker, Inc., dated January 22, 2018. The proposed location is in the Gwynedd Crossing Shopping Center, is zoned C-Commercial, and is currently part of the parking field for the shopping center. This application proposes a 7,026 s.f. satellite restaurant along with reconfiguration of the existing parking lot. My comments follow:

1. Section 230-78.1.B(2) requires landscaped islands to separate parking for satellite uses from the main parking area. The applicant has applied to the Zoning Hearing Board for relief from this section.
2. Section 230-78.1.B(3) states that when a satellite use is added to an existing center, the parking area needs to be brought into compliance with all requirements for parking and landscaping. Any changes necessary to accomplish this will need to be included in the final plans.

If there are any questions, please let me know.

Very truly yours,



Kenneth Amey

1122 Old Bethlehem Pike
Lower Gwynedd, PA 19002



phone: 215.283.9619
fax: 215.646.3458
kenamey@aol.com

cc: Bruce S. Shoupe, Township Director of Planning and Zoning
Marianne McConnell, Deputy Zoning Officer
James Dougherty, PE, Township Engineer
Frank Bartle, Esq., Township Solicitor
Kevin Johnson, PE, Township Traffic Engineer
Judith Stern Goldstein, ASLA, Township Landscape Architect
Amea S. Farrell, Esq., Applicant's Attorney



March 5, 2018

File No. 2017-10045-01

Bruce S. Shoupe, Director of Planning and Zoning
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936-9605

Reference: Conditional Use Application – C-67
Montgomery Crossing Associates - Firebirds Wood Fired Grill

TMP Nos.: 46-00-00259-00-1, 36-00-00712-02-6, 36-00-00712-00-8, & 36-00-00712-10-7
Block/Unit 46019-013, 36001-166, 035, & 145

Dear Bruce:

As requested, Gilmore & Associates, Inc. has reviewed the information listed below with regard to the conditional use application referenced above and offers the following comments for consideration by the Montgomery Township Board of Supervisors.

I. SUBMISSION

- A. Conditional Use Application for Montgomery Crossing Associates including Addendum, dated January 29, 2018.
- B. Conditional Use Plans for Firebirds Wood Fired Grill (Sheet 2, 3, 4 & 5 of 13), prepared by Charles E. Shoemaker, Inc., dated January 22, 2018.

II. GENERAL

The Applicant, Montgomery Crossing Associates, is seeking conditional use approval for a freestanding 7,026 sq. ft. restaurant use at the Gwynedd Crossing Shopping Center. Four lots comprise the shopping center, which is located within Montgomery and Horsham Townships. The subject project is located on TMP 46-00-00259-00-1 (B/U 46019-013) within the C-Commercial Zoning District. The proposed restaurant use is permitted with this district; however, buildings less than 7,500 sq. ft., located in separate detached buildings on the same lot as a shopping center are permitted by conditional use. The proposed restaurant would be constructed in the existing parking area in front of Whole Foods Supermarket (i.e. within existing impervious area) and would be accessed by the existing shopping center driveways. The plans note several existing nonconformities including: impervious coverage, green space, parking stall dimensions, etc. This proposal does not appear to increase nonconformities.

III. REVIEW COMMENTS

A. Zoning Ordinance (Chapter 230)

Based on our review, the following items do not appear to comply with the Zoning Ordinance. Upon further development of the plans, additional items may become apparent.

- 1. §230-78.F.1. – No waste, rubbish and discarded materials shall be stored outside of the building unless it is placed within a completely fenced-in area so as to conceal the materials. A detail for the trash enclosure shall be included on the plans with any future land development application submission.

BUILDING ON A FOUNDATION OF EXCELLENCE

65 E. Butler Avenue | Suite 100 | New Britain, PA 18901 Phone: 215-345-4330 | Fax: 215-345-8606
www.gilmore-assoc.com

2. §230-78.G & §230-134.C(10)(a) – Adequate off-street parking shall be provided. Plan notes state and inspection of the site indicates that the minimum number of parking spaces are provided or exceeded. However, the number of parking spaces depicted on the plans does not appear to be consistent with the notes. The applicant should verify the number of existing and proposed parking spaces and revise the plan notes accordingly.

C. General

1. All requirements relative to the Township Subdivision and Land Development Ordinance, Township Stormwater Management Ordinance, and site accessibility provisions of Pennsylvania's Uniform Construction Code were not considered as part of this conditional use review and will be reviewed at the time of any future land development application submission.
2. We defer review of all landscaping, lighting, and traffic requirements to the Township Landscape Architect, Township Lighting Consultant, and Township Traffic Engineer, respectively.

If you have any questions regarding the above, please contact this office.

Sincerely,



James P. Dougherty, P.E.
Senior Project Manager
Gilmore & Associates, Inc.

JPD/SW/sl

cc: Lawrence J. Gregan, Manager – Montgomery Township
Marianne McConnell, Deputy Zoning Officer – Montgomery Township
Richard Lesniak, Director of Fire Services – Montgomery Township
Frank R. Bartle, Esq., Solicitor – Dischell Bartle & Dooley, PC
Ken Amey, AICP
Judith Stern Goldstein, ASLA, R.L.A. – Boucher & James, Inc.
Kevin Johnson, P.E. – Traffic Planning & Design, Inc.
William T. Walker, Manager – Horsham Township
Craig McAnally, Manager - Lower Gwynedd Township
Amea S. Farrell, Esq. – Kaplin Stewart Meloff Reiter & Stein, PC
Bruce Goodman – Montgomery Crossing Associates, LP
Gary A. Tilford, P.L.S. – Charles E. Shoemaker, Inc.
James J. Hersh, P.E. – Gilmore & Associates, Inc.
Russell S. Dunlevy, P.E., Senior Executive Vice President – Gilmore & Associates, Inc.

**MONTGOMERY COUNTY
BOARD OF COMMISSIONERS**

VALERIE A. ARKOOSH, MD, MPH, CHAIR
KENNETH E. LAWRENCE, JR., VICE CHAIR
JOSEPH C. GALE, COMMISSIONER



**MONTGOMERY COUNTY
PLANNING COMMISSION**

MONTGOMERY COUNTY COURTHOUSE • PO Box 311
NORRISTOWN, PA 19404-0311
610-278-3722
FAX: 610-278-3941 • TDD: 610-631-1211
WWW.MONTCOPA.ORG

JODY L. HOLTON, AICP
EXECUTIVE DIRECTOR

February 22, 2018

Mr. Bruce S. Shoupe, Director of Planning/Zoning
Montgomery Township
1001 Stump Road
Montgomeryville, Pennsylvania 18936-9605

Re: MCPC #18-0035-001
Plan Name: Firebirds Wood Fire Grill – C-67 (LD/S #694)
(1 lot comprising 0.16 acres)
Situate: Bethlehem Pike (W)/Welsh Road (N)
Montgomery Township

Dear Mr. Shoupe:

We have reviewed the above-referenced conditional use application in accordance with Section 502 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on January 30, 2018. We forward this letter as a report of our review.

BACKGROUND

The applicants, Montgomery Crossing Associates, propose to construct a freestanding restaurant in the parking lot of the Gwynedd Crossing Shopping Center on 7,026 square feet of land at the northwest corner of PA Route 309 (Bethlehem Pike) and PA Route 63 (Welsh Road), just over the township line from Horsham Township. The current zoning for this area in Montgomery Township is Commercial. The restaurant will reduce parking in the shopping center by a net total of 60 spaces, while adding additional parking lot islands surrounding the building. The applicant is intending to seek a waiver of land development since the restaurant will be constructed on existing impervious space, but a conditional use authorization is required because the proposed freestanding restaurant is less than 7,500 square feet and in the same site as a shopping center, per Montgomery Township Code §230-78.1.



RECOMMENDATION

The Montgomery County Planning Commission (MCPC) generally supports the applicant's conditional use application; however, in the course of our review we have identified the following issues that the applicant and municipality may wish to consider prior to final conditional use application and development approval. Our comments are as follows.

REVIEW COMMENTS

VEHICLE AND PEDESTRIAN TRAFFIC

1. The Detail Site Plan and Existing Site Plan shows the exit driveway from the shopping center (located in Horsham Township) with two lanes, one with a left turn arrow, and the other with a straight and right turn arrow. However, a sign is also included with a label "Rigth (sic) Lane Must Turn Right". The applicant should revise the plan to show consistency between the pavement markings and any correctly spelled signs that were installed as part of the AMC 309 Cinema project.
2. Pedestrian access should also be examined within the surrounding parking lots, including the installation of crosswalks, raised crossings, and/or pedestrian aisles. This shopping center already utilizes shared parking concepts in order to provide fewer than the required number of spaces. While the parking area is being impacted by construction, the applicant and township should consider additional upgrades to the parking lots, such as those listed in MCPC's *Establishing Green and Sustainable Parking Lots* guidebook.

CONDITIONAL USE APPLICATION

The conditions required for approval for a development of this type include: 10% or less of the allowable building coverage, parking access from internal drives, parking areas separated by planted islands, and adequate pedestrian access. We agree with the applicant that the first three conditions are met with this application, and would encourage, as mentioned above, an additional look at the pedestrian facilities available next to and surrounding the proposed restaurant.

CONCLUSION

We wish to reiterate that MCPC supports the applicant's proposal, but we believe that our suggested comments are important to consider for Montgomery Township's planning objectives for the site in question.

Please note that the review comments and recommendations contained in this report are advisory to the municipality and final disposition for the approval of any proposal will be made by the municipality.

Should the governing body approve a final plat of this proposal, the applicant must present the plan to our office for seal and signature prior to recording with the Recorder of Deeds office. A paper copy bearing the municipal seal and signature of approval must be supplied for our files.

Sincerely,

A handwritten signature in black ink that reads "Matthew Popek". The signature is written in a cursive, flowing style.

Matthew Popek, Transportation Planner II
mpopek@montcopa.org – 610-278-3730

c: Montgomery Crossing Associates, Applicant
Charles E. Shoemaker, Inc., Applicant's Engineer
Lawrence Gregan, Twp. Manager
Jay Glickman, Chrm., Twp. Planning Commission

Attachments: Aerial Photograph of Site
Subdivision Record Plan

Aerial – Montgomery Crossing Associates, Montgomery Township



Firebirds Wood Fire Grill - C-67
Montgomery

Montgomery
County
Planning
Commission
Montgomery County Courthouse - Planning Commission
PO Box 3111 • Norristown PA 19384-0311
P: 610 278 3722 • F: 610 278 3941
www.montco.org/planning
Year 2015 aerial photograph, provided by the
Delaware Valley Regional Planning Commission

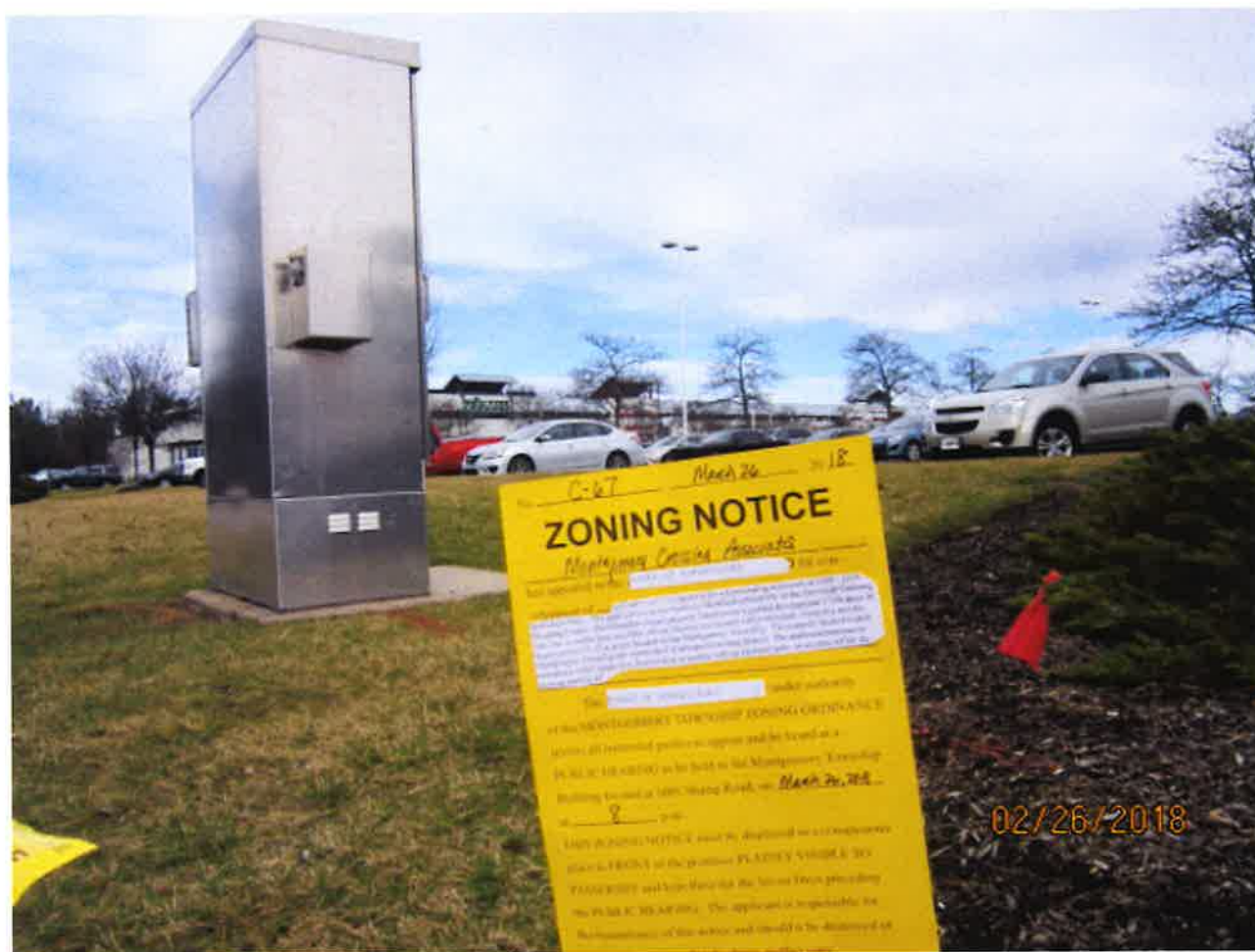
Motion was made by the Montgomery Township Planning Commission on March 15, 2018, that the Conditional Use Application C-67, regarding the Montgomery Crossing Associates – Firebirds Wood Fired Grill restaurant project located at Gwynedd Crossing Shopping center located in the C-Commercial Zoning District, be recommended for approval to the Montgomery Township Board of Supervisors.

Motion: David Fetzer

Second: Jim Rall

Vote 5-0 (Steve Krumenacker absent)





LEGAL NOTICES

MONTGOMERY TOWNSHIP LEGAL NOTICE On Monday, March 26, 2018, after 8:00PM, the Montgomery Township Board of Supervisors, during its regularly scheduled meeting, will conduct a conditional use hearing on the application of Montgomery Crossing Associates to permit a 7,026 square-foot freestanding restaurant on the property located at 1210 Bethlehem Pike, further identified as tax parcel numbers 46-00-00259-00-1; 36-00-00712-02-6; 36-00-00712-00-8; and 36-00-00712-10-7, within the Township's C-Commercial District. Applicant requests conditional use approval under Article XIII, Section 230-78.1 [C Commercial District/Satellite Uses], in accord with Article XXI, Section 230-156.2 [Miscellaneous Provisions/Procedures and Standards for Conditional Use Approval] to permit the construction of the proposed restaurant on the property. All interested parties are invited to attend. A copy of the application may be examined at the Township building, Monday through Friday, during normal business hours: 9:00AM to 4:00PM. Persons with disabilities wishing to attend the public meeting/hearing and requiring auxiliary aid or other accommodations to participate should contact the Montgomery Township Human Resources Coordinator 215-393-6900. LAWRENCE J. GREGAN Township Manager LAN 3/9, 3/16 1-a

Appeared in: **Reporter** on Friday, 03/09/2018

Powered by myPublicNotices.com

LEGAL NOTICES

MONTGOMERY TOWNSHIP LEGAL NOTICE On Monday, March 26, 2018, after 8:00PM, the Montgomery Township Board of Supervisors, during its regularly scheduled meeting, will conduct a conditional use hearing on the application of Montgomery Crossing Associates to permit a 7,026 square-foot freestanding restaurant on the property located at 1210 Bethlehem Pike, further identified as tax parcel numbers 46-00-00259-00-1; 36-00-00712-02-6; 36-00-00712-00-8; and 36-00-00712-10-7, within the Township's C-Commercial District. Applicant requests conditional use approval under Article XIII, Section 230-78.1 [C Commercial District/Satellite Uses], in accord with Article XXI, Section 230-156.2 [Miscellaneous Provisions/Procedures and Standards for Conditional Use Approval] to permit the construction of the proposed restaurant on the property. All interested parties are invited to attend. A copy of the application may be examined at the Township building, Monday through Friday, during normal business hours: 9:00AM to 4:00PM. Persons with disabilities wishing to attend the public meeting/hearing and requiring auxiliary aid or other accommodations to participate should contact the Montgomery Township Human Resources Coordinator 215-393-6900. LAWRENCE J. GREGAN Township Manager LAN 3/9, 3/16 1-a

Appeared in: **Reporter** on Friday, 03/16/2018

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**MONTGOMERY TOWNSHIP
BOARD OF SUPERVISORS**

1001 STUMP ROAD
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**TANYA C. BAMFORD
CANDYCE FLUEHR CHIMERA
MICHAEL J. FOX
JEFFREY W. McDONNELL
MATTHEW W. QUIGG**

LAWRENCE J. GREGAN
TOWNSHIP MANAGER

February 22, 2108

RE: Conditional Use Application #C-67
Montgomery Crossing Associates
1200 - 1210 Bethlehem Pike / Gwynedd Crossing Shopping Center


Dear Property Owner:

This letter is to advise you that Montgomery Crossing Associates has applied to the Montgomery Township Board of Supervisors for a Conditional Use approval for a freestanding restaurant at 1200 - 1210 Bethlehem Pike. The applicant owns the 4 parcels identified collectively as the Gwynedd Crossing Shopping Center. The triangular shaped property functions as a unified development 17.98 acres in size. The 3 smaller parcels (AMC Movie Theater) are located within Horsham Township and the largest parcel (13.93 acres) is located within Montgomery Township. The unified development is improved with an 83,900 square foot principle retail building, 9,900 square foot freestanding restaurant (Olive Garden), and free-standing movie theater with associated access driveways and parking. The property located within Montgomery Township sits within the C-Commercial zoning district. The applicant proposes to construct a 7,026 square foot freestanding restaurant with an enclosed patio on an area within the existing parking lot.

In order to receive public comment on this request, the Board of Supervisors has set Monday, March 26, 2018, after 8:00 p.m., in the Township Building, as the date, time and place for a public hearing.

This letter is being sent to you because you are either an adjacent or nearby property owner or have previously expressed an interest in the disposition of this application. Copies of the proposed map, Conditional Use application and deed are available for inspection during normal office hours.

Sincerely,


Bruce S. Shoupe
Director of Planning and Zoning

FTP HUNT CLUB
c/o PARADISE PROPERTY LLC
JEFFREY FRANTZ
369 REDWOOD COURT
BENSALEM, PA 19020

CHARLES D. PERRY
1612 EVANS ROAD
AMBLER, PA 19002

JAMES & KATHIE BAGLEY
1320 W. WELSH ROAD
NORTH WALES, PA 19454

MILDRED M. SMITH TRUST
1316 W. WELSH ROAD
NORTH WALES, PA 19454

THE CUTLER GROUP
5 APOLLO ROAD, STE 1
PLYMOUTH MTG, PA 19462

GWYNED POINT LP
8080 OLD YORK ROAD
SUITE 215
ELKINS PARK, PA 19027

SUNOCO RETAIL LLC
1900 DELROCK ROAD
C/O KE ANDREWS
ROWLETT, TX 75088

JEFFREY & VIVIENNE TANG
CARSON & VIRGINA MOK
1 JEM DRIVE
MAPLE GEN, PA 19002

ROLLINS-WESTERN REAL ESTATE
HOLDINGS LLC
2170 PIEDMONT DRIVE NE
ATLANTA, GA 30324

DOMENICO & ANGELA ROSELLI
1315 HIGHLAND AVENUE
FORT WASHINGTON, PA 19034

MCP - ENGLISH VILLAGE LLC
C/O METLIFE REAL ESTATE INVESTORS
1 METLIFE WAY
WHIPPANY, NJ 07981

EVS PROPERTIES INC
C/O RALPH BIRNEY
2403 APPLEWOOD CT
PERKASIE, PA 18944

EVS PROPERTIES INC
C/O DAVID ROSENBERG
20 ARROWWOOD DRIVE
PERKASIE, PA 18944

LAWRENCE & HELEN MASTROIENI
1113 BETHLEHEM PIKE
MONTGOMERYVILLE, PA 18936

RS REALTY II LLC
C/O DUNKIN DONUTS
1401 S. 10TH STREET
PHILADELPHIA, PA 19147

EVANS GK ENTERPRISES LP
580 VIRGINIA DRIVE
SUITE 100
FORT WASHINGTON, PA 19034

WILMA LEE CROCKETT
DARRYL SNAVELY
103 EVANS ROAD
NORTH WALES, PA 19454

PECO
C/O REAL ESTATE & FACILITIES N3-3
2301 MARKET STREET
PHILADELPHIA, PA 19103

HORSHAM TOWNSHIP
TOWNSHIP MANAGER
1025 HORSHAM ROAD
HORSHAM, PA 19044

LOWER GWYNEDD TOWNSHIP
TOWNSHIP MANAGER
1130 N BETHLEHEM PIKE
PO BOX 625
SPRINGHOUSE, PA 19477

Application of Montgomery Crossing Associates
Gwynedd Crossing Shopping Center
List of Adjoining Property Owners*

| | Owner Name | Address | TPN | Block | Unit |
|----|--|---------------------|-----------------|-------|------|
| ** | Pennsylvania Dept of Transportation | | | | |
| ** | The Cutler Group, Inc. | N/A | 39-00-00433-455 | 008E | 131 |
| | Mildred M. Smith Trustee | 1316 Welsh Road | 39-00-04840-008 | 008B | 003 |
| | James J. & Kathie J. Bagley | 1320 Welsh Road | 39-00-04843-005 | 008B | 002 |
| | Charles D. Perry | 1612 Evans Road | 39-00-01150-008 | 008B | 001 |
| | PECO Energy Company | 101 Evans Road | 46-00-04255-01- | 019 | 011 |
| | Wilma Lee Crockett & William H. Snavel | 103 Evans Road | 46-00-00940-508 | 019 | 048 |
| | Evans G.K. Enterprises, L.P. | 110 Bethlehem Pike | 46-00-00262-007 | 019 | 012 |
| | Melvin L. Novey | Bethlehem Pike | 46-00-00087-004 | 018 | 018 |
| | RS Realty II, LLC | 1109 Bethlehem Pike | 46-00-00064-007 | 018 | 017 |
| | Lawrence W. & Helen Mastroieni | 1113 Bethlehem Pike | 46-00-00061-001 | 018 | 019 |
| ** | EVS Properties, Inc. | 1115 Bethlehem Pike | 46-00-00061-001 | 018 | 020 |
| ** | Stanberry English Village, L.P. | 1460 Bethlehem Pike | 36-00-00725-004 | 001 | 147 |
| ** | Domenico & Angela Roselli | 1454 Bethlehem Pike | 36-00-00727-002 | 001 | 098 |
| ** | Rollins-Western Real Estate | 1444 Bethlehem Pike | 36-00-00717-002 | 001 | 011 |
| ** | Jeffrey C. & Vivienne C. Tang | 1440 Bethlehem Pike | 36-00-00730-008 | 001 | 097 |
| ** | Atlantic Refining & Market Corp. | 1406 Welsh Road | 36-00-00715-005 | 001 | 048 |

* No properties immediately adjoin subject property. All properties are separate by a public road or private driveway from the Property boundaries.

** Denotes parcel located all or partially in Horsham Township



**MONTGOMERY TOWNSHIP
BOARD OF SUPERVISORS**

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MONTGOMERYVILLE, PA 18936-9605

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**TANYA C. BAMFORD
CANDYCE FLUEHR CHIMERA
MICHAEL J. FOX
JEFFREY W. McDONNELL
MATTHEW W. QUIGG**

**LAWRENCE J. GREGAN
TOWNSHIP MANAGER**

February 22, 2108

Mr. William Walker, Township Manager
Horsham Township
1025 Horsham Road
Horsham, PA 19044

RE: Conditional Use Application #C-67
Montgomery Crossing Associates
1200 – 1210 Bethlehem Pike / Gwynedd Crossing Shopping Center

Dear Mr. Walker:

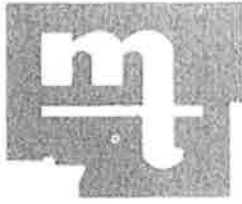
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In order to receive public comment on this request, the Board of Supervisors has set Monday, March 26, 2018, after 8:00 p.m., in the Township Building, as the date, time and place for a public hearing.

This letter is being sent to you because you are either an adjacent or nearby property owner or have previously expressed an interest in the disposition of this application. Copies of the proposed map, Conditional Use application and deed are available for inspection during normal office hours.

Sincerely,

Bruce S. Shoupe
Director of Planning and Zoning



**MONTGOMERY TOWNSHIP
BOARD OF SUPERVISORS**

1001 STUMP ROAD
MONTGOMERYVILLE, PA 18936-9600

Telephone: 215-393-6900 • Fax 215-855-6656
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CANDYCE FLUEHR CHIMERA
MICHAEL J. FOX
JEFFREY W. McDONNELL
MATTHEW W. QUIGG**

LAWRENCE J. GREGAN
TOWNSHIP MANAGER

February 22, 2108

Mr. Craig McNally, Township Manager
Lower Gwynedd Township
1130 N. Bethlehem Pike
PO Box 625
Springhouse, PA 19477

RE: Conditional Use Application #C-67
Montgomery Crossing Associates
1200 - 1210 Bethlehem Pike / Gwynedd Crossing Shopping Center

Dear Mr. McNally:

This letter is to advise you that Montgomery Crossing Associates has applied to the Montgomery Township Board of Supervisors for a Conditional Use approval for a freestanding restaurant at 1200 - 1210 Bethlehem Pike. The applicant owns the 4 parcels identified collectively as the Gwynedd Crossing Shopping Center. The triangular shaped property functions as a unified development 17.98 acres in size. The 3 smaller parcels (AMC Movie Theater) are located within Horsham Township and the largest parcel (13.93 acres) is located within Montgomery Township. The unified development is improved with an 83,900 square foot principle retail building, 9,900 square foot freestanding restaurant (Olive Garden), and free-standing movie theater with associated access driveways and parking. The property located within Montgomery Township sits within the C-Commercial zoning district. The applicant proposes to construct a 7,026 square foot freestanding restaurant with an enclosed patio on an area within the existing parking lot.

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Sincerely,

Bruce S. Shoupe
Director of Planning and Zoning

**MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY**

March 26, 2018

SUBJECT: Consider Conditional Use Application – ProReal Ventures LLC – Shine Time Carwash C68 - DeKalb Pike and Welsh Road

MEETING DATE: March 26, 2018

ITEM NUMBER: #10.

MEETING/AGENDA: EXECUTIVE SESSION

REASON FOR CONSIDERATION: Operational: XX Policy: Discussion: Information:

INITIATED BY: Bruce Shoupe
Director of Planning & Zoning

BOARD LIAISON: Candyce Fluehr Chimera
Chairman

BACKGROUND:

The applicant, ProReal Ventures LLC, is seeking Conditional Use approval to construct a 4,594 square foot automatic car wash on 1.816-acre lot at the northeast corner of DeKalb Pike and Welsh Road, the former Atomic Tire property. The property is currently zoned C-Commercial and the use is permitted by Conditional Use approval. The applicant proposes to provide car stacking for 66 vehicles and parking for employees and customers totaling 34 spaces. Access to the site is shown as a "right in only" driveway entrance an existing curb cut located on the Welsh Road frontage of the site and a "full-movement" driveway entrance and exit through an existing curb cut located on the DeKalb Pike frontage of the site.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None

PREVIOUS BOARD ACTION:

None

ALTERNATIVES/OPTIONS:

None

BUDGET IMPACT:

None

RECOMMENDATION:

Provide Staff with any recommendations regarding this application.

MOTION/RESOLUTION:

The Resolution is attached.

MOTION _____ **SECOND** _____ **VOTE:** _____

ROLL CALL:

| | | | | |
|------------------------|-----|---------|---------|--------|
| Tanya C. Bamford | Aye | Opposed | Abstain | Absent |
| Michael J. Fox | Aye | Opposed | Abstain | Absent |
| Jeffrey W. McDonnell | Aye | Opposed | Abstain | Absent |
| Matthew W. Quigg | Aye | Opposed | Abstain | Absent |
| Candyce Fluehr Chimera | Aye | Opposed | Abstain | Absent |

DISTRIBUTION: Board of Supervisors, Frank B. Bartle, Esq.

Resolution #

WHEREAS, ProReal Ventures LLC, has submitted an application to the Township of Montgomery for Conditional Use approval to develop the property located at northeast corner of DeKalb Pike and Welsh Road, as a 4,594 square feet automatic car wash with 66 car stacking and parking for 34 employees and customers; and

WHEREAS, said application was submitted in compliance with Section 230-75.A(1) and Appendix Table 230-A of the Zoning Code; and

WHEREAS, the Board has considered said application, the evidence presented at this hearing, and compliance with the recommendations of the Township staff and consultants, and the opinions of the citizens of the Township.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby approve the Conditional Use Application for ProReal Partners LLC, subject to compliance with the all applicable Conditional Use review letters. This approved Conditional Use shall be in strict conformance with the testimony and exhibits presented at this hearing.

MOTION BY:

SECOND BY:

VOTE:

DATE:

xc: Applicant, F. Bartle, R. Dunlevy, B. Shoupe, M. Gambino, MCPC, MTPC, J. Goldstein, K. Amey, K. Johnson, Minute Book, Resolution File, File

Resolution #

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MOTION BY:

SECOND BY:

VOTE:

DATE:

xc: Applicant, F. Bartle, R. Dunlevy, B. Shoupe, M. Gambino, MCPC, MTPC, J. Goldstein, K. Amey, K. Johnson, Minute Book, Resolution File, File



Fox Rothschild LLP
ATTORNEYS AT LAW

Stone Manor Corporate Center
2700 Kelly Road, Suite 300
Warrington, PA 18976-3624
Tel 215.345.7500 Fax 215.345.7507
www.foxrothschild.com

Kimberly A. Freimuth
Direct Dial: (215) 918-3627
Email Address: kfreimuth@foxrothschild.com

February 5, 2018

VIA FEDEX & EMAIL

Montgomery Township
Attn: Bruce Shoupe
1001 Stump Road
Montgomeryville, PA 18936

Re: 1274 Welsh Road, TPN 46-00-00745-00-1, Block 11, Unit 25, Montgomery Township

Dear Bruce:

This office represents Pro Real Ventures, LLC ("ProReal"), the equitable owner of the above-referenced property, in connection with their proposal to develop this parcel for an automatic car wash facility. In connection therewith, enclosed please find the following:

1. One original and five (5) copies of a completed Montgomery Township Conditional Use Application (complete with copies of the Deed, redacted Agreement of Sale, tax map and property owner list).
2. Six (6) copies of the current Conditional Use Plan for New Car Wash, prepared by T&M Associates, dated January 30, 2018, depicting the proposed project.
3. One (1) original and one (1) copy of a completed Montgomery County Planning Commission Municipal Request for Review.
4. One (1) CD containing pdf copies of items 1 through 3, above.
5. One check in the amount of \$1,500 payable to Montgomery Township as the required filing fee.
6. One check in the amount of \$2,500 payable to Montgomery Township as the required escrow deposit.
7. One check in the amount of \$260 payable to the Montgomery County Planning Commission as the required MCPC review fee for a conditional use review.



Fox Rothschild LLP
ATTORNEYS AT LAW

February 5, 2018

Page 2

Please complete the municipal section of the MCPC Application for review and deliver to them, along with a copy of the plans.

Please proceed to schedule the enclosed Conditional Use Application (i) for review by the Montgomery Township Planning Commission, and (ii) for a public hearing before the Board of Supervisors, and advise of the dates.

Please feel free to contact me should you have any questions or require additional information in order to process this request.

Sincerely,

Kimberly A. Freimuth

Enclosures

JLR:jlr

cc: Christopher Jensen, PE (via email, w/ enc.)
Andrey Shalaurov, Pro Real Ventures, LLC (via email, w/ enc.)
Adam Bartley, Pro Real Ventures, LLC (via email, w/ enc.)

**PROPERTY OWNER CHART
1274 WELSH ROAD
TMP 46-00-00745-00-1**

| Parcel No. | Block/Lot | Owner | Address | Mailing Address |
|------------------|-----------|---|--|--|
| 46-00-00316-05-2 | 11/7 | Commonwealth of Pennsylvania | Welsh Road | PO Box 8212 Harrisburg PA 17105-8212 |
| 46-00-04174-00-1 | 11/24 | Crown Atlantic Co LLC/ PMB 353 | 1280 Welsh Road North Wales, PA 19454 | 4017 Washington Road, Mcmurray PA 15317-2520 |
| 56-00-09298-00-6 | 26/18 | Pennsylvania Dept of Transportation | Welsh Road | 400 North Street Keystone Building Harrisburg PA 17120 |
| 56-00-08830-00-6 | 26/17 | Delaware Valley College Science & Agriculture | 1260-1262 Welsh Road North Wales, PA 19454-220 | 700 E Butler Ave Doylestown PA 18901 |
| 46-00-00703-00-7 | 11/32 | Pennsylvania Dept of Transportation | 1268 Welsh Road North Wales, PA 19454 | 400 North Street Keystone Building Harrisburg PA 17120 |
| 46-00-00706-00-4 | 11/34 | Peco | Dekalb Pike | 2301 Market Street Philadelphia PA 19103 |

APPLICATION
FOR
CONDITIONAL USE

MONTGOMERY TOWNSHIP
1001 STUMP ROAD
MONTGOMERYVILLE, PA 18936

REVISED: 1-2015

Application for Conditional Use

Township of Montgomery, Montgomery County, Pennsylvania

Notice Of Appeal

Appellant: Name: ProReal Ventures, LLC
Address: 2500 Heathcote Lane
Apex, NC 27502
Phone: 919-455-8062 Fax: 919-578-6292
E-Mail: andy@shinetimewash.com

Owner: Name: SPAK LAND COMPANY
Address: 1135 Spruce Street
Philadelphia, PA 19107-6738
Phone: _____ Fax: _____
E-Mail: _____

Attorney: Name: Kimberly A. Freimuth, Esquire
Address: 2700 Kelly Road, Suite 300
Warrington, PA 18976
Phone: 215-918-3627 Fax: 215-345-7507
E-Mail: kfreimuth@foxrothschild.com

Notice of Appeal
Page 2

Interest of appellant, if not owner (agent, lessee, etc.):

Appellant is the equitable owner pursuant to an Agreement of Sale (attached).

1. Brief Description of Real Estate Affected:

Block and Unit Number Block 11, Unit 25

Location 1274 Welsh Road

Lot Size 79,101 sf (1.816 acres)

Present Use Vacant

Present Zoning Classification C - Commercial

Present Improvements Upon Land paved and/or gravel areas. No existing buildings.

Deed Recorded at Norristown in Deed Book 4625 Page 447

2. Specific reference to section of the Zoning Ordinance upon which application is based.

Section 230-75.A (1); Appendix Table 230-A; and 230-78.A.

3.

Action desired by appellant or applicant (statement of proposed use)

Conditional Use approval, pursuant to Section 230-75.A.(1) and Appendix Table 230-A. to permit an automatic car was
on the property.

Approval, pursuant to Section 230-78.A. to provide less than a 25 foot wide landscaping and screening buffer required (8.5 feet proposed in the
rear of the property abutting a commercial use).

4. Reasons appellant believes Board should approved desired action (refer to section(s) of Ordinance under which it is felt that desired action may be allowed, as well as regulations contained in Article XVII, Signs, Article XIX, Off Street Parking and Loading and Article XXI, Miscellaneous Provisions.

To be presented at the hearing.

5. Has previous application for conditional use been filed in connection with these premises?
_____ Yes x _____ No

NOTE:

If more space is required, attach a separate sheet and make specific reference to the question being answered.

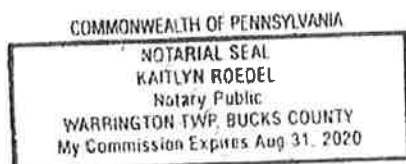
I, hereby depose and say that all of the above statements and the statements contained in any papers or plans submitted herewith, are true to the best of my knowledge and belief.

SWORN TO AND SUBSCRIBED BEFORE ME THIS

5th DAY OF February 2016

Kaitlyn Roedel
Notary Public

Kimberly A. Freimuth
Appellant's or Owner's Signature
Kimberly A. Freimuth, Esquire
Legal counsel to Applicant



Montgomery County Board Of Assessment Appeals

Area of Interest



Montgomery - All
Block 011
1 inch square 324.3 feet

N



Disclaimer: This information furnished on this map has been derived from records and other data that have been provided to the responsible agencies. These are intended as a reference only. Please note the data provided on this map is for informational purposes only and does not constitute a warranty or any other form of assurance. Montgomery County assumes no responsibility and disclaims any and all liability for any errors or omissions in this map. The information is provided as a reference only and is not intended to be used as a basis for any other purpose. Very difficult to find on the Montgomery County Public Computer System (MCS) search.

Montgomery - All
Block 011



**RECORDER OF DEEDS
MONTGOMERY COUNTY**
Nancy J. Becker

One Montgomery Plaza
Swede and Alry Streets ~ Suite 303
P.O. Box 311 ~ Norristown, PA 19404
Office: (610) 278-3289 ~ Fax: (610) 278-3869

DEED BK 5916 PG 01942 to 01947.42
INSTRUMENT # : 2014037549
RECORDED DATE: 06/17/2014 02:16:49 PM



3086040-0012H

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Page 1 of 48

Document Type: Deed
Document Date: 05/09/2014
Reference Info:

Transaction #: 3066634 - 2 Doc(s)
Document Page Count: 5
Operator Id: dcane

RETURN TO: (Mail)
STANFORD S HUNN ASSOCIATES
171 CORPORATE DR
MONTGOMERYVILLE, PA 18936

PAID BY:
STANFORD S HUNN ASSOCIATES

*** PROPERTY DATA:**

Parcel ID #: 46-00-00745-00-1
Address: 1274 WELSH RD

Municipality: PA
Montgomery Township (100%)
School District: North Penn

*** ASSOCIATED DOCUMENT(S):**

CONSIDERATION/SECURED AMT: \$1.00
TAXABLE AMOUNT: \$157,440.00

FEES / TAXES:

| | |
|--------------------------------|-------------------|
| Recording Fee: Deed | \$83.00 |
| Affidavit Fee | \$1.50 |
| Additional Pages Fee | \$2.00 |
| Affordable Housing Pages | \$4.00 |
| State RTT | \$1,574.40 |
| Montgomery Township RTT | \$787.20 |
| North Penn School District RTT | \$787.20 |
| Total: | \$3,239.30 |

DEED BK 5916 PG 01942 to 01947.42
Recorded Date: 06/17/2014 02:16:49 PM

I hereby CERTIFY that
this document is
recorded in the
Recorder of Deeds
Office in Montgomery
County, Pennsylvania.



Nancy J. Becker

Nancy J. Becker
Recorder of Deeds

PLEASE DO NOT DETACH
THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

NOTE: If document data differs from cover sheet, document data always supersedes.
*COVER PAGE DOES NOT INCLUDE ALL DATA, PLEASE SEE INDEX AND DOCUMENT FOR ANY ADDITIONAL INFORMATION.

RECORDED OF DEEDS
MONTGOMERY COUNTY

2014 JUN 12 PM 12: 49

RECORDED OF DEEDS
MONTGOMERY COUNTY

2014 JUN 17 PM 12: 28

STATE TAX
AFFIDAVIT
FILED

Prepared by/Return to:
Stanford S. Hunn, Esquire
171 Corporate Drive
Montgomeryville, PA 18936

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
46-00-00745-00-1 MONTGOMERY
1274 WELSH RD

TELFORD IDA
B 011 U 025 L 2207 DATE: 06/12/2014

\$10.00
JU

PREMISES: 1274 Welsh Road
Montgomery Township, Montgomery County, Pennsylvania
CPN 46-00-00745-00-1

DEED

This Indenture made the
Lord, two thousand fourteen (2014),

9th day of May

in the year of our

**Between, TELFORD INDUSTRIAL DEVELOPMENT
AUTHORITY and SPAK LAND COMPANY** (hereinafter called the
Grantor(s)) of the first part,

AND

SPAK LAND COMPANY (hereinafter called the Grantee(s)) of the other
part,

WITNESSETH that the said Grantor(s) for and in consideration of the sum of One Dollar (\$1.00), lawful money of the United States of America unto it will and truly paid by the said Grantee(s), at or before the sealing and delivery thereof, the receipt whereof is hereby acknowledged, has granted, bargained and sold, aliened, enfeoffed, released and confirmed, and by these presents does grant, bargain and sell, alien, enfeoff, release and confirm unto the said Grantee(s), its successors and assigns,

ALL THAT CERTAIN lot or piece of ground, situate in the Township of Montgomery, County of Montgomery, Commonwealth of Pennsylvania, bounded and described according to a survey prepared by Control Point Associates, Inc., dated 2/27/2014, with corrected legal description due to the Condemnation and Taking by the Commonwealth of Pennsylvania for the Route 202 Bypass Project, Notice recorded 8/25/2009, as follows to wit:

BEGINNING at a point on the Northeasterly Title Line and Legal Right-of-Way Line of Welsh Road (100 foot wide legal right-of-way, a.k.a. S.R. 0063, a.k.a. L.R. 198), at the intersection of the dividing line between Unit 25, Block 11, lands now or formerly Telford Industrial Development Authority and Unit 53, Block 11, lands now or formerly Crown Atlantic Company, LLC, and from said point of beginning running, thence:

1. Along the Northeasterly title line and legal right-of-way line of Welsh Road, North 44 degrees 47 minutes 18 seconds West, a distance of 120.10 feet to a point of curvature; thence,
2. Along the arc of a circle curving to the right, connecting the Northeasterly title line and legal right-of-way line of Welsh Road with the Easterly title line and legal right-of-way line of DeKalb Pike (variable width legal right-of-way, a.k.a. S.R. 0202, a.k.a. L.R. 178), having a radius of 121.72 feet, a central angle of 38 degrees 59 minutes 09 seconds, an arc length of 82.82 feet, a chord bearing North 25 degrees 17 minutes 54 seconds West and a chord distance of 81.23 feet to a non-tangent point; thence,

The following two (2) courses and distances along the easterly title line and legal right-of-way line of DeKalb Pike:

3. North 05 degrees 49 minutes 14 seconds West, a distance of 255.44 feet to a point; thence,
4. North 07 degrees 15 minutes 09 seconds West, a distance of 41.72 feet to a point on the centerline of a 125 foot wide PECO Energy Elec. Transmission Easement; thence,
5. Along the centerline of a 125 foot wide PECO Energy Elec. Transmission Easement and the dividing line between Unit 25, Block 11 and Unit 12, Block 11, lands of PECO Energy, North 81 degrees 48 minutes 00 seconds East, a distance of 180.61 feet to a point; thence,

The following two (2) courses and distances along the dividing line between Unit 25, Block 11 and Unit 7, Block 11, lands now or formerly Commonwealth of Pennsylvania:

6. South 05 degrees 55 minutes 00 seconds East, a distance of 291.13 feet to a point; thence,

7. South 44 degrees 51 minutes 00 seconds East, a distance of 93.86 feet to a point; thence,

8. Along the dividing line between Unit 25, Block 11 and Unit 53, Block 11, South 45 degrees 09 minutes 00 seconds West a distance of 175.58 feet to the point and place of beginning.

CONTAINING 79,101 square feet or 1.816 acres

BEING part of the same Premises which Harold Wildstein and Cecilia Wildstein, his wife, by Deed dated May 18, 1981, recorded in Montgomery County Deed Book 4625, Page 447, granted and conveyed unto Telford Industrial Development Authority, in fee.

AND THE SAID Spak Land Company hereby joins in the within Deed as Grantor in order to terminate all of its right, title and interest in the within described property by reason of a certain Installment Sale Agreement dated May 18, 1981, a Memorandum of which is recorded in Montgomery County Deed Book 4625, Page 455, as assigned by Assignment of Installment Sale Agreement dated January 16, 1984, recorded in Montgomery County Deed Book 4728, Page 565.

TOGETHER with all and singular the buildings and improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever thereunto belonging, or in any wise appertaining, and the reversions and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, property, claim, and demand whatsoever of the Grantor(s) in law, as in equity, or otherwise howsoever, of, in, and to the same and every part thereof.

TO HAVE AND TO HOLD the said lot or piece of ground described herein with the buildings and improvements thereon erected hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee(s), its successors and assigns, forever.

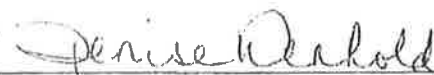
AND the said Grantor(s) do/does by these presents covenant, grant and agree to and with the said Grantee(s), its successors and assigns, that it the said Grantor(s), all and singular the hereditaments and premises herein above described and granted or mentioned and intended so to be, with the appurtenances, unto the said Grantee(s), its successors and assigns, against it, the said Grantor(s), and against all and every person and persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under him, her, it, them, or any of them, shall and will subject as aforesaid WARRANT and forever DEFEND.

IN WITNESS WHEREOF the party of the first part has hereunto set its hand and seal.
Dated the day and year first written.

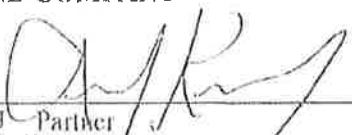
SEALED AND DELIVERED
IN THE PRESENCE OF US:

**TELFORD INDUSTRIAL DEVELOPMENT
AUTHORITY**

By: 
(Vice) Chairman

Attest: 
Secretary

SPAK LAND COMPANY

By: 
Managing Partner
Arnold Kramer

COMMONWEALTH OF

Pennsylvania

: SS.

COUNTY OF

Montgomery

On this, the *10th* day of *June*, 2014, before me a Notary Public, the undersigned officer personally appeared *Donald Ziegler*, who acknowledged himself to be the (Vice) Chairman of **TELFORD INDUSTRIAL DEVELOPMENT AUTHORITY** and that he, as such (Vice) Chairman, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the authority by himself as said officer.

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

My Commission Expires

Denise Wenholt

Notary Public

COMMONWEALTH OF PENNSYLVANIA

NOTARIAL SEAL

DENISE WENHOLD, Notary Public
Montgomery Twp., Montgomery County
My Commission Expires February 4, 2018

STATE OF *FLORIDA*

: SS.

COUNTY OF *PALM BEACH*

On this, the *9* day of *MAY*, 2014, before me a Notary Public, the undersigned officer personally appeared *Arnold Kramer* who acknowledged himself to be the Managing Partner of **SPAK LAND COMPANY** and that he/she as such partner, being authorized to do so, executed the foregoing instrument for the purposes therein contained.

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

My Commission Expires

Flaeschner

Notary Public

Grantees Address:

1135 Spruce Street

Philadelphia, PA 19107

AGREEMENT OF SALE

THIS AGREEMENT OF SALE (the or this "**Agreement**") is made this 5th day of February, 2018 (the "**Effective Date**"), by and between Spak Land Company, a Pennsylvania general partnership ("**Seller**") and Pro Real Ventures, LLC ("**Buyer**").

In consideration of the mutual covenants and agreements contained herein, and intending to be legally bound hereby, the parties hereto agree as follows:

1. Agreement to Sell and Purchase.

(a) Seller agrees to sell to Buyer, and Buyer agrees to purchase from Seller, subject to the terms and conditions of this Agreement, all that certain property known as 1274 Welsh Road, consisting of approximately 1.8 acres and described on the legal description attached here as Exhibit "A"; known as Tax Parcel No. 46-00-00745-001 and located in Montgomery Township, Montgomery County, Pennsylvania; being all the real property owned by Seller at that location, together with (i) any easement, privilege, license or right-of-way inuring to the benefit of the subject property, (ii) the appurtenances and hereditament belonging or otherwise pertaining to the subject property (including any public water and sewer connections); and (iii) all permits and approvals for the subject property (collectively, the "**Property**").

(b) Except as specifically set forth in this Agreement to the contrary, the Property is being sold in its as-is and where-is condition as more fully set forth in Section 5(d) below.

2. Purchase Price.

(a) The total purchase price to be paid by Buyer to Seller for the Property (the "**Purchase Price**") shall be [REDACTED] Dollars (\$[REDACTED]), payable as follows:

(i) The sum of [REDACTED] (\$[REDACTED]), to be deposited with Land Services USA, Inc., which is Buyer's title insurance company (the "**Title Company**"), within seven (7) business days after the Effective Date. The Title Company shall hold the deposit monies (the "**Deposit**"), in escrow in a federally insured, interest-bearing account for the benefit of Seller, pursuant to the terms of this Agreement.

(ii) Buyer to also deposit with the Title Company the sum of [REDACTED] (\$[REDACTED]), as additional deposit monies and to be added to and become part of the Deposit, within seven (7) business days following the expiration of the Due Diligence Inspection Period.

(b) Except as provided in Sections 4, 5 and 9 below, or by reason of a Seller default, the Deposit is nonrefundable.

(c) The Deposit and all interest accrued thereon shall be applied to the Purchase Price to be paid by Buyer to Seller at the Closing (as hereinafter defined); with the balance of the Purchase Price also to be paid by Buyer to Seller at the Closing (hereinafter defined).

IN WITNESS WHEREOF, intending to be legally bound hereby, the parties hereto have executed this Agreement as of the date first above written.

SELLER:

Spak Land Company

By: MK Land Company of PA, Inc. its general partner

By: 
Arnold Kramer, President

BUYER:

Pro Real Ventures, LLC

By: _____
Andrey Shalaurov,
President

By: _____
Adam Bartley,
Secretary

IN WITNESS WHEREOF, intending to be legally bound hereby, the parties hereto have executed this Agreement as of the date first above written.

SELLER:

Spak Land Company
By: MK Land Company of PA, Inc. its general partner

By: _____
Arnold Kramer, President

BUYER:

Pro Real Ventures, LLC

By: _____
Andrey Shalaurov,
President

By: _____
Adam Bartley,
Secretary



McMAHON ASSOCIATES, INC.
425 Commerce Drive, Suite 200
Fort Washington, PA 19034
p 215-283-9444 | f 215-283-9445

PRINCIPALS

Joseph W. McMahon, P.E.
Joseph J. DeSantis, P.E., PTOE
John S. DePalma
William T. Steffens
Casey A. Moore, P.E.
Gary R. McNaughton, P.E., PTOE

ASSOCIATES

John J. Mitchell, P.E.
Christopher J. Williams, P.E.
R. Trent Ebersole, P.E.
Matthew M. Kozsuch, P.E.
Maureen Chlebek, P.E., PTOE
Dean A. Carr, P.E.

February 7, 2018

Mr. Francis J. Hanney
Traffic Services Manager
PennDOT District 6-0
7000 Geerdes Boulevard
King of Prussia, PA 19406

RE: **Transportation Impact Study Scoping Meeting Application**
Proposed Express Car Wash – Route 202 (DeKalb Pike) and Route 63 (Welsh Road)
Montgomery Township, Montgomery County, PA
McMahon Project No. 818010.11

Dear Fran:

McMahon Associates, Inc. (McMahon) is submitting a *Scoping Meeting Application* and Conditional Use Plan to the Department related to a proposed express car wash located on the northeast quadrant of DeKalb Pike (S.R. 0202) and Welsh Road (S.R. 0063) in Montgomery Township, Montgomery County, Pennsylvania. Based upon the attached Conditional Use Plan, dated January 25, 2018 prepared by T&M Associates, the development of the parcel will consist of an approximately 4,594 s.f. single tunnel automatic car wash, along with a car vacuum area. Access to the site is proposed via a full-movement driveway along DeKalb Pike (S.R. 0202) in the same location as an existing full-movement curb cut access driveway, as well as a right-in only access along Welsh Road (S.R. 0063).

We are requesting that the Department review the attached documents to provide us with your feedback on the proposed scope and methodology that will be utilized to prepare a *Transportation Impact Assessment*. If the Department feels that a meeting between the applicant, the Township and the Department is necessary, please contact us and we will coordinate with you on the scheduling. If you should have any questions or require additional information regarding the submission, please feel free to contact me.

Sincerely,

Mark A. Roth, P.E.
Senior Project Manager & Philadelphia Office Lead

Attachments

cc: Lawrence J. Grogan, Township Manager (via email)
Christopher Jensen, PE, T&M Associates (via email)
Adam Bartley, Shine Time (via email)
Andrey Shalaurov, Shine Time (via email)
Kimberly Freimuth, Fox Rothschild (via email)

TRANSPORTATION IMPACT STUDY (TIS) SCOPING MEETING APPLICATION

Scoping Meeting Date: TBD

Applicant: Shine Time Carwash

Applicant's Consultant: McMahon Associates, Inc.

Applicant's Primary Contact: Mark A. Roth, P.E.

(List of meeting attendees along with phone numbers and email addresses to be provided with meeting minutes, if meeting is held.)

(1) LOCATION OF PROPOSED DEVELOPMENT: (See attached location map)

PennDOT Engineering Dist.: 6-0 County: Montgomery

Municipality: Montgomery Township

State Route(s) (SR): 0063 (Welsh Road)

From Segment(s): 0352

Offset(s): 0000

To Segment(s): 0352

Offset(s): 0165

State Route(s) (SR): 0202 (DeKalb Pike)

From Segment(s): 0324

Offset(s): 0000

To Segment(s): 0324

Offset(s): 0370

(2) DESCRIPTION OF PROPOSED DEVELOPMENT: (See attached site plan)

Proposed site access: Access to the site is proposed via a full-movement driveway along DeKalb Pike (S.R. 0202) in the same location as an existing full-movement curb cut access driveway which is located approximately 300 feet north of Welsh Road (S.R. 0063), as well as a right-in only access along Welsh Road (S.R. 0063), approximately 120 feet east of DeKalb Pike (S.R. 0202).

Proposed land uses: 4,594s.f. single tunnel automatic car wash with a car vacuum area

Community linkages (access to neighboring properties, cross easements, pedestrian and transit accommodations):

Under current conditions, sidewalk is provided along the Welsh Road (S.R. 0063) and DeKalb Pike (S.R. 0202) site frontages.

Under current conditions, there is no transit service provided in the vicinity of proposed development.

(3) DEVELOPMENT SCHEDULE AND STAGING:

Anticipated Opening Date: 2019

Full Build out Date: 2019

Describe Proposed Development Schedule/Staging: No phasing is anticipated.

(4) TRIP GENERATION

Trip generation for the proposed development will be based on:

- ☒ ITE Trip Generation Manual 10th Edition
☐ Other independent surveys

List land development and trip generation information, as appropriate. If necessary, attach additional sheets to indicate additional land uses or development phases.

Vehicular Trip Generation ⁽¹⁾

| Description | Size | Daily ⁽²⁾ | Weekday Afternoon | | | Saturday Midday | | |
|---------------------------|------------|----------------------|-------------------|-----|-------|-----------------|-----|-------|
| | | | In | Out | Total | In | Out | Total |
| Proposed Express Car Wash | 4,594 s.f. | 650 | 33 | 32 | 65 | 70 | 70 | 140 |

(1) Based on the rates for ITE Land Use Code 948: Automated Car Wash.

(2) Based on the assumption that the number of weekday afternoon trips is 10 percent of total daily trips.

(5) ESTIMATED DAILY TRIP GENERATION/DRIVEWAY CLASSIFICATION:

- (a) Estimated Daily Trip Generation of Proposed Development: Assuming One Access Point and Full Build out/Occupancy of Entire Tract: 650 trips/day

(b) Driveway Classification Based on Trip Generation and One Access Point:

Low Volume: ☒

Medium Volume: ☐

High Volume: ☐

(6) TRANSPORTATION IMPACT STUDY REQUIRED?

☒ No

☐ Yes, based on: ☐ 3,000 or more vehicle trips/day generated

☐ During any one-hour time period, 100 or more new (added) vehicle trips generated entering or 100 or more new (added) vehicle trips generated exiting development

☐ Other considerations as described below:

(7) TRAFFIC IMPACT ASSESSMENT REQUIRED? ☐ No ☒ Yes

- Requested by Township based on proposed use.

(8) TIS STUDY AREA:

Roadway and Study Intersections

- DeKalb Pike (S.R. 0202) and Welsh Road (S.R. 0063)

Land use context (Refer to Smart Transportation Handbook):

Suburban Neighborhood

Known Congestion Areas:

Unknown

Known Safety Concerns:

Unknown

Known Environmental Constraints:

Unknown

Pedestrian/Bike Review (Community Centers, Parks, Schools, etc.):

Under current conditions, sidewalk is provided along the Welsh Road (S.R. 0063) and DeKalb Pike (S.R. 0202) site frontages.

Transit Review (Current routes/stops):

Under current conditions, there is no transit service provided in the vicinity of proposed development.

(9) STUDY AREA TYPE: Urban X Rural _____

(10) TIS ANALYSIS PERIODS AND TIMES:

The study will include analysis of the weekday afternoon (4:00 PM to 6:00 PM) and Saturday Midday (11:00 AM to 1:00 PM) peak periods for the existing conditions, as well as the future build-out year (2019) both without- and with-development of the proposed Express Car Wash.

(11) TRAFFIC ADJUSTMENT FACTORS:

(a) Seasonal Adjustment: (Identify counts requiring adjustment and methodology):

Not applicable.

(b) Annual Base Traffic Growth: 0.41 %/yr.

Source: PennDOT Bureau of Planning and Research Growth Factors for August 2017 to July 2018 for similar non-interstate urban highways within Montgomery County.

(c) Pass-By Trips:

Not applicable.

(d) Captured Trips for Multi-Use Sites:

Not applicable.

(e) Modal Split Reductions:

Not applicable.

(f) Other Reductions:

Not applicable.

(12) OTHER PROJECTS WITHIN STUDY AREA TO BE ADDED TO BASE TRAFFIC:

The applicant will contact the Township to inquire about other planned/proposed area developments that should be included in the study.

(13) TRIP DISTRIBUTION AND ASSIGNMENT:

The trips will be distributed based on existing traffic patterns in the area.

(14) APPROVAL OF DATA COLLECTION ELEMENTS AND METHODOLOGIES:

| <u>Location</u> | <u>Period</u> | <u>Type</u> |
|---|--------------------|-------------|
| All study intersections listed above (Item 8) | Weekday PM (4-6) | MTMs |
| | Saturday MD (11-1) | |

(15) CAPACITY/LOS ANALYSIS:

| <u>Location</u> | <u>Period</u> | <u>Type</u> |
|----------------------------------|---------------|----------------------------|
| Study intersections listed above | PM and SAT | Synchro Version 10 Build 2 |
| | Peak Hours | HCM 2010 Methodology |

Please note that we will utilize the HCM 2010 Methodology for capacity/LOS analysis unless there are any issues encountered with the program results that do not make sense with current field conditions or if the HCM 2010 Methodology is not able to model the intersection configuration. In these situations, we will utilize Synchro's percentile methodology.

(16) ROADWAY IMPROVEMENTS/MODIFICATIONS BY OTHERS TO BE INCLUDED:

(Projects programmed for construction of other developments with issued permits.)

Not Applicable

(17) OTHER NEEDED ANALYSES:

(a) Sight Distance Analysis:

(Required for all site access driveways; identify other locations)

McMahon will complete this for the proposed access locations.

(b) Signal Warrant Analysis:

Not applicable

(c) Required Signal Phasing/Timing Modifications:

McMahon will indicate any proposed signal modifications at the existing signalized intersection, if they are necessary for mitigation of development impacts.

(d) Traffic Signal Corridor/Network Analysis:

Not applicable

(e) Analysis of the Need for Turning Lanes:

McMahon will complete a lane warrant evaluation based on PennDOT's latest guidelines in Publication 46.

(f) Turning Lane Lengths:

PennDOT's latest guidelines in Publication 46 will be reviewed, if lanes are warranted.

(g) Left Turn Signal Phasing Analysis:

Not Applicable

(h) Queuing Analysis:

McMahon will complete this at the study intersections using the 95th percentile queues based on the HCM 2010 methodology.

(i) Gap Studies:

McMahon will complete this, if necessary.

(j) Crash Analysis:

Upon request only.

(k) Weaving Analysis:

Not applicable.

(l) Other Required Studies:

Not applicable.

(18) ADDITIONAL COMMENTS OR RECOMMENDATIONS RELATIVE TO THE SCOPE OF THE TIS:

Signature of Applicant's Engineer

Date: _____

Signature of District Traffic PennDOT Representative

Date: _____

Signature of District Permit PennDOT Representative (if present)

Date: _____

Signature of Municipal Traffic Representative

Date: _____



FIGURE 1

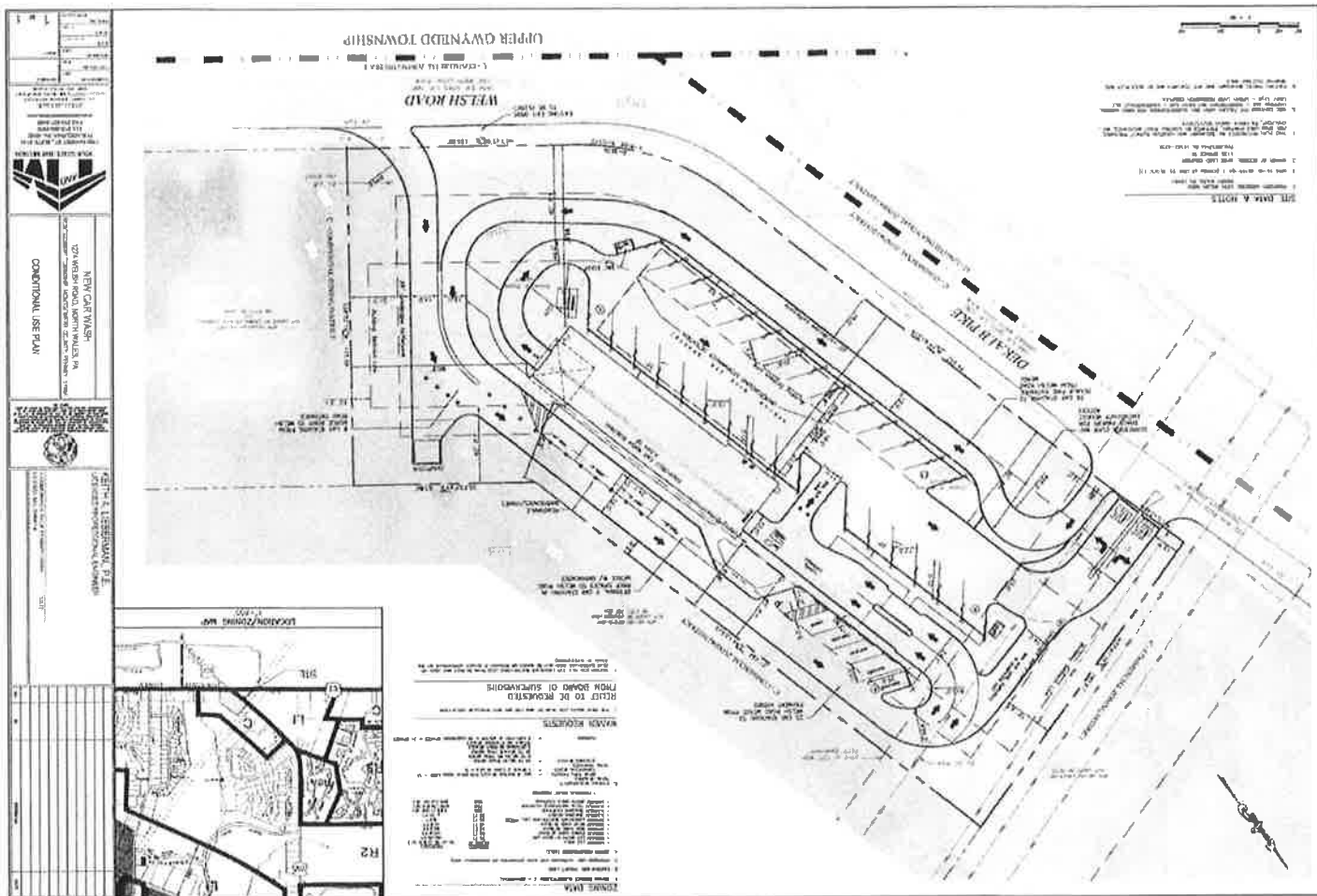
Site Location Map

PROPOSED EXPRESS CAR WASH

MONTGOMERY TOWNSHIP, MONTGOMERY COUNTY, PA



C:\Users\amoradkhany\Desktop\Figure 1.dwg





Boucher & James, Inc.
CONSULTING ENGINEERS

AN EMPLOYEE OWNED COMPANY

INNOVATIVE ENGINEERING

Fountainville Professional Building
1456 Ferry Road, Building 500
Doylestown, PA 18901
215-345-9400
Fax 215-345-9401

2738 Rimrock Drive
Stroudsburg, PA 18360
570-629-0300
Fax 570-629-0306

559 Main Street, Suite 230
Bethlehem, PA 18018
610-419-9407
Fax 610-419-9408

www.bjengineers.com

February 26, 2018

Revised March 5, 2018

Lawrence Gregan, Township Manager
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936

**SUBJECT: PROREAL VENTURES CAR WASH
CONDITIONAL USE APPLICATION
TOWNSHIP LD/S NO. C-68
PROJECT NO. 1855323R**

Dear Mr. Gregan:

Please be advised that we have reviewed the Conditional Use Application and Sketch Plan for the proposed Shine Time Carwash prepared by T and M Associates for ProReal Ventures, LLC, dated January 30, 2018.

The application seeks conditional use approval to locate a 4,594 sf +/- automatic car wash within the C Commercial district. The proposed site is located north of the intersection of DeKalb Pike and Welsh Road.

It does not appear that there are any issues related to landscape requirements with regard to the request for Conditional Use Approval. However, in light of the Applicant's request that their buffer yard relief request be heard at the same time as the Conditional Use hearing, we offer the following for your consideration:

ZO 230-78.A permits the reduction or elimination of required 25' buffer areas for Commercial District properties where the side or rear property lines abut commercial or industrial uses or zoning districts, and where deemed appropriate by the Board of Supervisors. The sketch plan submitted indicates that the Applicant is requesting relief from this requirement in the form of a reduced (8.5' width) rear yard buffer. No Landscape Plan has been submitted for review at this time. Therefore, there is not sufficient information to determine whether or not the proposed buffer reduction is appropriate.

Please do not hesitate to contact us if you have any questions or require further information.

Sincerely,

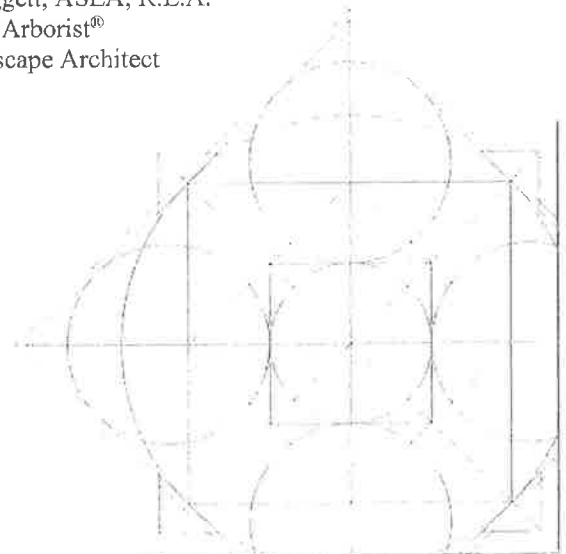
Judith Stern Goldstein, ASLA, R.L.A.
Managing Director

Valerie L. Liggett, ASLA, R.L.A.
ISA Certified Arborist®
Planner/Landscape Architect

JSG/vll/kam

cc: Board of Supervisors
Planning Commission
Bruce Shoupe, Director of Planning and Zoning
Marianne McConnell, Deputy Zoning Officer
James P. Dougherty, P.E., Gilmore & Associates, Inc.
Kevin Johnson, P.E., Traffic Planning & Design
Ken Amey, AICP
Pro Real Ventures, LLC
Kelly A. Freimuth, Esq., Fox Rothschild
Keith A. Lieberman, P.E., T and M Associates

P:\2018\1855323R\Documents\Correspondence\Review Letters\CURreview.001REVISED.docx





February 28, 2018

File No. 2018-01153

Bruce S. Shoupe, Director of Planning and Zoning
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936-9605

Reference: Conditional Use Application – C-68
ProReal Ventures, LLC - Carwash
Tax Map Parcel Numbers: 46-00-00745-00-1, Block 11 – Unit 25
1274 Welsh Road

Dear Bruce:

As requested, Gilmore & Associates, Inc. has reviewed the information listed below with regard to the conditional use application referenced above and offers the following comments for consideration by the Montgomery Township Board of Supervisors.

I. SUBMISSION

- A. Conditional Use Application for ProReal Ventures, LLC, prepared by Kimberly A. Freimuth, Esquire, dated February 5, 2018.
- B. Conditional Use Plan for New Car Wash (1 sheet), prepared by Keith A. Lieberman, P.E., dated January 30, 2018.

II. GENERAL

The subject parcel is a 79,101 square feet (1.816 acres) vacant lot located at the intersection of Dekalb Pike (S.R. 0202) and Welsh Road (S.R. 0063), and is within the C - Commercial Zoning District. The Applicant, ProReal Ventures, LLC, proposes to construct an automatic car wash on the site. The proposed use is permitted by Conditional Use within the C - Commercial Zoning District. The applicant's plan includes appurtenant parking, utilities, storm water management, etc. to support the proposed use.

III. REVIEW COMMENTS

A. Zoning Ordinance (Chapter 230)

Based on our review, we note the following issues relative to the Montgomery Township Zoning Ordinance. Upon further development of the plans, additional items may become apparent.

- 1. §230-78.A. – With respect to landscape buffer in the rear and side yards, the applicant is requesting a reduction of the width of the required planting areas. The Ordinance provides for reduction of the area along the side and rear property lines where these lines abut commercial or industrial districts if deemed appropriate by the Board of Supervisors. It is noted the subject lot abuts C – Commercial Zoning Districts.

BUILDING ON A FOUNDATION OF EXCELLENCE

65 E. Butler Avenue | Suite 100 | New Britain, PA 18901 Phone: 215-345-4330 | Fax: 215-345-8606
www.gilmore-assoc.com

2. §230-78.F.1 – No waste, rubbish and discarded materials shall be stored outside of the building unless it is placed within a completely fenced-in area so as to conceal the materials. A detail for the dumpster area and enclosure shall be included on the plans with any future land development application submission.
3. §230-136 – An off-street loading area should be depicted on any future land development plan submission

B. General

1. All requirements relative to the Township Subdivision and Land Development Ordinance, Township Stormwater Management Ordinance, and site accessibility provisions of Pennsylvania's Uniform Construction Code were not considered as part of this conditional use review and will be reviewed at the time of any future land development application submission.
2. We defer review of all landscaping, lighting, and traffic requirements to the Township Landscape Architect, Township Lighting Consultant, and Township Traffic Engineer, respectively.

If you have any questions regarding the above, please contact this office.

Sincerely,



James P. Dougherty, P.E.
Senior Project Manager
Gilmore & Associates, Inc.

JPD/SW/sl

cc: Lawrence J. Grogan, Manager – Montgomery Township
Marianne McConnell, Deputy Zoning Officer – Montgomery Township
Richard Lesniak, Director of Fire Services – Montgomery Township
Frank R. Bartle, Esq., Solicitor – Dischell Bartle & Dooley, PC
Ken Amey, AICP
Judith Stern Goldstein, ASLA, R.L.A. – Boucher & James, Inc.
Kevin Johnson, P.E. – Traffic Planning & Design, Inc.
ProReal Ventures, LLC
Kimberly A. Freimuth, Esq. - Fox Rothschild LLP
Keith A. Lieberman, P.E. – T&M Associates
Russell S. Dunlevy, P.E., Senior Executive Vice President – Gilmore & Associates, Inc.

KENNETH AMEY, AICP
professional land planner

March 5, 2018

(via e-mail)

Lawrence J. Gregan, Township Manager
MONTGOMERY TOWNSHIP
1001 Stump Road
Montgomeryville, PA 18936

Re: PROREAL VENTURES - CARWASH
Application for Conditional Use
1274 Welsh Road
Township File #C-68

Dear Mr. Gregan:

I have reviewed the above referenced application and plans prepared by T&M Associates, dated January 30, 2018. The proposed location is at the intersection of Welsh Road and Dekalb Pike, is 1.816 acres in area, and is zoned C-Commercial. This application proposes an automatic carwash on the property along with associated parking, landscaping and stormwater management facilities. My comments follow:

1. When plans are submitted for land development, the applicant will need to show compliance with the requirements of §230-78.F.1 regarding enclosure of the dumpster area, and with §230-136 regarding provision of a loading area.
2. I will defer comment on the proposed reduction in width of landscaped areas to the Township Landscape Architect. Similarly, I will defer any comment regarding site access and circulation to the Township Traffic Engineer.

If there are any questions, please let me know.

Very truly yours,


Kenneth Amey

1122 Old Bethlehem Pike
Lower Gwynedd, PA 19002



phone: 215.283.9619
fax: 215.646.3458
kenamey@aol.com

cc: Bruce S. Shoupe, Township Director of Planning and Zoning
Marianne McConnell, Deputy Zoning Officer
James Dougherty, PE, Township Engineer
Frank Bartle, Esq., Township Solicitor
Kevin Johnson, PE, Township Traffic Engineer
Judith Stern Goldstein, ASLA, Township Landscape Architect
Kim Freimuth, Esq., Applicant's Attorney



TRAFFIC PLANNING AND DESIGN, INC.

WWW.TRAFFICPD.COM

March 1, 2018

Mr. Bruce S. Shoupe
Township Director of Planning and Zoning
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936-9605

RE: ProReal Ventures, LLC – Carwash
1274 Welsh Road
Conditional Use Plan Review
Montgomery Township, Montgomery County, PA
Montgomery Township C-68
TPD No. MOTO-00119

Dear Bruce:

In our role as Township Traffic/Street Lighting Engineer, Traffic Planning and Design, Inc. (TPD) has reviewed the Conditional Use Plan prepared by T and M Associates, dated January 30, 2018, which was received in our office on February 14, 2018:

Based on our review, we offer the following comments:

Plan Comments

1. A PennDOT Highway Occupancy Permit (HOP) will be required for the proposed driveways on Welsh Road (S.R. 0063) and DeKalb Pike (S.R. 0202). The applicant plans to hold a scoping meeting with PennDOT to discuss this project. A representative of TPD should attend this meeting.
2. Copies of all TPD review letters should be included with any submissions to PennDOT. In addition, the Township and TPD should be copied on all submissions to PennDOT.
3. A traffic impact study will be required for the proposed carwash as part of the land development application for this project. At a minimum, the study must include the signalized intersection of DeKalb Pike and Welsh Road as well as the proposed unsignalized driveway intersections with these two roads. The study needs to include analyses of existing and projected queues on DeKalb Pike to determine the acceptability of permitting the proposed left turn exit movement. The scope and methodology needs to be discussed with TPD prior to commencing with the traffic study.

4. The proposed driveway on Welsh Road consists of a 12 foot wide ingress lane with curbing on both sides and a corner radius of approximately 15 feet. The driveway needs to be increased to a 16 foot width with curbing on both sides and a larger ingress corner radius provided.
5. The following comments pertain to the proposed driveway on DeKalb Pike which is a full access driveway with one ingress lane and two egress lanes provided.
 - a. The ingress lane is 12 feet wide with curbing provided on the both sides and an ingress corner radius of approximately 15 feet. The ingress lane needs to be increased to 16 feet in width with curbing on both sides and a larger ingress corner radius provided.
 - b. Separate left and right turn egress lanes are proposed with a median separating the egress lanes. The egress lane widths need to be increased since curbing is provided on both sides of each lane. The required lane widths need to be discussed with PennDOT and the Township. In addition, the median flare needs to be increased in width to ensure that vehicles in the right lane do not obstruct sight distance for drivers in the left turn lane.
6. The following comments pertain to vehicle tracking throughout the site:
 - a. The lane widths throughout the site are narrow (12 feet) with curbing provided on both sides and tight radii. Vehicle tracking templates must be provided to demonstrate that larger vehicles such as full-size pickup trucks can be accommodated without encroaching on the curb.
 - b. Truck turning templates must be provided indicating how fire trucks, trash trucks, and delivery trucks will circulate through the site.
7. The one-way parking aisle that runs through the center of the site is 18 feet wide with angled parking provided on both sides of the drive aisle. In addition, the one-way parking aisle located on the eastern side of the site is approximately 15 feet wide. Section 205-10.H(4) of the Montgomery Township Subdivision and Land Development Ordinance requires the parking aisles to be a minimum width of 22 feet.
8. Traffic entering the site from DeKalb Pike runs parallel to the traffic entering from Welsh Road for a short distance before encountering a merge area. In our opinion, this internal intersection needs to be controlled with a standard 24" wide stop bar on the drive from DeKalb Pike at this merge point. Also, the striped gore area should be changed to a curbed area so that a standard two lane to one lane left merge sign can be installed in this area.

Mr. Bruce S. Shoupe
March 1, 2018
Page 3

9. The applicant met with Township Staff on January 19, 2018 and made the following statements regarding the application that, in our opinion, need to become part of the conditions of approval from a traffic perspective:
- a. The hours of operation will be from 8 AM to 8 PM. *592 9am-7pm*
 - b. No detailing will be provided on site.
 - c. Employees will shut off the Welsh Road entrance if queues extend toward Welsh Road beyond the merge point in Comment 8. The method for this closure needs to become part of an Incident Management Plan for the site for TPD's review and approval.
 - d. Dumpster pick-ups will only occur between 6-8 AM.
 - e. Parking spaces are provided at the end of the tunnel for customers to vacuum their cars and provide further drying if they wish. Employees will not vacuum cars for customers nor will they hand dry vehicles for customers.

We reserve the right to make additional comments as additional information is submitted.

Please call if you have any questions.

Sincerely,



President

kjohnson@TrafficPD.com

cc: Larry Gegan, Township Manager
Marita Stoerrle, Township Development Coordinator
Kevin Costello, Township Public Works Director
Russ Dunlevy, P.E., Township Engineer
Frank Falzone, P.E., TPD
Joseph Platt, P.E., TPD
Jerry Baker, P.E., TPD
Eric Hammond, TPD
Keith Lieberman, P.E.
Kimberly Freimuth, Esq.

**MONTGOMERY COUNTY
BOARD OF COMMISSIONERS**

VALERIE A. ARKOOSH, MD, MPH, CHAIR
KENNETH E. LAWRENCE, JR., VICE CHAIR
JOSEPH C. GALE, COMMISSIONER



**MONTGOMERY COUNTY
PLANNING COMMISSION**

MONTGOMERY COUNTY COURTHOUSE • PO Box 311
NORRISTOWN, PA 19404-0311
610-278-3722
FAX: 610-278-3941 • TDD: 610-631-1211
WWW.MONTCOPA.ORG

JODY L. HOLTON, AICP
EXECUTIVE DIRECTOR

March 14, 2018

RECEIVED
MAR 16 2018

MONTGOMERY TOWNSHIP

Mr. Bruce S. Shoupe, Director of Planning/Zoning
Montgomery Township
1001 Stump Road
Montgomeryville, Pennsylvania 18936-9605

Re: MCPC #18-0042-001
Plan Name: Shine Time Carwash – C-68
(1 lot comprising 1.816 acres)
Situates: DeKalb Pike (east)/Welsh Road (north)
Montgomery Township

Dear Mr. Shoupe:

We have reviewed the above-referenced conditional use application in accordance with Section 502 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on February 22, 2018. We forward this letter as a report of our review.

BACKGROUND

The applicants, ProReal Ventures LLC, propose to construct an automatic car wash complex on a 1.816 acre lot at the northeast corner of U.S. Business Route 202 (DeKalb Pike) and PA Route 63 (Welsh Road). The complex would include a 4,594-square foot car wash building, a car stacking line of 66 spaces, and parking for employees and customers totaling 34 spaces. Access to the site will be via an existing right-in only entrance off of westbound Welsh Road, as well as full-movement entrance and exit access through an existing curb cut on northbound DeKalb Pike. The exit drive onto Welsh Road is proposed to be closed. The current zoning for this area in Montgomery Township is Commercial. A conditional use authorization is required because car washes are only permitted by conditional use in Commercial, Shopping Center, and Regional Shopping Center zones in Montgomery Township, per Montgomery Township Code §230-A.

RECOMMENDATION AND COMMENTS

The Montgomery County Planning Commission (MCPC) generally supports the applicant's conditional use application, as we find no compelling reasons to prohibit a car wash from developing in this area. The Township's 2008 Comprehensive Plan Update Vision Map specifically labels this parcel for commercial use. We look forward to providing more detailed comments regarding the specifics of the car wash site during the land development process.

CONCLUSION

Please note that the review comments and recommendations contained in this report are advisory to the municipality and final disposition for the approval of any proposal will be made by the municipality.

Sincerely,



Matthew Popek, Transportation Planner II
mpopek@montcopa.org – 610-278-3730

c: ProReal Ventures LLC, Applicant
Kimberly A. Freimuth, Esq., Applicant's Representative
Lawrence Gegan, Twp. Manager
Jay Glickman, Chrm., Twp. Planning Commission

Attachments: Aerial Photograph of Site
Subdivision Record Plan

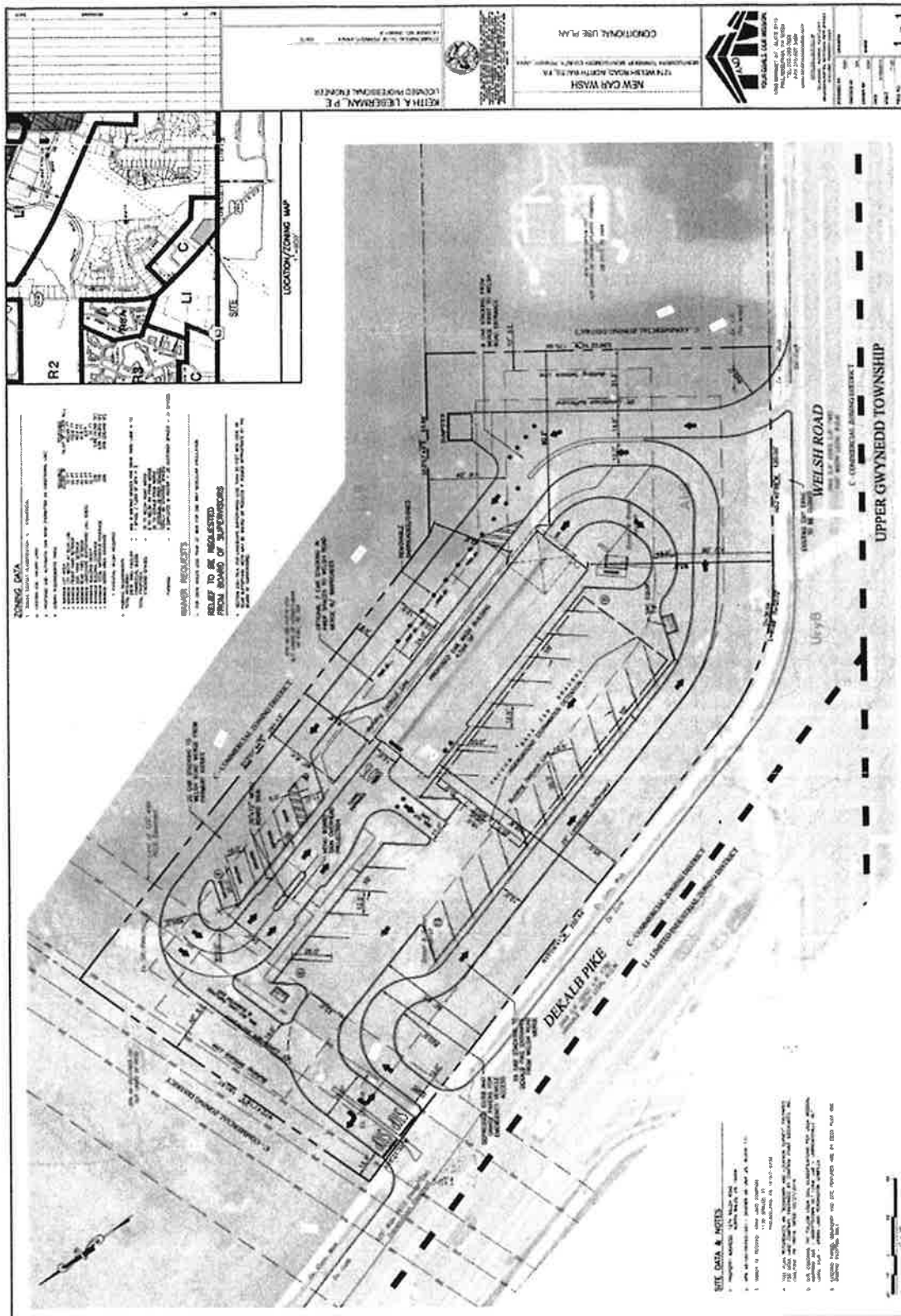
Aerial – ProReal Ventures LLC, Montgomery Township



Shine Time Carwash C-68
180042001

Montgomery
County
Planning
Commission
Montgomery County Courthouse - Planning Commission
PO Box 3111 • Norristown PA 19384-0311
(p) 610 278 3722 • (f) 610 278 3641
www.montcopa.org/planning
Year 2015 aerial photography provided by the
Delaware Valley Regional Planning Commission

Conditional Use Plan – ProReal Ventures LLC, Montgomery Township



Motion was made by the Montgomery Township Planning Commission on March 15, 2018, that the Conditional Use Application C-68, regarding the ProReal Ventures LLC, Shine Time Carwash project located at DeKalb Pike and Welsh Road located in the C-Commercial Zoning District, be recommended for approval to the Montgomery Township Board of Supervisors.

Motion: Ellen Reynolds

Second: Jim Rall

Vote 5-0 (Steve Krumenacker absent)

No. C-68 March 26 2018

ZONING NOTICE

Real Pro Ventures LLC

has appealed to the 26 Montgomery Township Board for consideration of a conditional use permit for a proposed drop-off/pick-up zone at the intersection of Dicks Pike and 11th St. Road. The applicant is the north side owner of the vacant property and proposes to construct a new 4,000 sq. ft. structure which will be used as a drop-off/pick-up zone and provide trucking for services. Access to the site is by way of full driveway access driveway on Dicks Pike and right-of-way continues from Walnut Road.

The 26 Montgomery Township Board under authority of the MONTGOMERY TOWNSHIP ZONING ORDINANCE invites all interested parties to appear and be heard at a PUBLIC HEARING to be held in the Montgomery Township Building located at 1001 Stamp Road, on March 26, 2018 at 8 p.m.

THIS ZONING NOTICE must be displayed in a conspicuous place in FRONT of the premises PLAINLY VISIBLE TO PASSERSBY and kept there for the Seven Days preceding the PUBLIC HEARING. The applicant is responsible for the maintenance of this notice and should it be destroyed or removed, must immediately obtain another copy.

James Thompson
Zoning Officer

02/26/2018

LEGAL NOTICES

MONTGOMERY TOWNSHIP LEGAL NOTICE On Monday, March 26, 2018, after 8:00PM, the Montgomery Township Board of Supervisors, during its regularly scheduled meeting, will conduct a conditional use hearing on the application of Pro Real Ventures, LLC to permit an automatic carwash on the property located at 1274 Welsh Road, further identified as tax parcel number 46-00-00745-00-1, within the Township's C-Commercial District. Applicant requests conditional use approval under Article XIII, Section 230-75(A)(1) [C Commercial District/Use Regulations] and Appendix Table 230-A [Table of Permitted Uses], in accord with Article XXI, Section 230-156.2 [Miscellaneous Provisions/Procedures and Standards for Conditional Use Approval] to permit the proposed automatic carwash on the property. All Interested parties are invited to attend. A copy of the application may be examined at the Township building, Monday through Friday, during normal business hours: 9:00AM to 4:00PM. Persons with disabilities wishing to attend the public meeting/hearing and requiring auxiliary aid or other accommodations to participate should contact the Montgomery Township Human Resources Coordinator 215-393-6900. LAWRENCE J. GREGAN Township Manager LAN 3/9, 3/16 1-a

Appeared in: **Reporter** on Friday, 03/09/2018

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LEGAL NOTICES

MONTGOMERY TOWNSHIP LEGAL NOTICE On Monday, March 26, 2018, after 8:00PM, the Montgomery Township Board of Supervisors, during its regularly scheduled meeting, will conduct a conditional use hearing on the application of Pro Real Ventures, LLC to permit an automatic carwash on the property located at 1274 Welsh Road, further identified as tax parcel number 46-00-00745-00-1, within the Township's C-Commercial District. Applicant requests conditional use approval under Article XIII, Section 230-75(A)(1) [C Commercial District/Use Regulations] and Appendix Table 230-A [Table of Permitted Uses], in accord with Article XXI, Section 230-156.2 [Miscellaneous Provisions/Procedures and Standards for Conditional Use Approval] to permit the proposed automatic carwash on the property. All interested parties are invited to attend. A copy of the application may be examined at the Township building, Monday through Friday, during normal business hours: 9:00AM to 4:00PM. Persons with disabilities wishing to attend the public meeting/hearing and requiring auxiliary aid or other accommodations to participate should contact the Montgomery Township Human Resources Coordinator 215-393-6900. LAWRENCE J. GREGAN Township Manager LAN 3/9, 3/16 1-a

Appeared in: **Reporter** on Friday, 03/16/2018

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**MONTGOMERY TOWNSHIP
BOARD OF SUPERVISORS**

1001 STUMP ROAD
MONTGOMERYVILLE, PA 18936-9605

Telephone: 215-393-6900 • Fax 215-855-6656
www.montgomerytwp.org

**TANYA C. BAMFORD
CANDYCE FLUEHR CHIMERA
MICHAEL J. FOX
JEFFREY W. McDONNELL
MATTHEW W. QUIGG**

**LAWRENCE J. GREGAN
TOWNSHIP MANAGER**

February 25, 2108

RE: Conditional Use Application #C-68
Real Pro Ventures LLC
Shine Time Carwash – Dekalb Pike & Welsh Road

Dear Property Owner:

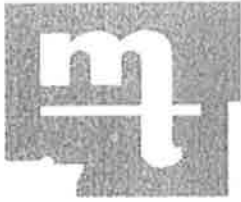
This letter is to advise you that Real Pro Ventures LLC has applied to the Montgomery Township Board of Supervisors for a Conditional Use approval for a proposed drive-thru car wash at the intersection of Dekalb Pike and Welsh Road. The applicant is the equitable owner of the vacant property and proposes to construct a new 4,596 square foot automatic drive-thru car wash with 28 self-serve vacuuming stations and provide stacking for 66 cars. Access to the site is by way of full movement access driveway on Dekalb Pike and right-in only entrance from Welsh Road.

In order to receive public comment on this request, the Board of Supervisors has set Monday, March 26, 2018, after 8:00 p.m., in the Township Building, as the date, time and place for a public hearing.

This letter is being sent to you because you are either an adjacent or nearby property owner or have previously expressed an interest in the disposition of this application. Copies of the proposed map, Conditional Use application and deed are available for inspection during normal office hours.

Sincerely,

Bruce S. Shoupe
Director of Planning and Zoning



**MONTGOMERY TOWNSHIP
BOARD OF SUPERVISORS**

1001 STUMP ROAD
MONTGOMERYVILLE, PA 17053-9505

Telephone: 215-393-6900 • Fax 215-855-6656
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**TANYA C. BAMFORD
CANDYCE FLUEHR CHIMERA
MICHAEL J. FOX
JEFFREY W. McDONNELL
MATTHEW W. QUIGG**

LAWRENCE J. GREGAN
TOWNSHIP MANAGER

February 25, 2108

Upper Gwynedd Township
Mike Lapinski, Acting Township Manager
PO Box 1
West Point, PA 19486

RE: Conditional Use Application #C-68
Real Pro Ventures LLC
Shine Time Carwash – Dekalb Pike & Welsh Road

Dear Mr. Lapinski:

This letter is to advise you that Real Pro Ventures LLC has applied to the Montgomery Township Board of Supervisors for a Conditional Use approval for a proposed drive-thru car wash at the intersection of Dekalb Pike and Welsh Road. The applicant is the equitable owner of the vacant property and proposes to construct a new 4,596 square foot automatic drive-thru car wash with 28 self-serve vacuuming stations and provide stacking for 66 cars. Access to the site is by way of full movement access driveway on Dekalb Pike and right-in only entrance from Welsh Road.

In order to receive public comment on this request, the Board of Supervisors has set Monday, March 26, 2018, after 8:00 p.m., in the Township Building, as the date, time and place for a public hearing.

This letter is being sent to you because you are either an adjacent or nearby property owner or have previously expressed an interest in the disposition of this application. Copies of the proposed map, Conditional Use application and deed are available for inspection during normal office hours.

Sincerely,

Bruce S. Shoupe
Director of Planning and Zoning

[illegible]



CROWN ATLANTIC CO. LLC PMB 353
4017 WASHINGTON ROAD
MCMURRAY, PA 15317

COMMONWEALTH OF PA
OFFICE OF CHIEF COUNSEL
PO BOX 8212
HARRISBURG, PA 17105-8212

PECO
REAL ESTATE & FACILITIES N3-3
2301 MARKET STREET
PHILADELPHIA, PA 19103

PA DEPT. OF TRANSPORTATION
400 NORTH STREET
HARRISBURG, PA 17120

WAWA INC.
260 W. BALTIMORE PIKE
MEDIA, PA 19063

DELAWARE VALLEY COLLEGE OF
SCIENCE & AGRICULTURE
700 E. BUTLER AVENUE
DOYLESTOWN, PA 18901

UPPER GWYNEDD TOWNSHIP
TOWNSHIP MANAGER
MIKE LAPINSKI
PO BOX 1
WEST POINT, PA 19486



**MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY**

March 26, 2018

SUBJECT: Consider Waiver of Screening Buffer Requirement – ProReal Ventures LLC – Shine Time Carwash - DeKalb Pike and Welsh Road

MEETING DATE: March 26, 2018

ITEM NUMBER: # 11.

MEETING/AGENDA: EXECUTIVE SESSION

REASON FOR CONSIDERATION: Operational: XX Policy: Discussion: Information:

INITIATED BY: Bruce Shoupe
Director of Planning & Zoning

BOARD LIAISON: Candyce Fluehr Chimera
Chairman

BACKGROUND:

The applicant, ProReal Ventures LLC, is seeking Conditional Use approval to construct a 4,594 square foot automatic car wash on 1.816-acre lot at the northeast corner of DeKalb Pike and Welsh Road, the former Atomic Tire property. Under Section 230-78A of the Zoning Ordinance, it permits the Board of Supervisors to waive or reduce the required 25-foot planting area if the side or rear boundary lines abuts commercial or industrial uses or zoning districts. The side and rear property lines abuts the C-Commercial zoning district.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None

PREVIOUS BOARD ACTION:

None

ALTERNATIVES/OPTIONS:

None

BUDGET IMPACT:

None

RECOMMENDATION:

Provide Staff with any recommendations regarding this application.

MOTION/RESOLUTION:

The Resolution is attached.

MOTION _____ **SECOND** _____ **VOTE:** _____

ROLL CALL:

| | | | | |
|------------------------|-----|---------|---------|--------|
| Tanya C. Bamford | Aye | Opposed | Abstain | Absent |
| Michael J. Fox | Aye | Opposed | Abstain | Absent |
| Jeffrey W. McDonnell | Aye | Opposed | Abstain | Absent |
| Matthew W. Quigg | Aye | Opposed | Abstain | Absent |
| Candyce Fluehr Chimera | Aye | Opposed | Abstain | Absent |

DISTRIBUTION: Board of Supervisors, Frank B. Bartle, Esq.

Resolution #

WHEREAS, ProReal Ventures LLC, has requested a waiver per Section 230-78A, to reduce the required rear yard landscaping screening buffer which abuts C-Commercial zoning district from the required 25-foot buffer to 8.5 foot buffer;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby approve a waiver to reduce the rear landscaping screening buffer to 8.5 feet, in strict conformance with the testimony and exhibits presented.

MOTION BY:

SECOND BY:

VOTE:

DATE:

xc: Applicant, F. Bartle, R. Dunlevy, B. Shoupe, M. Gambino, MCPC, MTPC, J. Goldstein, K. Amey, K. Johnson, Minute Book, Resolution File, File



Fox Rothschild LLP
ATTORNEYS AT LAW

Stone Manor Corporate Ctr.
2700 Kelly Road Suite 300
Warrington, PA 18976
Tel (215) 345-7500 Fax (215) 345-7507
www.foxrothschild.com

KIMBERLY A. FREIMUTH
Direct No: 215.918.3627
Email: KFreimuth@FoxRothschild.com

March 1, 2018

VIA E-MAIL

Robert J. Iannozzi, Jr., Esquire
Dischell, Bartle, Yanoff & Dooley
1800 Pennbrook Parkway, Suite 200
Lansdale, PA 19446

**Re: Conditional Use Application of Pro Real Ventures, LLC –
1274 Welsh Road, Montgomery Township, Montgomery County, PA**

Dear Bob:

As you know, this office represents Pro Real Ventures, LLC (“Pro Real”), which is the equitable owner of the above-referenced property. On February 5, 2018, Pro Real filed a conditional use application in connection with its proposal to develop and utilize the property for an automatic car wash facility.

This letter will confirm that Pro Real is seeking conditional use approval pursuant to Section 230-75.A(1) and Appendix Table 230-A of the Zoning Ordinance, to permit an automatic car wash use on the property. It is my understanding that a conditional use hearing on this application is being scheduled for March 26, 2018.



It is also my understanding that the Board of Supervisors will be holding its regularly scheduled meeting following the conditional use hearing on March 26, 2018. This letter will further confirm Pro Real’s request to place on the agenda for that meeting its request for approval pursuant to Section 230-78.A of the Zoning Ordinance, which permits the Board of Supervisors to allow a reduction of the required 25 foot landscape and screening buffer along rear and side property lines. Specifically, Pro Real is proposing only an 8.5 foot buffer along the rear of the subject property which abuts the C – Commercial zoning district and lands owned by the Commonwealth of Pennsylvania.

A Pennsylvania Limited Liability Partnership

California Colorado Connecticut Delaware District of Columbia Florida Illinois
Minnesota Nevada New Jersey New York Pennsylvania Texas Washington

ACTIVE\53919115.v1-3/1/18



Boucher & James, Inc.
CONSULTING ENGINEERS

AN EMPLOYEE OWNED COMPANY

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1456 Ferry Road, Building 500
Doylestown, PA 18901
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Fax 215-345-9401

2738 Rimrock Drive
Stroudsburg, PA 18360
570-629-0300
Fax 570-629-0306

559 Main Street, Suite 230
Bethlehem, PA 18018
610-419-9407
Fax 610-419-9408
www.bjengineers.com

February 26, 2018
Revised March 5, 2018

Lawrence Gregan, Township Manager
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936

**SUBJECT: PROREAL VENTURES CAR WASH
CONDITIONAL USE APPLICATION
TOWNSHIP LD/S NO. C-68
PROJECT NO. 1855323R**

Dear Mr. Gregan:

Please be advised that we have reviewed the Conditional Use Application and Sketch Plan for the proposed Shine Time Carwash prepared by T and M Associates for ProReal Ventures, LLC, dated January 30, 2018.

The application seeks conditional use approval to locate a 4,594 sf +/- automatic car wash within the C Commercial district. The proposed site is located north of the intersection of DeKalb Pike and Welsh Road.

It does not appear that there are any issues related to landscape requirements with regard to the request for Conditional Use Approval. However, in light of the Applicant's request that their buffer yard relief request be heard at the same time as the Conditional Use hearing, we offer the following for your consideration:

ZO 230-78.A permits the reduction or elimination of required 25' buffer areas for Commercial District properties where the side or rear property lines abut commercial or industrial uses or zoning districts, and where deemed appropriate by the Board of Supervisors. The sketch plan submitted indicates that the Applicant is requesting relief from this requirement in the form of a reduced (8.5' width) rear yard buffer. No Landscape Plan has been submitted for review at this time. Therefore, there is not sufficient information to determine whether or not the proposed buffer reduction is appropriate.

Please do not hesitate to contact us if you have any questions or require further information.

Sincerely,

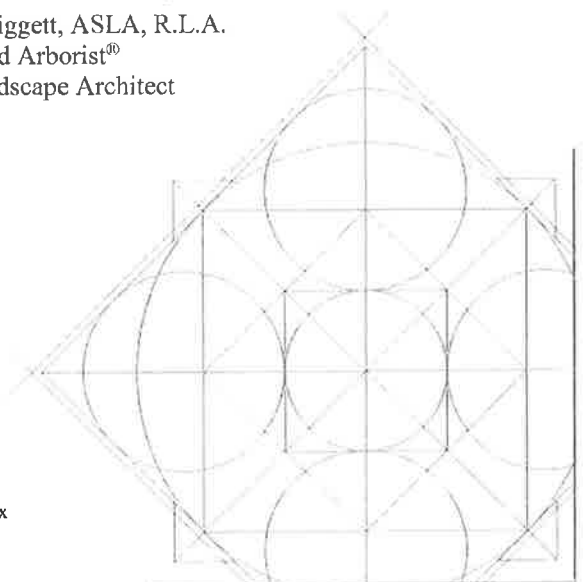
Judith Stern Goldstein, ASLA, R.L.A.
Managing Director

Valerie L. Liggett, ASLA, R.L.A.
ISA Certified Arborist[®]
Planner/Landscape Architect

JSG/vll/kam

ec: Board of Supervisors
Planning Commission
Bruce Shoupe, Director of Planning and Zoning
Marianne McConnell, Deputy Zoning Officer
James P. Dougherty, P.E., Gilmore & Associates, Inc.
Kevin Johnson, P.E., Traffic Planning & Design
Ken Amey, AICP
Pro Real Ventures, LLC
Kelly A. Freimuth, Esq., Fox Rothschild
Keith A Lieberman, P.E., T and M Associates

P:\2018\1855323R\Documents\Correspondence\Review Letters\CUREview.001REVISED.docx



MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Payment of Bills

MEETING DATE: March 26, 2018 ITEM NUMBER: #12.

MEETING/AGENDA: WORK SESSION ACTION XX NONE

REASON FOR CONSIDERATION: Operational: XX Information: Discussion: Policy:

INITIATED BY: Lawrence J. Gregan
Township Manager

BOARD LIAISON: Candyce Fluehr Chimera,
Chairman of the Board of Supervisors

BACKGROUND:

Please find attached a list of bills for your review.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Approval all bills as presented.

MOTION/RESOLUTION:

None.

DISTRIBUTION: Board of Supervisors, Frank R. Bartle, Esq.

| Check Date | Bank | Check | Vendor | Vendor Name | Amount |
|--------------------------|------|-------|-----------|-------------------------------------|-----------|
| Bank 01 UNIVEST CHECKING | | | | | |
| 03/14/2018 | 01 | 71076 | 100000630 | AMANDA ENTENBERG | 105.00 |
| 03/14/2018 | 01 | 71077 | 100000629 | KEVIN WILLIAMS | 175.00 |
| 03/14/2018 | 01 | 71078 | 00000412 | PINECREST COUNTRY CLUB | 3,600.00 |
| 03/14/2018 | 01 | 71079 | 100000411 | SPENCER D. BORINE | 70.00 |
| 03/15/2018 | 01 | 71080 | 00000397 | PECO ENERGY | 21,352.59 |
| 03/15/2018 | 01 | 71081 | 00000399 | PECO ENERGY | 10,042.64 |
| 03/22/2018 | 01 | 71082 | 100000614 | SCOTT LARSON | 350.00 |
| 03/23/2018 | 01 | 71083 | 00000001 | ACCIDENT RECONSTRUCTION JOURNAL | 59.00 |
| 03/23/2018 | 01 | 71084 | 00000006 | ACME UNIFORMS FOR INDUSTRY | 561.27 |
| 03/23/2018 | 01 | 71085 | MISC-FIRE | ADAM MORROW | 105.00 |
| 03/23/2018 | 01 | 71086 | 00000340 | ADVENT SECURITY CORPORATION | 222.00 |
| 03/23/2018 | 01 | 71087 | MISC-FIRE | ALEXANDER J DEANGELIS | 30.00 |
| 03/23/2018 | 01 | 71088 | 100000659 | AMAZING WRISTBANDS | 276.72 |
| 03/23/2018 | 01 | 71089 | 100000654 | ANDREW BENTON | 50.00 |
| 03/23/2018 | 01 | 71090 | MISC-FIRE | ANDREW WEINER | 15.00 |
| 03/23/2018 | 01 | 71091 | 00000027 | ARMOUR & SONS ELECTRIC, INC. | 8,887.54 |
| 03/23/2018 | 01 | 71092 | 00000561 | ATLANTIC TACTICAL | 3,337.82 |
| 03/23/2018 | 01 | 71093 | 00904662 | BARRACUDA NETWORKS, INC. | 630.00 |
| 03/23/2018 | 01 | 71094 | 00000043 | BERGEY'S | 421.25 |
| 03/23/2018 | 01 | 71095 | MISC-FIRE | BILL WIEGMAN | 60.00 |
| 03/23/2018 | 01 | 71096 | 100000405 | C.E.S. | 695.16 |
| 03/23/2018 | 01 | 71097 | 00001579 | CARGO TRAILER SALES, INC | 57.57 |
| 03/23/2018 | 01 | 71098 | MISC-FIRE | CARL HERR | 30.00 |
| 03/23/2018 | 01 | 71099 | 00000231 | CARROT-TOP INDUSTRIES INC. | 469.20 |
| 03/23/2018 | 01 | 71100 | 100000340 | CIOCCA FORD | 886.23 |
| 03/23/2018 | 01 | 71101 | 00000648 | COHEN LAW GROUP | 941.67 |
| 03/23/2018 | 01 | 71102 | 00000363 | COMCAST | 710.40 |
| 03/23/2018 | 01 | 71103 | 00000335 | COMCAST CORPORATION | 621.72 |
| 03/23/2018 | 01 | 71104 | 00001937 | CONCOURS AUTOMOTIVE | 217.00 |
| 03/23/2018 | 01 | 71105 | 00001891 | CREATIVE PRODUCT SOURCING, INC. | 25.00 |
| 03/23/2018 | 01 | 71106 | MISC-FIRE | DAVID P BENNETT | 30.00 |
| 03/23/2018 | 01 | 71107 | 00000629 | DAVIDHEISER'S INC. | 134.50 |
| 03/23/2018 | 01 | 71108 | MISC | DELRAN BUILDERS CO INC | 300.00 |
| 03/23/2018 | 01 | 71109 | 100000652 | DOLAN CONSULTING GROUP | 195.00 |
| 03/23/2018 | 01 | 71110 | 03214663 | ELITE 3 FACILITIES MAINTNEANCE, LLC | 4,240.00 |
| 03/23/2018 | 01 | 71111 | 100000559 | EVAN STEPHENS | 100.00 |
| 03/23/2018 | 01 | 71112 | MISC | EXECUTIVE COMFORT LLC HVAC | 204.50 |
| 03/23/2018 | 01 | 71113 | 00001466 | FEDEX OFFICE | 23.00 |
| 03/23/2018 | 01 | 71114 | 00001132 | FERGUSON & MCCANN, INC. | 2,990.00 |
| 03/23/2018 | 01 | 71115 | 100000408 | FSSOLUTIONS | 57.60 |
| 03/23/2018 | 01 | 71116 | 00001852 | G.L. SAYRE, INC. | 351.21 |
| 03/23/2018 | 01 | 71117 | 00001504 | GALETON GLOVES | 427.55 |
| 03/23/2018 | 01 | 71118 | 00000189 | GENERAL PAINTING OF | 293.00 |
| 03/23/2018 | 01 | 71119 | 00001323 | GLICK FIRE EQUIPMENT COMPANY INC | 1,866.45 |
| 03/23/2018 | 01 | 71120 | 00001323 | GLICK FIRE EQUIPMENT COMPANY INC | 3,029.91 |
| 03/23/2018 | 01 | 71121 | 00001709 | GOULDEY WELDING & FABRICATIONS, INC | 168.15 |
| 03/23/2018 | 01 | 71122 | 100000162 | HERMAN GOLDNER COMPANY, INC. | 925.00 |
| 03/23/2018 | 01 | 71123 | 00000903 | HOME DEPOT CREDIT SERVICES | 350.92 |
| 03/23/2018 | 01 | 71124 | 00441122 | HORSHAM CAR WASH | 109.00 |
| 03/23/2018 | 01 | 71125 | MISC-FIRE | JAKE WELTMAN | 90.00 |
| 03/23/2018 | 01 | 71126 | 00000256 | JAMES F. MCGOWAN | 1,500.00 |
| 03/23/2018 | 01 | 71127 | MISC-FIRE | JON WASHINGTON | 120.00 |
| 03/23/2018 | 01 | 71128 | 00002046 | JUMP START SPORTS | 1,920.00 |
| 03/23/2018 | 01 | 71129 | MISC-FIRE | KEITH A MILLER | 90.00 |
| 03/23/2018 | 01 | 71130 | 00000372 | KEMA | 30.00 |
| 03/23/2018 | 01 | 71131 | 00000572 | KEVIN COSTELLO | 255.39 |
| 03/23/2018 | 01 | 71132 | 100000655 | KEVIN ZEBLUIM | 59.00 |
| 03/23/2018 | 01 | 71133 | 00000354 | MAD SCIENCE OF WEST NEW JERSEY | 239.00 |
| 03/23/2018 | 01 | 71134 | 00001065 | MAILLIE LLP | 23,300.00 |
| 03/23/2018 | 01 | 71135 | 100000332 | MARCY LYNCH FITNESS | 910.00 |
| 03/23/2018 | 01 | 71136 | 00000974 | MCCARTHY AND COMPANY, PC | 1,638.75 |
| 03/23/2018 | 01 | 71137 | MISC-FIRE | MICHAEL D. SHINTON | 30.00 |
| 03/23/2018 | 01 | 71138 | MISC-FIRE | MIKE BEAN | 30.00 |
| 03/23/2018 | 01 | 71139 | 00001225 | MONTGOMERY TOWNSHIP MUNICIPAL | 2,969.01 |
| 03/23/2018 | 01 | 71140 | 00002073 | MORTON SALT INC | 18,692.62 |
| 03/23/2018 | 01 | 71141 | 00000356 | NORTH WALES WATER AUTHORITY | 1,217.95 |
| 03/23/2018 | 01 | 71142 | 00000270 | NYCE CRETE AND LANDIS CONCRETE | 37.20 |
| 03/23/2018 | 01 | 71143 | 00001134 | OFFICE DEPOT, INC | 311.88 |
| 03/23/2018 | 01 | 71144 | 00001440 | ORION SAFETY PRODUCTS | 722.36 |
| 03/23/2018 | 01 | 71145 | 00000311 | PA DEPT OF LABOR & INDUSTRY-B | 72.00 |
| 03/23/2018 | 01 | 71146 | 100000039 | PA TURNPIKE TOLL BY PLATE | 20.25 |
| 03/23/2018 | 01 | 71147 | 00000597 | PATRICIA A. GALLAGHER | 5,405.16 |

03/23/2018 01:33 PM
 User: msanders
 DB: Montgomery Twp

CHECK REGISTER FOR MONTGOMERY TOWNSHIP
 CHECK DATE FROM 03/13/2018 - 03/26/2018

Page: 2/2

| Check Date | Bank | Check | Vendor | Vendor Name | Amount |
|------------|------|-------|-----------|-------------------------------------|-----------|
| 03/23/2018 | 01 | 71148 | MISC-FIRE | PAUL R. MOGENSEN | 75.00 |
| 03/23/2018 | 01 | 71149 | 00000009 | PETTY CASH | 677.29 |
| 03/23/2018 | 01 | 71150 | 00000446 | PHISCON ENTERPRISES, INC. | 400.00 |
| 03/23/2018 | 01 | 71151 | 00000945 | PIPERVILLE GARDEN CENTER, INC. | 359.70 |
| 03/23/2018 | 01 | 71152 | 00000409 | POLICE CHIEFS'' ASSOCIATION OF | 150.00 |
| 03/23/2018 | 01 | 71153 | 00000345 | PRINTWORKS & COMPANY, INC. | 342.14 |
| 03/23/2018 | 01 | 71154 | 100000656 | PROMARK TREE SERVICE, INC. | 29,600.00 |
| 03/23/2018 | 01 | 71155 | MISC-FIRE | RACHEL TROUTMAN | 45.00 |
| 03/23/2018 | 01 | 71156 | 00906102 | READY REFRESH | 242.93 |
| 03/23/2018 | 01 | 71157 | 03214609 | RESPONSIBLE RECYCLING SERVICES, LLC | 519.04 |
| 03/23/2018 | 01 | 71158 | 00000117 | RIGGINS INC | 2,929.21 |
| 03/23/2018 | 01 | 71159 | 00000115 | RIGGINS, INC | 3,089.83 |
| 03/23/2018 | 01 | 71160 | MISC-FIRE | RYAN CROUTHAMEL | 15.00 |
| 03/23/2018 | 01 | 71161 | MISC-FIRE | RYAN RUDELL | 45.00 |
| 03/23/2018 | 01 | 71162 | 00000365 | SCOTT BENDIG | 162.22 |
| 03/23/2018 | 01 | 71163 | 00001030 | SIGNAL CONTROL PRODUCTS, INC. | 2,036.00 |
| 03/23/2018 | 01 | 71164 | 00001656 | SOSMETAL PRODUCTS INC. | 186.54 |
| 03/23/2018 | 01 | 71165 | 00000015 | SPRINT | 505.21 |
| 03/23/2018 | 01 | 71166 | 00001394 | STANDARD INSURANCE COMPANY | 7,274.49 |
| 03/23/2018 | 01 | 71167 | 00001847 | STAPLES CONTRACT & COMMERCIAL, INC. | 425.49 |
| 03/23/2018 | 01 | 71168 | MISC-FIRE | STEVE SPLENDIDO | 30.00 |
| 03/23/2018 | 01 | 71169 | 00000485 | SYRENA COLLISION CENTER, INC. | 75.00 |
| 03/23/2018 | 01 | 71170 | 100000658 | TANYA C BAMFORD | 45.00 |
| 03/23/2018 | 01 | 71171 | 00906134 | TASER INTERNATIONAL | 118.16 |
| 03/23/2018 | 01 | 71172 | 00002020 | THOMSON REUTERS | 210.00 |
| 03/23/2018 | 01 | 71173 | 00001273 | TIM KUREK | 321.00 |
| 03/23/2018 | 01 | 71174 | 00002036 | TIMBERLINK CONSULTING LLC | 1,050.00 |
| 03/23/2018 | 01 | 71175 | MISC-FIRE | TOM HUGUENIN | 15.00 |
| 03/23/2018 | 01 | 71176 | 00000506 | TRANS UNION LLC | 70.00 |
| 03/23/2018 | 01 | 71177 | 100000653 | TREASURER OF MONTGOMERY COUNTY | 105.00 |
| 03/23/2018 | 01 | 71178 | MISC-FIRE | TREVOR DALTON | 15.00 |
| 03/23/2018 | 01 | 71179 | 100000290 | TRIAD TRUCK EQUIPMENT | 310.00 |
| 03/23/2018 | 01 | 71180 | 03214643 | UNWINED & PAINT | 130.00 |
| 03/23/2018 | 01 | 71181 | 100000047 | USPCA NATIONAL DETECTOR TRIALS | 80.00 |
| 03/23/2018 | 01 | 71182 | 00000520 | VALLEY POWER, INC. | 4,112.77 |
| 03/23/2018 | 01 | 71183 | 00000040 | VERIZON | 40.53 |
| 03/23/2018 | 01 | 71184 | 00000040 | VERIZON | 109.54 |
| 03/23/2018 | 01 | 71185 | MISC-FIRE | VINAY SETTY | 150.00 |
| 03/23/2018 | 01 | 71186 | MISC-FIRE | VINCE ZIRPOLI | 90.00 |
| 03/23/2018 | 01 | 71187 | 00001329 | WELDON AUTO PARTS | 1,069.08 |
| 03/23/2018 | 01 | 71188 | 00000533 | WELLINGTON SPORTING GOODS, INC. | 108.00 |
| 03/23/2018 | 01 | 71189 | 00000632 | WEST GENERATOR SERVICES INC. | 1,173.50 |
| 03/23/2018 | 01 | 71190 | 00000537 | WILLIAM R. PEOPLES | 886.90 |
| 03/23/2018 | 01 | 71191 | 00001084 | WITMER ASSOCIATES, INC. | 142.99 |
| 03/23/2018 | 01 | 71192 | MISC | ZIEGLER HOME MGMT INC | 1,200.00 |

01 TOTALS:

Total of 117 Disbursements:

191,198.70

03/23/2018

Check List
For Check Dates 03/13/2018 to 03/26/2018

Check

| Date | Name | Amount |
|-----------------|------------------------|---------------------------------|
| 03/14/2018 | STATE OF PA | State Tax Payment \$ 9,053.32 |
| 03/22/2018 | BCG 401 | 401 Payment \$ 17,631.41 |
| 03/22/2018 | BCG 457 | 457 Payment \$ 11,090.59 |
| 03/22/2018 | PA SCDU | Withholding Payment \$ 1,011.52 |
| 03/22/2018 | UNITED STATES TREASURY | 941 Tax Payment \$ 77,002.12 |
| Total Checks: 5 | | \$ 115,788.96 |