

AGENDA
MONTGOMERY TOWNSHIP
BOARD OF SUPERVISORS
June 25, 2012 - 8:00 P.M.

www.montgomerytp.org

Candyce Fluehr Chimera
Robert J. Birch
Michael J. Fox
Jeffrey W. McDonnell
Joseph P. Walsh

Lawrence J. Gregan
Township Manager

WORK SESSION
7:30 PM

1. Presentation – Montgomery Walk – Enclave at Montgomery Development Revision Proposal LDS #627

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 the June 11, 2012 Meeting
6. Recognize Student Accomplishments – Odyssey of the Mind Teams
7. Consider Board/Commission Appointment
8. Public Hearing - Proposed Ordinance #12-258Z – Zoning Map Amendment – North Wales Road
9. Public Hearing - Proposed Ordinance #12-259Z – Text Amendment – RS – Regional Shopping District
Regulations
10. Consider Conditional Approval for Wegman's Preliminary/Final Land Development
11. Consider Approval of 2012 Fall Recreation Programs and Fees
12. Payment of Bills
13. Other Business
14. Adjournment

Future Public Hearings/Meetings:

6-26-12 @ 7:30 PM – Zoning Hearing Board
6-26-12 @ 7:00 PM – Environmental Advisory Committee
6-28-12 @ 7:30 PM – Finance Committee
7-05-12 @ 7:30 PM – Planning Commission
7-10-12 @ 7:30 PM – Zoning Hearing Board
7-11-12 @ 8:00 PM – Board of Supervisors

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

SUBJECT: Presentation – LD/S # 627 Montgomery Walk/Enclave at Montgomery Development Revision Proposal

MEETING DATE: N/A

ITEM NUMBER: *WS#1*

MEETING/AGENDA: WORKSHOP xx NONE

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

INITIATED BY: Lawrence J. Grogan
Township Manager

BOARD LIAISON: Candyce Fluehr Chimera,
Chairman

BACKGROUND:

On behalf of David Cutler Development, Richard McBride Esq., has asked for the opportunity to discuss some site plan revisions they would like to propose to the approved Land Development Plans for the Montgomery Walk/Enclave at Montgomery development located on Hartman Road and RT 309/Bethlehem Pike.

A written summary of the proposed revisions is attached along with several pages of plans showing the proposed changes. These proposed changes would:

- Increase the number of units by 52 units.
- Increase the percentage of units that are age restricted from 50% to 64%.
- Increase the number of age restricted housing units would be able to use and financially support the clubhouse and facilities.
- Reduce the commercial area from 5 acres to @ 1 acre.
- Reduce the area of public roadways to be dedicated to the Township.

We have prepared the attached chart that summarizes the density of the original approved plan with 568 Units, the prior change approved to allow both age restricted and non-age restricted units for a total of 343 units plus 5 acres commercial and this proposal to increase the number of units to 395 while reducing the commercial development to 1 acre.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

This proposal would require an amendment to the Zoning Code to permit age restricted single family units and a revised Final Land Development/Subdivision Plan.

PREVIOUS BOARD ACTION: History of prior plan changes is attached.

ALTERNATIVES/OPTIONS: None

BUDGET IMPACT: None

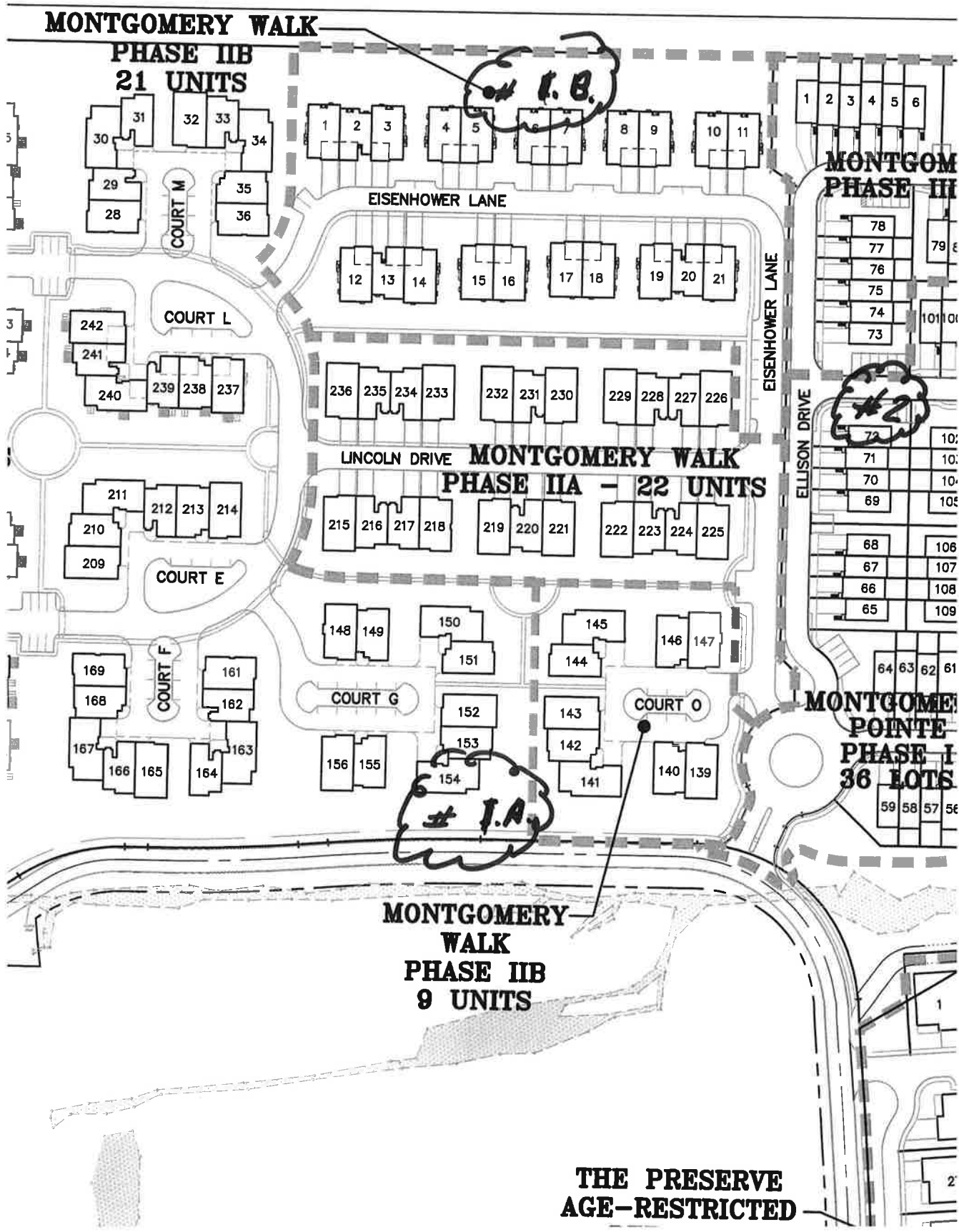
RECOMMENDATION: The developer would like to proceed with the necessary plan changes and ordinance amendments and would like to know if there is any opposition from the Township to these changes.

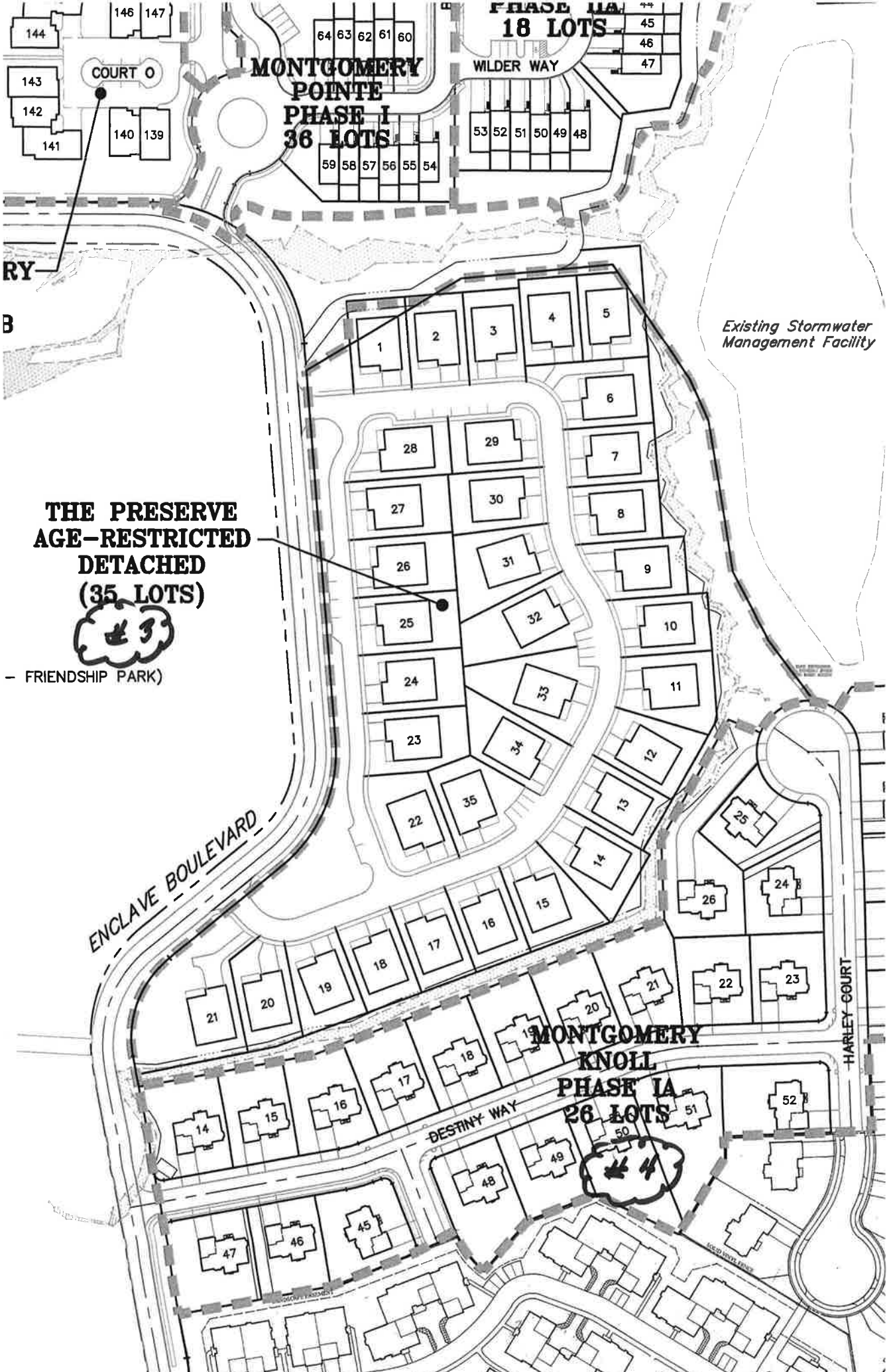
MOTION/RESOLUTION: None.

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

SUMMARY - MONTGOMERY WALK/ENCLAVE AT MONTGOMERY DEVELOPMENT REVISION PROPOSAL

- Montgomery Walk - These would be modified in the rear area by converting two of the 11 unit courtyards into 9 unit courtyards so that virtually each unit is an end unit. The other two 11 unit courtyards will be converted into a straight-line configuration with three units per row in order to maximize end units. The overall Montgomery Walk section would have a total of 169 versus the original 174 units approved.
- Montgomery Pointe – these are the 109 non-age restricted townhomes being developed by Pulte and will remain unchanged.
- Preserve area – this was to be 13 non-age restricted singles and is proposed to be altered into 35 detached, age restricted units. An ordinance change would be required to permit detached age restricted units.
- The 44 units in Montgomery Knoll will be reduced to a total of 33 units. These will be the full extent of non-age restricted single family dwellings. Phase I of Montgomery Knoll is under construction and consists of 26 lots, there will only be 7 lots in the second phase.
- 309 Frontage area – the majority of the commercial area, along with a portion of what was to have been the balance of Montgomery Knoll will be developed for a total of 49 Montgomery Walk-type attached age restricted dwellings. A potential bank pad will be reserved at the corner of Rt. 309 and Enclave Boulevard.
- The current Ordinance requires that a minimum of 50% of the total number of units be age restricted. With these revisions, this percentage will be increased to slightly above 64%.
- All of the age restricted units will have the use and enjoyment, as well as financial responsibility, for the Montgomery Walk clubhouse facility and amenities.
- All of the new units, age restricted and non-age restricted units, including those that are part of the integrated development involving the commercial area will make payment of the contribution for park improvement. Previously the commercial area did not participate.





**PHASE IIA
18 LOTS**

**MONTGOMERY
POINTE
PHASE I
36 LOTS**

WILDER WAY

*Existing Stormwater
Management Facility*

**THE PRESERVE
AGE-RESTRICTED
DETACHED
(35 LOTS)**



- FRIENDSHIP PARK)

ENCLAVE BOULEVARD

**MONTGOMERY
KNOLL
PHASE IA
26 LOTS**

DESTINY WAY

HARLEY COURT

**THE PRESERVE
AGE-RESTRICTED
DETACHED
(35 LOTS)**

(FRIENDSHIP PARK)

ENCLAVE BOULEVARD

HARLEY COURT

**MONTGOMERY
KNOLL
PHASE 1A
26 LOTS**

**49 AGE-RESTRICTED
ATTACHED UNITS
(MONTGOMERY WALK
TYPE UNIT)**

#5

Land now or formerly of
Webster C. L. & Co. Inc.
(Block 18, Unit 25)
(P#45-00-00073-00-7)

Land now or formerly of
Adams Ruth Inc.
(Block 18, Unit 46)
(P#45-0018-00077)

Land now or formerly of
L. Novoy
(Unit 18)
(P#45-0057-004)

Land now or formerly of
Montgomery
(Unit 17)
(P#45-0064-00-7)

L
D

7309

Montgomery Walk Plan History and Proposal						
Permitted by Code		113.61 acres x 5 units/acre =			568 Units	
LDS 627 - Original Montgomery Walk Plan	# Units	LDS 627A Enclave @ Montgomery Plan		#Units	New Proposal # Units	
Age Restricted Carriage Homes	174	Montgomery Walk Age Restricted Carriage Homes		174	Montgomery Walk Age Restricted Carriage Homes	169
						-5
Age Restricted Townhomes	80	Montgomery Pointe Non Age Restricted Townhouses		109	Montgomery Pointe Non Age Restricted Townhouses	109
						0
Age Restricted Mid Rise Condo Flats	314	Montgomery Knoll Non Age Restricted Singles		47	Montgomery Knoll Non Age Restricted Singles	33
						-14
		Montgomery Preserve Non Age Restricted Singles		13	Montgomery Preserve Age Restricted Singles	35
						22
					New Montgomery Walk Age Restricted Type Carriage Homes	49
		Commercial		5 Acres	Commercial	1 acre bank pad site
						- 4 Acres
Total	568			343	395	
				-225	52	

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Public Comment

MEETING DATE: June 25, 2012

ITEM NUMBER: #3

MEETING/AGENDA: WORK SESSION

ACTION XX NONE

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

INITIATED BY: Lawrence J. Grogan
Township Manager

BOARD LIAISON: Candyce Fluehr Chimera,
Chairman

BACKGROUND:

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

The Board 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: Announcement of Executive Session

MEETING DATE: June 25, 2012

ITEM NUMBER: #4

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

BACKGROUND:

Frank Bartle will announce that the Board of Supervisors met in Executive Session and will summarize the matters discussed.

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: Approval of Minutes for June 11, 2012 Meeting

MEETING DATE: June 25, 2012

ITEM NUMBER: #5

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

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

INITIATED BY: Lawrence J. Grogan
Township Manager

BOARD LIAISON: Candyce Fluehr Chimera,
Chairman

BACKGROUND:

Just a reminder – Please call Deb Rivas or Shirley Snyder on Monday, June 25, 2012 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
JUNE 11, 2012**

Chairman Candyce Fluehr Chimera called the executive session to order at 7:00 p.m. In attendance were Supervisors Robert Birch, Michael Fox and Jeffrey McDonnell. Vice Chairman Joseph Walsh was absent. Also in attendance were Lawrence Gregan and Frank R. Bartle, Esquire. A personnel matter and a matter of litigation were discussed.

Chairman Candyce Fluehr Chimera called the regular action meeting to order at 8:04 p.m. In attendance were Supervisors Robert Birch, Michael Fox, Jeffrey McDonnell and Joseph Walsh. Also in attendance were Frank R. Bartle, Esquire, Lawrence Gregan, Richard Brady, Bruce Shoupe, Kevin Costello, Shannon Drosnock, Rick Lesniak, Ann Shade, Stacy Crandell, Rich Grier and Shirley Snyder.

Following the Pledge of Allegiance, Chairman Chimera called for public comment from the audience. Maria Witt of 708 East Kennedy Road expressed concern with a lack of communication with the Montgomery Township Tax Collector, Patricia Gallagher. Ms. Witt has made several attempts to contact Ms. Gallagher concerning a tax bill, and has received no response from Ms. Gallagher. Vice Chairman Joseph Walsh offered to call Ms. Gallagher on Ms. Witt's behalf. Ms. Witt thanked the Board for any assistance they can provide to her in this matter.

Frank R. Bartle, Esquire reported that the Board met in an executive session earlier in the evening at 7:00 p.m. Mr. Bartle reported that there were two matters discussed, one personnel matter and the Zehr Condemnation litigation matter, which is before the Pennsylvania Commonwealth Court. Mr. Bartle reported that these matters are legitimate subjects of executive session pursuant to Pennsylvania's Sunshine Law.

Chairman Chimera made a motion to approve the minutes of the May 29, 2012 Board meeting and Supervisor Michael Fox seconded the motion. The minutes of the meeting were unanimously approved as submitted.

Township Manager, Lawrence Gregan introduced Stephen Nave, who has submitted a resume for consideration as a member of the Business Development Partnership. Mr. Nave acquired both the Fastsigns of North Penn and Doylestown in February 2012. Resolution #1, made by Vice Chairman Joseph Walsh, seconded by Supervisor Michael Fox, and adopted unanimously, appointed Stephen Nave as a member of the Business Development Partnership of Montgomery Township with a term to expire January 1, 2013.

Chairman Candyce Fluehr Chimera announced that the Board of Supervisors wishes to recognize and commend some of the talented students of the North Penn School District. The Bridle Path & Montgomery Orchestra recently competed in the Music in the Parks Adjudication Festival on May 12, 2012. The Orchestra placed 1st in their division and also outscored all middle and high school groups performing at the competition. The Bridle Path & Montgomery Select String Ensemble also competed in the Music in the Parks Adjudication Festival. The Select String Ensemble placed 1st in their division and also outscored all middle and high school groups performing at the competition. In addition to this exceptional accomplishment, the Select String Ensemble was also awarded the Best Overall Orchestra Award. Chairman Chimera asked all the children from the Orchestra and Select Strings to come forward and state their name and the instrument they play. David Wolfe, a parent of one of the students, accepted the Certificates of Commendation for Bridle Path Elementary and Montgomery Elementary schools. Mr. Wolfe also expressed thanks to Lisa Paino, the accompanist for her time and dedication in working with the group. Resolution #2, made by Vice Chairman Joseph Walsh, seconded by Supervisor Michael Fox, and adopted unanimously, recognized the students from the Bridle Path and Montgomery Elementary Orchestra and Select Strings for their outstanding accomplishment at the recent "Music in the Parks" Adjudication Festival at Dorney Park by placing 1st and 2nd at the competition.

Chairman Candyce Fluehr Chimera announced that the Board of Supervisors would like to recognize and commend the outstanding achievements of North Penn High School Senior Meghan McGovern. Ms McGovern won the Pennsylvania State Championship in Cross Country. In addition to achieving her goal of winning the State Championship, Meghan's outstanding performance enabled her to become the first three-time state medal winner in North Penn High School history. Resolution #3, made by Supervisor Michael Fox, seconded by Vice Chairman Joseph Walsh, and adopted unanimously, recognized Meghan McGovern for her amazing record-breaking season as a cross-country runner for North Penn High School.

Director of Public Works, Kevin Costello reported that on May 14, 2012, the Board of Supervisors authorized the sale of a 1997 Crafcro Super Shot Tar Kettle through the online auction company, Municibid. A total of 119 bids were received and the highest bid received was in the amount of \$14,600.00. Resolution #4, made by Supervisor Michael Fox, seconded by Vice Chairman Joseph Walsh, and adopted unanimously, accepted the winning bid for the sale of the Township's 1997 Crafcro Super Shot Tar Kettle from David Young of Massachusetts in the amount of \$14,600.00.

Township Manager, Lawrence Gregan announced that the Board had received proposals from professional consultants to conduct and complete a Needs Assessment and Feasibility Study for a proposed Recreation/Community Center facility. Funds for this study have been allocated in the Capital Reserve Fund. The RFP for the study was issued on March 28, 2012 and twenty firms submitted proposals to perform the study with costs ranging from \$16,000 to \$116,205. Four firms were selected for further consideration and interviews were held with the four firms. Supervisor Michael Fox reported that the four firms made excellent presentations and recommended that the contract be awarded to the firm of Kimmel-Bogrette Architecture + Site for this project. Resolution #5, made by supervisor Robert Birch, seconded by Vice Chairman Joseph Walsh, and adopted unanimously, awarded the contract to conduct a

Needs Assessment and Feasibility Study for a Multi-Purpose Community/Recreation Center to the firm of Kimmel-Bogrette Architect + Site of Conshohocken, PA in accordance with their proposal dated April 27, 2012 for a total proposal cost of \$45,650.00.

Director of Fire Services, Rick Lesniak reported that on February 18, 2012 the Fire Department of Montgomery Township was dispatched to Saint Gobain Abrasives at 200 Commerce Drive for a fire alarm activation. After further investigation, it was determined that there were several gas leaks in the building, which were subsequently repaired. In appreciation of the efforts of the Fire Department of Montgomery Township, Saint Gobain, through its Corporate Foundation, presented a check in the amount of \$630.00 to the FDMT. Resolution #6, made by Supervisor Michael Fox, seconded by Vice Chairman Joseph Walsh, and adopted unanimously, recognized the Saint Gobain Corporation Foundation for its generous donation to the Fire Department of Montgomery Township.

Director of Fire Services, Rick Lesniak announced that the Department of Fire Services and the Fire Department of Montgomery Township (FDMT) jointly use a software program called "Firehouse Software". Over the past several years, a number of operational and security issues have been identified. Based on the analysis of use, the Department of Fire Services is recommending using the Firehouse Hosting Services Program. Resolution #7, made by Supervisor Michael Fox, seconded by Vice Chairman Joseph Walsh, and adopted unanimously, approved the execution of a five-year contract with Firehouse Software, Inc. to utilize its *Firehouse Hosting Services Program* at a cost of \$3,194.54/year.

Bruce Shoupe, Director of Planning & Zoning announced that in 1997 the open space areas within the Winner Circle Development were inadvertently dedicated to the Township. While updating the Township's Park and Recreation Plan, it was discovered that only 4 of the 13 open space areas were intended to be dedicated to the Township. Resolution #8, made by Supervisor Robert Birch, seconded by Vice Chairman Joseph Walsh, and adopted unanimously,

authorized the Township Solicitor and Township Manager to execute and record deeds at the Montgomery County Recorder of Deeds to identify the correct Ownership of each Open Space Parcel.

Director of Planning & Zoning, Bruce Shoupe reported that the Lansdale Branch of the YMCA has requested the waiver of all permit fees associated with their use of the Whistlestop Street Hockey Court starting Tuesday June 19, 2012 through Tuesday, December 18, 2012. Resolution #9, made by Vice Chairman Joseph Walsh, seconded by Supervisor Michael Fox and adopted unanimously, approved the Lansdale YMCA's request for the waiver of fees associated with the use of the Street Hockey Court at Whistlestop Park from Tuesday, June 19, 2012 through December 18, 2012.

Chairman Candyce Fluehr Chimera made a motion to approve the payment of bills. Vice Chairman Joseph Walsh seconded the motion. The payment of bills was unanimously approved as submitted.

Under other business, Lawrence Gegan announced that a new screen and projector were installed in the Township meeting room on Friday, June 8, 2012. Rich Grier, Technology Manager provided a demonstration and a brief overview of the capabilities of the new system.

There being no further business to come before the Board, the meeting adjourned at 8:54 p.m.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Recognize Student Accomplishments- Odyssey of the Mind Teams

MEETING DATE: June 25, 2012

ITEM NUMBER: #6

MEETING/AGENDA:

ACTION

NONE

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

INITIATED BY: Stacy Crandell

BOARD LIAISON:

Candyce Fluehr Chimera, Chairman

Public Information Coordinator

(SC)



BACKGROUND:

The Odyssey of the Mind is an international program that challenges teams of five to seven students to use their creativity and problem-solving skills to solve short-term "spontaneous" problems and a long-term problem that ranges from building mechanical devices to presenting their own interpretation of literary classics. Students learn to work together, to manage their own time, and ultimately to take responsibility for every part of their final solution. At the end of the Odyssey season, teams bring their solutions to competition at a regional level. Odyssey is open to all grades and academic levels under the guidance of adult volunteer coaches. Throughout the North Penn School District, many schools take part in this program including Bridle Path and Montgomery Elementary Schools, Penndale and Pennbrook Middle Schools, North Penn High School and Mary Mother of Redeemer Parish School.

Montgomery Elementary- Division 2

The Montgomery Elementary team is co-coached by Alex Chiu and Heidi Stark and has been participating in Odyssey of the Mind for two years. The team consists of both 5th and 6th graders.

On Saturday, March 17, the team participated in the Southeastern Pennsylvania Regional Odyssey of the Mind tournament at Southern Lehigh High School. At the tournament, the team presented their solution to the long-term problem, "Ooh-Motional Vehicle." The team placed 2nd in Division 2 (6th, 7th, and 8th graders), which qualified them to move on to the State Tournament.

On Saturday, April 14, the team went to the Pennsylvania State Tournament held at Pocono Mountain East High School. Montgomery Elementary placed 5th out of 12 teams in their division.

Pennbrook Middle School- Division 2

The Pennbrook Team is made up of students from Pennbrook Middle School, Montgomery and Bridle Path Elementary schools. This team won second place in Problem II, Weird Science at the Regional tournament. The team advanced to the state competition and placed 4th at the tournament.

This was a new team that had not worked together before, however the team quickly came together and had a successful year. This team is coached by Donna Ryabin.

Penndale Middle School- Division 3

The secondary school team consisting of students from Penndale and Pennbrook Middle Schools and North Penn High School had a very successful year. The team placed 1st in the regional competition and was named state champions. This qualified them for the world finals, which took place in May at Iowa State University.

The team tied for 4th place with a team from North Carolina and earned an honorable mention at the awards ceremony. A team from Singapore took 1st place at the competition. This is an amazing

accomplishment because their division (9th through 12th grade) is incredibly difficult and the students were competing against some of the best creative thinkers in the world. This team was co-coached by Kate Early and Mark Bilodeau.

MMR

Lisa Bull started this program at Mary Mother of the Redeemer School (MMR) two years ago after many years of seeing success with her own children at North Penn School District. MMR had over 63 students participate in the program overall this year. Fourteen students (two teams) won regional and state competitions. The two teams then participated in World Finals at Iowa State University. The teams were coached by Patti Soisson and Susan Bernal.

Team Soisson participated in the Odyssey Angels problem where they had to overcome three obstacles to solve a problem. This team chose to highlight the school of FIT where they encouraged healthy living through physical activity, healthy eating habits and emotional health. The team placed 14th at the World Finals.

Team Bernal participated in the classic problem "To Be or Not to Be." This program encouraged students to put a comedic twist on Shakespeare's famous quote "To Be or Not to Be." This team placed 16th at the World Finals.

In order for the teams to advance to the World Finals, the entire community rallied around the students to help support them financially. In four short weeks, the teams raised over \$15,000 to assist with the cost of travel to Iowa State University. MMR Principal and Vice-Principal, Denise Judge and Sue Tarrant were the leaders of the support efforts for the team's advancement. The teams would not have been able to reach this level without the support from them and the rest of the community.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Staff recommends recognizing the students from Bridle Path and Montgomery Elementary Schools, Penndale & Pennbrook Middle School, North Penn High School, and Mary Mother of the Redeemer for their outstanding accomplishments in the Odyssey of the Mind program.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby recognize the students from Bridle Path and Montgomery Elementary Schools, Penndale and Pennbrook Middle Schools, North Penn High School and Mary Mother of the Redeemer Parish School for their outstanding accomplishments in the Odyssey of the Mind program.

MOTION: _____ SECOND: _____

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Joseph P. Walsh	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

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

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Board/Commission Appointment

MEETING DATE: June 25, 2012

ITEM NUMBER: #7

MEETING/AGENDA:

ACTION XX

NONE

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

INITIATED BY: Lawrence J. Gregan
Township Manager

BOARD LIAISON: Candyce Fluehr Chimera, Chairman

BACKGROUND:

Jacqueline Keenan has submitted a resume for consideration as an Alternate Member of the Zoning Hearing Board. Ms. Keenan's professional experience is in varied fields such as real estate, human resources and administration.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

Alternate Members of the Zoning Hearing Board serve to fill a quorum on the Board in the event a Board Member is absent or unable, due to conflicts, to participate in a matter before the Zoning Hearing Board.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

None.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby appoint Jacqueline Keenan as an Alternate Member of the Zoning Hearing Board of Montgomery Township with a term to expire January 1, 2014.

MOTION: _____

SECOND: _____

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Joseph P. Walsh	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

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

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

SUBJECT: Consider Adoption of Proposed Ordinance # 12-258-Z – Rezone certain properties along North Wales Road from R-2 Residential to RS-Regional Shopping Center

MEETING DATE: June 25, 2012

ITEM NUMBER: #8

MEETING/AGENDA: WORK SESSION ACTION CONSENT NONE

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

INITIATED BY: Bruce S. Shoupe
Director of Planning and Zoning

BOARD LIAISON: Candyce Fluehr Chimera -
Chairman

BACKGROUND:

There are six properties along North Wales Road which are owned by Simon Property Group. It is proposed that these properties be rezoned from R-2 Residential to RS Regional Shopping Center. This area would be "deed restricted" in perpetuity to be used only for landscape buffer, storm water control and reserve parking purposes.

A copy of the proposed ordinance is attached.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

Authorized a public hearing to be held June 25, 2012.

ALTERNATIVES/OPTIONS:

None

BUDGET IMPACT:

None.

RECOMMENDATION:

That this ordinance be approved.

MOTION/RESOLUTION:

See attached.

MOTION _____ **SECOND** _____

Robert J. Birch	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Joseph P. Walsh	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

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

RESOLUTION #

BE IT ORDAINED AND ENACTED by the Board of Supervisors of Montgomery Township this
25th day of June, 2012, that we hereby approved Ordinance #12-258-Z, an ordinance to rezone
certain properties along North Wales Road, from R-2 Residential to RS-Regional Shopping Center.

MOTION BY:

SECOND BY:

VOTE:

DATE:

xc: F. Bartle, B. Shoupe, M. Stoerrle, Minute Book, Resolution File, File

RESOLUTION #9

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby set Monday, June 25, 2012, after 8:00 PM in the Township Building as the date, time and place for a Public Hearing to consider Ordinance #12-258-Z, to rezone certain properties along North Wales Road from R-2 Residential to RS Regional Shopping District.

Be it further resolved that the Township Solicitor be authorized to advertise said public hearing date and time.

MOTION BY: J. Walsh

SECOND BY: R. Birch

VOTE: 3-0
(C. Chimera, J. McDonnell, absent)

DATE: May 14, 2012

xc: F. Bartle, B. Shoupe, M. Stoerrle, Minute Book, Resolution File, File

Proof of Publication of Notice in The Reporter

Under Act No. 587, Approved May 16, 1929

MONTGOMERY TOWNSHIP LEGAL NOTICE

On Monday, June 25, 2012, after 8:00PM, the Montgomery Township Board of Supervisors will hold a public hearing during its regular public meeting to consider the enactment of the following two amendatory-ordinances:

ORDINANCE 1: An ordinance amending the Montgomery Township Zoning Map to rezone property located at 610, 612, 614, 616, 618 and 620 North Wales Road from R-2 Residential to RS Regional Shopping Center, with said tracts containing approximately 4.83 acres, being known as Tax Block, 10 Units 019, 020, 021, 022, 024 and 025 and respectively as Tax Parcel Numbers 460002977001, 460002980007, 460002983004, 460002986001, 460002989007 and 46000299200, from their present zoning classification of R-2 Residential District to the classification of RS Regional Shopping Center District; and

ORDINANCE 2: An ordinance amending Articles XVI [RS Regional Shopping Center District] and XIX [Off-Street Parking and Loading] of The Montgomery Township Zoning Ordinance providing amended provisions for lot area/building coverage; parking access and loading and unloading requirements; parking; and outdoor dining area as a permitted accessory use in the RS Regional Shopping Center District.

The full text of these amendatory-ordinances may be examined, without charge, and copies may be obtained for a charge no greater than the cost thereof, at the Montgomery County Law Library, the offices of this newspaper, and the Montgomery Township Building during normal business hours, Monday through Friday 8:30AM until 4:30PM.

The public is invited to attend and will be given an opportunity to provide comments regarding this ordinance. Persons with disabilities, wishing to attend the public hearing and meeting and requiring auxiliary aid, service or other accommodations to participate, should contact the Montgomery Township Human Resources Coordinator at 215-393-6900.

At the completion of the public hearing, the Board of Supervisors will continue with the public meeting to render its decision thereon, unless it deems additional time is required for consideration and discussion of the above ordinances, in which case it will hold an additional public meeting at an announced date and time for that purpose.

LAWRENCE J. GREGAN
Township Manager

State of Pennsylvania,
County of Montgomery

SS:

Controller or Dena Fritz, of the GOODSON HOLDING COMPANY D/B/A LRPa, LLC., a PENNSYLVANIA corporation, being duly sworn, deposes and says that THE REPORTER is a daily newspaper published at Lansdale, County and State aforesaid, which was established in the year 1870, since which date said daily newspaper has been regularly issued in said County, and that a copy of the printed notice or publication is attached hereto exactly as the same was printed and published in the regular editions and issues of the said daily newspaper on the following dates,

viz:

the 9th, 16th days of June A.D. 2012

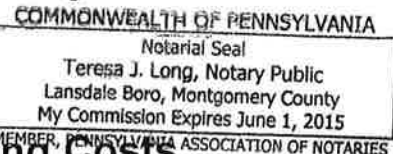
Affiant further deposes he is an officer duly authorized by the GOODSON HOLDING COMPANY D/B/A LRPa, LLC., a corporation, publisher of THE REPORTER, a daily newspaper, to verify the foregoing statement under oath and also declares that affiant is not interested in the subject matter of the aforesaid notice or publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

Controller or Dena Fritz
Goodson Holding Company D/B/A LRPa, LLC.,

Sworn to and subscribed before me this date

6-18-12

Teresa J. Long
Notary Public



My Commission Expires:

Statement of Advertising Costs

MONTGOMERY TOWNSHIP
1001 STUMP ROAD
MONTGOMERYVILLE, PA 18936

For publishing the notice or advertisement attached hereto on

the above stated date..... \$ 914.19

Notary Fee..... \$ 5.00

Total..... \$ 919.19

Publisher's Receipt for Advertising Costs

GOODSON HOLDING COMPANY D/B/A LRPa, LLC., a corporation, publisher of THE REPORTER, a daily newspaper, hereby acknowledges receipt of the aforesaid advertising and publication, and certifies that the same have been fully paid.

By.....

MONTGOMERYTOWNSHIP

JUN 20 2012

RECEIVED

Motion was made by the Montgomery Township Planning Commission on May 3, 2012, that Ordinance #12-258-Z, regarding the rezoning of certain properties along North Wales Road from R-2 Residential to RS Regional Shopping Center, be recommended for approval to the Montgomery Township Board of Supervisors.

Moved: Jonathan Trump

Seconded: Jay Glickman

Vote: 7-0

Date: May 3, 2012

**MONTGOMERY COUNTY
BOARD OF COMMISSIONERS**

JOSHUA D. SHAPIRO, CHAIR

LESLIE S. RICHARDS, VICE CHAIR

BRUCE L. CASTOR, JR., 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/PLANNING

STEVEN L. NELSON, AICP
ACTING DIRECTOR

June 19, 2012

Mr. Larry Gregan, Manager
Montgomery Township 1001 Stump
Road Montgomeryville, Pennsylvania
18936

Re: MCPC # 12-0065-001, 002 Amend RS
District Ordinance (Zoning Text and Map
Amendments) Montgomery Township

Dear Mr. Gregan:

We received a request to review the above referenced zoning text and map amendments on May 2, 2012, and have reviewed them in accordance with Section 609 of Act 247, "The Pennsylvania Municipalities Planning Code," as requested by Marita Stoerle, Township Development Coordinator. This letter amends our previous letter also dated June 19, 2012 by including additional language in the background section to make specific reference to the proposed zoning map amendment which was inadvertently omitted.

Background

The Township is seeking to amend the current regulations of the RS Regional Shopping District regarding: lot area and building coverage, parking access and loading and unloading requirements, off-street parking quantities, and outdoor dining. In addition, the Township is proposing to rezone a portion of the Montgomery Mall Shopping Center site from R-2 Residential to RS in order to allow for the expansion of the shopping center.

Review Comments

1. Table 230A. Will the outdoor dining area proposed for the Wegman's proposal be able to be considered "an accessory use to principal [sic] Restaurant use?" If not, the township may want to consider revising the description of the use so that the proposed outdoor dining area would clearly be allowed.

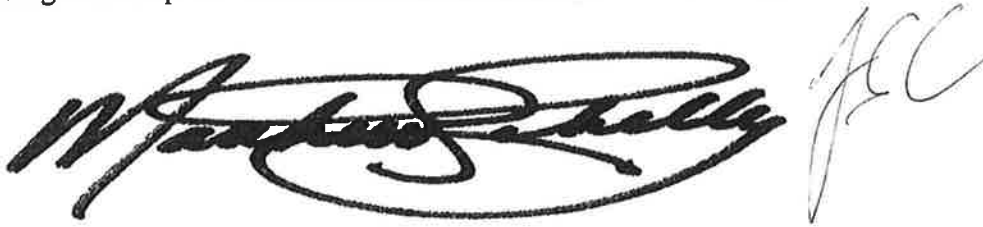
Recommendation

At this time, if the township is satisfied with the resolution of the item mentioned above, we recommend approval of the proposed ordinance text and map amendment.

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

Mr. Larry Gregan -2- June 19, 2012

Should the governing body approve this amendment, Section 607 and 609 of the Municipalities Planning Code requires that we be sent an official copy within 30 days.

A large, stylized handwritten signature, likely of Marita Stoerrle, is written in dark ink. To the right of the signature are the initials 'JCC' written in a lighter, more casual script.

c: Marita Stoerrle, Township Development Coordinator All Township Planning Commission Members All Township Supervisors Bruce Shoupe, Township Zoning Officer Frank R. Bartle, Esq., Township Solicitor Ken Amy, Township Planning Consultant Gilmore and Associates, Township Engineer Kevin Johnson, TPD, Inc., Township Traffic Engineer and Township Lighting Consultant Judy Stern Goldstein, Township Landscape Consultant

MONTGOMERY TOWNSHIP

Montgomery County, Pennsylvania

ORDINANCE #12-258Z

AN ORDINANCE AMENDING THE MONTGOMERY TOWNSHIP ZONING MAP TO REZONE PROPERTY LOCATED AT 610, 612, 614, 616, 618 AND 620 NORTH WALES ROAD FROM R-2 RESIDENTIAL TO RS-REGIONAL SHOPPING CENTER

DRAFT

ENACTED: _____

MONTGOMERY TOWNSHIP

Montgomery County, Pennsylvania

ORDINANCE #12-258Z

AN ORDINANCE AMENDING THE MONTGOMERY TOWNSHIP ZONING MAP TO REZONE PROPERTY LOCATED AT 610, 612, 614, 616, 618 AND 620 NORTH WALES ROAD FROM R-2 RESIDENTIAL TO RS-REGIONAL SHOPPING CENTER

NOW, THEREFORE, it is hereby **ENACTED** and **ORDAINED** by the Montgomery Township Board of Supervisors that the Montgomery Township Zoning Map shall be amended as follows:

SECTION 1. **Amendment to Zoning Map.**

- (a) The zoning district designation of those certain tracts of land located at 610, 612, 614, 616, 618 and 620 North Wales Road, with said tracts containing approximately 4.83 acres, being known as Montgomery Township Tax Block, 10 Units 019, 020, 021, 022, 024 and 025 and respectively as Tax Parcel Nos. 460002977001, 460002980007, 460002983004, 460002986001, 460002989007 and 46000299200, from their present zoning classification of R-2 Residential District to the classification of RS-Regional Shopping Center District; and
- (b) Said tract of ground is further identified in the plot plan attached as Exhibit "A".

SECTION 2. **Severability.**

The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision herein shall be held illegal, invalid or unconstitutional by any Court of competent jurisdiction, such decision of the Court shall not effect or impair the remaining sections, sentences, clauses, parts or provisions of the Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION 3. **Disclaimer.**

Nothing in this Ordinance shall be construed to effect any suit or proceeding pending in any court, or any rights acquired or liability incurred, or any permit issued, or any cause or causes of action existing under the ordinances of the Township of Montgomery prior to enactment of this Ordinance.

SECTION 4. **Repealer.**

All other ordinances or resolutions or parts thereof insofar as they are inconsistent with this Ordinance are hereby repealed.

SECTION 5. **Effective Date.**

This Ordinance shall become effective five (5) days after enactment.

ORDAINED AND ENACTED this _____ day of July 2012, by the Montgomery Township Board of Supervisors.

**MONTGOMERY TOWNSHIP
BOARD OF SUPERVISORS**

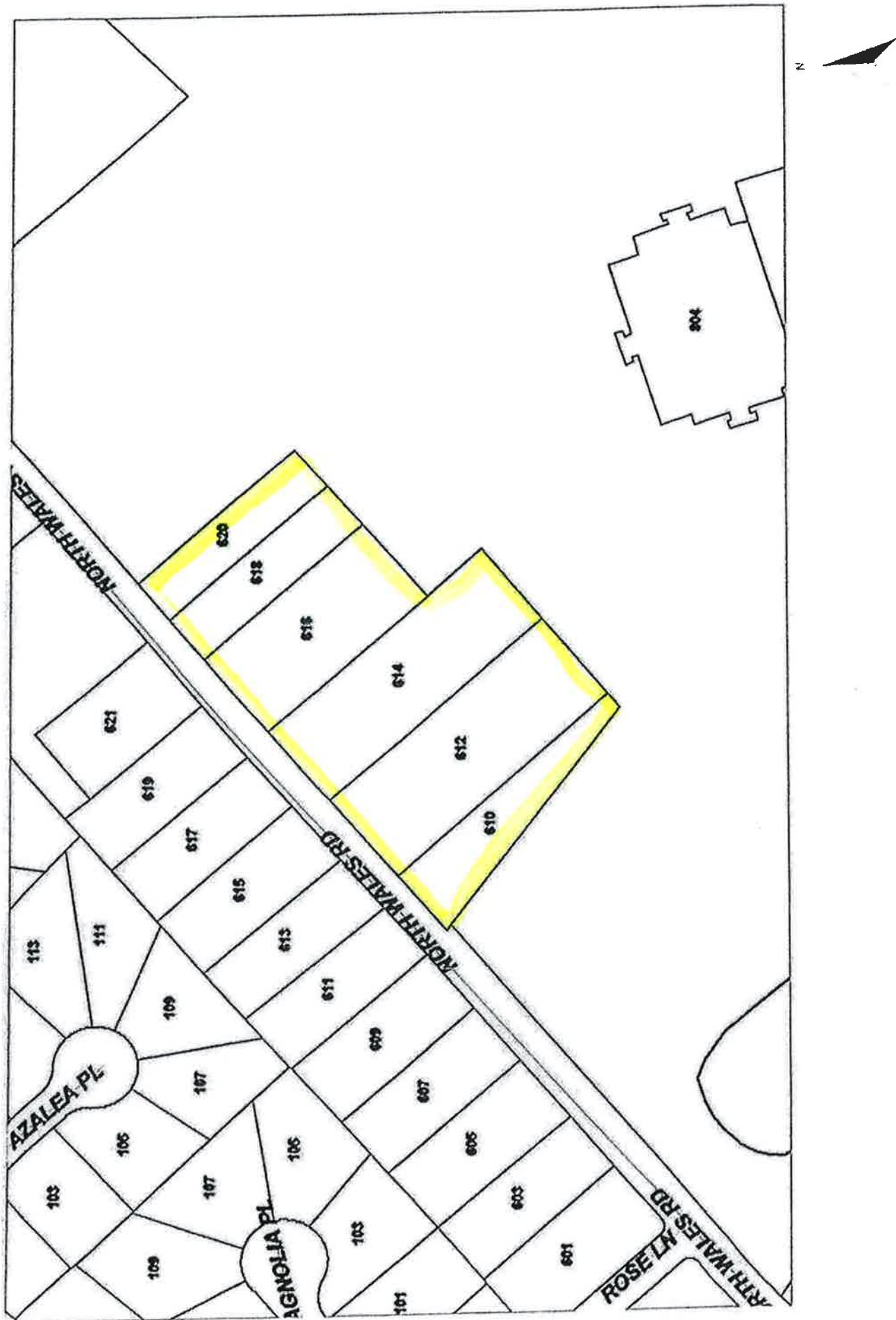
CANDYCE F. CHIMERA, *Chairperson*

[Seal]

Attested by:

LAWRENCE J. GREGAN
Township Manager/Secretary

EXHIBIT "A" 610 - 620 North Wales Road



PREPARED BY: **Robert L. Brant & Associates, LLC**
RETURN TO: 572 W. Main Street
P.O. Box 26865
Trappe PA 19426
(610) 489-9199

PARCEL NOS.: 46-00-02977-00-1, 46-00-02980-00-7, 46-00-02983-00-4
46-00-02986-00-1, 46-00-02989-00-7, 46-00-02992-00-4

DECLARATION OF RESTRICTIVE COVENANTS

MONTGOMERY TOWNSHIP

MONTGOMERY COUNTY, PENNSYLVANIA

THIS DECLARATION, made this 23rd day of May,
2012, by **MONTGOMERYVILLE ASSOCIATES**, a Pennsylvania general
partnership (hereinafter called "Owner");

WITNESSETH:

WHEREAS, the subject property of this Restrictive Covenant
consists of premises known as 610, 612, 614, 616, 618, and 620
North Wales Road, Montgomery Township, Montgomery County,
Pennsylvania (hereinafter "Subject Property"), being known as
tax parcel numbers 46-00-02977-00-1, 46-00-02980-00-7, 46-00-02983-
00-4, 46-00-02986-00-1, 46-00-02989-00-7, and 46-00-02992-00-4.

WHEREAS, Montgomeryville Associates is the owner of the
Subject Property; and

WHEREAS, the Subject Property is situate in the RS Zoning District; and

WHEREAS, Owner desires to create a Restrictive Covenant to be recorded against the Subject Property which shall be permanent and shall run with the land, and shall be binding upon all parties now having or hereinafter acquiring any right, title or interest in the Subject Property or any part thereof.

NOW, THEREFORE, in consideration of \$1.00, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and intending to be legally bound hereby, Owner declares that the Property shall be held, transferred, sold, conveyed, leased, occupied and used subject to the covenants and restrictions hereinafter set forth.

1. No development shall occur on the Subject Property except the following:

- A. Any portion of the Subject Property may be developed for stormwater control purposes;
- B. The area of the Subject Property comprised of the first One Hundred feet (100') of setback from North Wales Road shall be maintained as a landscape buffer substantially in

accordance with the Plan attached hereto as Exhibit "A".

C. The remainder of the Subject Property may be developed for surface level parking.

2. These restrictions, covenants, and conditions shall be permanent and shall run with the land in favor of Montgomery Township and shall be binding on all parties now having or hereafter acquiring any right, title or interest in the Subject Property or any part thereof.

3. The undersigned hereby acknowledges and agrees with the foregoing conditions and agrees that this Covenant shall be recorded in the Office of the Recorder of Deeds in and for Montgomery County at Owner's expense and proof of recording shall be furnished to the Township.

IN WITNESS WHEREOF, the Owner has executed this Declaration the day and year aforesaid.

SIGNATURES BEGIN ON THE FOLLOWING PAGE

WITNESS:

Angela Getters

OWNER:

MONTGOMERYVILLE ASSOCIATES, a Pennsylvania
general partnership

By: MONTGOMERY SQUARE ASSOCIATES, a
Pennsylvania limited partnership, its
Managing Venturer

By: KRAVCO SIMON INVESTMENTS, L.P., a
Pennsylvania limited partnership, as sole
agent for Kravco Holdings, Inc.

By: KI-KRAVCO ASSOCIATES, a
Pennsylvania general partnership, its
general partner

By: HRE-KRAVCO II, INC., a Delaware
corporation, its managing general
partner

By: _____

Name: _____

Title: _____

James M. Barkley

James M. Barkley
General Counsel

STATE OF INDIANA :

SS

COUNTY OF MARION :

ON THIS, the 23RD day of May, 2012,
before me, the undersigned officer, in and for the said County
and State, personally appeared James M. Barkley who
acknowledged himself to be the Secretary and
General Counsel OF HRE-Kravco II,
Inc., a Delaware corporation, managing general partner of KI-
Kravco Associates, a Pennsylvania general partnership, general
partner of Kravco-Simon Investments, L. P., a Pennsylvania
limited partnership, Managing Venturer of Montgomeryville
Associates, a Pennsylvania general partnership, and in that
capacity, being authorized to do so, executed the foregoing
instrument for the purposes therein contained by, signing the
name of the partnership by himself as Secretary and
General Counsel

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

Shannon Parkhurst
Notary Public

SHANNON PARKHURST
NOTARY PUBLIC - OFFICIAL SEAL
State of Indiana, Marion County
My Comm. Expires December 28, 2019

EXHIBIT "A"

Plan Depicting Landscape Buffer

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Adoption of Proposed Ordinance # 12-259-Z – to amend lot area, building coverage, parking and accessory use requirements for Regional Shopping Center District

MEETING DATE: June 25, 2012

ITEM NUMBER: #9

MEETING/AGENDA: WORK SESSION ACTION CONSENT NONE

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

INITIATED BY: Bruce S. Shoupe
Director of Planning and Zoning

BOARD LIAISON: Candyce Fluehr Chimera -
Chairman



BACKGROUND:

Attached is a draft ordinance to amend lot area, building coverage, parking and accessory use requirements for the Regional Shopping Center District.

This draft has been prepared by the Township Solicitor.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

Authorized a public hearing to be held June 25, 2012.

ALTERNATIVES/OPTIONS:

None

BUDGET IMPACT:

None.

RECOMMENDATION:

That this ordinance be approved.

MOTION/RESOLUTION:

See attached.

MOTION _____ SECOND _____

Robert J. Birch	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Joseph P. Walsh	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

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

RESOLUTION #

BE IT ORDAINED AND ENACTED by the Board of Supervisors of Montgomery Township this 25th day of June, 2012, that we hereby approved Ordinance #12-259-Z, an ordinance to amend lot area, building coverage, parking and accessory use requirements for the Regional Shopping Center District.

MOTION BY:

SECOND BY:

VOTE:

DATE:

xc: F. Bartle, B. Shoupe, M. Stoerrle, Minute Book, Resolution File, File

RESOLUTION #10

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby set Monday, June 25, 2012, after 8:00 PM in the Township Building as the date, time and place for a Public Hearing to consider Ordinance #12-259-Z, to amend lot area, building coverage, parking and accessory use requirements for RS -Regional Shopping Center.

Be it further resolved that the Township Solicitor be authorized to advertise said public hearing date and time.

MOTION BY: J. Walsh

SECOND BY: R. Birch

VOTE: 3-0
(C. Chimera, J. McDonnell, absent)

DATE: May 14, 2012

xc: F. Bartle, B. Shoupe, M. Stoerrle, Minute Book, Resolution File, File

Proof of Publication of Notice in The Reporter

Under Act No. 587, Approved May 16, 1929

MONTGOMERY TOWNSHIP LEGAL NOTICE

On Monday, June 25, 2012, after 8:00PM, the Montgomery Township Board of Supervisors will hold a public hearing during its regular public meeting to consider the enactment of the following two amendatory-ordinances:

ORDINANCE 1: An ordinance amending the Montgomery Township Zoning Map to rezone property located at 610, 612, 614, 616, 618 and 620 North Wales Road from R-2 Residential to RS Regional Shopping Center, with said tracts containing approximately 4.83 acres, being known as Tax Block, 10 Units 019, 020, 021, 022, 024 and 025 and respectively as Tax Parcel Numbers 460002977001, 460002980007, 460002983004, 460002986001, 460002989007 and 460002992000, from their present zoning classification of R-2 Residential District to the classification of RS Regional Shopping Center District; and

ORDINANCE 2: An ordinance amending Articles XVI [RS Regional Shopping Center District] and XIX [Off-Street Parking and Loading] of The Montgomery Township Zoning Ordinance providing amended provisions for lot area/building coverage; parking access and loading and unloading requirements; parking; and outdoor dining area as a permitted accessory use in the RS Regional Shopping Center District.

The full text of these amendatory-ordinances may be examined, without charge, and copies may be obtained for a charge no greater than the cost thereof, at the Montgomery County Law Library, the offices of this newspaper, and the Montgomery Township Building during normal business hours, Monday through Friday 8:30AM until 4:30PM.

The public is invited to attend and will be given an opportunity to provide comments regarding this ordinance. Persons with disabilities, wishing to attend the public hearing and meeting and requiring auxiliary aid, service or other accommodations to participate, should contact the Montgomery Township Human Resources Coordinator at 215-393-6900.

At the completion of the public hearing, the Board of Supervisors will continue with the public meeting to render its decision thereon, unless it deems additional time is required for consideration and discussion of the above ordinances, in which case it will hold an additional public meeting at an announced date and time for that purpose.

LAWRENCE J. GREGAN
Township Manager

State of Pennsylvania,
County of Montgomery

SS:

Controller or Dena Fritz, of the GOODSON HOLDING COMPANY D/B/A LRPa, LLC., a PENNSYLVANIA corporation, being duly sworn, deposes and says that THE REPORTER is a daily newspaper published at Lansdale, County and State aforesaid, which was established in the year 1870, since which date said daily newspaper has been regularly issued in said County, and that a copy of the printed notice or publication is attached hereto exactly as the same was printed and published in the regular editions and issues of the said daily newspaper on the following dates.

viz:

the 9th, 16th days of June A.D., 2012

Affiant further deposes he is an officer duly authorized by the GOODSON HOLDING COMPANY D/B/A LRPa, LLC., a corporation, publisher of THE REPORTER, a daily newspaper, to verify the foregoing statement under oath and also declares that affiant is not interested in the subject matter of the aforesaid notice or publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

Controller or Dena Fritz

Goodson Holding Company D/B/A LRPa, LLC.,

Sworn to and subscribed before me this date

6-18-12

Teresa J. Long
Notary Public

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Teresa J. Long, Notary Public
Lansdale Boro, Montgomery County
My Commission Expires June 1, 2015

MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

My Commission Expires:

Statement of Advertising Costs

MONTGOMERY TOWNSHIP
1001 STUMP ROAD
MONTGOMERYVILLE, PA 18936

For publishing the notice or advertisement attached hereto on

the above stated date.....	\$	914.19
Notary Fee.....	\$	5.00
Total.....	\$	919.19

Publisher's Receipt for Advertising Costs

GOODSON HOLDING COMPANY D/B/A LRPa, LLC., a corporation, publisher of THE REPORTER, a daily newspaper, hereby acknowledges receipt of the aforesaid advertising and publication, and certifies that the same have been fully paid.

By.....

MONTGOMERY TOWNSHIP

JUN 20 2012

RECEIVED

Motion was made by the Montgomery Township Planning Commission, on May 3, 2012, that Ordinance #12-259-Z, regarding lot area, building coverage, parking and accessory uses within the RS Regional Shopping District, be recommended for approval to the Montgomery Township Board of Supervisors.

Moved: Jonathan Trump

Seconded: Jay Glickman

Vote: 7-0

Date: May 3, 2012

**MONTGOMERY COUNTY
BOARD OF COMMISSIONERS**

JOSHUA D. SHAPIRO, CHAIR

LESLIE S. RICHARDS, VICE CHAIR

BRUCE L. CASTOR, JR., COMMISSIONER



**MONTGOMERY COUNTY
PLANNING COMMISSION**

MONTGOMERY COUNTY COURTHOUSE • PO BOX 311
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STEVEN L. NELSON, AICP
ACTING DIRECTOR

June 19, 2012

Mr. Larry Gregan, Manager
Montgomery Township 1001 Stump
Road Montgomeryville, Pennsylvania
18936

Re: MCPC # 12-0065-001, 002 Amend RS
District Ordinance (Zoning Text and Map
Amendments) Montgomery Township

Dear Mr. Gregan:

We received a request to review the above referenced zoning text and map amendments on May 2, 2012, and have reviewed them in accordance with Section 609 of Act 247, "The Pennsylvania Municipalities Planning Code," as requested by Marita Stoerrle, Township Development Coordinator. This letter amends our previous letter also dated June 19, 2012 by including additional language in the background section to make specific reference to the proposed zoning map amendment which was inadvertently omitted.

Background

The Township is seeking to amend the current regulations of the RS Regional Shopping District regarding: lot area and building coverage, parking access and loading and unloading requirements, off-street parking quantities, and outdoor dining. In addition, the Township is proposing to rezone a portion of the Montgomery Mall Shopping Center site from R-2 Residential to RS in order to allow for the expansion of the shopping center.

Review Comments

1. Table 230A. Will the outdoor dining area proposed for the Wegman's proposal be able to be considered "an accessory use to principal [sic] Restaurant use?" If not, the township may want to consider revising the description of the use so that the proposed outdoor dining area would clearly be allowed.

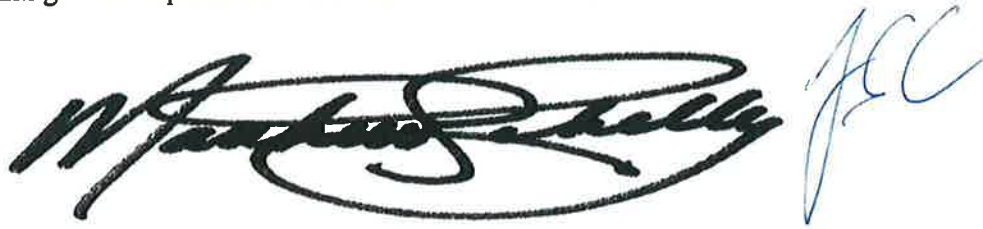
Recommendation

At this time, if the township is satisfied with the resolution of the item mentioned above, we recommend approval of the proposed ordinance text and map amendment.

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

Mr. Larry Gregan -2- June 19, 2012

Should the governing body approve this amendment, Section 607 and 609 of the Municipalities Planning Code requires that we be sent an official copy within 30 days.



c: Marita Stoerrle, Township Development Coordinator All Township Planning Commission Members All Township Supervisors Bruce Shoupe, Township Zoning Officer Frank R. Bartle, Esq., Township Solicitor Ken Amy, Township Planning Consultant Gilmore and Associates, Township Engineer Kevin Johnson, TPD, Inc., Township Traffic Engineer and Township Lighting Consultant Judy Stern Goldstein, Township Landscape Consultant

MONTGOMERY TOWNSHIP

Montgomery County, Pennsylvania

ORDINANCE #12-259Z

AN ORDINANCE AMENDING ARTICLES XVI [RS REGIONAL SHOPPING CENTER DISTRICT] AND XIX [OFF-STREET PARKING AND LOADING] OF THE MONTGOMERY TOWNSHIP ZONING ORDINANCE PROVIDING AMENDED PROVISIONS FOR LOT AREA/BUILDING COVERAGE; PARKING ACCESS AND LOADING AND UNLOADING REQUIREMENTS; PARKING; AND OUTDOOR DINING AREA AS A PERMITTED ACCESSORY USE IN THE RS REGIONAL SHOPPING CENTER DISTRICT

DRAFT

ENACTED: _____

MONTGOMERY TOWNSHIP

Montgomery County, Pennsylvania

ORDINANCE #12-259Z

AN ORDINANCE AMENDING ARTICLES XVI [RS REGIONAL SHOPPING CENTER DISTRICT] AND XIX [OFF-STREET PARKING AND LOADING] OF THE MONTGOMERY TOWNSHIP ZONING ORDINANCE PROVIDING AMENDED PROVISIONS FOR LOT AREA/BUILDING COVERAGE, PARKING ACCESS AND LOADING AND UNLOADING REQUIREMENTS; PARKING; AND OUTDOOR DINING AREA AS A PERMITTED ACCESSORY USE IN THE RS REGIONAL SHOPPING CENTER DISTRICT

NOW, THEREFORE, it is hereby **ENACTED** and **ORDAINED** by the Montgomery Township Board of Supervisors that the Montgomery Township Zoning Ordinance shall be amended as follows:

SECTION 1. **Amendment to Article XVI [Regional Shopping Center],
Section 230-95(C).**

Article XVI, Section 230-95(C) [Regional Shopping Center District/Lot area and building coverage] shall be amended to read as follows:

- C. Lot area and building coverage. The minimum size for a Regional Shopping Center District shall be 50 acres. No more than 18% of the area of any lot shall be occupied by buildings or structures.

SECTION 2. **Amendment to Article XVI [Regional Shopping Center],
Section 230-95(F).**

Article XIX, Section 230-95(F) [Regional Shopping Center District/Parking, access and loading and unloading requirements] shall be amended to read as follows:

- F. Parking access and loading and unloading requirements. Adequate off-street parking and loading space shall be provided in accordance with XIX herein. A "parking space" shall be defined as an area of at least 9

feet by 18 feet in size, and each parking space in the regional center shall be marked with all- weather paint to the size required by this Chapter.

SECTION 3. **Amendment to Article XIX [Off-Street Parking and Loading], Section 230-134(C)(10)(b).**

Article XIX, Section 230-134(C)(10)(b) [Off-Street Parking and Loading/Parking for Shopping Centers of at least five establishments with a minimum of 600,000 square feet of total floor area (excluding satellite uses)] shall be amended to read as follows:

C. ...

10. ...

- (b) Six hundred thousand square feet; 4.45 parking spaces per 1,000 feet of gross lease area plus 4.45 parking spaces per 1,000 square feet of gross area of outside dining area. Indoor theaters shall provide parking at the ratios provided in §230-134.

SECTION 4. **Amendment to Article XXI [Miscellaneous Provisions], Section 230-156.4(A).**

Article XXI, Section 230-156.4(A) [Miscellaneous Provisions/Special regulations for restaurant, outdoor customer dining area/Zoning Requirements] shall be amended to read as follows:

- A. Zoning Requirements. Outdoor dining area shall be permitted by special exception as an accessory use in the C, S, and ECPOD Overlay Districts.

SECTION 5. **Amendment to Table 230A [Table of Permitted Uses].**

Table 230A, Table of Permitted Uses, shall be amended to include the following:

USE	DISTRICT				
	R3-B	C	BP	S	RS
Outdoor Dining Area as an Accessory Use to Principal Restaurant Use	N	SE	N	SE	P

SECTION 6. **Severability.**

The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision herein shall be held illegal, invalid or unconstitutional by any Court of competent jurisdiction, such decision of the Court shall not effect or impair the remaining sections, sentences, clauses, parts or provisions of the Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION 7. **Disclaimer.**

Nothing in this Ordinance shall be construed to effect any suit or proceeding pending in any court, or any rights acquired or liability incurred, or any permit issued, or any cause or causes of action existing under the ordinances of the Township of Montgomery prior to enactment of this Ordinance.

SECTION 8. **Repealer.**

All other ordinances or resolutions or parts thereof insofar as they are inconsistent with this Ordinance are hereby repealed.

SECTION 9. **Effective Date.**

This Ordinance shall become effective five (5) days after enactment.

ORDAINED AND ENACTED this _____ day of July 2012, by the
Montgomery Township Board of Supervisors.

**MONTGOMERY TOWNSHIP
BOARD OF SUPERVISORS**

CANDYCE F. CHIMERA, *Chairperson*

[Seal]

Attested by:

LAWRENCE J. GREGAN
Township Manager/Secretary

DRAFT

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider - Preliminary/Final Land Development Plan – LDS #660 - Montgomery Mall Expansion/Wegman's Supermarket

MEETING DATE: June 25, 2012

ITEM NUMBER: #10

MEETING/AGENDA: WORK SESSION ACTION XX NONE

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

INITIATED BY: Bruce Shoupe
Director of Planning and Zoning

BOARD LIAISON: Candyce Fluehr Chimera
Chairman

BACKGROUND:

The applicant, Simon Property Group, is proposing to demolish the existing vacant Boscov's store at Montgomery Mall and replace it with a new Wegman's Supermarket. The area is located in the RS-Regional Shopping Center zoning district.

The preliminary/final plans propose the construction of a new 144,400 square foot Wegman's Supermarket, which include a 4,400 square foot outdoor seating area. The plans propose the realignment of a portion of the existing ring road around the mall, the reconstruction of surrounding parking areas, the addition of rain gardens to supplement storm water management areas, and the expansion of the existing detention pond to the east of the mall. Six properties along North Wales Road that are currently owned by the Mall are proposed to be rezoned from R2- Residential to RS-Regional Shopping Center in order to provide a location for several of the proposed rain gardens and a potential future reserve surface parking lot.

The Township staff and consultant have reviewed this plan for compliance with Township Codes. The applicant has requested 23 waivers. Township Staff and consultants recommend that the waivers be granted only to the extent that they concur with the recommendation of the consultants. The plan has been recommended for approval by the Township and County Planning Commissions.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

The Applicant executed an indefinite extension form, which allows unlimited review time by the Township, unless a notice is received from the Applicant that a decision be rendered within 90 days by the Board of Supervisors.

PREVIOUS BOARD ACTION:

None

ALTERNATIVES/OPTIONS:

The Board could approve this plan or deny this plan with the conditions/waivers as outlined in the attached resolution.

BUDGET IMPACT:

None.

RECOMMENDATION:

The resolution be adopted by the Board of Supervisors.

MOTION/RESOLUTION:

The Resolution is attached. (The Chairman needs to read only the highlighted portions of the resolution.)

MOTION _____

SECOND _____

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Joseph P. Walsh	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

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

RESOLUTION #

MONTGOMERY TOWNSHIP

MONTGOMERY COUNTY, PENNSYLVANIA

**A RESOLUTION GRANTING CONDITIONAL PRELIMINARY/FINAL APPROVAL OF
THE APPLICATION FOR LAND DEVELOPMENT OF SIMON PROPERTY GROUP,
INC. FOR A WEGMAN'S SUPERMARKET LOCATED AT MONTGOMERY MALL,**

The Board of Supervisors of Montgomery Township, Montgomery County, Pennsylvania, hereby resolves to grant conditional, preliminary/final approval of the land development application and plan for **Simon Property Group, Inc., for a Wegman's Supermarket, located at Montgomery Mall**, as more fully detailed on the plans listed on Exhibit "A" attached hereto and made part hereof and further conditioned upon the following being satisfied by the Applicant prior to the recording of the final plan:

1. Fulfilling all obligations and requirements of the Gilmore & Associates, Inc. letters dated June 14, 2012, May 3, 2012, March 1, 2012; Boucher & James, Inc. letters dated June 13, 2012, April 26, 2012, February 29, 2012, February 21, 2012;; Montgomery Township Planning Commission recommendation dated May, 3, 2012; Montgomery Township Zoning Officer's reviews dated; Montgomery Township Building Inspector Accessibility review dated December 12, 2011; Montgomery Township Police Department reviews dated June 12, 2012, April 17, 2012, March 2, 2012; Traffic Planning and Design, Inc. letters dated June 5, 2012, April 30, 2012, March 1, 2012, February 27, 2012, December 23, 2011; Montgomery Township Fire Marshal letters dated February 29, 2012, April 30, 2012, June 14, 2012; and Kenneth Amey's letter dated February 29, 2012.
2. The Applicant shall enter into a Land Development Agreement and post financial security for all improvements to the satisfaction of the Township Engineer and Township Solicitor for each phase of this development. The record plan shall indicate each phase.
3. The Applicant shall sign a Declaration of Covenants and Restrictions regarding the ongoing maintenance and replacement of street trees and buffer plantings and required on-lot plantings and enter into a Storm Water Operation and Maintenance agreement with Montgomery Township.
4. The Applicant shall satisfy the requirements of all Montgomery Township Codes, the Montgomery Township Municipal Sewer Authority and North Wales Water Authority. A copy of the Authorities' permits and/or agreements from the above must be provided to the Township.
5. The Applicant shall be responsible for payment of all Township Consultant fees related to this project.
6. The Applicant shall be responsible for obtaining all other Regulatory Authority Permits having jurisdiction over this project.

- 7 The Applicant shall satisfy the Township's Park and Recreation requirements in accordance with Section 205-114, or, in accordance with Section 205-116, provide a fee in lieu of the land and the fee must be paid prior to the submission of building permits. Based on the page 7 of 48 of the plans submitted that the footprint is proposed at 144,400 s.f.; therefore the fee would be **\$38,600**.
- 8 All storm water inlets and outfall structures shall be identified in accordance with the PADEP Municipal Separate Storm Sewer Systems requirements.
- 9 Any deeds of dedication for sanitary sewer and storm sewer easements shall include a conveyance to the Township of a private right of unobstructed passage over the easement. A note shall be placed on the plan that Municipal passage is permitted within or across these areas, which shall remain unpaved where required, for the purpose of inspection, maintenance and repair.
10. All required street signage shall be furnished and installed in accordance with PADOT's regulations as amended.
11. All building signage identified on this plan are not approved. Signage requires a separate permit.
12. The required replacement trees and shrubs based on the waivers requested and plans submitted are 250 replacement trees and 135 shrubs. The applicant shall pay a fee in-lieu of in the amount of **\$73,475.00** based on \$275.00 per tree and \$35.00 per shrub or comply with Section 205-53C(4)(c)[7].
13. Within 75 days after Conditional Preliminary/Final plan approval, any traffic signal permit plan modifications and traffic signal timing improvements identified for 2013 Pre-Development Conditions in the Pennoni February 2012 Traffic Impact Study shall be implemented by the applicant in order to provide a Construction Mitigation benefit.
14. The counts for the supplemental Traffic Impact Study identified in the Traffic Planning and Design, Inc. review letters shall be completed by the applicant in December 2012. The supplemental Traffic Impact Study shall be completed and submitted for review by the Township in January 2013. Any traffic signal permit plan modifications and traffic signal timing improvements identified in this report and the February 2012 traffic study shall be funded and work completed by the applicant by March 31, 2013. Any new traffic signal equipment and upgrades shall be installed by the applicant by May 31, 2013. This construction schedule will also provide a Construction Mitigation benefit to the improvements as well. The applicant shall complete any road improvements at the study area intersections identified in this report by August 31, 2013. The applicant shall be responsible for the Parkway Connector Road analysis, improvement shall be done by others.
15. Signs shall be placed in the area of the rain gardens that explains the value of the elements and how they work.

Be it further resolved, that the following waivers are hereby requested to be **granted only to the extent that they concur with the recommendation of the consultants:**

1. Section 205-10.H(4) – A waiver is requested from the requirement that parking stalls be a minimum of 10 feet by 20 feet. The proposed plans show 9 feet by 20 feet spaces. **Approve/Deny**
2. Section 205-10.H(6)(e) – A waiver is requested from the requirement that the loading docks be physically separated from the parking areas. The proposed parking in the loading dock area is for employee parking only. **Approve/Deny**
3. Section 205-17.D(2) – A waiver is requested from the requirement that the minimum curb height be 8 inches. The proposed curb height is 6 inches. **Approve/Deny**
4. Section 205-18.A.(3)(b): The Storm Sewer pipe run from EXI-1 to OF-1 exceeds the maximum velocity of 15 fps. Include in the Post-Construction Stormwater Management Report, a pipe report illustrating the existing conditions of this pipe run in order to demonstrate that the existing pipe exceeds 15 fps. **Approve/Deny**
5. Section 205-18.D(3): A waiver is requested from the requirement that runoff rate control be provided to reduce the 50-year post-development runoff rate to the 10-year pre-development rate and the 10-year post-development rate to the 2-year pre-development rate. The applicant is proposing a match of all runoff rates from post-development to pre-development rates. It is our recommendation that the applicant provide stormwater peak rate improvements to the maximum extent practicable in order to comply with the intent of this section and minimize the scale to which a waiver is necessary. **Approve/Deny**

Table 5: Runoff Rate Control Summary – POI #1

RUNOFF RATE SUMMARY (CFS)							
Drainage Area	1-year	2-year	5-year	10-year	25-year	50-year	100-year
EDRA-1	58.83	72.17	91.68	107.72	131.09	150.59	171.46
EDRA-4	58.09	73.81	96.92	115.95	143.63	166.65	191.25
Basin A Inflow	93.64	117.09	151.57	179.99	221.38	255.88	292.78
Basin A Outflow	6.56	7.52	14.13	22.58	25.24	43.14	72.07
Pre-Development Total	6.56	7.52	14.13	22.58	25.24	43.14	72.07
PDRA-1	59.21	73.67	94.81	112.18	137.43	158.46	180.94
PDRA-4	58.09	73.81	96.92	115.95	143.63	166.65	191.25
PDRA-6	2.07	3.58	6.14	8.47	12.12	15.32	18.87
Basin A Inflow	95.85	122.77	161.14	192.91	239.37	278.2	319.81
Basin A Outflow	6.35	7.32	11.27	22.15	24.81	38.24	66.57
Post-Development Total *	6.35	7.32	11.27	22.15	24.81	38.24	66.57
Change in Runoff Rate *	-0.21	-0.20	-2.86	-0.43	-0.43	-4.90	-5.50

**Please note that Post-Development Runoff Rates do not take into account the proposed rain gardens which will lower the Runoff Rates.*

For additional calculation information refer to Appendix A and B.

Table 6: Runoff Rate Control Summary – POI#2

RUNOFF RATE SUMMARY (CFS)							
Drainage Area	1-year	2-year	5-year	10-year	25-year	50-year	100-year
EDRA-2	17.32	21.12	26.68	31.26	37.94	43.52	49.50
EDRA-5	104.83	130.57	168.20	199.12	244.07	281.49	321.50
Basin B Inflow	120.53	149.74	192.47	227.58	278.65	321.19	366.67
Basin B Outflow	20.28	22.95	26.24	28.57	31.52	33.70	63.85
Pre-Development Total	20.28	22.95	26.24	28.57	31.52	33.70	63.85
PDRA-2	14.66	17.98	22.83	26.83	32.65	37.5	42.7
PDRA-5	104.83	130.57	168.20	199.12	244.07	281.49	321.50
Basin B Inflow	118.11	146.88	188.95	223.52	273.79	315.65	360.41
Basin B Outflow	20.03	22.71	25.99	28.31	31.26	33.43	58.29
Post-Development Total *	20.03	22.71	25.99	28.31	31.26	33.43	58.29
Change in Runoff Rate *	-0.25	-0.24	-0.25	-0.26	-0.26	-0.27	-5.56

**Please note that Post-Development Runoff Rates do not take into account the proposed rain gardens which will lower the Runoff Rates.*

For additional calculation information refer to Appendix A and B.

Table 7: Runoff Rate Control Summary- POI#3

RUNOFF RATE SUMMARY (CFS)							
Drainage Area	1-year	2-year	5-year	10-year	25-year	50-year	100-year
EDRA-3	10.28	12.79	16.46	19.47	23.85	27.50	31.40
Pre-Development Total	10.28	12.79	16.46	19.47	23.85	27.50	31.40
PDRA-3	7.94	9.96	12.91	15.34	18.86	21.79	24.93
Post-Development Total	7.94	9.96	12.91	15.34	18.86	21.79	24.93
Change in Runoff Rate	-2.34	-2.83	-3.55	-4.13	-4.99	-5.71	-6.47

For additional calculation information refer to Appendix A and B.

6. Section 205-18.1.D(1)(d)[1]: A waiver for infiltration is required. The applicant has not requested a waiver from the infiltration requirement. This waiver request would be based on the results of the infiltration tests performed on-site by Langan Engineering & Environmental Services, as shown in Appendix F of the Post Construction Stormwater Management Report. **Approve/Deny**

7. Section 205 - Appendix B.C(2): The applicant has not requested a waiver from the Little Neshaminy Creek Watershed Ordinance in reference to the requirement that the disturbed earth in the pre-development cover condition be considered "meadow". This waiver request would be based on the fact that the applicant is removing runoff from this watershed in their design and detaining the runoff in the Wissahickon Creek Watershed.
Approve/Deny
8. Section 205-25.A(2)(b) – A waiver is requested from the requirement that parking is prohibited along distribution drives. The applicant is proposing some areas of parking along distribution drives, similar to other areas in the existing shopping center.
Approve/Deny
9. Section 205-25.A(2)(c) – A waiver is requested from the requirement that the minimum cartway width of a distribution driveway be 26 feet. The applicant is proposing distribution drive widths of 24 feet to match existing drive widths. **Approve/Deny**
10. Section 205-25.A(3)(b) – To mimic existing conditions, a waiver is requested from the requirement that excessively long parking aisle driveways be divided by distribution driveways at intervals of 25 parking spaces (each side). **Approve/Deny**
11. Section 205-25.A(4)(b) – A waiver is requested from the requirement that drop off and pick up lanes shall be 6' wide by 75' long. The applicant is proposing the Wegman's prototype drop off lane of 35' long in the straight section of curb parallel with the building. This waiver is requested due to site constraints of the existing mall. **Approve/Deny**
12. Section 205.25.B(1) – To mimic existing conditions, a waiver is requested from the requirement that parking lots be divided into units of not more than 150 parking spaces each, in compliance with the driveway standards of §205.25.A and the parking area landscaping requirements. **Approve/Deny**
13. Section 205-25.C(1)(a) – To mimic existing conditions, a waiver is requested from the requirement that the parking area be divided by continuous islands perpendicular to the parking spaces every 186 feet (six rows of parking at 120 feet, plus three parking aisle driveway at 66 feet). These divider islands shall be a minimum of 25 feet wide. Planting shall comply with the softening buffer requirements of §205.52.B(4) and (5). Landscaped islands along primary entrance driveways shall also comply with these requirements.
Approve/Deny

*BJ - We do not object to this partial waiver of the ordinance requirement for relief from the divider island landscape material requirement as long as the plant material is either provided elsewhere on the site or a fee-in-lieu is provided for the required plant material. Based on the proposed layout of the parking lot, a total of five (5) continuous islands every one hundred and eighty-six feet (186') would be required, totaling approximately 1,690 LF. SLDO Section 205-52.B(4)(a) requires these islands to be planted with four shade trees and eight shrubs for each 100 LF, therefore, **an additional sixty-eight (68) shade trees and one hundred and thirty-five (135) shrubs would be required to be provided.***

14. Section 205-25.C(1)(b) – To mimic existing conditions, a waiver is requested from the requirement that one additional large landscaped area shall be provided per 250 parking spaces to provide attractive focal points within the parking lots. Each area shall be a minimum of 1,800 square feet (10 parking spaces) and contain a minimum of five shade trees or flowering trees, plus 10 flowering shrubs. Areas may be combined to form fewer, larger landscaped areas when approved by the Board of Supervisors. **Approve/Deny**

BJ - We do not object to a waiver from this ordinance requirement. The required landscape material has been calculated and provided for in the submitted plan set.

15. Section 205-25.C(2) – To mimic existing conditions, a waiver is requested from the requirement that a minimum of 25% of the area between the curblin of the storefront driveway and the principal buildings be landscaped. **Approve/Deny**

BJ - We do not object to a waiver from this ordinance requirement.

16. Section 205-25.C(3) – A waiver is requested from the requirement that a softening buffer be provided along all road frontages, primary entrance driveways and boundaries of each retail center. **Approve/Deny**

BJ - We do not object to a partial waiver from this ordinance requirement provided the fifty-six (56) softening buffer shade trees calculated as being required in the plan set are provided elsewhere on the site or a fee-in-lieu is provided for the required plant material.

17. Section 205-51.A(13) – A waiver is requested from the requirement that the plan scale shall not be less than one inch equals 50 feet. The plans are drawn at a scale of one inch equals 60 feet. **Approve/Deny**

BJ - We do not object to a waiver from this ordinance requirement.

18. Section 205-52.b(5)(a) – 20% of screen be evergreen. **Approve/Deny**

BJ - We do not object to the evergreen plantings as they are currently shown on the plan set.

19. Section 205-52.D(1)(c) – To mimic existing conditions, a waiver is requested from the requirement that a maximum of 15 parking spaces shall be permitted in a row without a landscaping island of 15-ft in width. **Approve/Deny**

BJ - We do not object to a waiver from this ordinance requirement. Calculations and shade trees required for these landscape islands have been accounted and provided for in the submitted plan set.

20. Section 205-52.D(1)(d) – To mimic existing conditions, a waiver is requested from the requirement that raised planter islands shall be placed at the end of each row of parking spaces beginning and/or terminating at an internal circulation drive. **Approve/Deny**

BJ - We would not object to a waiver from this ordinance requirement

21. Section 205-52.G – A waiver is requested from the requirement that one shade tree be provided per 5,000 square feet of gross floor area. The proposed gross floor area is less than the building to be demolished and therefore the total gross floor area on site will be lower than existing. **Approve/Deny**

BJ - We would not object to a waiver from this ordinance requirement.

22. Section 205-53C(4)(c)(5) – A waiver is requested from the requirements that replacement trees shall be comprised of a maximum of 25% evergreen species. The applicant proposes all replacement trees to be evergreen. The evergreen tree planting represent 24% of the total trees to be planted for the entire project. **Approve/Deny**

23. Section 205-App. B.C.(2) – A waiver is requested from the requirements that disturbed earth in the pre-development cover condition within the Little Neshaminy Watershed be considered "meadow". The net impact to the watershed is a reduction of flow to the watershed. Recommendations regarding this request are included in Gilmore Associates June 14, 2012 letter. **Approve/Deny**

This Resolution shall become effective on the date upon which all of the above stated conditions are accepted by the Applicant in writing. If, for any reason, the Applicant fails to acknowledge the acceptance of the conditions contained in this Resolution within ten (10) days from the date of this Resolution, then the Preliminary/Final Plan approval granted herein shall become null and void, the waivers requested shall be deemed denied, and the plan shall be denied for failure to comply with Sections of the Township Zoning Ordinance and/or Township Subdivision and Land Development Ordinance for the reasons cited herein or as set forth in the letters referenced herein.

DULY PRESENTED AND ADOPTED by the Board of Supervisors of Montgomery Township, Montgomery County, Pennsylvania, at a public meeting held this day of , 2012.

MOTION BY:

SECOND BY:

VOTE:

The above conditions are agreed to by Simon Property Group, Inc. this _____ day of _____, 2012.

Applicant

EXHIBIT "A"

PLANS-STUDIES

<u>DESCRIPTION</u>	<u>ORIGINAL DATE</u>	<u>REVISED DATE</u>
1. Cover Sheet	11/3/11	5/25/12
2. Overall Existing Conditions Plan	11/3/11	5/25/12
3. Existing Conditions Plan	11/3/11	5/25/12
4. Phase I Demolition Plan	11/3/11	5/25/12
5. Phase 2A & 2B Demolition Plan Utilities	11/3/11	5/25/12
6. Phase 2A & 2B Demolition Plan Site Features	11/3/11	5/25/12
7. Overall Record Plan	11/3/11	5/25/12
8. Record Plan	11/3/11	5/25/12
9. Record Plan	2/1/12	5/25/12
10. Overall Grading Plan	4/11/12	5/25/12
11. Phase 2A - Grading Plan	11/3/11	5/25/12
12. Phase 2B & 3 - Grading Plan	11/3/11	5/25/12
13. Phase 2B & 3 - Grading Plan	4/11/12	5/25/12
14. Detailed Grading Plan	11/3/11	5/25/12
15. Post Construction Stormwater Management Plan		
- Phase I Utility Plan	11/3/11	5/25/12
16. Post Construction Stormwater Management Plan		
- Phase 2A Utility Plan	11/3/11	5/25/12
17. Post Construction Stormwater Management Plan		
- Phase 2B & 3 Utility Plan	11/3/11	5/25/12
18. Post Construction Stormwater Management Plan		
- Phase 2B & 3 Utility Plan	4/11/12	5/25/12
19. Utility Plan	11/3/11	5/25/12
20. Tree Removal and Transplant Plan	2/1/12	5/25/12
21. Landscaping Plan	11/3/11	5/25/12
22. Lighting Plan	11/3/11	5/25/12
23. Signage & Striping Plan	3/7/12	5/25/12
24. Truck Turning Template Plan	3/7/12	5/25/12
25. Truck Turning Template Plan	3/7/12	5/25/12
26. Truck Turning Template Plan	3/7/12	5/25/12
27. Storm Sewer Profiles	2/1/12	5/25/12
28. Storm Sewer Profiles	2/1/12	5/25/12
29. Sanitary Sewer Profiles	4/11/12	5/25/12
30. Water Profiles	4/3/12	5/25/12
31. Site Details	11/3/11	5/25/12
32. Site Details	11/3/11	5/25/12
33. Site Details	11/3/11	5/25/12
34. Signage Details	3/7/12	5/25/12
35. Post Construction Stormwater Management Details	11/3/11	5/25/12

Resolution #

Page 9 of 9

36. Post Construction Stormwater Management Details	11/3/11	5/25/12
37. Post Construction Stormwater Management Details	4/11/12	5/25/12
38. Post Construction Stormwater Management Details	11/3/11	5/25/12
39. Water Details	4/3/12	5/25/12
40. Sanitary Sewer Details	4/11/12	5/25/12
41. Landscape Details	11/3/11	5/25/12
42. Phase 1 – Erosion & Sedimentation Control Plan	11/3/11	5/25/12
43. Phase 2A – Erosion & Sedimentation Control Plan	11/3/11	5/25/12
44. Phase 2B & 3 – Erosion & Sedimentation Control Plan	11/3/11	5/25/12
45. Phase 2B & 3 – Erosion & Sedimentation Control Plan	11/3/11	5/25/12
46. Erosion & Sedimentation Control Notes	11/3/11	5/25/12
47. Erosion & Sedimentation Control Details	11/3/11	5/25/12



TRAFFIC PLANNING AND DESIGN, INC.

2500 EAST HIGH STREET, STE 650
Est. 1989 POTTSTOWN, PA 19464

PHONE: 610.326.3100
FAX: 610.326.9410

TPD@TRAFFICPD.COM
WWW.TRAFFICPD.COM

June 5, 2012

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

Re: Montgomery Mall Expansion
Preliminary Land Development Plan Review
Montgomery Township LDS#660
TPD# MOTO-A-00030

Dear Bruce:

In our role as Township Traffic/Street Lighting Engineer, Traffic Planning and Design, Inc. (TPD) reviewed the preliminary land development plan submission for the above referenced project, prepared by Pennoni Associates, Inc., dated November 3, 2011 and last revised May 25, 2012. Based on our review, we offer the following comments:

The comment numbers from TPD's previous review letters have been retained for this review. However, if a comment has been addressed, it is not shown below:

Traffic Engineering Comments

1. The traffic impact study recommends traffic signal timing modifications for the study area intersections. Given that recent PennDOT improvement projects in the area will be upgrading the traffic signal timings and coordination plans at several of the study area intersections, the Township should consider requesting a post-development study be completed by the Applicant to assess the need for further modifications after the PennDOT improvements are completed.

Based on discussions with the Applicant's engineer, they were agreeable to conducting a post-development study upon opening of the Route 202 Parkway.

2. A post-development study should also investigate the possibility of a direct connection between the Montgomery Mall property and the Route 202 Parkway. This connection would further alleviate traffic at the intersections immediately surrounding the mall. Construction budgets and methods for paying for the construction of the connection would need to be included in this study.

Based on discussions with the Applicant's engineer, with the post-development study, they were agreeable to investigating the possibility of a direct connection between the Montgomery Mall property and the Route 202 Parkway.

3. As indicated in the traffic impact study, 25% of the projected traffic is directed to/from the south on North Wales Road. This equates to approximately 100 northbound and 96 southbound trips in the Saturday midday peak hour. Recently the Township has received complaints on the traffic signal timings at the intersection of North Wales Road and Knapp Road and traffic increases from this project will exacerbate any issues at this intersection. Given the increase in traffic projected at that intersection, the Applicant should provide a supplemental analysis for the intersection to determine what improvements are needed at this intersection. This intersection is not part of any of the PennDOT improvement projects in the township and any improvements could be implemented prior to a post-development study.

Based on discussions with the Applicant's engineer, a supplemental analysis with recommendations for improvements at the intersection of North Wales Road and Knapp Road will be prepared and submitted to the Township for review.



4. Based on discussions with the Township Public Works Director, the traffic signal equipment at the intersection of North Wales Road and the western Montgomery Mall entrance is in need of an upgrade. The applicant should upgrade the traffic signal equipment to the current Montgomery Township traffic signal specifications.

Based on discussions with the Applicant's engineer, a supplemental analysis with recommendations for improvements at the intersection of North Wales Road and the western Montgomery Mall entrance will be prepared and submitted to the Township for review.

8. The following comments relate to the Signage and Striping Plan (Sheet 23 of 47):

- a. Justification for stopping vehicles entering from North Wales Road, where they do not stop today, should be provided. The applicant should consider installing sidewalk along the egress side of the driveway to eliminate the need for a crosswalk at this location

Given the proposed circulation of traffic internal to the site, TPD agrees with the Applicant's justification for stopping vehicles entering from North Wales Road. The Applicant should supplement the STOP signs with "All Way" (R1-3P) plaques on each approach to alert drivers of the intersection control.

Additionally, given the narrow width between the curblines for the edge of the cartway and edge of the parking fields, and the presence of light standards and landscaping, TPD agrees with the Applicant's justification for not providing the previously requested sidewalk.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Kevin L. Johnson', is written over a horizontal line.

Kevin L. Johnson, P.E.
President

cc: Larry Gregan, Township Manager
Marita Stoerrle, Township Development Coordinator
Kevin Costello, Township Public Works Director
Russ Dunleavy, P.E., Gilmore and Associates
Karyn Hyland, P.E., Gilmore and Associates
Robert Brant, Esq., Applicant's attorney
Michael Kissenger, P.E., Applicant's engineer



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

June 14, 2012

File No. 11-12002

Bruce S. Shoupe, Director of Planning and Zoning
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18976

Reference: Montgomery Mall Expansion Preliminary Land Development – LD/S # 660
230 Montgomery Mall
Tax Block #46-00-0034 Tax Units #00-01 & 40-5
Tax Block #46-00-12977-001 Tax Units #10-25
Tax Block #46-00-02980-007 Tax Units #10-21
Tax Block #46-00-02983-001 Tax Units #10-20
Tax Block #46-00-02986-001 Tax Units #10-19
Tax Block #46-00-02992-004 Tax Units #10-24

Dear Bruce:

Pursuant to your request, Gilmore & Associates, Inc. has reviewed the preliminary/final land development plans for the above-referenced project and offers the following comments for consideration by the Montgomery Township Board of Supervisors:

I. SUBMISSION

- A. Preliminary/Final Land Development Plans, as prepared by Pennoni Associates, Inc., forty-eight (48) sheets, dated November 3, 2011 and last revised May 25, 2012.
- B. Post-Construction Stormwater Management Report – Phase 2B, as prepared by Pennoni Associates, Inc., dated November 15, 2011 and last revised May 25, 2012.
- C. Erosion & Sedimentation Pollution Control Narrative – Phase 2B, as prepared by Pennoni Associates, Inc., dated February 1, 2012 and last revised May 25, 2012.

II. GENERAL

The subject site is located within the Montgomery Mall property located at 230 Montgomery Mall, North Wales, PA. The site has access on the north to North Wales Road, on the east to Bethlehem Pike (S.R. 0309) and on the south to Dekalb Pike (S.R. 0202). The site is within the Regional Shopping Center (RS) Zoning District. The intended use is a retail store. There are six (6) residential lots being considered for rezoning to RS and have been considered in calculating area requirements for the site. The site, including the six (6) residential lots, is approximately 105.69 acres. The project proposes to demolish a portion of the existing mall and construct a proposed 140,000 sf one-story building. The existing ring road will be relocated on the north side of the mall. Also proposed with this application is the construction of other related appurtenances, such as parking areas and stormwater management features. There is no proposed consolidation or subdivision with this application. The township is also being asked to consider changes to the Zoning Ordinance related to specific requirements of the RS Zoning District. Comments below reflect passing of the proposed ordinance.

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III. REVIEW COMMENTS

A. Zoning Ordinance

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. §230.95.H – The Board of Supervisors should discuss if road frontage improvements (i.e. curbing along the same, acceleration and deceleration lanes, etc.) are necessary per this section.
2. §230.95.O – The proposed trash compactor should be screened with appropriate fencing or other form of screening. A detail of the fence or screening should be provided.
3. §230.95.Q – The impervious material coverage should not exceed 65% of the total area. The Zoning Compliance Summary notes that the existing impervious material coverage is 77.67% and is decreasing the proposed impervious material coverage to 76.25%. This is an existing non-conformity.
4. §230.95.R – The green area coverage should not be less than 35% of the total area. The Zoning Compliance Summary notes that the existing green area coverage is 22.33% and is increasing the proposed green area coverage to 23.75%. This is an existing non-conformity.
5. §230.128.B(1) – We defer to the Director of Planning and Zoning with respect to sign requirements. It is our understanding that signage will be addressed outside of the Land Development process.
6. §230.155 – The plan does not appear to meet the requirements of this section for landscaping and screening. The applicant should refer to the requirements in this section and Article VI of Chapter 205, the Montgomery Township Subdivision Ordinance, No. 18. We defer this comment to the Montgomery Township Landscape Architect.

B. Subdivision and Land Development Ordinance

The Applicant is requesting the following waivers from the Subdivision and Land Development Ordinance (SALDO):

1. §205-10.H(4) – A waiver is requested from the requirement that parking stalls be a minimum of 10 feet by 20 feet. The proposed plans show 9 feet by 20 feet spaces.
2. §205-10.H(6)(e) – A waiver is requested from the requirement that the loading docks be physically separated from the parking areas. The proposed parking in the loading dock area is for employee parking only.
3. §205-17.D(2) – A waiver is requested from the requirement that the minimum curb height be 8 inches. The proposed curb height is 6 inches.
4. §205-18.D(3) – A waiver is requested from the requirement that runoff rate control be provided to reduce the 50-year post-development runoff rate to the 10-year pre-development rate and the 10-year post-development rate to the 2-year pre-development rate. The applicant is proposing a match of all runoff rates from post-development to pre-development rates. Recommendations regarding this request are included within the Stormwater Management portion of this letter.

5. §205-18.1.D(1)(d)[1] – A waiver is requested from the requirement for infiltration. The project area is mainly a very dense clay soil. The applicant performed Infiltrations testing at various locations and all yielded no infiltration. Recommendations regarding this request are included within the Stormwater Management portion of this letter. However, the section of SALDO that the waiver is requested should be corrected in the “Waiver Request” list shown on sheet CS1001. The correct section is as noted above.
6. §205-25.A(2)(b) – A waiver is requested from the requirement that parking is prohibited along distribution drives. The applicant is proposing some areas of parking along distribution drives, similar to other areas in the existing shopping center.
7. §205-25.A(2)(c) – A waiver is requested from the requirement that the minimum cartway width of a distribution driveway be 26 feet. The applicant is proposing distribution drive widths of 24 feet to match existing drive widths.
8. §205-25.A(3)(b) – To mimic existing conditions, a waiver is requested from the requirement that excessively long parking aisle driveways be divided by distribution driveways at intervals of 25 parking spaces (each side).
9. §205-25.A(4)(b) – A waiver is requested from the requirement that drop off and pick up lanes shall be 6' wide by 75' long. The applicant is proposing the Wegman's prototype drop off lane of 35' long in the straight section of curb parallel with the building. This waiver is requested due to site constraints of the existing mall.
10. §205.25.B(1) – To mimic existing conditions, a waiver is requested from the requirement that parking lots be divided into units of not more than 150 parking spaces each, in compliance with the driveway standards of §205.25.A and the parking area landscaping requirements.
11. §205-25.C(1)(a) – To mimic existing conditions, a waiver is requested from the requirement that the parking area be divided by continuous islands perpendicular to the parking spaces every 186 feet (six rows of parking at 120 feet, plus three parking aisle driveway at 66 feet). These divider islands shall be a minimum of 25 feet wide. Planting shall comply with the softening buffer requirements of §205.52.B(4) and (5). Landscaped islands along primary entrance driveways shall also comply with these requirements.
12. §205-25.C(1)(b) – To mimic existing conditions, a waiver is requested from the requirement that one additional large landscaped area shall be provided per 250 parking spaces to provide attractive focal points within the parking lots. Each area shall be a minimum of 1,800 square feet (10 parking spaces) and contain a minimum of five shade trees or flowering trees, plus 10 flowering shrubs. Areas may be combined to form fewer, larger landscaped areas when approved by the Board of Supervisors.
13. §205-25.C(2) – To mimic existing conditions, a waiver is requested from the requirement that a minimum of 25% of the area between the curblane of the storefront driveway and the principal buildings be landscaped.
14. §205-25.C(3) – A waiver is requested from the requirement that a softening buffer be provided along all road frontages, primary entrance driveways and boundaries of each retail center.
15. §205-25.C(4) – The applicant is no longer requesting a waiver from the requirement that a screen buffer shall be provided and maintained along all boundaries that abut existing residential developments. We defer evaluation to the Montgomery Township Landscape.

16. §205-51.A(13) – A waiver is requested from the requirement that the plan scale shall not be less than one inch equals 50 feet. The plans are drawn at a scale of one inch equals 60 feet.
17. §205-52.D(1)(c) – To mimic existing conditions, a waiver is requested from the requirement that a maximum of 15 parking spaces shall be permitted in a row without a landscaping island of 15-ft in width.
18. §205-52.D(1)(d) – To mimic existing conditions, a waiver is requested from the requirement that raised planter islands shall be placed at the end of each row of parking spaces beginning and/or terminating at an internal circulation drive.
19. §205-52.D(1)(f) – The applicant is no longer requesting a waiver from the requirement that parking areas within 100-ft of a public street shall be landscaped along the perimeter. We defer evaluation to the Montgomery Township Landscape.
20. §205-52.D(1)(i) – The applicant is no longer requesting a waiver from the requirement that one additional large landscaped area shall be provided per 250 parking spaces to provide an attractive focal point within the parking lot. We defer evaluation to the Montgomery Township Landscape.
21. §205-52.G – A waiver is requested from the requirement that one shade tree be provided per 5,000 square feet of gross floor area. The proposed gross floor area is less than the building to be demolished and therefore the total gross floor area on site will be lower than existing.
22. §205-53.C(4)(C)(5) – A waiver is requested from the requirement that replacement trees shall be comprised of a maximum of 25% evergreen species. The applicant proposes all replacement trees to be evergreen. The evergreen tree plantings represent 24% of the total trees to be planted for the entire project.
23. §205-App. B.C.(2) – A waiver is requested from the requirement that disturbed earth within the Neshaminy Creek Watershed be considered “meadow”. The net impact to the watershed is a reduction of flow to the watershed. Recommendations regarding this request are included within the Stormwater Management portion of this letter. However, the description of the waiver should be revised to state “disturbed earth in the pre-development cover condition within the Little Neshaminy Watershed”.

This application satisfies all requirements and provisions of the current Montgomery Township Subdivision and Land Development Ordinance, with the following exceptions:

1. §205.10.H.(7)(c) – Ramps should be provided for convenient access from parking spaces to accessible entrances and to sidewalks. Also, ramps should be provided for all crosswalks throughout the parking lot. Curb ramp design should be provided for all proposed curb ramps. Large scale details of these areas with landing areas, slopes and elevations should be provided.
2. §205.10.H.(7)(d) – The above ground sign for a handicap parking space should be in accordance with Pennsylvania Department of Transportation (PennDOT) Publication 236M. The Reserved Parking Penalties Sign (R7-8F) should be posted in conjunction with the Reserved Parking Sign (R7-8).
3. §205.17.A – The pavement details should include specifications for the intended performance graded (PG) binder, design life equivalent single axel load (ESAL) and wearing course skid resistance level (SRL) based on guidelines and criteria found in PennDOT Publication 242 - Pavement Policy Manual.

4. §205.18.1.C & §205.29 – An Erosion and Sedimentation Control Plan should be submitted to the Montgomery County Conservation District (MCCD). No permit shall be approved unless there has been a plan approved by the MCCD. A NPDES permit must be obtained since the earth disturbance is over one (1) acre.
5. §205.25.1.A – The developer may be required to widen the existing paved road frontage abutting the commercial site, install curbing along the same, install turning lanes and/or build acceleration and deceleration lanes to provide for the safe and efficient ingress and egress of motor vehicles, as deemed appropriate by the Board of Supervisors and approved by the Pennsylvania Department of Transportation when required, and in compliance with the Traffic Management Study as required. We defer this comment to the Montgomery Township Traffic Engineer.
6. §205.28.A – No person shall commence or perform any grading, excavation, fill, topsoil removal or removal of vegetative cover without first having obtained a grading permit from the Township Zoning Officer upon the recommendation of the Township Engineer. The applicant will need to apply for a grading permit prior to construction.
7. §205-49.C - Landscape Plans are required to be prepared by a registered landscape architect. Plans submitted are not sealed. The Landscape Architect responsible for preparing the plans should sign and seal the Landscaping and Landscape Details Plans.
8. §205.100 – A Traffic Management Study is required. We defer this comment to the Montgomery Township Traffic Engineer.

C. Stormwater Management

Description:

Stormwater runoff from the site currently drains to both the Wissahickon Creek and the Little Neshaminy Creek, both via on-site detention basins. The majority of the proposed construction will take place within the portion of the site that drains to the Wissahickon Creek, although there is some construction proposed within the Little Neshaminy Creek watershed.

With this application, it is proposed to reconfigure a portion of the drainage such that land/roof area is diverted from the Little Neshaminy Creek to the Wissahickon Creek via an existing basin. To reduce the flow to the basin in the Wissahickon Creek Watershed, the applicant is proposing a series of rain gardens and modifications to the existing basin, including a sediment forebay.

We provide the following comments with respect to Stormwater Management:

1. The Montgomery Mall Expansion consists of four (4) phases (1, 2A, 2B, 3) with installation of a portion of the stormwater management facilities performed within each phase. Therefore, the stormwater review comments are based on the entire stormwater management design instead of per phase.
2. SALDO §205-18.D(3): A waiver is requested from the requirement that runoff rate control be provided to reduce the 50-year post-development runoff rate to the 10-year pre-development rate and the 10-year post-development rate to the 2-year pre-development rate. The applicant is proposing a match of all runoff rates from post-development to pre-development rates. Should the Board of Supervisors consider this request, we offer the following. We believe the applicant has met the intent of the ordinance by reducing the amount of impervious cover on the site, increasing the capacity of the existing basin, and providing 15 rain gardens to provide peak rate and water quality improvements.

3. SALDO §205-18.1.D(1)(d)[1]: A waiver is requested from the infiltration requirement. Infiltration testing was completed at several locations on-site. Each yielded no infiltration. We support the request provided that the applicant investigate the potential for additional peak rate reduction by increasing the size of proposed rain gardens 9 through 15. Note, however, the section of SALDO that the waiver is requested should be corrected in the "Waiver Request" list shown on sheet CS1001. The correct section is as noted above.
4. SALDO §205 Appendix B.C(2): A waiver is requested from the Little Neshaminy Creek Watershed Ordinance in reference to the requirement that the disturbed earth in the pre-development cover condition be considered "meadow". Should the Board of Supervisors consider this request, we support this waiver request based on the fact that the applicant is removing runoff from this watershed in their design and detaining the runoff in the Wissahickon Creek Watershed. Note, however, the description of the waiver should be revised to state "disturbed earth in the pre-development cover condition within the Little Neshaminy Creek Watershed".
5. Based on the average velocity shown in the storm sewer calculations for proposed pipe run HW-1 to EW-2, the rip-rap apron should consist of R-6 stone. The plans should be revised accordingly. Also, the information provided in Standard Worksheet #23 should match the information in the storm sewer calculations, for example Q and V for EW-1 and EW-2.
6. Prior to the start of construction, a roof drain design shall be submitted to the Township for approval.
7. Comments relating to 'Post-Construction Stormwater Management Plan', sheet CS1702:
 - a. The 24-inch pipe entering Inlet I-3 should be labeled as 'RCP' not 'HDPE'.
8. Comments relating to 'Post-Construction Stormwater Management Plan', sheet CS1703:
 - a. The top of grate (TG) for the following inlet should be checked: I-7.
 - b. The pipe exiting Inlet I-19 should be labeled as 18" not 15".
 - c. The 15-inch pipe entering existing Inlet EXI-1 should be labeled as 'HDPE' not 'RCP'.
9. Comments relating to 'Post-Construction Stormwater Management Plan', sheet CS1704:
 - a. The proposed grading behind the top of wall for the proposed DW Headwall should be pulled into the headwall so that the required cover for the pipe is achieved.
 - b. The bottom of the sediment forebay appears to be at elevation 434.00. However, the "Sediment Forebay Design" sheet on page 605 of the report indicates that the bottom is at elevation 434.50. The sheet and report should be consistent.
 - c. The size of the stone to be used in the rip-rap aprons should be revised according to the results of Comment #5 above.
10. Comments relating to 'Storm Sewer Profiles', sheet CS4001:
 - a. The top of grate (TG) for the following inlet should be checked: I-7.
 - b. The pipe exiting existing Inlet EXI-1 should be labeled as 'RCP' not 'CMP'.

11. Comments relating to 'Storm Sewer Profiles', sheet CS4002:

- a. The top of grate (TG) for the following inlet should be checked: I-7.
- b. The invert 'IN' for the 18" HDPE for Inlet I-14 should match the Pipe/Node Report on page 609 of the report.
- c. The Top of Grate (T.G.) for Inlet I-22A should match the T.G. on sheet CS1702.

12. Comments relating to 'Storm Sewer Profiles', sheet CS4003:

- a. The pipe exiting existing Inlet EXI-1 should be labeled as 'RCP' not 'CMP'.
- b. The invert 'OUT' for the following rain garden should match the Pipe/Node Report on page 609 of the report: RG-11.
- c. Rain Garden RG-15 should be labeled as a Type 'M' Inlet not 24" riser.
- d. The information for the following endwall should match sheet CS1704: EW-1.
- e. The existing sanitary sewer line should be shown in profile: I-29 to EW-1.
- f. The pipe system MH-5 to MH-6 is labeled as 'RCP' but on sheet CS1702, it is labeled as 'HDPE'. Also, the invert 'OUT' of MH-5 does not match sheet CS1702. These two (2) sheets should be consistent. Finally, this profile crosses a curbed island which should be illustrated in the proposed grade line and the existing water line, sanitary sewer line and electric conduits should be shown in the profile.

13. Comments relating to 'Post-Construction Stormwater Management Details', sheet CS6021:

- a. Rain Garden #5: the contour label at the southeast corner of the rain garden should be revised from '272' to '472'.
- b. Rain Garden Detail: The elevation given in column 'F' of the chart should match the information given in the Pipe/Node Report on page 609 of the report.

14. Comments relating to 'Post-Construction Stormwater Management Details', sheet CS6022:

- a. Rain Gardens #12, #13, #14, #15: BG for rain garden #15 appears to be incorrect.
- b. Rain Garden Detail: The elevation given in column 'F' of the chart should match the information given in the Pipe/Node Report on page 609 of the report.
- c. Channel Cross-Section: The detail information for channel C-1 should match the channel design calculations on pages 611-615 of the report. The design calculations indicate that temporary erosion control matting (SC150) is required and should be added to this detail. Also, the design calculations indicate that the side slopes are 5:1 but the detail lists them as 3:1. Finally, the report includes information about a "Curlex NetFree" product. However, it is not indicated on the plans where this product shall be used.

15. Comments relating to 'Drainage Details', sheet CS6023:

- a. The proposed grading behind the top of wall for the proposed DW Headwall should be pulled into the headwall so that the required cover for the pipe is achieved.
- b. The bottom of the sediment forebay is at elevation 434.00. However, the "Sediment Forebay Design" sheet on page 605 of the report indicates that the bottom is at elevation 434.50. The sheet and report should be consistent.
- c. The size of the stone to be used in the rip-rap aprons should be revised according to the results of Comment #5 above.
- d. Modular Gabion Systems: this detail should be readable.

D. General

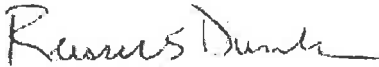
1. The Applicant should obtain all required approvals, permits, declarations of restrictions and covenants, etc. (i.e., PaDEP, PennDOT, MCPC, Montgomery County Conservation District, Montgomery Township Municipal Sewer Authority, North Wales Water Authority, North Penn Water Authority, MCDH, DRBC, HARB, Fire Marshal, etc.). Copies of these approvals and permits should be submitted to the Township and our office with the final application.
2. A copy of the letter confirming available sewer capacity should be provided.
3. The Phase 2A +2B Demolition Plan shows a large portion of the storm sewer lines and structures to be removed. It should be discuss how stormwater will be managed when these storm sewer lines and structures are removed and before the proposed storm sewer lines and structures are installed. For example, the runoff near Linens and Things & Today's Man stormwater lines appears that it enters into the existing system that is to be removed and how is the stormwater going to be handled once the system is removed. Also, a portion of the storm sewer line near the northeast corner of the existing building to remain should be hatched to be removed.
4. On Sheet CS1501, Phase 2A – Grading Plan, there are several TC/BC callouts that do not point to the curbline. Specifically, in the parking area located behind the proposed concrete retaining wall.
5. On Sheet CS1504, Detailed Grading Plan, top and bottom of wall elevations should be added to this plan for the wall shown on Blow Up Grading Plan B. Top and bottom of curb elevations and slopes should be added to the plan for the driveway entrance/exit for the loading dock area as shown on Blow Up Grading Plan A.
6. On Sheet CS2701, Signage + Striping Plan, a stop bar should be added to the right turn out driveway located near Bertucci's.
7. On Sheet CS2701, Signage + Striping Plan, a note should be placed on the plans stating "All signs should be placed on break away post and be in accordance with Pennsylvania Department of Transportation (PennDOT) Publication 408".
8. On Sheet CS6001, Site Details, the Accessible Layout Detail references the parking stall length to be 21' and the Parking Striping Detail references the parking stall length to be 20'. Clarification should be given to the size of the parking stalls.
9. On Sheet CS6004, Signage Details, the Reserved Parking Penalties Sign (R7-8F) should be posted in conjunction with the Reserved Parking Sign (R7-8). The ADA Parking Sign detail should be updated along with the plan view on Sheet CS2701.

10. On Sheet CS6024, Post-Construction Stormwater Management Details, a detail for the concrete encase crossing should be shown on the plans.
11. On Sheet CS6061, Landscape Details, the Landscape Requirement Calculation Areas chart is not clear which requirements are being met with the proposed Landscape Plan. The applicant should provide additional information to identify which requirements are being met and what plant material is being used to meet those requirements. We defer this comment to the Montgomery Township Landscape Architect.
12. The developer should provide signed and sealed retaining wall design drawings suitable for construction and quality control. Supporting calculations also need to be provided. The design drawing should include location plans, elevation plans, construction details, material, backfill and foundation requirements, and any necessary construction specifications. The details need to clearly indicate the grading configuration, wall batter, and proposed site features (railings, pavements, etc) as they relate to their alignment and location on the site. Utility locations and sequencing also needs to be indicated, as required. The segmental retaining wall design submittals should be in accordance with NCMA requirements and standards. The reinforced concrete wall designs should be in accordance with applicable ACI and Building Code requirements and standards.

Please note that due to the nature and amount of revisions that will be made to the plans and calculations, additional comments may be forthcoming during future plan reviews.

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

Sincerely,



Russell S. Dunlevy, P.E.
Executive Vice President
Gilmore & Associates, Inc.



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

RSD/JPD/slb/sl

cc: Lawrence J. Grogan, Manager - Montgomery Township
Marita A. Stoerrle, Development Coordinator - Montgomery Township
Greg Kreegar - Simon Property Group, Inc.
Michael Kissinger, P.E. - Pennoni Associates, Inc.

COPY



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June 13, 2012

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

**SUBJECT: MONTGOMERY MALL EXPANSION
PRELIMINARY/FINAL LAND DEVELOPMENT PLANS
TOWNSHIP LD/S NO. 660
PROJECT NO. 1155259R**

Dear Mr. Gregan:

Please be advised that we have reviewed the Montgomery Mall Expansion Preliminary/Final Land Development Plans prepared by Pennoni Associates Inc., dated November 3, 2011 and last revised May 25, 2012. The Montgomery Mall site is located on the west side of Route 309, between North Wales Road and Route 202, within the RS Regional Shopping Center Zoning District.

The plans propose the demolition of a portion of the existing mall, including a 62,125 SF three story building which was the former location for Boscov's, and propose the construction of a new 144,400 SF Wegmans grocery store to be constructed in the same location, which is to include a 4,400 SF outdoor seating area. The plans also propose the realignment of a portion of the existing ring road around the mall, the reconstruction of surrounding parking areas, the addition of fifteen (15) rain garden stormwater management areas, and the expansion of the existing detention pond to the east of the mall. Six (6) properties along North Wales Road that are currently owned by Montgomeryville Associates are proposed to be rezoned from R2 Residential to RS Regional Shopping Center in order to provide a location for several of the proposed rain gardens and a potential future reserve parking lot.

We offer the following comments for your consideration.

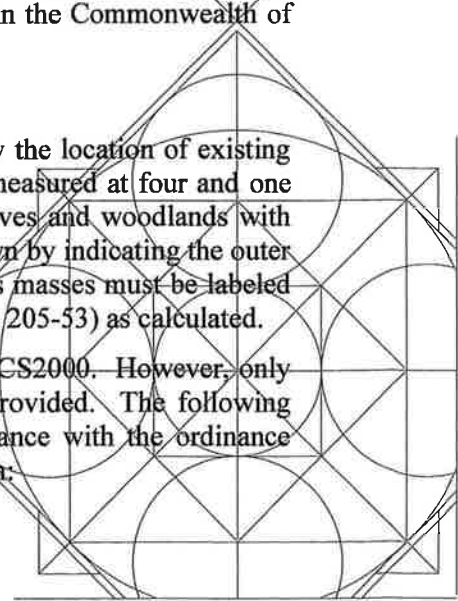
1. General Requirements

SLDO Section 205-49.C requires all landscape plans to be prepared by a landscape architect registered by the Commonwealth of Pennsylvania and familiar with this Landscape Article in order to promote the proper use of and arrangement of plant materials. The plans are required to be prepared, signed and sealed by a landscape architect registered within the Commonwealth of Pennsylvania.

2. Landscape Plan Requirements

- A. SLDO Section 205-51.A(9) requires the landscape plan to show the location of existing individual trees with trunks eight inches in diameter or more, measured at four and one half feet at DBH above the ground. Trees in hedge rows, groves and woodlands with trunk diameters of eight inches in diameter or more may be shown by indicating the outer canopy or dripline of the tree grouping. Existing trees shown as masses must be labeled with an approximate quantity and caliper (refer to SLDO Section 205-53) as calculated.

A portion of the required information has been shown on sheet CS2000. However, only calculations of the trees proposed to be removed have been provided. The following information must be provided in order to demonstrate compliance with the ordinance requirements. The following should be clearly shown on the plan:



1. The extent of treelines and individual trees should be shown clearly. In the current plan submission, the existing treeline is difficult to distinguish.
 2. The TOTAL quantity of trees within each size category as calculated for the site, including trees to be removed AND trees to remain, in accordance with the averages determined in the April 10, 2012 Boucher & James, Inc. tree count letter.
- B. SLDO Section 205-51.A(13) requires that the plans shall be drawn to a scale of not less than one inch equals 50 feet and show all existing and proposed contours at a minimum of two-foot intervals. The landscape plan is currently shown at a scale of 1"=60'. ***A waiver has been requested from this requirement.***
- C. SLDO Section 205-51.A(18) requires that a detailed cost estimate shall be attached to the final landscape plan submission for the preparation of the land development agreement. This estimate shall be provided after the Board of Supervisors has ruled on any requested waivers and shall show the value of all proposed landscaping. Unit costs for plant material shall include costs for labor, materials, and guaranty, and shall be so stated on the estimate.
3. Planting Requirements
- A. SLDO Section 205-25.C(1)(a) states that the requirement of SLDO Section 205-52.D(1)(g) shall be modified so that the parking area shall be divided by continuous islands perpendicular to the parking spaces every 186 feet (six rows of parking at 120 feet, plus three parking aisle driveways at 66 feet). These divider islands shall be a minimum of 25 feet wide. Planting shall comply with the softening buffer requirements of SLDO Section 205-52.B(4) and (5), herein. Landscaped islands along primary entrance driveways shall also comply with these requirements. ***A waiver has been requested from this requirement.***
- B. SLDO Section 205-25.C(1)(b) requires that one additional large landscaped area shall be provided per 250 parking spaces to provide attractive focal points within the parking lots. Each area shall be a minimum of 1,800 square feet (10) parking spaces and contain a minimum of five shade trees or flowering trees, plus 10 flowering shrubs. Areas may be combined to form fewer, larger landscaped areas when approved by the Board of Supervisors. The large landscaped areas have not been provided on the plans. However, calculations of the required landscape quantities have been shown and the required quantities of ornamental trees and shrubs have been provided elsewhere on the plan. ***A partial waiver has been requested from this requirement.***
- C. SLDO Section 205-25.C(2) requires that a minimum of 25% of the area between the curblin of the storefront driveway and the principal buildings (stores) shall be landscaped with ornamental plant materials, including flowering and evergreen trees and shrubs. ***A waiver has been requested from this requirement.***
- D. SLDO Section 205-52.D(1)(c) requires that a maximum of 15 parking spaces shall be permitted in a row without a landscape island of 15 feet in width. If required, this island shall contain not less than 290 square feet of planting area. ***A waiver has been requested from this requirement.***
- E. SLDO Section 205-52.D(1)(d) requires that raised continuous concrete curbing shall be required around all planting islands. In addition, raised planter islands shall be placed at the end of each row of parking spaces beginning and/or terminating at an internal circulation drive. A number of parking aisles are proposed to terminate without planting islands. ***A waiver has been requested from this requirement.***

- F. SLDO Sections 205-52.G outlines requirements for individual lot landscaping. One (1) shade tree is required per 5,000 square feet of gross floor area. *A waiver has been requested from this requirement.*

4. Dick's Landscaping

A significant quantity of landscaping has recently been installed in association with the addition of the adjacent Dick's Sporting Goods Store. It appears that based on the location of the limit of disturbance line shown on Sheet No. CS2000, the following landscape material will be disturbed:

1. Five (5) Japanese Zelkova trees
2. One hundred and thirty-eight (138) Sargent's Juniper of 3 gallon size (as of the time of installation, June 2010.)

The plans propose to replace one hundred and thirty-eight (138) Sargent's Juniper within islands in the vicinity of Dick's Sporting Goods. The plans also propose to transplant five (5) Japanese Zelkovas to the entryway adjacent to Route 309. Due to construction timing issues, the applicant has proposed that the immediate transplantation of these trees and the installation of new trees in the vicinity of Dick's upon the later completion of construction would provide the best opportunity for the transplanted trees to survive. We concur with this assessment, but recommend that funds be established in escrow for the five transplanted trees in case they do not survive the transplant. We also recommend that the Township and this office be contacted to schedule an inspection of the trees upon transplant. The May 25, 2012 response letter from Pennoni Associates, Inc. indicates that notation has been added to the plans to identify the Township landscape architect's office and indicate that they should be contacted for inspection of transplanted materials. However, it appears that this note has not yet been included in the plan set. The plans should be revised to include this note.

5. Preservation, Protection and Replacement of Trees

- A. SLDO Sections 205-53.B requires that during the construction of any site, trees and shrubs, as defined herein, shall be protected by snow fencing or similar protection fencing to ensure that there is no encroachment within the area of their drip line by changing grade, trenching, stockpiling, of building materials or topsoil or the compaction of the soil and roots by any motor vehicle.

The plans currently indicate that the extent of tree removal is limited to outside of areas surrounded by tree protection fencing. However, the line showing the proposed limit of disturbance is shown far beyond the tree protection fencing in many locations. With the exception of several trees proposed to remain within parking lot islands, and the trees proposed to be transplanted, this is not acceptable. Tree protection fencing should coincide with the limit of disturbance in order to ensure adequate protection for trees and woodlands that are proposed to remain. Where the limit of disturbance is shown beyond the tree protection fencing, the limit of disturbance should either be brought forward to ensure adequate protection for the trees that are proposed to remain, or the tree protection fencing should be moved back to the limit of disturbance and the tree removal and tree replacement calculations adjusted in order to accurately reflect the actual disturbance on the site.

- B. SLDO Section 205-53.C requires a 60% preservation rate for trees from 8" to 23" in caliper and greater than 23" to 48" in caliper. It appears that the required quantity of replacement trees has been calculated correctly. However, not all of the required replacement trees have been shown in the plan set. Evergreen trees have been provided accounting for approximately seventy-five (75) of the required two-hundred and one (201) replacement trees. The remaining required one-hundred and twenty-six

replacement trees should be provided in the plan set or a fee-in-lieu should be arranged, or a waiver would be required.

- C. SLDO Section 205-53.C(4)(c)[5] permits that up to 25% of replacement trees to be planted may be of the evergreen variety. However, the plans indicate that all proposed replacement trees are proposed to be evergreen. ***A waiver has been requested from this requirement.***
- D. SLDO Section 205-53.C(4)(c)[7] permits that at the discretion of the Township, required replacement trees may be planted on other lands within the Township.

6. Recommended Plant List and Planting Standards and Guidelines

SLDO Section 205-56 provides a list of recommended trees, shrubs and ground cover for use in Montgomery Township. However, the Board of Supervisors may permit other planting types if they are hardy to the area, not subject to blight or disease, and of the same general character and growth habit as those included in the recommended planting list. Several plants have been included in the Plant Schedule that are not included in the list of recommended plants that appear to meet these requirements to be permitted to be planted on site. These are:

- Ilex x meserveae 'Blue Girl' ('Blue Girl' Holly and 'Blue Boy' pollinators)
- Rhus aromatica 'Gro Low' (Dwarf Fragrant Sumac)
- Deschampsia flexuosa (Wavy Hairgrass)
- Juniperus chinensis 'sargentii' (Sargent's Juniper") – to be installed as part of the Dick's landscaping replacements
- Prunus laurocerasus 'Otto Luyken' (Otto Luyken English Laurel)
- Magnolia grandiflora 'Edith Bogue' (Southern Magnolia)

7. General Landscape Comments

- A. It is unclear what kind of seed mix is proposed to be used to stabilize the disturbed areas of the Detention Basin and sediment forebay. The Montgomery Township Shade Tree Commission and the Board of Supervisors have been working toward naturalizing many of the basins in the Township, including this particular basin. We recommend that a naturalized seed mix or ground cover be used to provide stabilization for the disturbed areas of the basin.
- B. The first note under the Landscape Maintenance Notes header on Sheet CS6061 should be revised to read "The owners of the Company and their agents or assigns shall be responsible for the installation, preservation and maintenance of all planting and physical features shown on the plans. Any and all plant material that dies or fails to thrive shall be immediately replaced in accordance with the approved plan set."...
- C. The Tree Protection Specifications on Sheet CS8501 should be revised to reference the Township Landscape Architect, as opposed to the Professional Landscaper selected by the Township.
- D. An additional note should be added to the Tree Protection Notes on Sheet CS8052 stating that the office of the Township Landscape Architect shall be contacted for an inspection upon installation of the tree protection fencing.
- E. Our previous comment letter (April 26, 2012) stated that a large number of the proposed trees and shrubs are shown in close proximity to proposed utility lines, and that the plans should be revised to provide a minimum of ten (10) horizontal feet between all proposed trees and underground utility lines; and shrubs should not be planted directly on top of any underground utility lines. Additionally, trees should be planted a minimum of 5'

from curbs. The May 25, 2012 response letter from Pennoni Associates, Inc. states that tree locations have been adjusted to avoid impacts on utility lines. However, due to the lack of clarity on the plans, we cannot confirm that all required adjustments have occurred. Additionally, the response letter proposed that shrubs be allowed to remain on or near utility lines, as their root systems are much shallower than trees and pose no threat to utilities. However, the threat is not that shrubs will damage utilities, but that routine maintenance to utilities will result in shrubs being damaged and removed and not replaced. Therefore, shrubs should not be placed directly on top of utility lines. The plans should be revised to eliminate any conflicts between landscaping and utility lines and structures, and to clearly show the absence of these conflicts.

- F. There are several discrepancies between the number of plants shown in the landscape schedule and the numbers shown in the plans. The plans should be revised to correct the following:
1. The Stormwater Facility Plantings calculations indicate that sixty (60) shrubs are proposed within Rain Garden No. 5. However, only fifty-nine (59) are shown surrounding this particular Rain Garden. The plans should be revised to correct this discrepancy.
 2. The plant schedule indicates that forty-five (45) *Tilia cordata* are proposed. However, forty-four (44) are shown on the plans. The plans should be revised to correct this discrepancy.
 3. The plant schedule indicates that one hundred and fifty-nine (159) *Clethra alnifolia* are proposed. However, one hundred and forty-nine (149) are shown on the plans. The plans should be revised to correct this discrepancy.
 4. The plant schedule indicates that one hundred and twenty (120) *Itea virginica* are proposed. However, one hundred and thirty (130) are shown on the plans. The plans should be revised to correct this discrepancy.

8. General Comments

- A. SLDO Section 205-55.A requires that no building permit shall be issued unless a performance bond or other surety approved by the Township Solicitor has been filed with the Township. Such surety shall be in an amount equal to the cost of purchasing, planting, maintaining, and replacing all vegetative materials for a period of 18 months after written acceptance of the landscape installation by the Township. SLDO Section 205-55.B permits that this condition may be satisfied through a land development agreement with sufficient and appropriate financial guaranties suitable to the Board of Supervisors.
- B. Notes should be provided as part of the record plan indicating that should the reserve parking area come in for land development, green area calculations regarding the impact of the reserve parking area shall be submitted for Township review and approval in accordance with the requirements of ZO Section 230-95.R. In addition, a landscape plan shall be submitted to the Township for approval demonstrating compliance with all applicable landscape and tree replacement requirements. These calculations and plans shall be submitted for Township approval PRIOR to the installation of the parking lot.
- C. The graphics of the current plan submission makes the plan set very difficult to read. Contours, treelines, existing and proposed utilities, groundcovers, and many other features are very faint or unreadable, and many of the shrub counts were difficult or impossible to confirm. In addition, it appears that existing contours were left on the

Mr. Lawrence Gregan, Township Manager
Montgomery Mall Expansion
June 13, 2012
Page 6

landscaping plans, making many areas of the plans confusing. The plans should be revised for the purposes of legibility.

- D. A table of required and provided landscape material is shown just above the seed mix schedule. The quantities shown in this table appear to be incorrect. The table should be revised to correct the discrepancies, or should be removed from the plan set.
- E. A detailed response letter addressing the above noted comments and any other changes to the plans should be included with future submissions.

Sincerely,



Judith Stern Goldstein, ASLA, R.L.A.
Director of Landscape Architecture and Planning Services



Valerie L. Liggett, ASLA, R.L.A.
Planner/Landscape Architect

JSG/vll/kam

cc: Board of Supervisors
Planning Commission
Bruce Shoupe, Director of Planning and Zoning
Marita Stoerrle, Development Coordinator
Marianne McConnell, Deputy Zoning Officer
Karyn Hyland, Gilmore & Associates
Kevin Johnson, P.E., Traffic Planning & Design
Ken Amey, AICP
Frank Bartle, Dischell Bartle & Dooley, PC
Greg Kreegar, Simon Property Group Inc., 225 W. Washington St., Indianapolis, IN 46204
Michael Kissinger, P.E., Pennoni Associates, Inc., One south Church Street, 2nd Floor, West
Chester, PA 19382
Robert Brant, Robert Brant & Associates, LLC, 572 W. Main Street, P.O. Box 26865, Trappe, PA
19426

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Approval of 2012 Fall Recreation Programs and Fees

MEETING DATE: June 25, 2012

ITEM NUMBER: # 11

MEETING/AGENDA:

ACTION XX

NONE

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

INITIATED BY: Sharon Tucker, Recreation Coordinator
Ann Shade, Director of Admin & HR

BOARD LIAISON: Michael J. Fox, Liaison to
Park & Recreation Board

BACKGROUND:

Attached is a recommended listing of Fall 2012 Recreation Programs, to be offered to the public during the months of September to December 2012. Associated fees for each program are also attached. These programs will be promoted via posting on www.montgomerytp.org, cable channels, E-News, and printed with our Fall Recreation Newsletter.

The Fall 2012 Recreation offerings include many popular programs with some new programs being introduced as well. New programs are "shadowed" on the attached listing. Fees are determined by taking the vendor's recommended fee and adding 20 percent to cover administrative costs.

Distribution of the Fall Recreation Newsletter is expected to take place by the middle of August.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

Recreation programs are expected to be revenue neutral.

RECOMMENDATION:

Approve the 2012 Fall Programs and Fee Schedule amendments as submitted.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby approve the 2012 Fall Programs and Fee Schedule amendments as submitted.

MOTION: _____

SECOND: _____

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Joseph P. Walsh	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

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

Fall 2012 Program Fee Schedule		
Type of Program	Course	Fees (Including 20%)
<u>YOUTH</u>		
Art and Music	Children Making Music	\$72
	Early Elementary Drawing	\$60
	Elementary Drawing	\$60
	Cartooning	\$60
Instructional	Bricks 4 Kidz - Construction Craze	\$65
	Bricks 4 Kidz - Robotics-Level I	\$90
	Candy Making	\$72
	Chess	\$120
Sports	UK Elite Petite Soccer	\$88
<u>TEENS AND ADULTS</u>		
Instructional	AARP Driver's Safety Class	\$14; \$12 with AARP Membership
	AARP Driver's Safety Refresher Class	\$14; \$12 with AARP Membership
	American Red Cross Babysitting Training	\$94
	Conversational Spanish	\$96
	Breakfast Pastries and Spreads	\$24
	Cookies Around The World	\$72
	Hors D'Oeuvres	\$72
Sports and Fitness	Hatha Yoga Class	\$80
	Relaxation Yoga	\$88
	Zen Body Sculpting	\$77
	Piloxing	\$100
	Zumba	\$48 (8 weeks) \$42 (7 weeks)
	Strengthen the Bones	\$90
	Adventure Boot Camp	\$249 (new campers); \$225 (returning campers)
<u>TRIPS</u>		
	Culinary Institute of America/FDR's Home, Hyde Park, NY	\$92
<u>SPECIAL EVENTS</u>		
	Bark Park 10th Anniversary Celebration	Free
	Autumn Festival	\$8 Pre-paid; \$10 at the event

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Payment of Bills

MEETING DATE: June 25, 2012

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

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.

MONTGOMERY TOWNSHIP ELECTRONIC PAYROLL TAX PAYMENTS

<u>DATE</u>	<u>VENDOR NAME</u>	<u>REASON FOR PAYMENT</u>	<u>AMOUNT</u>
06/13/2012	Commonwealth of PA	State Tax Payment	\$8,299.59
06/21/2012	IRS	941 Payment	\$68,470.02
06/21/2012	BCG	401/457 Plan Payment	\$22,768.68
06/21/2012	PA-SCDU	Withholding Payment	\$1,853.06
Total Paid as of 06/25/2012			\$101,391.35

Montgomery Township Check Register

Check Number	Check Date	Vendor No	Payee	Amount
24399	6/21/12	671	MONTGOMERY TOWNSHIP	1,086.00
24400	6/21/12	1264	MORGAN STANLEY SMITH BARNEY INC	5,712.11
51181	6/12/12	00000335	COMCAST CORPORATION	30.68
51182	6/12/12	00001466	FEDEX OFFICE	102.90
51183	6/12/12	00001932	JEFFREY SARNOCINSKI	894.50
51184	6/12/12	00001330	MCCALLION STAFFING SPECIALISTS	585.00
51185	6/12/12	00000306	MICHAEL JENKINS	1,692.00
51186	6/12/12	00001171	PHILA OCCHEALTH/DBA WORKNET OCC	1,365.00
51187	6/12/12	00000424	PSAB - PA STATE ASSOC OF BOROUGH	75.00
51188	6/12/12	00000251	PSI PERSONNEL, LLC	2,554.92
51189	6/12/12	00902553	REX & SONS PLUMBING & HEATING INC.	25.00
51190	6/12/12	00000040	VERIZON PENNSYLVANIA INC	40.95
51191	6/22/12	00000338	MARIA BOYER	240.00
51192	6/22/12	00001868	PIU CHALFONT, LLC	360.00
51193	6/22/12	00002014	TRANSPORTATION SERVICES INC.	265.00
51194	6/25/12	00000209	BOUCHER & JAMES, INC.	9,202.96
51195	6/25/12	00000085	CHAMBERS ASSOCIATES, INC.	4,379.60
51196	6/25/12	00000125	DISCHELL, BARTLE, YANOFF & DOOLEY	21,322.50
51197	6/25/12	00000817	GILMORE & ASSOCIATES, INC.	30,990.16
51198	6/25/12	00001963	HUGHES, KALKBRENNER &	375.00
51199	6/25/12	00001023	KERNS, PEARLSTINE, ONORATO	2,418.00
51200	6/25/12	00001972	ROBERT L. BRANT	2,059.24
51201	6/25/12	00001984	TRAFFIC PLANNING AND DESIGN, INC.	10,931.99
51202	6/25/12	00000187	ABOUT FLAGS, INC.	296.00
51203	6/25/12	00000068	ADAM WEBSTER	15.00
51204	6/25/12	00001202	AIRGAS EAST, INC.	159.24
51205	6/25/12	00000682	AMERICAN RED CROSS	1,105.00
51206	6/25/12	00001291	ANCHOR FIRE PROTECTION CO., INC.	1,000.00
51207	6/25/12	BT004346	ARCHETYPIC SYSTEMS, INC.	979.65
51208	6/25/12	00902555	ASHLEY RAYMOND	27.50
51209	6/25/12	00000043	BERGEY'S	62.63
51210	6/25/12	00000739	BERGEY'S ELECTRIC, INC.	2,663.63
51211	6/25/12	00001938	BILL WIEGMAN	30.00
51212	6/25/12	00000049	BISHOP WOOD PRODUCTS, INC.	357.48
51213	6/25/12	00000069	C L WEBER CO INC.	33.88
51214	6/25/12	00001601	CDW GOVERNMENT, INC.	902.17
51215	6/25/12	BT000522	CENTURION MEDICAL PRODUCTS CORP	154.32
51216	6/25/12	BT003873	CHANDER B. CHAUDHRY RENTALS	7.79
51217	6/25/12	00902556	CHRISTINA REIFSNYDER	27.50
51218	6/25/12	00001048	CLEAR SOUND INC.	11,962.00
51219	6/25/12	00000363	COMCAST CABLE	216.90
51220	6/25/12	00000108	COUNTY ELECTRIC SUPPLY COMPANY, I	87.55
51221	6/25/12	00000159	SSL GROUP LP	189.66
51222	6/25/12	00000111	DAVID H. LIGHTKEP, INC.	126.23

Montgomery Township Check Register

Check Number	Check Date	Vendor No	Payee	Amount
51223	6/25/12	00000024	DAVID P. BENNETT	30.00
51224	6/25/12	00001945	DAVID S. WOLFE	15.00
51225	6/25/12	00001941	DAVID W. VASCONEZ	90.00
51226	6/25/12	00000629	DAVIDHEISER'S INC.	13.00
51227	6/25/12	00001556	DCED-PA DEPT OF COMMUNITY &	968.00
51228	6/25/12	00000989	DEAN GAROFLO	850.00
51229	6/25/12	00001627	DEER PARK DIRECT	132.55
51230	6/25/12	00000208	DELL MARKETING L.P.	1,967.63
51231	6/25/12	00902558	DENISE HOUSER	1,200.00
51232	6/25/12	00001172	DETLAN EQUIPMENT, INC.	144.69
51233	6/25/12	00902560	DIANE F. JEBRAN	1,000.00
51234	6/25/12	00902127	DIANE GARZONE	17.00
51235	6/25/12	00001166	DRUMHELLER CONSTRUCTION, INC.	41,825.30
51236	6/25/12	00000146	E.A. DAGES, INC.	87.00
51237	6/25/12	00001332	EAGLE POWER & EQUIPMENT CORP	96.92
51238	6/25/12	00001957	EDMOND SKRZAT	30.00
51239	6/25/12	00001385	EDWARD DAVIES	1,000.00
51240	6/25/12	00001902	ELLIOTT GREENLEAF &	1,675.00
51241	6/25/12	00000161	EUREKA STONE QUARRY, INC.	3,927.00
51242	6/25/12	00001034	FASTENAL	231.20
51243	6/25/12	00000169	FEDEX	49.64
51244	6/25/12	00000042	GEORGE ELY ASSOCIATES INC.	15,823.00
51245	6/25/12	00000195	GEORGE'S TOOL RENTAL INC.	24.00
51246	6/25/12	00001754	GERHARDS INC	155.00
51247	6/25/12	00000198	GLASGOW, INC.	987.02
51248	6/25/12	00902522	GLORIA RANJO	39.00
51249	6/25/12	00000213	HAJOCA CORPORATION	58.71
51250	6/25/12	BT006120	HERITAGE HEALTH CARE	293.10
51252	6/25/12	00000903	HOME DEPOT CREDIT SERVICES	1,204.58
51253	6/25/12	00000787	IAFC - INTERNATIONAL ASSOCIATION OF	75.00
51254	6/25/12	00000310	INDUSTRIAL LADDER & SUPPLY CO.	1,017.70
51255	6/25/12	00000824	INTELLIGENT PRODUCTS INCORPORATE	782.28
51256	6/25/12	BT001029	JAMES R. SHERRAT	85.15
51257	6/25/12	00001454	JAMES REAPE	1,000.00
51258	6/25/12	00902315	JENNIFER & JOSEPH NOTTE	1,200.00
51259	6/25/12	00902132	JENNIFER NORMAN	69.00
51260	6/25/12	00902561	JODI KOSMIN	512.00
51261	6/25/12	00000890	JOHN H. MOGENSEN	45.00
51262	6/25/12	00001389	JOHN MCGREADY	1,000.00
51263	6/25/12	00001386	JOSEPH C. BENNIS	1,000.00
51264	6/25/12	00001581	JOSEPH J. SIMES	60.00
51265	6/25/12	00001843	JOSEPH M. BENNETT	35.00
51266	6/25/12	00902379	KATHRYN FRANK	27.50
51267	6/25/12	00000261	KERSHAW & FRITZ TIRE SERVICE, INC.	2,379.36

Montgomery Township Check Register

Check Number	Check Date	Vendor No	Payee	Amount
51268	6/25/12	00001962	LIND ELECTRONIC DESIGN CO., INC.	209.90
51269	6/25/12	00000283	WILLIAM A. CRANE, V.M.D.,P.C.	205.00
51270	6/25/12	00902562	MARIA CONWAY	159.00
51271	6/25/12	00000201	LAWRENCE J. MURPHY	47.40
51272	6/25/12	00001920	MICHAEL H. BEAN	30.00
51273	6/25/12	00001961	MICHAEL LONG	30.00
51274	6/25/12	00002016	MICHAEL SHINTON	15.00
51275	6/25/12	00001387	MICHAEL SOLIS	1,000.00
51276	6/25/12	BT005765	MONTGOMERYVILLE LAND CO., LLC	375.00
51277	6/25/12	00902559	MUKESH KUMAR	18.00
51278	6/25/12	00000336	NFPA-NATIONAL FIRE PROTECTION ASS	165.00
51279	6/25/12	00000356	NORTH WALES WATER AUTHORITY	811.49
51280	6/25/12	00001134	OFFICE DEPOT, INC	277.28
51281	6/25/12	00001440	ORION SAFETY PRODUCTS	185.40
51282	6/25/12	00902554	PARESH AND ARCHANA NAIK	1,200.00
51283	6/25/12	00000399	PECO ENERGY	10,872.95
51284	6/25/12	00000397	PECO ENERGY	10,995.26
51285	6/25/12	00000595	PENN VALLEY CHEMICAL COMPANY	682.84
51286	6/25/12	00000388	PENNSYLVANIA ONE CALL SYSTEM, INC.	244.59
51287	6/25/12	BT002552	PETCO ANIMAL SUPPLIES #722	2,016.44
51288	6/25/12	00000009	PETTY CASH	500.00
51289	6/25/12	00001155	PITNEY BOWES GLOBAL FINANCIAL	222.24
51290	6/25/12	00000345	PRINTWORKS & COMPANY, INC.	413.88
51291	6/25/12	00001630	PSI - PROTECTION SERVICES INC.	1,007.47
51292	6/25/12	00000251	PSI PERSONNEL, LLC	933.18
51293	6/25/12	00902563	RAJESHREE KAMBLE	560.00
51294	6/25/12	00000117	RIGGINS INC	2,212.25
51295	6/25/12	00000115	RIGGINS, INC	3,305.38
51296	6/25/12	00000741	ROBERT E. LITTLE, INC.	402.91
51297	6/25/12	00001911	ROBERT MATLACK	27.50
51298	6/25/12	BT005122	ROBERT W. MCMAHON	6.00
51299	6/25/12	00902368	ROSY BROPHY	157.25
51300	6/25/12	00902552	SARAJANE TRUCKSESS	80.00
51301	6/25/12	00000365	SCOTT BENDIG	831.33
51302	6/25/12	00000465	SHAPIRO FIRE PROTECTION COMPANY	615.30
51303	6/25/12	00000163	SHARON TUCKER	187.90
51304	6/25/12	00000467	SNAP-ON INDUSTRIAL	489.16
51305	6/25/12	00001656	SOSMETAL PRODUCTS INC.	308.56
51306	6/25/12	00000015	NEXTEL PARTNERS OPERATING CORP	396.96
51307	6/25/12	00000469	SPRINT SPECTRUM, L.P.	59.99
51308	6/25/12	00001394	STANDARD INSURANCE COMPANY	6,903.37
51309	6/25/12	00001847	STAPLES CONTRACT & COMMERCIAL, IN	707.62
51310	6/25/12	00001952	STEVEN COHEN	20.00
51311	6/25/12	00001781	SUPPLEE BROS. INC.	235.00

Montgomery Township Check Register

Check Number	Check Date	Vendor No	Payee	Amount
51312	6/25/12	00001621	SWANK MOTION PICTURES, INC.	321.00
51313	6/25/12	00000485	SYRENA COLLISION CENTER, INC.	940.63
51314	6/25/12	00001982	TEMPLE UNIVERSITY - CJTP	475.20
51315	6/25/12	00001351	TEN-TRAC, INC.	9,350.00
51316	6/25/12	00001143	THE CUTLER GROUP	1,500.00
51317	6/25/12	00000502	THOMAS W. MCCAULEY	126.00
51318	6/25/12	00000065	TIMOTHY MURRAY	15.00
51319	6/25/12	00000077	TRISTATE ENVIRONMENTAL	12,704.49
51320	6/25/12	00000327	U.S. MUNICIPAL SUPPLY, INC.	294.80
51321	6/25/12	00000032	VISA	1,084.90
51322	6/25/12	00902557	VALERIE CARROLL	27.50
51323	6/25/12	00000520	VALLEY POWER, INC.	826.50
51324	6/25/12	00000040	VERIZON PENNSYLVANIA INC	88.54
51325	6/25/12	00001033	VERIZON CABS	543.54
51326	6/25/12	00000122	VFIS-ETC	4,500.00
51327	6/25/12	00001839	VINAY SETTY	75.00
51328	6/25/12	00001289	W. BYRON BATTLE, RPR	900.00
51329	6/25/12	00000301	W.B. MASON CO., INC.	114.70
51330	6/25/12	00001329	WELDON AUTO PARTS	133.58
51331	6/25/12	00001948	WILLIAM H. FLUCK IV	80.00
51332	6/25/12	00000249	WILLIAM R. GOLTZ	50.00
51333	6/25/12	BT004196	WINDSOR WOOD SERVICES, LLC	293.81
51334	6/25/12	00001084	WITMER ASSOCIATES, INC.	2,037.24
51335	6/25/12	00000207	WRIGHT LINE LLC	387.63
51336	6/25/12	00000551	XPEDEX/HARRISBURG	599.50
51337	6/25/12	00000590	YOCUM FORD	113.95
TOTAL				288,042.28