

**AGENDA**  
**MONTGOMERY TOWNSHIP**  
**BOARD OF SUPERVISORS**  
**December 14, 2015**

[www.montgomerytwp.org](http://www.montgomerytwp.org)

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

Lawrence J. Gegan  
Township Manager

**ACTION MEETING – 8:00 PM**

1. Call to Order by Chairman
2. Pledge of Allegiance
3. Public Comment
4. Announcement of Executive Session
5. Consider Approval of Minutes of November 23, 2015 Meeting
6. Announce Winners of Holiday Lights Contest
7. Consider Approval of January Community Center Membership Promotion
8. Consider Approval of Montgomery Township Sewer Authority 2016 Budget
9. Consider Approval of Montgomery Township Municipal Sewer Authority 2015 Tapping Fee Agreements
10. Consider Adoption of Montgomery Township 2016 Final Budget
11. Consider Definition & Commitment of Fund Balances in Accordance with GASB Statement No. 54
12. Consider 2015 4<sup>th</sup> Quarter Budget Amendments
13. Presentation of Government Finance Officers Association Certificate of Achievement for Excellent in Financial Report Award for 2014
14. Consider Approval of Release of Cash Performance Bond for ERP Software
15. Consider Authorization to Purchase and Install Proximity Card System for Police Department
16. Consider Authorization to Advertise Public Hearing for Proposed Ordinance #15-292 – Amending Zoning Code - Flood Plain Regulations
17. Consider Authorization to Advertise Proposed Zoning/Text Ordinance Amendment – Congregate Care/Independent Senior Living Use in BP District
18. Consider Authorization to Advertise Proposed Ordinance #15-291 – Amend Stormwater Management Code
19. Consider Authorization to Submit PennDOT Multi-Modal Grant- Powerline Trail Connection, Phase 1
20. Consider Construction Escrow Release #1 – LDS 676 – Sprint Store

21. Announcement of Re-Organization Meeting Date and Consideration of Authorization to  
Advertise for Re-Organization Meeting on January 4, 2016
22. Consider Payment of Bills
23. Other Business
24. Adjournment

**Future Public Hearings/Meetings:**

12-16-2015 @6:00pm – Municipal Sewer Authority  
12-16-2015 @7:30pm – Shade Tree Commission  
12-16-2015 @7:30pm – Public Safety Committee  
12-17-2015 @7:30pm – Planning Commission  
12-21-2015 @7:30pm – Finance Committee  
01-04-2016 @8:00pm – Board of Supervisors Re-Organization

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Public Comment

MEETING DATE: December 14, 2015 ITEM NUMBER: #3

MEETING/AGENDA: WORK SESSION ACTION XX NONE

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

INITIATED BY: Lawrence J. Gregan  
Township Manager

BOARD LIAISON: Michael J. Fox, Chairman  
of the Board of Supervisors



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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

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SUBJECT: Announcement of Executive Session

MEETING DATE: December 14, 2015 ITEM NUMBER: #4

MEETING/AGENDA: WORK SESSION ACTION XX NONE

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

INITIATED BY: Lawrence J. Gregan BOARD LIAISON: Michael J. Fox, Chairman  
Township Manager of the Board of Supervisors

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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

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SUBJECT: Consider Approval of Minutes for November 23, 2015

MEETING DATE: December 14, 2015 ITEM NUMBER: #5

MEETING/AGENDA: WORK SESSION ACTION XX NONE

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

INITIATED BY: Lawrence J. Gregan Township Manager  BOARD LIAISON: Michael J. Fox, Chairman of the Board of Supervisors

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BACKGROUND:

Please contact Deb Rivas on Monday, December 14, 2015 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.

**MINUTES OF MEETING  
MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
NOVEMBER 23, 2015**

Chairman Michael J. Fox called the executive session to order at 7:00 p.m. In attendance were Vice Chairman Candyce Fluehr Chimera, Supervisors Robert Birch and Jeffrey McDonnell. Supervisor Joseph Walsh was absent. Also in attendance were Frank Bartle, Esquire and Lawrence Gegan.

Chairman Michael J. Fox called the action meeting to order at 8:05 p.m. In attendance were Vice Chairman Candyce Fluehr Chimera, Supervisors Robert Birch and Jeffrey McDonnell. Supervisor Joseph Walsh was absent. Also in attendance were Frank Bartle, Esquire, Lawrence Gegan, Scott Bendig, Rick Lesniak, Shannon Drosnock, Ann Shade, Stacy Crandell, Bruce Shoupe, Rich Grier and Deb Rivas.

Following the Pledge of Allegiance, Chairman Michael J. Fox called for public comment.

Dennis Miranda, Director of the Wissahickon Valley Watershed Association invited the Board of Supervisors and staff to their December 11, 2015 stormwater financing presentation by the Environmental Finance Center.

Robert Pritchard of Pritchard, Bieler, Gruver and Willison, P.C. thanked the Board for allowing their firm to host a Halloween Bash at the new Community and Recreation Center for special needs children. A slideshow presentation of the event was given. The event was well attended and received by the residents and the firm plans to host the event again next year on October 27, 2016.

Township Solicitor Frank Bartle, Esquire reported that the Board had met in an executive session earlier in the evening at 7:00 p.m. to discuss two matters of personnel, one matter of potential litigation and two matters of litigation. The litigation matters included Mirabella v. Montgomery Township, and a Zoning Hearing Board application for Liberation House, LLC, located at 1146 Stump Road. Mr. Bartle stated that these matters were legitimate subjects of executive session pursuant to Pennsylvania's Sunshine Law.

Chairman Michael Fox made a motion and Vice Chairman Candyce Fluehr Chimera seconded the motion to approve the minutes of the November 9, 2015 Board meeting. The minutes of the meeting were unanimously approved as submitted.

Director of Planning and Zoning Bruce Shoupe reported that the Township is prepared to submit the annual applications for consideration of the 2015 Tree City USA Recertification and the 2015 Growth Award to the Tree City USA program, sponsored by the Arbor Day Foundation. Resolution #1 made by Chairman Michael Fox, seconded by Vice Chairman Candyce Fluehr Chimera and adopted unanimously, approved the applications for Montgomery Township to receive the 2015 Tree City USA Recertification and 2015 Growth Award.

Director of Finance Shannon Drosnock reported that the Minimum Municipal Obligation calculation has determined that for 2016, a combination of State Aid, Township contributions and Police Officer contributions will be required to meet the funding obligations of the Plan and keep the pension fund actuarially sound. Resolution #2 made by Chairman Michael Fox, seconded by Supervisor Robert Birch and adopted unanimously, requires Police Officer contributions to the Police Pension Plan in the amount of 5% of Base Salary, Longevity and Holiday pay for the year 2016 and direct that notice of contribution be provided to the representatives of the Police Collective Bargaining Unit.

Township Manager Lawrence Gregan reported that in July, the Board authorized the Township's participation in a County program allowing first responders throughout the County to purchase portable and mobile radios for emergency communications under the County's new radio system. To help reduce the financial burden resulting from the purchase of the new radios, the Montgomery County Commissioners arranged with the Delaware Valley Regional Finance Authority (DVRFA) to allow municipalities to borrow funds through the County to cover the costs of the new radios with repayment of the principal of those loans over a five-year period. Under the financing arrangement, the County will pay the interest and administrative costs for the loans. In order to move forward with the purchase, it is necessary for the Township



to adopt an Ordinance authorizing the Township to borrow the funds through the issuance of a Promissory Note with Montgomery County. In conjunction with the adoption of this ordinance, the Township will enter into separate loan agreements with the FDMT and VMSC to secure their obligation for repayment of their share of the loan to the Township. Resolution #3 made by Chairman Michael Fox, seconded by Supervisor Robert Birch and adopted unanimously, approved Ordinance #15-290, authorizing the borrowing by the Township from Montgomery County in the principal amount of \$536,651.72.

Township Manager Lawrence Gregan reported that the Park Board has discussed potential adjustments to the fees charged for reservation of Township facilities under the Township's Facilities and Field Use Policy. The discussions came about due to the realization that the current fee structure does not treat the users of the Township's outdoor recreation facilities on the same basis as the indoor recreation facilities at the new Community and Recreation Center. Changes to the policy would provide a low field permit fee for both Township residents and Community and Recreation Center members, a reasonable field permit fee for non-residents/non-CRC members, and a new \$200/field day fee for tournaments which hereto for were free. Resolution # 4 made by Chairman Michael Fox, seconded by Vice Chairman Candyce Fluehr Chimera and adopted unanimously, approved the revised Facility and Field Use Fee Schedule for all fields, tennis/basketball/volleyball/hockey courts, pavilions and gazebos effective January 1, 2016.

Assistant to the Township Manager Stacy Crandell reported that during the construction of the Accessible Playground and Spray Park located at the Montgomery Township Community and Recreation Center, there was no electrical connection from the building for the park use. As such, it was necessary to extend the electrical service, which was not included in the original scope of the project, resulting in a Change Order request in the amount of \$4,346.57. Resolution #5 made by Chairman Michael Fox, seconded by Vice Chairman Candyce Fluehr Chimera and adopted unanimously, approved the change order for the extension of electrical

service for the Accessible Playground and Spray Park Project at the Community and Recreation Center as presented by Stoneridge, Inc. in the amount of \$4,346.57.

Resolution #6 made by Chairman Michael Fox, seconded by Supervisor Robert Birch and adopted unanimously, approved the request of Bharatiya Temple to waive the \$100.00 Special Events permit fees associated with the Diwali Festival which was held on November 11, 2015.

Resolution #7 made by Chairman Michael Fox, seconded by Vice Chairman Candyce Fluehr Chimera and adopted unanimously, approved the release of construction escrow for the end of maintenance period for the General Hancock Townhouse Project – LDS#648.

Chairman Michael Fox made a motion to approve the payment of bills for November 23, 2015. Supervisor Robert Birch seconded the motion. The payment of bills was unanimously approved as submitted.

There being no further business to come before the Board, the meeting adjourned at 8:32 p.m.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Announce Winners of Holiday Lights Contest

MEETING DATE: December 14, 2015

ITEM NUMBER: #6

MEETING/AGENDA:

ACTION

NONE

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

INITIATED BY: Brian Forman, Recreation Director BOARD LIAISON: Michael J. Fox, Liaison to  
Park & Recreation Board

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**BACKGROUND:**

The Montgomery Township Recreation Department recently completed the 2015 Holiday Lights Contest. Entries were due on Friday, December 4<sup>th</sup> and judging took place on Tuesday, December 8<sup>th</sup> and Wednesday, December 9<sup>th</sup> by the Parks Board.

Montgomery Township would like to thank the families who decorated their homes and participated in the contest (addresses listed below) and recognize them for their outstanding spirit of the season. All participants will receive a Certificate of Appreciation from the Township. The four winners will also receive a lawn sign and a gift certificate from a local business. Winning categories are: Most Colorful, Most Traditional, Most Variety and Grand Prize Winner – "Car Stopper."

**Participants:**

104 Fairview Drive, Lansdale  
17 Spur Road, Lansdale  
134 Thames Drive, North Wales  
127 Oxford Lane, North Wales  
2012 Highland Court, North Wales  
146 Longleat Drive, North Wales  
109 Citadel Court, North Wales  
105 Mallard Drive W, North Wales

**Winners:**

Most Colorful: 17 Spur Road, Lansdale  
Most Traditional: 105 Mallard Drive W, North Wales  
Most Variety: 134 Thames Drive, North Wales  
Grand Prize Winner – "Car Stopper": 104 Fairview Drive, Lansdale

**ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:**

None.

**PREVIOUS BOARD ACTION:**

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Recognize the winners and participants of the 2015 annual Holiday Lights Contest.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby recognize the winners and participants in the 2015 Holiday Lights Contest as submitted.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_

ROLL CALL:

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

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



MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Approval of January Community Center Membership Promotions

MEETING DATE: December 14, 2015

ITEM NUMBER: #7

MEETING/AGENDA:

ACTION

NONE

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

INITIATED BY: Brian Forman, Recreation Director BOARD LIAISON: Michael J. Fox, Liaison to  
Park & Recreation Board

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BACKGROUND:

Many facilities that provide fitness and exercise opportunities attempt to use the tradition of New Year's resolutions to offer special pricing to join their facility and use their services during the month of January.

In an effort to increase membership and promote the spirit of good will to our existing members, staff has dual proposals for January, 2016.

As part of our continuing membership drive, the first proposal for the month of January is to waive the \$25 registration fee to become a member who pays by the month. Currently, those who sign up for a monthly membership are required to pay an additional one-time fee of \$25. Removing this requirement would only be in effect from January 1 – January 31, 2016. As of February 1, 2016, the \$25 registration fee requirement for monthly membership purchases would be reinstated.

The second proposal for the month of January is to waive the \$5 drop in fee for those Group Exercise classes that require the fee. In an effort to provide as many Group Exercise opportunities as possible, while being budget conscious, a system was devised whereby additional classes, beyond the 12 free classes offered per week with a membership, would incur a \$5 fee to offset expenses.

While the intent of the system was to provide additional programming, it is not providing a positive result. Attendance for the classes with the additional fee is consistently very low. Some members have complained about the additional fee for the class they wish to take.

Waiving this fee for the month of January will give staff the opportunity to effectively evaluate the true user trends with all classes on equal footing. The intent is to re-evaluate our schedule for February, 2016 with the continuing goal of providing a satisfying experience for our members while maximizing the efficiency of our Group Exercise Instructors.

Waiving this fee will also show our members that we are listening to them and their concerns.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.



RECOMMENDATION:

Approve the January Community Center Membership Promotions.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby approve the January Community Center Membership Promotions.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	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

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

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Approval of Montgomery Township Sewer Authority 2016 Budget

MEETING DATE: December 14, 2015

ITEM NUMBER: # 8

MEETING/AGENDA:

ACTION

NONE

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

INITIATED BY: Shannon Q. Drosnock  
Finance Director

BOARD LIAISON: Joseph P. Walsh, Chairman  
Liaison – Sewer Authority

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BACKGROUND:

Attached please find a copy of the 2016 Montgomery Township Municipal Sewer Authority (MTMSA) budget for your consideration as it was presented at the publicly held budget workshop meeting in October. The Board of the MTMSA approved this budget at their regular meeting on October 21, 2015.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Consider approval of the MTMSA 2016 Budget.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby approve the Montgomery Township Municipal Sewer Authority budget for the fiscal year 2016 for the period from January 1, 2016 to December 31, 2016.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_

ROLL CALL:

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

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

REVENUE		Actual 2014	Budget 2015	YTD 7/31/2015	Estimated 2015	Final 2016	
<b>Residential Sewer Rental</b>							
01-300-100	Sewer Rent Hatfield Res.	2,275,579	2,200,000	1,680,380	2,257,770	2,240,000	
01-300-110	Sewer Rent Misco	101,775	100,713	82,512	106,985	110,000	
01-300-130	Sewer Rent Chalfont/New Britian	49,349	49,903	36,737	48,865	50,000	
01-300-140	Sewer Rent Lansdale	22,908	23,073	17,338	23,172	23,000	
01-300-150	Sewer Rent Eureka Res.	1,386,757	1,375,653	1,043,377	1,398,108	1,392,000	
01-300-160	Sewer Rent Upper Gwynedd Res.	331,575	333,058	248,339	331,930	331,000	
01-300-170	Sewer Rent Neshaminy Falls	185,160	187,036	153,139	193,065	204,000	
01-300-180	Revenue - Wells	69,938	69,803	51,971	69,388	69,000	
		4,423,041	4,339,239	3,313,793	4,429,283	4,419,000	
<b>Commercial Sewer Rental</b>							
01-301-100	Sewer Rent Hatfield Commercial	555,369	550,613	400,733	553,304	550,000	
01-301-120	Sewer Rent Lower Gwynedd	141,996	131,587	108,077	147,080	144,000	
01-301-130	Sewer Rent CNB Commercial	2,628	2,890	1,577	2,015	2,100	
01-301-150	Sewer Rent Eureka Commercial	396,801	412,426	279,816	386,044	400,000	
01-301-160	Sewer Rent Upper Gwynedd Commercial	90,992	91,290	62,179	85,737	85,000	
		1,187,786	1,188,806	852,382	1,174,180	1,181,100	
<b>Total Sewer Rentals</b>		5,610,827	5,528,045	4,166,175	5,603,463	5,600,100	
<b>Other Revenue</b>							
01-302-100	Penalties/Interest on Sewer Rent	107,735	50,000	45,644	100,384	65,000	
01-310-100	Certification Fees	18,935	10,000	13,250	20,715	10,000	
01-310-130	Admin Fees Developers	15,154	10,000	10,740	15,410	10,000	
01-310-150	Tapping Fees	360,954	350,000	3,977	11,931	10,000	
01-310-160	Lateral Inspection	5,525	3,500	1,530	2,620	2,500	
01-310-170	Connection Fee	650	650	-	-	-	
01-310-180	Processing Fees	166	-	1,686	2,586	2,500	
01-315-100	Auxiliary Waste Income	315,129	200,000	147,423	312,821	250,000	
01-320-100	Rental Income	17,263	15,000	8,875	15,125	15,000	
01-320-150	Interest Income	3,526	-	-	9,895	15,000	
01-320-160	Dividend Income	17,224	14,900	17,223	17,223	15,000	
01-335-100	Posting, Lien, Shut Off Fees	607	-	-	-	-	
01-340-100	Miscellaneous Income	11,970	9,000	4,585	8,935	9,000	
01-340-100	Energy Income	30,997	-	-	20,000	-	
01-350-100	Labor to assist Township	12,806	-	8,764	8,764	-	
<b>Total Other Revenue</b>		918,641	663,050	263,697	546,409	404,000	
<b>TOTAL REVENUES</b>		<b>6,529,468</b>	<b>6,191,095</b>	<b>4,429,872</b>	<b>6,149,872</b>	<b>6,004,100</b>	

<b>EXPENDITURES</b>		<b>Actual 2014</b>	<b>Budget 2015</b>	<b>YTD 8/31/2015</b>	<b>Estimated 2015</b>	<b>Final 2016</b>	
<b>Administrative Expenditures</b>							
<b>01-420-100</b>	Salary Admin Staff	98,135	100,140	65,187	99,698	206,689	
<b>01-420-150</b>	Payroll Taxes	3,407	7,628	-	-	-	
<b>01-420-160</b>	Benefits Admin Staff	39,065	33,791	22,493	43,126	83,050	
<b>01-420-170</b>	Deferred Comp Admin Staff	5,862	6,008	3,911	5,981	11,861	
<b>01-420-200</b>	Manager's Compensation	152,503	123,000	53,592	76,217	-	
<b>01-420-210</b>	Board Member's Compensation	2,404	3,500	1,800	3,500	3,500	
<b>01-420-225</b>	Dues & Subscriptions	950	1,000	-	950	1,000	
<b>01-420-250</b>	Audit Fees	16,000	16,000	16,000	16,000	16,000	
<b>01-420-300</b>	Office Supplies	7,787	10,000	5,442	7,357	7,500	
<b>01-420-301</b>	Bank Fees	12,667	15,000	8,571	12,850	15,000	
<b>01-420-302</b>	Travel	675	500	266	468	500	
<b>01-420-303</b>	Interest Expense	167,722	16,500	79,211	79,211	-	
<b>01-420-304</b>	Billing Supplies	22,264	22,000	10,980	21,960	22,000	
<b>01-420-400</b>	Legal Fees - Prep & Meetings	7,882	20,000	25,586	43,861	30,000	
<b>01-420-410</b>	Legal Fees - Litigation	20,471	25,000	8,330	18,280	20,000	
<b>01-420-415</b>	Legal Fees - Miscellaneous	7,450	15,000	246	2,500	2,500	
<b>01-420-430</b>	Trustee Fees	-	2,000	-	-	2,000	
<b>01-420-510</b>	Engineer Fees - Ret., Mtg, Genl	169,879	230,000	129,393	221,814	200,000	
<b>01-420-600</b>	IT Support	47,304	30,000	7,518	35,542	30,000	
<b>01-420-700</b>	Telephone	1,430	1,000	-	-	1,000	
<b>01-420-710</b>	Postage	2,535	1,000	14	100	500	
<b>01-420-720</b>	Advertising	3,292	1,200	6,222	10,664	5,000	
<b>01-420-730</b>	Public Officials Insurance	-	-	3,005	4,506	5,000	
<b>01-420-740</b>	Education	280	2,000	490	1,500	2,000	
<b>01-420-800</b>	Miscellaneous Admin. Expense	516	5,000	341	1,000	5,000	
<b>Total Administrative Expenses</b>		<b>790,480</b>	<b>687,267</b>	<b>448,598</b>	<b>707,085</b>	<b>670,100</b>	

	<b>EXPENDITURES</b>		<b>Actual 2014</b>	<b>Budget 2015</b>	<b>YTD 8/31/2015</b>	<b>Estimated 2015</b>	<b>Final 2016</b>
	<b>Plant Expenditures</b>						
<b>01-450-100</b>	Salary Maint Staff		702,201	737,021	483,672	742,858	765,144
<b>01-450-150</b>	Payroll Taxes		2	56,279	-		-
<b>01-450-160</b>	Benefits Maint Staff		262,060	246,432	150,812	274,841	300,390
<b>01-450-170</b>	Deferred Comp Maint Staff		41,689	44,221	28,961	44,292	45,900
<b>01-450-225</b>	Dues & Subscriptions		1,250	500	165	1,250	500
<b>01-450-300</b>	Office Supplies		35,052	18,000	12,072	15,296	15,000
<b>01-450-310</b>	Uniform Expense		7,518	6,500	3,995	6,492	7,000
<b>01-450-400</b>	Licenses		411	2,000	983	1,000	2,000
<b>01-450-600</b>	IT Support		31,605	50,000	9,852	13,365	15,000
<b>01-450-700</b>	Telephone		23,896	24,000	15,671	23,506	24,000
<b>01-450-710</b>	Postage		21	200	-	50	100
<b>01-450-720</b>	Advertising		1,017	-	-	-	-
<b>01-450-740</b>	Education		(50)	5,000	3,605	5,000	5,000
<b>01-450-750</b>	Property Insurance		68,868	58,401	32,407	48,610	50,000
<b>01-450-751</b>	Workers Comp Insurance		26,145	17,725	17,342	25,859	27,500
<b>01-450-121</b>	Propane		9,170	13,500	5,255	7,879	10,000
<b>01-450-752</b>	Drug Testing		1,193	1,500	13,117	15,200	1,500
<b>01-450-760</b>	Equipment Repairs & Maint		19,775	25,000	13,321	19,981	25,000
<b>01-450-761</b>	Equip Rental		1,587	5,000	-	500	2,500
<b>01-450-762</b>	Vehicle Fuel		31,519	30,000	2,263	5,000	25,000
<b>01-450-765</b>	Small Tools		4,974	10,000	70	1,000	5,000
<b>01-450-770</b>	Operating Supplies		10,722	10,000	2,501	3,751	10,000
<b>01-450-772</b>	PA One Call		1,091	1,000	377	500	1,000
<b>01-450-773</b>	Outside Services		-	-	-	-	-
<b>01-450-775</b>	Misc. Operating Expense		2,373	4,000	1,323	3,123	4,000
<b>Total Plant Expenditures</b>			<b>1,284,089</b>	<b>1,366,279</b>	<b>797,764</b>	<b>1,259,353</b>	<b>1,341,534</b>

	EXPENDITURES	Actual 2014	Budget 2015	YTD 8/31/2015	Estimated 2015	Final 2016
<b>Knapp Road Pumping Station</b>						
01-460-100	Maintenance & Repairs	9,467	25,000	3,119	4,679	10,000
01-460-110	Telephone	380	570	-	-	200
01-460-115	Water	49	46	18	40	50
01-460-120	Electric	15,439	22,000	10,981	18,824	22,000
<b>Total Knapp Road Expenses</b>		<b>25,335</b>	<b>47,616</b>	<b>14,118</b>	<b>23,543</b>	<b>32,250</b>
<b>Eureka WWTP</b>						
01-461-100	Maintenance & Repairs	147,491	150,000	99,044	148,566	175,000
01-461-110	Telephone	100	151	-	-	100
01-461-115	Water	9,149	13,625	9,104	9,190	10,000
01-461-120	Electric	293,478	300,000	165,260	283,303	300,000
01-461-125	Trash/Grit Removal	5,958	5,000	6,497	7,500	7,500
01-461-126	Pest Control	1,035	1,500	351	750	1,000
01-461-130	Chemicals	120,330	140,000	85,414	128,121	140,000
01-461-135	Laboratory	7,044	9,000	11,094	15,000	9,000
01-461-140	Sludge Disposal	225,780	200,000	136,080	230,280	250,000
01-461-145	Outside Laboratory	25,628	25,000	11,547	17,321	22,000
<b>Total Eureka Expenses</b>		<b>835,993</b>	<b>844,276</b>	<b>524,391</b>	<b>840,031</b>	<b>914,600</b>
<b>Park Creek I Pumping Station</b>						
01-462-100	Maintenance & Repairs	7,954	10,000	1,180	5,000	10,000
01-462-115	Water	75	150	34	75	100
01-462-120	Electric	6,365	3,500	3,629	6,221	6,500
<b>Total Park Creek Expenses</b>		<b>14,394</b>	<b>13,650</b>	<b>4,843</b>	<b>11,296</b>	<b>16,600</b>
<b>Gwynedd Lea Pumping Station</b>						
01-463-100	Maintenance & Repairs	6,609	5,000	2,371	5,000	5,000
01-463-115	Water	151	150	27	60	150
01-463-120	Electric	3,504	3,500	2,172	3,723	4,000
<b>Total Gwynedd Lea Expenses</b>		<b>10,264</b>	<b>8,650</b>	<b>4,570</b>	<b>8,783</b>	<b>9,150</b>
<b>Park Creek II Pumping Station</b>						
01-466-100	Maintenance & Repairs	-	5,000	1,739	4,000	5,000
01-466-120	Electric	3,465	6,000	2,458	4,213	5,000
<b>Total Park Creek II Expenses</b>		<b>3,465</b>	<b>11,000</b>	<b>4,197</b>	<b>8,213</b>	<b>10,000</b>

		Actual 2014	Budget 2015	YTD 8/31/2015	Estimated 2015	Final 2016	
	<b>EXPENDITURES</b>						
	<b>Montgomery Ave. Pumping Station</b>						
01-467-100	Maintenance & Repairs	2,900	1,000	-	1,000	3,000	
01-467-120	Electric	365	500	288	492	500	
	<b>Total Montgomery Ave. Expenses</b>	<b>3,265</b>	<b>1,500</b>	<b>288</b>	<b>1,492</b>	<b>3,500</b>	
	<b>Knapp Road Load Shaver Pumping Station</b>						
01-468-100	Maintenance & Repairs	-	15,000	14,273	20,000	15,000	
01-468-120	Electric	2,112	3,500	1,224	2,098	3,500	
	<b>Total Knapp Road Station Expenses</b>	<b>2,112</b>	<b>18,500</b>	<b>15,497</b>	<b>22,098</b>	<b>18,500</b>	
	<b>Knapp Road Load Shaver Tank Site</b>						
01-469-100	Maintenance & Repairs	171	5,000	-	500	2,500	
01-469-115	Water	-	-	36	50	50	
01-469-120	Electric	3,005	2,500	2,334	4,001	2,500	
	<b>Total Knapp Road Tank Expenses</b>	<b>3,176</b>	<b>7,500</b>	<b>2,370</b>	<b>4,551</b>	<b>5,050</b>	
	<b>Sewer System</b>						
01-464-100	Maintenance & Repairs	36,390	100,000	19,109	54,339	80,000	
01-464-120	Electric Mont Common MP	1,480	2,000	990	1,697	2,000	
01-464-130	HTMA WTP Treatment Fees	832,927	760,000	395,402	790,802	800,000	
01-464-132	Chalfont/New Britain Treatment	36,909	40,000	28,157	37,542	40,000	
01-464-134	Lansdale Borough Treatment Fee	21,680	22,000	5,751	23,003	22,000	
01-464-136	Lower Gwynedd Treatment Fees	104,794	104,800	44,113	105,112	105,000	
01-464-138	Upper Gwynedd Treatment Fees	292,373	320,000	143,330	286,760	290,000	
	<b>Total Other System Expenses</b>	<b>1,326,553</b>	<b>1,348,800</b>	<b>636,852</b>	<b>1,299,255</b>	<b>1,339,000</b>	
	<b>Misco</b>						
01-465-100	Maintenance & Repairs	-	1,500	-	1,500	1,500	
	<b>Total Misco Expenses</b>	<b>-</b>	<b>1,500</b>		<b>1,500</b>	<b>1,500</b>	
	<b>Debt Service</b>						
01-470-100	Bond Principal	590,000	605,000	605,000	605,000	630,000	
01-470-200	Bond Interest		146,323	67,111	67,111	122,716	
	<b>Total Debt Expenses</b>	<b>590,000</b>	<b>751,323</b>	<b>672,111</b>	<b>672,111</b>	<b>752,716</b>	
	<b>TOTAL EXPENSES</b>	<b>4,889,126</b>	<b>5,107,861</b>	<b>3,127,099</b>	<b>4,859,311</b>	<b>5,114,500</b>	
	<b>BALANCE</b>	<b>1,640,342</b>	<b>1,083,234</b>	<b>1,302,773</b>	<b>1,290,561</b>	<b>889,600</b>	



MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Approval of Montgomery Township Municipal Sewer Authority 2015 Tapping Fees

MEETING DATE: December 14 , 2015

ITEM NUMBER: #9

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

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

INITIATED BY: Alison Rudolf  
MTMSA Interim Manager

BOARD LIAISON: Joseph P. Walsh, Supervisor  
Liaison - Sewer Authority

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BACKGROUND:

Attached is a listing of the Tapping Fee Agreements that were approved by the MTMSA Board in 2015.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Approve the Authority's Tapping Fee Agreements as presented.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we have reviewed the Montgomery Township Municipal Sewer Authority agreements as presented at the public meeting of December 14, 2015.

MOTION: \_\_\_\_\_

SECOND: \_\_\_\_\_

ROLL CALL:

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

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

MONTGOMERY



TOWNSHIP

MUNICIPAL SEWER AUTHORITY

1001 STUMP ROAD, MONTGOMERYVILLE, PA 18936-9605

TELEPHONE (215) 393-6930

FAX (215) 362-8711

December 8, 2015

To: Montgomery Township Board of Supervisors  
Larry Gegan, Township Manager

From: Alison Rudolf   
Montgomery Township Municipal Sewer Authority Interim Manager

Re: Tapping Fee Agreements Approved in 2015

The following Tapping Fee and Development Agreements were approved by the Board of Authority in 2015:

Trump	1 EDU	Eureka Basin
Aspen Mills	1 EDU	Hatfield Basin
Todi Foundation	8 EDU's	Eureka Basin

Copies of the approved agreements are available upon request. If you have any questions please feel free to contact me.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Adoption of Montgomery Township 2016 Final Budget

MEETING DATE: December 14, 2015

ITEM NUMBER: #10.

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

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

INITIATED BY: Shannon Q. Drosnock  
Finance Director

BOARD LIAISON: Robert J. Birch, Supervisor  
Liaison – Finance Committee

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BACKGROUND:

The Proposed Budget for 2016 was presented to the Board of Supervisors in early October 2015. The Board held four public workshop meetings to discuss the budget in October and approved the Preliminary Budget on November 9, 2015. The proposed budget was advertised on November 12, 2015 for consideration for final adoption at the Board Meeting on December 14, 2015. A brief presentation on the proposed Final Budget will be made at the December 14<sup>th</sup> public meeting. Please see the attached budget summary documents.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

Adoption of Preliminary Budget.

ALTERNATIVES/OPTIONS:

The deadline for adoption of the Final Budget is December 31, 2015. For any revisions to the proposed final budget, if the estimated revenues or expenses in the final budget are increased more than ten percent in the aggregate or more than twenty-five percent in any major category over the proposed budget, the budget may not be legally adopted with those increases unless it is again advertised once, the same as the original proposed budget, and an opportunity (twenty days) given to taxpayers to examine the proposed amended budget. This would result in delay of adoption of the Final Budget until January 2016 and possible loss of authority to spend money in the new year until a budget is adopted.

BUDGET IMPACT:

Adopts entire budget for the 2016 fiscal year.

RECOMMENDATION:

Adoption of the final 2016 Montgomery Township Budget.

MOTION/RESOLUTION:

There are four (4) separate Resolutions to approve the 2016 Budget. Please see attached four (4) sheets for these Resolutions.

MOTION: \_\_\_\_\_

SECOND: \_\_\_\_\_

ROLL CALL:

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

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

Resolution #

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that the 2016 Montgomery Township Budget be adopted as presented on November 9, 2015 and as advertised on November 12, 2015 and as described in the attached summary.

MOTION BY:

SECOND BY:

VOTE:

DATE: December 14, 2015

cc: L. Gregan, S. Drosnock, Minute Book, Resolution File

Resolution #

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that the 2016 Tax Levy Resolution of Montgomery Township be adopted as follows:

General Fund	.89 mills or 8.9 cents per every \$100 of assessed value
Debt Service	.24 mills or 2.4 cents per every \$100 of assessed value
Fire Protection	.17 mills or 1.7 cents per every \$100 of assessed value
<u>Park &amp; Recreation</u>	<u>.19 mills or 1.9 cents per every \$100 of assessed value</u>
Total	1.49 mills or 14.9 cents per every \$100 of assessed value

BE IT FURTHER RESOLVED by the Board of Supervisors of Montgomery Township that Montgomery Township establishes the Homestead Exclusion amount for the year 2016 at \$30,000, to be applicable to residential properties that are owner occupied and have been approved by the Montgomery County Board of Assessments.

MOTION BY:

SECOND BY:

VOTE:

DATE: December 14, 2015

cc: L. Gregan, S. Drosnock, P. Gallagher, Minute Book, Resolution File

Resolution #

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby establish the following street light assessments for 2016:

DISTRICT	ASSESSMENT PER EACH PROPERTY BENEFITTED (DWELLING UNIT)
District 1	\$40.00
District 2	\$10.00

MOTION BY:

SECOND BY:

VOTE:

DATE: December 14, 2015

cc: L. Gregan, S. Drosnock, P. Gallagher, Minute Book, Resolution File



**MONTGOMERY TOWNSHIP  
2016 FINAL BUDGET**

Fund-Dept	2015	2016
	Original Budget	Final Budget
<b>FUND 01 GENERAL FUND</b>		
<b>REVENUES</b>		
Subtotal Real Estate Taxes	1,626,100.00	1,636,100.00
Subtotal Earned Income Taxes	4,790,000.00	5,190,000.00
Subtotal Local Enabling Taxes	4,065,000.00	4,151,000.00
Subtotal Permits	579,000.00	579,000.00
Subtotal Licenses	623,750.00	650,500.00
Subtotal Fines	175,000.00	175,000.00
Subtotal Interest	18,300.00	40,000.00
Subtotal Rent	0.00	0.00
Subtotal Grants	503,000.00	520,500.00
Subtotal Departmental Fees	75,750.00	75,750.00
Subtotal Other Financing Sources	76,000.00	76,000.00
Subtotal Interfund Transfers	579,800.00	311,350.00
<b>Total General Fund Revenues</b>	<b>13,111,700.00</b>	<b>13,405,200.00</b>
<b>EXPENDITURES</b>		
Subtotal Administration	1,342,250.00	1,391,850.00
Subtotal Tax Collection	231,300.00	221,750.00
Subtotal Finance	884,600.00	675,800.00
Subtotal Police	6,047,250.00	6,278,000.00
Subtotal Police Vehicles	258,900.00	285,300.00
Subtotal Fire Protection	85,140.00	87,150.00
Subtotal Emergency and VMSC	12,550.00	14,450.00
Public Works - General		
Subtotal Public Works - General	1,874,385.00	1,768,250.00
Subtotal Snow Removal	101,100.00	123,100.00
Subtotal Public Works - Traffic Lights	82,550.00	82,200.00
Subtotal Public Works - Street Lighting	19,500.00	20,500.00
Subtotal Public Works - Repair	30,000.00	30,000.00
Subtotal Interfund Transfers	1,384,850.00	1,658,100.00
<b>Total Expenditures General Fund</b>	<b>13,111,700.00</b>	<b>13,405,200.00</b>
<b>TOTAL SURPLUS/DEFICIT GENERAL FUND</b>	<b>0.00</b>	<b>0.00</b>



**MONTGOMERY TOWNSHIP  
2016 FINAL BUDGET**

		2015	2016
Fund-Dept		Original Budget	Final Budget
<b>FUND 04 DEPARTMENT OF FIRE SERVICES</b>			
Revenue subtotal		1,112,100.00	965,100.00
Expenditure Subtotal		1,112,100.00	965,100.00
<b>TOTAL/SURPLUS/DEFICIT FIRE PROTECTION</b>		<b>0.00</b>	<b>0.00</b>
<b>FUND 05 PARKS AND RECREATION</b>			
Revenue Subtotal		449,600.00	468,800.00
Expenditure Subtotal		258,850.00	499,650.00
<b>TOTAL SURPLUS/DEFICIT FUND 05: PARKS FUND</b>		<b>190,750.00</b>	<b>(30,850.00)</b>
<b>FUND 06 BASIN MAINTENANCE:</b>			
Revenue Subtotal		35,400.00	74,200.00
Expenditure Subtotal		85,500.00	74,200.00
<b>TOTAL SURPLUS/DEFICIT FUND 06: BASIN MAINTENANCE</b>		<b>(50,100.00)</b>	<b>0.00</b>
<b>FUND 07 STREET LIGHTS:</b>			
Revenue Subtotal		137,400.00	143,200.00
Expenditure Subtotal		137,400.00	143,200.00
<b>TOTAL SURPLUS/DEFICIT FUND 07: STREET LIGHTS</b>		<b>0.00</b>	<b>0.00</b>
<b>FUND 08 RECREATION CENTER:</b>			
Subtotal Revenues		3,398,600.00	863,000.00
Expenditure Subtotal		7,750,120.00	1,052,725.00
<b>TOTAL SURPLUS/DEFICIT FUND 08: RECREATION CENTER</b>		<b>(4,351,520.00)</b>	<b>(189,725.00)</b>
<b>FUND 23: DEBT SERVICE</b>			
Subtotal Fund 23 Revenue		527,280.00	532,680.00
Subtotal Expenditures Fund 23		763,650.00	539,000.00
<b>TOTAL SURPLUS/DEFICIT FUND 23: DEBT SERVICE</b>		<b>(236,370.00)</b>	<b>(6,320.00)</b>
<b>FUND 30: CAPITAL RESERVE FUND</b>			
Subtotal Revenue Capital Reserve Fund		595,050.00	803,095.00
Subtotal Expenditures Capital Reserve Fund		6,261,300.00	1,519,850.00
<b>TOTAL SURPLUS/DEFICIT FUND 30 CAPITAL RESERVE FUND</b>		<b>(5,666,250.00)</b>	<b>(716,755.00)</b>
<b>FUND 31: PARK DEVELOPMENT FUND</b>			
Subtotal Revenue Park Development Fund		91,700.00	1,500.00
Subtotal Expenditures Park Development Fund		416,000.00	0.00
<b>TOTAL SURPLUS/DEFICIT FUND 31 PARK DEVELOPMENT FUND</b>		<b>(324,300.00)</b>	<b>1,500.00</b>

MONTGOMERY TOWNSHIP		
2016 FINAL BUDGET		
	2015	2016
Fund-Dept	Original Budget	Final Budget
<b>FUND 35: LIQUID FUELS</b>		
Subtotal Liquid Fuels Revenues	575,300.00	662,100.00
Subtotal Liquid Fuels Expenditures	541,000.00	591,700.00
<b>TOTAL SURPLUS/DEFICIT FUND 35 LIQUID FUELS</b>	34,300.00	70,400.00
<b>FUND 93: ENVIRONMENT</b>		
Subtotal Environment Revenue	45,500.00	75,100.00
Subtotal Environment Expenditures	392,900.00	63,500.00
<b>TOTAL SURPLUS/DEFICIT FUND 93 ENVIRONMENTAL</b>	(347,400.00)	11,600.00

**MONTGOMERY TOWNSHIP  
2016 FINAL BUDGET**

		2015	2016
Fund-Dept		Original Budget	Final Budget
<b>FUND 94: REPLACEMENT TREE</b>			
Subtotal Replacement Tree Revenue		227,400.00	50,800.00
Subtotal Replacement Tree Expenditures		290,500.00	50,800.00
<b>TOTAL SURPLUS/DEFICIT FUND 94 REPLACEMENT TREE</b>		<b>(63,100.00)</b>	<b>0.00</b>
<b>FUND 95: AUTUMN FESTIVAL</b>			
Subtotal Autumn Festival Revenue		25,550.00	25,500.00
Subtotal Autumn Festival Expenditures		25,550.00	37,500.00
<b>TOTAL SURPLUS/DEFICIT FUND 95 AUTUMN FESTIVAL</b>		<b>0.00</b>	<b>(12,000.00)</b>
<b>FUND 96: RESTORATION FUND</b>			
Subtotal Restoration Fund Revenue		100.00	0.00
Subtotal Restoration Fund Expenditures		9,900.00	9,900.00
<b>TOTAL SURPLUS/DEFICIT FUND 96 RESTORATION FUND</b>		<b>(9,800.00)</b>	<b>(9,900.00)</b>
<b>TOTAL SURPLUS/DEFICIT FUND 99 FIRE DEPARTMENT MONTGOMERY T</b>		<b>0.00</b>	<b>0.00</b>
<b>Grand total profit/loss</b>		<b>(10,823,790.00)</b>	<b>(882,050.00)</b>
		<b>0.00</b>	<b>0.00</b>
<b>GRAND TOTAL REVENUES - ALL FUNDS</b>		<b>22,335,000.00</b>	<b>20,315,475.00</b>
<b>GRAND TOTAL EXPENSES - ALL FUNDS</b>		<b>33,158,790.00</b>	<b>21,197,525.00</b>
<b>TOTAL SURPLUS/DEFICIT ALL FUNDS</b>		<b>(10,823,790.00)</b>	<b>(882,050.00)</b>
*Note - Any funds showing a deficit will balance funds by an intentional reduction in Fund Balance			

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Definition and Commitment of Fund Balances in Accordance with  
GASB Statement No. 54

MEETING DATE: December 14, 2015

ITEM NUMBER: #11

MEETING/AGENDA: WORK SESSION

ACTION xx

NONE

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

INITIATED BY: Shannon Q. Drosnock  
Finance Director

BOARD LIAISON: Robert J. Birch, Supervisor  
Liaison – Finance Committee

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BACKGROUND:

Each year the Board of Supervisors adopts a resolution denoting the categories of the fund balances as required by the Government Accounting Standards Board (GASB) Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions*, which addresses how fund balances (the difference between assets and fund liabilities) are to be reported on the annual audited financial statements.

Attached Exhibit A is the detail of each fund balance and its designated GASB 54 category.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

Adoption of GASB category definitions and designation of all fund balances.

ALTERNATIVES/OPTIONS:

The Board has the option to re-assign fund balances to various categories based on the use of the balances.

BUDGET IMPACT:

Required for accurate financial reporting.

RECOMMENDATION:

Staff recommends that the Board adopted the fund balance designations as described in attached Exhibit A.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby classify the Township's fund balances in accordance with the Governmental Accounting Standard Board Statement No. 54 as described in attached Exhibit A.

MOTION: \_\_\_\_\_

SECOND: \_\_\_\_\_

ROLL CALL:

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

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

Montgomery Township  
GASB 54

GASB 54  
Designation

Explanation of designation and balance.

GOVERNMENT FUNDS	Designation	Explanation of designation and balance.
General (01)	Unassigned	General Fund unassigned fund balance used for contingency purposes, fluctuations in revenue and/or expenses, unbudgeted necessities throughout the year.
Fire Protection (04)	Committed	The Fire Protection Fund receives most of its revenue from two sources: dedicated tax millage legally restricted and Board allocated General Fund tax receipts. The legally restricted funds are used first and therefore the fund balance is a result of Board allocated General Fund transfers. This balance is Committed by the Board of Supervisors. Committed funds will be used for Capital Purchases and/or infrastructure improvements specifically for the Department of Fire Services including but not limited to vehicles and buildings. The fund balance may also be used to accomodate Board authorized changes in the tax allocation from the General Fund.
Parks Fund (05)	Assigned	This fund balance is assigned by the Board of Supervisors' designee, for Park and Recreation purposes.
Street Light (07)	Restricted	This fund balance is a result of a specific assessment on residential real estate tax bills for the purpose of providing and maintaining street lights and as such, this fund balance is legally restricted.
Recreation Center (08)	Committed	The previous fund balance of this fund was bond proceeds and legally restricted. The bond proceeds have been spent and the fund balance is now committed for the purpose of operating the Montgomery Township Community and Recreation Center.
Debt Service (23)	Restricted	This fund balance is a result of dedicated millage on real estate tax bills for the purpose of the Township's Debt Service and as such is legally restricted.
Basin Maintenance Fund (06)	Restricted	This fund balance is a result of payments made by developer's as specified in the Land Development Agreement (LDA) with the Township and as such is legally restricted to the purposes and uses stated in the LDA's.
Capital Reserve (30)	Committed	This fund balance is committed by the Board of Supervisors annually and is used for capital replacement and improvements.
Park Development (31)	Restricted	This fund balance is a result of payments made by developer's as specified in the Land Development Agreement (LDA) with the Township and as such is legally restricted to the purposes and uses stated in the LDA's.
Liquid Fuels (35)	Restricted	This fund balance is a result of grant money from the State through the Highway Aid program and as such is legally restricted to be used for purposes specified by the State grant program.
Police Donation (92)	Assigned	This fund balance is assigned by the Board of Supervisors' designee for Police Department uses.
Environment (93)	Committed	This fund balance is a result of grant money received through the Montgomery County Recycling Grant and as such the Board of Supervisors has committed its use to funding projects related to stewardship of the environment.
Trees (94)	Committed	This fund balance is a result of payments made to the Township by developer's but is to be used at the discretion of the Township. As such the Board has Committed this fund balance for purposes of Arbor Day and the Shade Tree Commission.
Autumn Fest (95)	Assigned	This fund balance is assigned by the Board of Supervisors' designee for the Township's annual Autumn Fest.
Restoration Fund (96)	Restricted	This money is restricted by a legal contract to be used for the restoration of the Knapp Farm House.



MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Approval of 4<sup>th</sup> Quarter 2015 Budget Amendments

MEETING DATE: December 14, 2015

ITEM NUMBER: # 12

MEETING/AGENDA:

ACTION

NONE

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

INITIATED BY: Shannon Q. Drosnock  
Finance Director

BOARD LIAISON: Robert J. Birch, Supervisor  
Liaison – Finance Committee

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BACKGROUND:

As year-end approaches, it is appropriate amend the 2015 budget to reflect the Board approved changes to the original budget throughout the year. These proposed amendments are detailed below:

**Construction of Community and Recreation Center**

As discussed during the public budget workshop meetings of 2015 and 2016, funding for various aspects of the CRC would come from Township funds committed by the Board for specific purposes including Technology Reserves, Contingency Reserves, Park Capital Plans, Environmental Funds and Replacement Tree funding. The proposed budget amendment reflects those intentions.

**Debt Service Payment**

During the beginning of 2015 the Board approved the allocation of fiscal year 2014 surplus to various purposes including a \$500K payment of principal on the 2012 G.O. Note. The proposed budget amendment reflects that payment being made in 2015 with 2014 surplus fund balance.

**Fire Fund**

The Fire Fund budgeted originally reflected payment of the new Squad anticipated in 2014 and was budgeted as such. Payment for that vehicle occurred in 2015 and the proposed budget amendment reflects that purchase occurring in 2015.

**Land Acquisition**

The Capital Fund budget originally reflected a payment for the acquisition of 1216 Stump Road (Zehr) to occur in 2015. That payment occurred at the end of 2014 and so the proposed budget amendment reflects the reduction of that expenditure from the 2015 budget.

All of the above described amendments are detailed in attached Exhibit A.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT: NONE

PREVIOUS BOARD ACTION:

Authorization to spend the funds during the fiscal year.

ALTERNATIVES/OPTIONS:

None.

**BUDGET IMPACT:**

With the approval of these Budget Amendments, the Township will continue to operate in accordance with all internal and external controls.

**RECOMMENDATION:**

Staff recommends that the Board approve the 4<sup>th</sup> Quarter budget amendments as presented.

**MOTION/RESOLUTION:**

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby approve the 2015 4<sup>th</sup> Quarter Budget Amendments to the Fire Fund, Environmental Fund, Replacement Tree Fund, Recreation Fund, Debt Service Fund and the Capital Reserve Fund as per attached Exhibit A.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_

**ROLL CALL:**

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

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



**Montgomery Township**  
**Proposed 2015 4th Quarter Budget Amendments**

<b>Fund/Org</b>	<b>Account</b>	<b>Title</b>	<b>Current Budget</b>	<b>Expense/Revenue Increase</b>	<b>Amended Budget</b>
<b>Capital Reserve Fund</b>					
30-492	4008	Transfer to Rec Fund Construction of Recreation Center	\$ 1,570,000.00	\$ 1,500,000.00	\$ 3,070,000.00
30-492	4004	Transfer out to Fire Fund Fire Truck funding budgeted in 2014, payment occurred in 2015	\$ 84,000.00	\$ 592,000.00	\$ 676,000.00
30-400	4600	Land Acquisition Funding occurred end of 2014	\$ 3,000,000.00	\$ (2,900,000.00)	\$ 100,000.00
<b>Recreation Fund</b>					
08-392	3094	Transfer from Tree Fund Construction of Recreation Center	\$ 200,000.00	\$ 26,000.00	\$ 226,000.00
08-392	3030	Transfer from Capital Fund Construction of Recreation Center	\$ 1,570,000.00	\$ 1,500,000.00	\$ 3,070,000.00
08-392	3093	Transfer from Environmental Fund Construction of Recreation Center	\$ 350,000.00	\$ 150,000.00	\$ 500,000.00
<b>Fire Fund</b>					
04-392	3030	Transfer in From Capital Reserve Fire Truck funding budgeted in 2014, payment occurred in 2015	\$ 84,000.00	\$ 510,000.00	\$ 594,000.00
04-413	4750	Fire Department - Capital Replacement Fire Truck funding budgeted in 2014, payment occurred in 2015	\$ 84,000.00	\$ 510,000.00	\$ 594,000.00
<b>Miscellaneous Funds</b>					
94-492	4008	Transfer from Tree Fund Construction of Recreation Center	\$ 200,000.00	\$ 26,000.00	\$ 226,000.00
08-392	3093	Transfer from Environmental Fund Construction of Recreation Center	\$ 350,000.00	\$ 150,000.00	\$ 500,000.00
23-471	4471	Payment of Principal 2014 Surplus funds allocated to Debt Svc Payment	\$ 462,050.00	\$ 500,000.00	\$ 962,050.00

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Presentation of Certificate of Achievement for Excellence in Financial Reporting Award

MEETING DATE: December 14, 2015

ITEM NUMBER: **#13**

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

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

INITIATED BY: Shannon Q. Drosnock  
Finance Director

BOARD LIAISON: Michael J. Fox, Chairman



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BACKGROUND:

The GFOA established the Certificate of Achievement for Excellence in Financial Reporting Program (CAFR Program) to encourage and assist state and local governments to go beyond the minimum requirements of generally accepted accounting principles and to prepare comprehensive annual financial reports that evidence the spirit of transparency and full disclosure and to further recognize individual governments that succeed in achieving that goal.

Reports submitted to the CAFR program are reviewed by selected members of the GFOA professional staff and the GFOA Special Review Committee (SRC).

In 2015 for fiscal year 2014, the Township prepared its annual financial report in CAFR format and applied to the GFOA for consideration in the CAFR Program.

This month, the Township received a letter from the GFOA congratulating the Township for the successful completion of its 2014 audit in the CAFR format and awarding the Township the Certificate of Achievement in Financial Reporting for the fiscal year ended December 31, 2014. This is the fifth consecutive year that the Township has achieved this award.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Acknowledge receipt of Award.

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



Government Finance Officers Association

**Certificate of  
Achievement  
for Excellence  
in Financial  
Reporting**

Presented to

**Montgomery Township  
Pennsylvania**

For its Comprehensive Annual  
Financial Report  
for the Fiscal Year Ended

**December 31, 2014**

Executive Director/CEO



Government Finance Officers Association  
203 N. LaSalle Street - Suite 2700  
Chicago, IL 60601

Phone (312) 977-9700 Fax (312) 977-4806

11/11/2015

NEWS RELEASE

For Information contact:  
Stephen Gauthier (312) 977-9700

(Chicago)--The Certificate of Achievement for Excellence in Financial Reporting has been awarded to **Montgomery Township** by the Government Finance Officers Association of the United States and Canada (GFOA) for its comprehensive annual financial report (CAFR). The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

An Award of Financial Reporting Achievement has been awarded to the individual(s), department or agency designated by the government as primarily responsible for preparing the award-winning CAFR. This has been presented to:

**Montgomery Township, Pennsylvania**

The CAFR has been judged by an impartial panel to meet the high standards of the program including demonstrating a constructive "spirit of full disclosure" to clearly communicate its financial story and motivate potential users and user groups to read the CAFR.

The GFOA is a nonprofit professional association serving approximately 17,500 government finance professionals with offices in Chicago, IL, and Washington, D.C.

# Certificate of Achievement For Excellence in Financial Reporting

## Summary of Grading

Name of Unit: Montgomery Township

Fiscal Year of Report FY2014

Report # 3,665.00

The Certificate of Achievement Program Special Review Committee (SRC) has completed its review of your comprehensive annual financial report (CAFR). Listed below are the grading categories used and a summary of the SRC's evaluation of your CAFR. The detailed comments and suggestions for reporting improvements on the attached listing are grouped under similar grading categories. Any category which received a grade of "Needs Significant Improvement" indicates an area of particular concern to the SRC and the related comments and suggestions for improvement in this category should be given special attention. An indication is provided on the list by the specific comments(s) or category(ies) that were the cause of receiving this grade. For each item, the notation also states whether it is 1) the basis or part of the basis for the CAFR not receiving the Certificate of Achievement, 2) a serious deficiency which will almost certainly preclude the awarding of the Certificate of Achievement if it is not corrected in your next CAFR, or 3) a deficiency, that if not corrected in future CAFRs, could result in the Certificate of Achievement not being awarded.

### Grading Category

### Grade

Cover, table of contents, and formatting	Proficient
Introductory section	Proficient
Report of the independent auditor	Proficient
Management's discussion and analysis (MD&A)	Proficient
Basic financial statements (preliminary considerations)	Proficient
Government-wide financial statements	Proficient
Fund financial statements (general considerations)	Proficient
Governmental fund financial statements	Proficient
Proprietary fund financial statements	Proficient
Fiduciary fund financial statements	Proficient
Summary of significant accounting policies (SSAP)	Proficient
Note disclosure (other than the SSAP and pension-related disclosures)	Proficient
Pension-related note disclosures	Proficient
Required supplementary information (RSI)	Proficient
Combining and individual fund information and other supplementary information	Proficient
Statistical section	Proficient
Other considerations	Proficient

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Approval of Release of Cash Performance Bond – ERP Software

MEETING DATE: December 14, 2015

ITEM NUMBER: # 14

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

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

INITIATED BY: Shannon Q. Drosnock  
Finance Director

BOARD LIAISON: Michael J. Fox, Chairman



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BACKGROUND:

Article 7 of Montgomery Township RFP #2014-01 detailed the Performance Bond requirement for the successful vendor of the ERP Software Contract and stated "*The successful vendor, upon award of the contract, will be required to furnish a Performance Bond in the amount of 100% of the contract*".

BS&A Software was the successful vendor and in December of 2014 was awarded the above mentioned contract. Per the terms of the RFP, BS&A provided a cash payment as the Performance Bond for the contract.

Successful completion of the project has occurred and BS&A has requested the return of their cash payment which has been held in escrow by the Township.

All documentation described above is attached here.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None

PREVIOUS BOARD ACTION:

Award of the contract to BS&A in December 2014 and execution of the contract along with receipt of the cash bond, in March of 2015.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Staff recommends that the Board acknowledge successful completion of the contract with BS&A and authorize the return of the cash bond per the terms of the agreement.



MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township there we hereby acknowledge the successful completion of the contract with BS&A Software and authorize the return of the cash payment Performance Bond in the amount of \$237,090.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_

ROLL CALL:

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

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

OFFICIAL CHECK



First National Bank  
of America

EAST LANSING, MICHIGAN 48823

74-1243/724

024681

DATE 03/09/2015

PAY TO THE  
ORDER OF

Montgomery Township - PA

\$ 237,090.00

\$237,090.00

DOLLARS

VOID AFTER 90 DAYS

REMITTER

Bellefeuil Szur & Associates Inc.

  
AUTHORIZED SIGNATURE

⑈024681⑈ ⑆072412435⑆ 09300⑈009⑈3⑈

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

---

SUBJECT: Consider Authorization to Purchase and Install Proximity Card System for Police Department

MEETING DATE: December 14, 2015

ITEM NUMBER: #15

MEETING/AGENDA: WORK SESSION

ACTION XX NONE

REASON FOR CONSIDERATION: Operational: XX

Policy: Discussion: Information:

INITIATED BY: J. Scott Bendig  
Chief of Police

BOARD LIAISON: Michael J. Fox, Chairman



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BACKGROUND:

The Police Department is proposing the purchase and installation of a proximity card reader system to manage entry points into the secure wing of the police station, as well as other sensitive areas of the station. This system, along with previous upgrades to our camera system, will improve overall security, access, and accountability in the police department.

Attached is a quote dated December 3, 2015 from The Protection Bureau, an authorized vendor under the Co-Stars Cooperative Purchase Program (Contract # #008-166), to provide the requested equipment and installation at a cost of \$21,477.00.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT: None.

PREVIOUS BOARD ACTION:

On August 10, 2015, the Board of Supervisors approved the awarding of the contract for the purchase and installation of a proximity card system to another Co-Stars vendor. This vendor is unable to provide services as requested.

ALTERNATIVES/OPTIONS:

Cooperative purchasing programs use the purchasing power of local entities to obtain more competitive pricing and choice than individual municipalities might be able to obtain on their own. The Township also saves on the expense of preparation of a bid specifications, notice, and advertising.

BUDGET IMPACT:

A total of \$20,500.00 was included in the 2015 Approved Final Capital New Budget-Police Department for the purchase of a proximity card reader system.

RECOMMENDATION:

It is recommended the Board of Supervisors approves award of the contract for the referenced purchase per the 2015 Approved Final Budget.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby award the contract for the purchase and installation of a proximity card reader system to The Protection Bureau, an authorized vendor under the Co-Stars Cooperative Purchase Program, at a cost of \$21,477.00.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_

ROLL CALL:

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

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



**SECURITY SERVICES AGREEMENT  
# 10938-1-0**

Prepared for:  
**Montgomery Township  
1001 Stump Road  
Montgomeryville, PA, 18936**

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**Montgomery Twp PD Access**

**Montgomery Township  
1001 Stump Road  
Montgomeryville, PA 18936**

Prepared By

**THE PROTECTION BUREAU  
197 Philips Road  
Exton, Pennsylvania 19341  
Tel: 610-903-4900  
Fax: 610-903-4979**

**JIM LAFFERTY  
Sales Consultant**

**December 03, 2015**

**THIS AGREEMENT IS MADE BETWEEN** Philadelphia Protection Bureau, Inc. t/a **THE PROTECTION BUREAU**, 197 Philips Road, Exton, PA 19341 (610) 903-4900 ("**Bureau**"), and **Montgomery Township**, 1001 Stump Road Montgomeryville, PA, 18936 ("**Client**").

**SERVICES CONTRACTED:** Client hereby contracts Bureau to sell the equipment and provide services described below in Scope of Work for services located at: **1001 Stump Road Montgomeryville, PA 18936**

**OTHER SERVICES:** In addition to material and equipment, Client contracts Bureau to supply the following services (such other services may be contracted or ordered from time to time):

Service and Repair/Replacement of equipment which fails to function.

**CLIENT REPRESENTATIONS:**

Client has read and agrees to provide those items in Schedule A marked "Client Responsibilities." Client represents it is the owner of the subject premises where equipment is to be installed, or, if tenant, has, or will have, received prior to delivery the explicit permission of the property owner for the installation to be accomplished without any diminution of the rights of Bureau.

**Scope of Work:**

Provide and install an S2 access control system. This is the same system as the Township uses at the fire houses and rec center however this system is a separate system. They are not connected or combined.

12 doors as per attached plan.

6 of the doors have existing electric strikes that will be utilized and tie into the new system

Fit 6 doors with reader, door contact, rex motion, and strike.

Fit 6 doors with reader, door contact, rex motion and tie in existing strike

Install one 12-door control panel and lock power supply for 6 doors.

Install cabling

Provide system programming and training.

Supply 100 cards

Provide photo ID printing service for 45 prints @ 12.50 per print. This fee is included in the total price along with a one-time \$300.00 badge design fee. Additional prints will be provided upon request @ 12.50 per. Customer sends The Protection Bureau a jpeg photo, we print the ID on an adhesive PVC card and mail to customer which then applies to the card.

Re-Key the 12 access doors.

Customer to provide:

Network connection for the S2 controller and power

Individual programming of cards once trained

*If a permit is required by the Municipality to perform this work, the normal lead time for approval is 30 business days. Additionally, the average lead time to prepare the permit submission is typically 5-7 business days. Some systems will require more time due to the size of the system, Architectural seal requirements or third party coordination. Client is responsible for all permit fees and associates costs, including Bureau's processing fee of \$50.00. Bureau will do everything we can do to expedite this process. Our Permit Coordinator will keep you informed on the permit process and work with our Project manager to finalize the project start date. Bureau cannot proceed with installation until permit(s) are acquired.*

**BILL OF MATERIALS:** Bureau will furnish and install the components listed below. The specifications are based on the verbal instructions of Client.

Qty	Part# / Type	Description
12	5395CG100	HID THINLINE PROX RDR GREY
6	4500-630	ELECTRIC STRIKE SATIN STAINLESS12/24



12	DS160	REQUEST TO EXIT MOTION DETECTOR W/ SOUNDER - WHITE
1	S2-NB16-E8R-WM	S2 Netbox, 16 Reader License and 8-Door Panel
100	1326LSSMV	26 BIT PROX CARD
12	184-12GR	1 RECESSED DOOR CONTACT N/C - GREY
2	712 BATTERY	12 VOLT 7AH BATTERY
1	1W950	CORD PIGTAIL 14/3 LOT=EACH
1	AL400ULACM	12/24VDC POWERSUPPLY 8 OUT
2	S2-ACM	ACCESS CONTROL BLADE. SUPPORTS 2 READERS
45	CR80 CARD	20ML ADHESIVE PHOTO CARD - PAPER BACKING

#### INVESTMENT:

Client agrees to pay to Bureau the sum(s) negotiated and contained in the quotation supplementing this Agreement (plus applicable sales taxes):

<b>Total Amount</b>	<b>\$</b>	<b>21,477</b>	
Deposit	\$	6,443	Upon Signing of this Agreement
Balance	\$	15,034	Payable upon delivery of equipment and as installation services are performed

Unless indicated, pricing does not include Prevailing Wage. If project requires Prevailing Wage, then Client agrees to pay difference between quoted amount and Prevailing Wage.

#### REFERENCE AGREEMENT:

This Agreement shall remain in full force and effect for five years from the date of signing and shall be governed by the same terms and conditions as the agreement between the parties dated , with the same full force and effect as if those terms were reprinted herein in their entirety, except as any of those terms may be modified herein. It is agreed that a FAXED signed copy of this Agreement shall serve as and be construed as an equal to an original in all respects.

The Protection Bureau may withdraw this Agreement, at any time and without notice, should the Agreement be modified in any part by Client without Bureau's written approval, or should Agreement not be accepted by means of signature being affixed hereto within forty-five (45) days of the date written above.

#### THE PROTECTION BUREAU

#### MONTGOMERY TOWNSHIP

Signature \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Title (Must be an officer of Bureau) \_\_\_\_\_

Title \_\_\_\_\_

Printed Name \_\_\_\_\_

Printed Name \_\_\_\_\_

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Authorization to Advertise for a Public Hearing for Proposed Ordinance #15-292 – Amending Article IV (Floodplain Conservation District) of the Township Zoning Code

MEETING DATE: December 14, 2015

ITEM NUMBER: #16

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

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

INITIATED BY: Lawrence J. Gregan,  
Township Manager

BOARD LIAISON: Candyce Fluehr Chimera,  
Liaison to Planning Commission



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BACKGROUND:

Over the past several years, the Federal Emergency Management Agency (FEMA) has been updating the Flood Insurance Rate Maps (FIRM's) for Montgomery County, including Montgomery Township. Those maps were finalized and a letter of final determination was issued by FEMA on September 2, 2015. With the issuance of the letter of final determination, the Township had 180 days to update its Floodplain Ordinance adopting the new maps and to remain in good standing in the national flood insurance program. The deadline for adopting the ordinance and submitting it to FEMA is March 2, 2016.

Township staff, Solicitor and Township Engineer have prepared the attached draft amendment to the provisions of Article IV "Floodplain Conservation District" of the Township Zoning Code. Due to the significant number of changes required to comply with the new FEMA regulations, the ordinance proposes repealing of Article IV in its entirety and replacing it with a new article adopting the new FEMA regulations.

Since this is an amendment to the Zoning Code, the Proposed Ordinance will need to be reviewed by the Montgomery Township and Montgomery County Planning Commissions prior to consideration for adoption. With the mandatory review time and advertising requirements for Zoning Code amendments, the proposed ordinance will need to be considered for adoption at the February 22, 2016 Board of Supervisors meeting in order to meet the March 2, 2016 FEMA deadline.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

Adoption of the proposed ordinance will provide for the Township to remain in good standing in the National Flood Insurance Program.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None, the adoption of these regulations is mandated in order for the Township to remain in good standing with the National Flood Insurance Program.

BUDGET IMPACT:

None.

RECOMMENDATION:

Authorize advertisement of Proposed Ordinance #15-292, amending Article IV (Floodplain Conservation District) of the Township Zoning Code for consideration at the Board of Supervisors meeting on February 22, 2016 and direct that the proposed ordinance be submitted to the Montgomery County and Montgomery Township Planning Commissions for review and comment.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby authorize the advertisement of proposed Ordinance #15-292, amending Article IV (Floodplain Conservation District) of the Township Zoning Code for consideration at the Board of Supervisors meeting on February 22, 2016 and direct that the proposed ordinance be submitted to the Montgomery County and Montgomery Township Planning Commissions for review and comment.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_

ROLL CALL:

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

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



# Federal Emergency Management Agency

Washington, D.C. 20472

RECEIVED

SEP 08 2015

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:  
115-N

MONTGOMERY TOWNSHIP

September 2, 2015

The Honorable Michael J. Fox  
Chairman, Board of Supervisors  
Township of Montgomery  
1001 Stump Road  
Montgomeryville, Pennsylvania 18936

Community: Township of Montgomery,  
Montgomery County,  
Pennsylvania  
Community No.: 421226  
Map Panels Affected: See FIRM Index

Dear Mr. Fox:

On July 31, 2010, the Department of Homeland Security's Federal Emergency Management Agency (FEMA) provided you with Preliminary copies of the revised Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for Montgomery County, Pennsylvania (All Jurisdictions) for your review and comment. Those Preliminary copies presented revised flood hazard information for your community, but did not present revised elevations of the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). Therefore, no appeal period was required.

Your community was provided with a 30-day review period, and that period has now elapsed. All comments and concerns about the Preliminary copies of the revised FIRM and FIS report submitted to FEMA have been addressed and resolved; therefore, the revised FIRM panels, as referenced above, will be effective as of March 2, 2016, and revise the FIRM that was in effect prior to that date. For insurance rating purposes, the community number and new suffix code for the FIRM panels being revised are indicated on the panels and must be used for all new policies and renewals.

The modifications are pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (Public Law 93-234) and are in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, Public Law 90-448), 42 U.S.C. 4001-4128, and 44 CFR Part 65. Because of the modifications to the FIRM and FIS report for your community made by this map revision, certain additional requirements must be met under Section 1361 of the 1968 Act, as amended, within 6 months from the date of this letter. Prior to March 2, 2016, your community is required, as a condition of continued eligibility in the National Flood Insurance Program (NFIP), to adopt or show evidence of adoption of floodplain management regulations that meet the standard of Paragraph 60.3(d) of the NFIP regulations. These standards are the minimum requirements and do not supersede any State or local requirements of a more stringent nature.

It must be emphasized that all the standards specified in Paragraph 60.3(d) of the NFIP regulations must be enacted in a legally enforceable document. This includes the adoption of the effective FIRM and FIS report to which the regulations apply and the modifications made by this map revision. Some of the standards should already have been enacted by your community. Any additional requirements can be met by taking one of the following actions:



1. Amending existing regulations to incorporate any additional requirements of Paragraph 60.3(d);
2. Adopting all the standards of Paragraph 60.3(d) into one new, comprehensive set of regulations; or
3. Showing evidence that regulations have previously been adopted that meet or exceed the minimum requirements of Paragraph 60.3(d).

Communities that fail to enact the necessary floodplain management regulations will be suspended from participation in the NFIP and subject to the prohibitions contained in Section 202(a) of the 1973 Act as amended.

A Consultation Coordination Officer (CCO) has been designated to assist your community with any difficulties you may be encountering in enacting the floodplain management regulations. The CCO will be the primary liaison between your community and FEMA. For information about your CCO, please contact:

Mr. Eugene Gruber, P.E.  
 Director, Mitigation Division  
 FEMA, Region III  
 One Independence Mall, Sixth Floor  
 615 Chestnut Street  
 Philadelphia, Pennsylvania 19106-4404  
 (215) 931-5512

To assist your community in maintaining the FIRM, we have enclosed a Summary of Map Actions (SOMA) to document previous Letter of Map Change (LOMC) actions (i.e., Letters of Map Amendment [LOMAs], Letters of Map Revision [LOMRs]) that will be superseded when the revised FIRM panels referenced above become effective. Information on LOMCs is presented in the following four categories: (1) LOMCs for which results have been included on the revised FIRM panels; (2) LOMCs for which results could not be shown on the revised FIRM panels because of scale limitations or because the LOMC issued had determined that the lots or structures involved were outside the Special Flood Hazard Area as shown on the FIRM; (3) LOMCs for which results have not been included on the revised FIRM panels because the flood hazard information on which the original determinations were based are being superseded by new flood hazard information; and (4) LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures cannot be revalidated through an administrative process like the LOMCs in Category 2 above. LOMCs in Category 2 will be revalidated through a single letter that reaffirms the validity of a previously issued LOMC; the letter will be sent to your community shortly before the effective date of the revised FIRM and will become effective 1 day after the revised FIRM becomes effective. For the LOMCs listed in Category 4, we will review the data previously submitted for the LOMA or LOMR request and issue a new determination for the affected properties after the revised FIRM becomes effective.

Please submit your existing or draft ordinance to Mr. Daniel Fitzpatrick, CFM, State NFIP Coordinator within one month. Mr. Fitzpatrick will review the ordinance, work with your community to develop a compliant ordinance, and submit the compliant ordinance to FEMA Region III for approval. Once you have received feedback and adopt the ordinance, you should also mail a complete, signed official copy of the adopted ordinance to Mr. Fitzpatrick before the effective date. Email submissions are preferred, though full contact information follows:

Mr. Daniel Fitzpatrick, CFM  
Department of Community and Economic Development  
Commonwealth Keystone Building  
400 North Street, Fourth Floor  
Harrisburg, Pennsylvania 17120-0225  
Phone: (717) 720-7445  
Fax: (717) 783-1402  
dafitzpatr@state.pa.us

The FEMA Region III staff is also available to assist you with your floodplain management measures and may be contacted by telephone at (215) 931-5512. If you have any questions concerning mapping issues in general or the enclosed SOMA, please call our FEMA Map Information eXchange (FMIX) at 1-877-FEMA MAP (1-877-336-2627). Additional information and resources your community may find helpful regarding the NFIP and floodplain management, such as *The National Flood Insurance Program Code of Federal Regulations*, *Answers to Questions About the National Flood Insurance Program*, *Use of Flood Insurance Study (FIS) Data As Available Data*, *Frequently Asked Questions Regarding the Effects that Revised Flood Hazards have on Existing Structures*, and *National Flood Insurance Program Elevation Certificate and Instructions*, can be found on our website at <http://www.floodmaps.fema.gov/lfd>. Paper copies of these documents may also be obtained by calling our FMIX.

Sincerely,



Luis Rodriguez, P.E., Chief  
Engineering Management Branch  
Federal Insurance and Mitigation Administration

Enclosure:

Final Summary of Map Actions

cc: Community Map Repository

Mr. Bruce Shoupe, Director, Planning and Zoning Department, Township of Montgomery



## FINAL SUMMARY OF MAP ACTIONS

Community: MONTGOMERY, TOWNSHIP OF

Community No: 421226

To assist your community in maintaining the Flood Insurance Rate Map (FIRM), we have summarized below the previously issued Letter of Map Change (LOMC) actions (i.e., Letters of Map Revision (LOMRs) and Letters of Map Amendment (LOMAs)) that will be affected when the revised FIRM becomes effective on March 2, 2016.

**1. LOMCs Incorporated**

The modifications effected by the LOMCs listed below will be reflected on the revised FIRM. In addition, these LOMCs will remain in effect until the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
			NO CASES RECORDED		

**2. LOMCs Not Incorporated**

The modifications effected by the LOMCs listed below will not be reflected on the revised FIRM panels because of scale limitations or because the LOMC issued had determined that the lot(s) or structure(s) involved were outside the Special Flood Hazard Area, as shown on the FIRM. These LOMCs will remain in effect until the revised FIRM becomes effective. These LOMCs will be revalidated free of charge 1 day after the revised FIRM becomes effective through a single revalidation letter that reaffirms the validity of the previous LOMCs.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
LOMA	01-03-1714A	12/21/2001	LOT 43, MONTGOMERY LEA, 107 CHURCHILL CIRCLE	42091C0277E	42091C0277G
LOMA	13-03-1457A	05/23/2013	RAVEN HOLLOW, PHASE 2, LOT 71 – 105 HOLL COURT	42091C0277E	42091C0277G
LOMA	13-03-1458A	05/30/2013	RAVEN HOLLOW, PHASE II, LOT 74 – 141 RAVEN HOLLOW DRIVE	42091C0277E	42091C0277G

**3. LOMCs Superseded**

The modifications effected by the LOMCs listed below have not been reflected on the Final revised FIRM panels because they are being superseded by new detailed flood hazard information or the information available was not sufficient to make a determination. The reason each is being superseded is noted below. These LOMCs will no longer be in effect when the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Reason Determination Will be Superseded
LOMR	98-03-057P	06/09/1998	TRIB. NO. 5 - LAPP PROPERTY	4

## FINAL SUMMARY OF MAP ACTIONS

Community: MONTGOMERY, TOWNSHIP OF

Community No: 421226

LOMC	Case No.	Date Issued	Project Identifier	Reason Determination Will be Superseded
LOMR	98-03-217P	09/10/1998	TRIB. 5 TO WISSAHICKON CREEK	4

1. Insufficient information available to make a determination.
2. Lowest Adjacent Grade and Lowest Finished Floor are below the proposed Base Flood Elevation.
3. Lowest Ground Elevation is below the proposed Base Flood Elevation.
4. Revised hydrologic and hydraulic analyses.
5. Revised topographic information.

**4. LOMCs To Be Redetermined**

The LOMCs in Category 2 above will be revalidated through a single revalidation letter that reaffirms the validity of the determination in the previously issued LOMC. For LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures has changed, the LOMC cannot be revalidated through this administrative process. Therefore, we will review the data previously submitted for the LOMC requests listed below and issue a new determination for the affected properties after the effective date of the revised FIRM.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
			NO CASES RECORDED		

# **MONTGOMERY TOWNSHIP**

ORDINANCE #15-\_\_\_\_\_

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AN ORDINANCE AMENDING ARTICLE II [DEFINTIONS] AND REPEALING ARTICLE IV [FP FLOODPLAIN CONSERVATION DISTRICT] IN ITS ENTIRETY AND REPLACING IT WITH A NEW ARTICLE IV [FP FLOODPLAIN CONSERVATION DISTRICT WITH PROVISIONS FOR STATUTORY AUTHORIZATION; GENERAL PROVISIONS; IDENTIFICATION OF FLOODPLAIN AREAS; USE REGULATIONS; PROCEDURES AND CONDITIONS FOR VARIANCES AND SPECIAL EXCEPTIONS; TECHNICAL PROVISIONS; ADMINISTRATION; CERTIFICATE OF COMPLIANCE; MUNICIPAL LIABILITY; AND RESERVED SECTIONS FOR FUTURE AMENDMENT.

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DRAFT

ENACTED: \_\_\_\_\_

# MONTGOMERY TOWNSHIP

ORDINANCE #15-\_\_\_\_\_

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AN ORDINANCE AMENDING ARTICLE II [DEFINITIONS] AND REPEALING ARTICLE IV [FP FLOODPLAIN CONSERVATION DISTRICT] IN ITS ENTIRETY AND REPLACING IT WITH A NEW ARTICLE IV [FP FLOODPLAIN CONSERVATION DISTRICT WITH PROVISIONS FOR STATUTORY AUTHORIZATION; GENERAL PROVISIONS; IDENTIFICATION OF FLOODPLAIN AREAS; USE REGULATIONS; PROCEDURES AND CONDITIONS FOR VARIANCES AND SPECIAL EXCEPTIONS; TECHNICAL PROVISIONS; ADMINISTRATION; CERTIFICATE OF COMPLIANCE; MUNICIPAL LIABILITY; AND RESERVED SECTIONS FOR FUTURE AMENDMENT.

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**IT IS HEREBY ENACTED AND ORDAINED** by the Montgomery Township Board of Supervisors that the Township's Zoning Ordinance is hereby amended as follows:

**SECTION 1. Amendment of Article II [Definitions].**

- A. The following terms and definitions shall be added to Article II [Definitions], §230-5 [Word usage; definitions]:

BASE FLOOD – a flood which has a one percent chance of being equaled or exceeded in any given year (also called the "100-year flood").

BASE FLOOD ELEVATION (BFE) – the elevation shown on the Flood Insurance Rate Map (FIRM) for Zones AE and A1-30 that indicates the water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year. The BFE is also shown on the FIS profile, and can be determined for Zone A Floodplains.

BASEMENT – any area of the building having its floor below ground level on all sides.

EXISTING MANUFACTURED HOME PARK OR SUBDIVISION – a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

EXISTING STRUCTURE/EXISTING CONSTRUCTION – a structure for which the “start of construction” commenced before the effective date of the FIRM,

EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION – the preparation of additional sites by the construction of facilities for servicing the lots on which the manufacturing homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FLOOD INSURANCE RATE MAP (FIRM) – the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY (FIS) – the official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Insurance Rate Map, the Flood Boundary and Floodway Map, and the water surface elevation of the base flood.

FLOODWAY – the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

FLOODWAY FRINGE – That part of the floodplain adjacent to and extending from the floodway and subject to inundation by the 100-year flood.

FREEBOARD – A factor of safety usually expressed in feet above a flood level for purposes of floodplain management.

HIGHEST ADJACENT GRADE – The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

HISTORIC STRUCTURES – any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Pennsylvania Historical and Museum Commission (PHMC) as meeting the criteria for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Pennsylvania Historical and Museum Commission (PHMC) as contributing to the historical significance of a National Register historic district or a district preliminarily determined by the PHMC to be eligible to qualify for listing in the National Register, or;
- (3) Designated as historic by a municipal ordinance:
  - (a) Identified individually or as part of a local historic district by a zoning ordinance under the authority of the Pennsylvania Municipalities

Planning Code or

- (b) Located in a local historic district that has been certified by the Pennsylvania Historical and Museum Commission as meeting the requirements of the Pennsylvania Historic District Act.

**MANUFACTURED HOME PARK OR SUBDIVISION** – a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

**MINOR REPAIR** – the replacement of existing work with equivalent materials for the purpose of its routine maintenance and upkeep, but not including the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the exitway requirements; nor shall minor repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, oil, waste, vent, or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

**NEW CONSTRUCTION** – structures for which the start of construction commenced on or after May 15, 1984, and includes any subsequent improvements thereto.

**NEW MANUFACTURED HOME PARK OR SUBDIVISION** – a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

**ONE HUNDRED-YEAR FLOOD** – The flood having a 1% chance of being equaled or exceeded in any given year. Also referred to as the '1% frequency flood', or the 'Base Flood', as defined by FEMA in the Flood Insurance Study for Montgomery Township.

**PERSON** – an individual, partnership, public or private association or corporation, firm, trust, estate, municipality, governmental unit, public utility or any other legal entity whatsoever, which is recognized by law as the subject of rights and duties.

**POST-FIRM STRUCTURE** – A structure for which construction or substantial improvement occurred after December 31, 1974, or on or after the community's initial FIRM dated May 15, 1984, whichever is later, and, as such would be required to be compliant with the regulations of the NFIP.

**PRE-FIRM STRUCTURE** – A structure for which construction or substantial improvement occurred on or before December 31, 1974, or before the community's initial FIRM dated May 15, 1984, and, as such would not be required to be compliant with the regulations of the NFIP.

**RECREATIONAL VEHICLE** – a vehicle which is



- (1) built on a single chassis;
- (2) not more than 400 square feet, measured at the largest horizontal projections;
- (3) designed to be self-propelled or permanently towable by a light-duty truck,
- (4) not designed for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

**REDEVELOPMENT AREA** – A census tract or group of census tracts eligible for the Montgomery County Revitalization Program and identified in the adopted municipal revitalization plan.

**REGULATORY FLOOD ELEVATION** – The regulatory flood elevation is the elevation to which development is regulated for purposes of elevation and/or dry floodproofing. It is equal to the base flood elevation (BFE) plus a freeboard of 1½ feet.

**REPETITIVE LOSS** – flood related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds 25 percent of the market value of the structure before the damages occurred.

**SPECIAL FLOOD HAZARD AREA (SFHA)** – means an area in the floodplain subject to a 1 percent or greater chance of flooding in any given year. It is shown on the FIRM as Zone A, A1, A30, AE, or A99.

**SPECIAL FLOODPLAIN AREA** – the areas identified as Zone AE in the Flood Insurance Study, where one hundred (100) year flood elevations have been provided, but no floodway has been delineated.

**START OF CONSTRUCTION** – includes substantial improvement and other proposed new development and means the date the Permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit and shall be completed within 12 months after the date of issuance of the permit unless a time extension is granted, in writing, by the Floodplain Administrator. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether

or not that alteration affects the external dimensions of the building.

**SUBDIVISION** – the division or redivision of a lot, tract, or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs, or devisees, transfer of ownership or building or lot development: Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

**SUBSTANTIAL DAMAGE** – damage from any cause sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty (50) percent or more of the market value of the structure before the damage occurred.

**SUBSTANTIAL IMPROVEMENT** – Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage (or "repetitive loss" when a repetitive loss provision is used) regardless of the actual repair work performed. The term does not, however include any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions. For alteration of historic structures, see §230-15.E.5

**UNIFORM CONSTRUCTION CODE (UCC)** – The statewide building code adopted by The Pennsylvania General Assembly in 1999 applicable to new construction in all municipalities whether administered by the municipality, a third party or the Department of Labor and Industry. Applicable to residential and commercial buildings. The Code adopted The International Residential Code (IRC) and the International Building Code (IBC), by reference, as the construction standard applicable with the State floodplain construction. For coordination purposes, references to the above are made specifically to various sections of the IRC and the IBC.

- B. The definitions of the following terms shall be replaced in their entirety with the following definitions in Article II [Definitions], §230-5 [Word usage; definitions]:

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**MOBILE HOME** – A transportable, single-family dwelling intended for permanent occupancy, office or place of assembly contained in one unit or in two units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations and constructed so that it may be used without a permanent foundation. The term includes park trailers, travel trailers, recreational and other similar vehicles which are placed on

a site for more than 180 consecutive days. This term includes but is not limited to the definition of a mobile home, as set forth in regulations governing Mobile Home Safety and Construction Standards Program (23 CFR 3282.7a).

**SECTION 2.      Repeal and Replacement of Article IV [Floodplain Conservation District].**

Article IV [Floodplain Conservation District] shall be repealed in its entirety and replaced with a new Article IV [Floodplain Conservation District] which will read as follows:

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**Article IV. FP FLOODPLAIN CONSERVATION DISTRICT**

**§ 230-10. Statutory Authorization**

The Legislature of the Commonwealth of Pennsylvania has, by the passage of the Pennsylvania Flood Plain Management Act of 1978, delegated the responsibility to local governmental units to adopt floodplain management regulations to promote public health, safety, and the general welfare of its citizenry. Therefore, the Board of Montgomery Township does hereby order in the FP Floodplain Conservation District the following regulation shall apply.

**§ 230-11. General Provisions**

**A. Intent**

In addition to the purpose stated in Article I, §230-2, of the Montgomery Township Zoning Ordinance, the specific intent of this article shall be to protect areas of floodplain subject to and necessary for the containment of floodwaters. Furthermore, in light of the Township's certification as eligible for federal flood insurance, it is the intent of this article to provide adequate protection for flood-prone properties within Montgomery Township. In advancing these principles and the general purposes of the Zoning Ordinance and the adopted Township Comprehensive Plan, the following shall be the specific objectives in the FP Floodplain Conservation District:

1. Protect areas of the floodplain necessary to contain floodwaters.
2. To permit only those uses in the floodplain that are compatible with preserving natural conditions and stream flow.
3. To combine with present zoning requirements certain restrictions made necessary for flood-prone areas to promote the general health, welfare and safety of the Township.
4. Encourage the utilization of appropriate construction practices in order to prevent or minimize flood damage in the future.
5. To minimize danger to public health by protecting the quality and quantity of surface and subsurface water supplies adjacent to and underlying flood hazard areas and promoting safe and sanitary drainage.

6. Reduce financial burdens imposed on the community, its governmental units, and its residents, by preventing excessive development in areas subject to flooding.
7. Comply with federal and state floodplain management requirements.
8. To prevent the erection of structures in areas unfit for human usage by reason of danger from flooding, unsanitary conditions or other hazards.
9. To provide retention areas for the temporary storage of floodwaters.
10. To permit only those uses which can be appropriately located in the floodplain, as herein defined, and which will not impede the flow or storage of floodwaters or otherwise cause danger to life and property at, above or below their locations along the floodplain.
11. To provide sufficient drainage courses to carry abnormal flows of stormwater in periods of heavy precipitation.
12. To protect those individuals who, despite the flood dangers, develop or occupy land on a floodplain resulting from a use which is nonconforming by virtue of this article.
13. To protect adjacent landowners and those both upstream and downstream from damages resulting from development within a floodplain and the consequent obstruction or increase in flow of floodwaters.
14. To protect the entire Township from individual uses of land which may have an effect upon subsequent expenditures for public works and disaster relief and adversely affect the economic well-being of the Township.
15. To protect other municipalities within the same watershed from the impact of improper development and the consequent increased potential for flooding.
16. To provide areas for the deposition of flood-borne sediment.
17. To require that uses vulnerable to floods, including public facilities, be constructed so as to be protected from damage in accordance with the requirements of the Federal Flood Insurance Program, P.L. 90-448, and the Pennsylvania Flood Plain Management Act, P.L. 851, No. 166 of 1978, and as either is amended. *Editor's Note: See 32 P.S. § 679.101 et seq.*

#### **B. Abrogation and Greater Restriction**

This ordinance supersedes any other conflicting provisions which may be in effect in the Floodplain Conservation District. However, any other ordinance provisions shall remain in full force and effect to the extent that those provisions are more restrictive. If there is any conflict between any of the provisions of this Ordinance, the more restrictive shall apply.

#### **C. Severability**

If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such a decision shall not affect the remaining portions of the Ordinance, which shall remain in full force and effect, and for this purpose the provisions of this Ordinance are hereby declared to be severable.



#### **D. Warning and Disclaimer Liability**

The degree of flood protection sought by the provisions of this Ordinance is considered reasonable for regulatory purposes and is based on acceptable engineering methods of study. Larger floods may occur or flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This Ordinance does not imply that areas outside the Floodplain Conservation District, or that land uses permitted within such areas, will be free from flooding or flood damages.

This Ordinance shall not create liability on the part of Montgomery Township or any officer or employee thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made there under.

### **§ 230-12. Identification of Floodplain Areas**

#### **A. District Established**

The Floodplain Conservation District is defined and established as follows:

1. The Floodplain Conservation District is defined and established as a district applicable to those areas of Montgomery Township classified as special flood hazard areas (SFHAs) in the Flood Insurance Study (FIS) dated April 4, 2014 (and all subsequent revisions and amendments), and the accompanying Flood Insurance Rate Maps (FIRMs) dated March 2, 2016 (and all subsequent revisions and amendments), and issued by the Federal Emergency Management Agency (FEMA), or the most recent revision thereof, including all digital data developed as part of the Flood Insurance Study. Said floodplains shall be comprised of the following specific areas:
  - a. The Floodway Area/District shall be those areas identified as Floodway on the FIRM as well as those floodway areas which have been identified in other available studies or sources of information for those special floodplain areas where no floodway has been identified in the FIS. The floodway represents the channel of a watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation by more than one (1) foot at any point.
    - i. Within any floodway area, no encroachments, including fill, new construction, substantial improvements, or other development shall be permitted unless it has been demonstrated through hydrologic and hydraulic analysis performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.
    - ii. No new construction or development shall be allowed, unless a permit is obtained from the Department of Environmental Protection Regional Office.
  - b. Community Identified Flood Hazard Areas shall be those areas where Montgomery Township has identified local flood hazard or ponding areas, as delineated and adopted on a "Local Flood Hazard Map" using best available

topographic data and locally derived information such as flood of record, historic high water marks, soils or approximate study methodologies.

- c. The A Area/District shall be the areas identified as an A Zone on the FIRM included in the FIS prepared by FEMA and for which no one-percent (1%) annual chance flood elevations have been provided. For these areas, elevation and floodway information from other Federal, State, or other acceptable source shall be used when available. Where other acceptable information is not available, the elevation shall be determined by using the elevation of a point on the boundary of the Floodplain Conservation District which is nearest the construction site.
  - d. In lieu of the above, Montgomery Township may require the applicant to determine the elevation with hydrologic and hydraulic engineering techniques. Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough technical review by the municipality.
  - e. (Reserved)
  - f. Alluvial Soils.
    - i. Soils with a frequency of flooding of 1% or greater per year, as delineated by the Natural Resources Conservation Service, United States Department of Agriculture Web-Based Soil Survey (available online at <http://websoilsurvey.nrcs.usda.gov/>), including, but not limited to, the following soils:
      - Bowmansville (Bo)
      - Knauers (Bo)
      - Rowland (Rt)
    - ii. Any party wishing to develop in such areas shall supply engineering studies to the Township sufficient so that the Township Engineer may determine if said area(s) are to be considered as a one-hundred-year floodplain. If said area(s) is not part of the area proposed for building, the Township may not require such studies at the advice of the Township Engineer, but the Township shall require said soil areas to be appropriately identified on all subdivision, development or building plans to be submitted to the Township.
2. The Floodplain Conservation District shall be delineated on the Floodplain Overlay Map of Montgomery Township, which is hereby made a part of this chapter and is available for inspection at the Township office. Whenever there is a difference between said Map and the data contained in the sources described in Section 230-11.A.1 of this section, the data contained in said sources shall determine the boundary of the District.
  3. Studies used to establish the floodplain boundaries shall be available in the Township Building for reference.



4. Use of information. The Township Code Enforcement Officer shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source as criteria for requiring that all new construction, substantial improvements or other developments in Zone A shown on the FEMA Flood Insurance Rate Maps adhere to the requirements under the NFIP § 60.3(c)(2), (3), (5) and (6) and § 60.3(d)(3).
5. The Floodplain Conservation District shall be deemed an overlay on any zoning district now or hereafter applicable to any lot.
6. It shall be unlawful for any person, partnership, business or corporation to undertake, or cause to be undertaken, any construction or development anywhere within Montgomery Township unless a Permit has been obtained from the Floodplain Administrator.
7. A Permit shall not be required for minor repairs to existing buildings or structures.

#### **B. Changes in the FP Floodplain Conservation District Area**

The Floodplain Conservation District may be revised or modified by the Board where studies or information provided by a qualified agency or person documents the need for such revision. However, prior to any such change, approval must be obtained from FEMA. Additionally, as soon as practicable, but not later than six (6) months after the date such information becomes available, a community shall notify FEMA of the changes by submitting technical or scientific data.

#### **C. Boundary Disputes: Appeals Procedure**

1. In case of any dispute concerning the boundaries of a Floodplain Conservation District, initial determination shall be made by the Township Code Enforcement Officer, who shall seek the advice of the Township Engineer as necessary in making said determination.
2. Any party aggrieved by the decision of the Code Enforcement Officer as to the boundaries of the Floodplain Conservation District, as defined above, which may include the grounds that said map referred to therein is or has become incorrect because of changes due to natural or other causes or changes indicated by future detailed hydrologic and hydraulic studies, may appeal to the Zoning Hearing Board as provided in Article XXIII, §§ 230-182 to 230-185 of this chapter. The burden of proof in such an appeal shall be on the applicant.
3. Whether a proposed use is within the Floodplain Conservation District shown on the Floodplain Overlay Map shall, upon appeal from the decision of the Code Enforcement Officer, be determined by the Zoning Hearing Board upon receipt of the findings of the detailed on-site survey by the petitioner. The Zoning Hearing Board, in addition to other evidence and standards, shall request the review and recommendations of the Township Planning Commission and other Township agencies or officials at least 45 days before the public hearing.
4. The Zoning Hearing Board may request the review and recommendations of the following agencies, on a case-by-case basis, to be determined by a consultation with the Code Enforcement Officer and the appropriate agency or individual: the United States Army Corps of Engineers, Philadelphia District; the Soil

Conservation Service; the Township Engineer; the Montgomery County Planning Commission; the Neshaminy or Wissahickon Watershed Associations; and other technical agencies as necessary. Such request shall be made 45 days prior to the public hearing.

5. All changes to the boundaries of the Floodplain Conservation District are subject to the review and approval of the Federal Insurance Administrator.

#### **D. Overlay Concept**

The Floodplain Conservation District shall be deemed an overlay on any zoning district now or hereafter applicable to any lot.

1. Should the Floodplain Conservation District be declared inapplicable to any tract by reason or action of the Township Board of Supervisors in amending this article; or the Code Enforcement Officer, the Zoning Hearing Board or any court of competent jurisdiction in interpreting the same; or the Zoning Hearing Board or any court of competent jurisdiction in determining a legal effect of the same, the zoning applicable to such lot shall be deemed to be the district in which it is located without consideration of this article.
2. Should the zoning of any parcel or any part thereof in which the Floodplain Conservation District is located be changed through any legislative or administrative actions or judicial discretion, such change shall have no effect on the Floodplain Conservation District unless such change was included as part of the original application.
3. Where this article does not define the boundaries of the floodplain as defined in § 230-12 herein, the minimum setback from any watercourse for a structure shall be equal to the horizontal distance from the top of the bank of the watercourse extended to a point at which the elevation is one foot above the elevation of the top of the bank, as verified by the Township Engineer, or 50 feet, whichever is greater. All such changes to the boundaries of the Floodplain Conservation District are subject to the review and approval of the Federal Insurance Administrator.

#### **E. Corporate Boundary Changes**

Prior to development occurring in areas where annexation or other corporate boundary changes are proposed or have occurred, the community shall review flood hazard data affecting the lands subject to boundary changes. The community shall adopt and enforce floodplain regulations in areas subject to annexation or corporate boundary changes which meet or exceed those in CFR 44 60.3.

### **§ 230-13. Use Regulations**

#### **A. Permitted Uses**

The following uses and no other will be permitted in a Floodplain Conservation District. All such uses shall be subject to the floodproofing requirements as stipulated in this article, as well as the Township Building Code and Subdivision and Land Development Ordinance, both as amended.

1. Agricultural uses conducted in compliance with methods prescribed in the latest version of the Department of Environmental Protection's Erosion and Sediment Pollution Control Manual.
2. Pasture and grazing land in accordance with recognized soil conservation practices.
3. Outdoor plant nursery or orchard in accordance with recognized soil conservation practices, but permitting no structures.
4. Harvesting of any wild crops, such as marsh hay, ferns, moss, berries or wild rice.
5. Open space uses that are primarily passive in character shall be permitted to extend into the floodplain including: Wildlife sanctuary, nature preserves, woodland preserve, fishing areas, passive areas of public and private parklands, reforestation, and arboretum. Any construction, development or grading shall only be permitted in strict compliance with the provisions of this article.
6. Streambank stabilization.
7. Game farm, fish hatchery (if approved and supervised by the Pennsylvania Fish and Game Commission) or hunting and fishing preserve for the preservation or propagation of wildlife, but permitting no structures.
8. Forestry, lumbering and reforestation operations in accordance with recognized natural resource conservation practices and reviewed by the Montgomery County Conservation District, but permitting no structures; provided, however, that the provisions of § 230-14 are adhered to.
9. Utility transmission lines.
10. The following floodplain crossings are permitted, provided disturbance to any existing woodlands and degradation of water quality are minimized to the greatest extent practicable: Agricultural crossings by farm vehicles and livestock, driveways serving single family detached dwelling units, roadways, recreational trails, railroads, and utilities.
11. Sealed public water supply wells, with the approval of the Township Engineer.
12. Sealed sanitary sewers, with the approval of the Township Engineer.
13. Culverts, with the approval of the Township Engineer and the Commonwealth of Pennsylvania, Department of Environmental Resources, when applicable.
14. Front, side or rear yards and required lot area for any district, provided that such yards are not to be used for on-site sewage disposal systems or for fence or any other structure; further provided, however, that if it is not feasible, due to the amount of the floodplain, to provide adequate buildable area in

accordance with the setbacks prescribed by the underlying district, the lot area shall be required to be increased an amount commensurate with that portion of the floodplain area which renders it impossible to achieve adequate buildable area.

## **B. Prohibited Uses**

Any use or activity not authorized within Section 230-13.A, herein, shall be prohibited within the Floodplain Conservation District and the following activities and facilities are specifically prohibited.

1. The following uses shall be specifically prohibited in a Floodplain Conservation District, except where permitted by variance:
  - a. Construction, alterations, or improvements to freestanding structures, buildings, retaining walls, or any other permanent structure including fences with the exception of flood-retention dams and bridges, as approved by the Pennsylvania Department of Environmental Resources.
  - b. The encroachment, alteration, improvement or relocation of any watercourse.
  - c. On-site/subsurface sewage disposal systems.
  - d. Private water supply wells.
  - e. Roads or driveways, except where permitted as corridor crossings in compliance with Section 230-13.A, herein.
  - f. Motor or wheeled vehicle traffic in any areas not designed to accommodate adequately the type and volume.
  - g. Parking lots.
  - h. Sod farming.
2. The following uses shall be specifically prohibited in a Floodplain Conservation District and shall not be subject to further consideration, in accordance with the Pennsylvania Flood Plain Management Act, P.L. 851, No. 166 of 1978, as amended.
  - a. Sanitary landfills, dumps, junkyards, outdoor storage of vehicles and materials and toxic chemicals and hazardous wastes as defined in Act 97 of 1980, the Solid Waste Management Act.
  - b. Development Which May Endanger Human Life

In accordance with the Pennsylvania Flood Plain Management Act, and the regulations adopted by the Department of Community and Economic Development as required by the Act, any new or substantially improved structure which will be used for the production or storage of any of the following dangerous materials or substances; or, will be used for any activity requiring the maintenance of a supply of more than 550 gallons, or other comparable volume, of any of the following dangerous materials or substances on the premises; or, will involve the production, storage, or use of any amount of radioactive substances; shall be subject to the

provisions of this section, in addition to all other applicable provisions. The following list of materials and substances are considered dangerous to human life:

- Acetone.
- Ammonia.
- Benzene.
- Calcium carbide.
- Carbon disulfide.
- Celluloid.
- Chlorine.
- Hydrochloric acid.
- Hydrocyanic acid.
- Magnesium.
- Nitric acid and oxides of nitrogen.
- Petroleum products (gasoline, fuel oil, etc.).
- Phosphorus.
- Potassium.
- Sodium.
- Sulphur and sulphur products.
- Pesticides, including insecticides, fungicides and rodenticides.
- Radioactive substances, insofar as such substances are not otherwise regulated.

c. All manufactured homes, manufactured home parks and manufactured home subdivisions.

d. Hospitals (public or private).

e. Nursing homes (public or private).

f. Jails or prisons.

g. Clearing of all existing vegetation, except where such clearing is necessary to prepare land for a use permitted under Section 230-13.A, herein, and where the effects of these actions are mitigated by reestablishment of vegetation.

h. Placement of fill within the 100 year floodplain

i. Use of fertilizers, pesticides, herbicides and/or other chemicals in excess of prescribed industry standards.

### **C. Uses Permitted by Special Exception**

The following special exceptions shall be allowed or denied by the Zoning Hearing



Board after recommendations by the Planning Commission pursuant to the standards set forth in this article:

1. Sewage treatment plant, outlet installations for sewage treatment plants and sewage pumping stations, with the approval of the Township Engineer and pertinent sewer authorities.
2. Dams and bridges approved by the Commonwealth of Pennsylvania, Department of Environmental Resources.
3. Paved roads and driveways and parking lots, where required by the regulations of the zoning district applicable to the property without consideration of this article, provided that:
  - a. In the case of roads and driveways, no such facilities shall be permitted as a special exception if alternative non-floodplain alignments are feasible, as determined by the Township Engineer.
  - b. In the case of parking lots, no such lot shall be permitted as a special exception unless satisfactory evidence is submitted that such parking will not be used during periods of flood flow, thus posing no threat to the safety of the vehicles, their occupants and/or to downstream properties. Temporary parking for periods not to exceed one hour and/or parking for recreation uses would be examples of such exceptions.
  - c. Any road, driveway or parking lot located within the Floodplain Conservation District shall, to the extent feasible, upon the review and recommendation of the Township Engineer, be constructed of paving materials in accordance with the provisions of the Montgomery Township Subdivision and Land Development Ordinance.
4. Grading or regrading of lands, including the deposit of topsoil and the grading thereof. The application for a special exception for such a use shall be accompanied by the following:
  - a. Detailed engineering studies indicating the effects on drainage and streams on all adjacent properties as well as the property in question, including the necessary data to determine whether the boundaries of the Floodplain Conservation District would be affected if the application was granted.
  - b. An application for amending the boundaries of the Floodplain Conservation District if the boundaries are affected by the grading or regrading of land.
  - c. A plan indicating the deposition of any fill or materials proposed to be deposited by the grading or regrading of land; such fill or other materials shall be protected against erosion by riprap, vegetative cover or bulkheading.



- d. Fences of wood, wire or other materials which will not impede the flow of floodwaters.
5. Storm sewers or detention/retention basins, with the approval of the Township Engineer.
6. Any other similar uses not listed herein are to be considered special exceptions and subject to the requirements herein.

#### **D. Nonconforming Uses and Structures**

Following the adoption of this article, any use or structure which is situated within the boundaries of the FP Floodplain Conservation District and which does not conform to the permitted uses specified in § 230-13.A herein shall become a nonconforming use or structure, regardless of its conformance to the district in which it is located, without consideration of this article.

1. The expansion or continuance of a nonconforming use or structure which is nonconforming with respect to the district in which it is located, without consideration of this article, shall be governed by the requirements of Article XX of this chapter. However, the Zoning Hearing Board shall ensure that the standards contained in § 230-14.D herein are applied to the expansion or continuance of said nonconforming use or structure.
2. The expansion or continuance of a nonconforming use or structure which is rendered nonconforming by the adoption of this article shall be governed by the standards contained in § 230-14.D herein. The Zoning Hearing Board shall ensure that these standards are enforced with respect to said nonconforming use or structure.

#### **E. Improvements to Existing Structures**

The following provisions shall apply whenever any improvement is made to an existing structure located within any Floodplain Conservation District:

1. No expansion or enlargement of an existing structure shall be allowed within any floodway area that would cause any increase in the elevation of the base flood elevation.
2. No expansion or enlargement of an existing structure shall be allowed within any AE Area/District with floodway, as defined in Section 230-12.A.1.b that would, together with all other existing and anticipated development, increase the BFE more than one (1) foot at any point.
3. No expansion or enlargement of an existing structure shall be undertaken in the direction of the streambank.
4. Any modification, alteration, reconstruction, or improvement, of any kind to an existing structure, to an extent or amount of fifty (50) percent or more of its market value, shall constitute a substantial improvement and shall be undertaken only in full compliance with the provisions of this Ordinance.
5. Historic structures undergoing repair or rehabilitation that would constitute a substantial improvement as defined in this ordinance must comply with all

ordinance requirements that do not preclude the structure's continued designation as an historic structure. Documentation that a specific ordinance requirement will cause removal of the structure from the National Register of Historic Places or the State Inventory of Historic Places must be obtained from the Secretary of the Interior or the State Historic Preservation Officer. Any exemption from the ordinance requirements will be the minimum necessary to preserve the historic character and design of the structure.

6. The above activity shall also address the requirements of §230-15.C(14).
7. Any modification, alteration, reconstruction, or improvement of any kind that meets the definition of "repetitive loss" shall be undertaken only in full compliance with the provisions of this ordinance.

#### **§ 230-14. Procedures and Conditions for Variances and Special Exceptions**

##### **A. Application and Procedure for Considering Special Exceptions and Variances**

1. A floodplain use permit shall be required for all construction and development in the floodplain. An application for a floodplain use permit shall be filed with the Code Enforcement Officer who shall make the initial determination on the application. For uses other than those permitted in Section 230-13.A, an application seeking approval of special exception or variance shall be forwarded to the Zoning Hearing Board along with required studies or information and the findings of the Zoning Officer.
2. No variance shall be granted for any construction, development, use, or activity within any floodway area that would cause any increase in the BFE.
3. Any application involving the use of fill, the construction of structures or the storage of materials shall be accompanied by the following:
  - a. A plan certified by a registered professional engineer which accurately locates the proposed floodplain use with respect to the floodplain district limits, channel or stream, existing floodplain developments, together with all pertinent information such as the nature of the proposal; legal description of the property; fill limits and elevations; and proposed floodproofing measures, including those required by the Township Building Code, as amended, and the provisions of this article.
  - b. Such of the following additional information as is deemed necessary by either the Code Enforcement Officer or the Zoning Hearing Board for evaluation of the effects of the proposal upon flood flows and floodplain storage and to render a decision on the proposed floodplain use:
  - c. A typical valley cross section showing the channel of the stream, the floodplain adjoining each side of the channel, the cross-sectional area to be occupied by the proposed development and high-water information.

- d. A plan surface view showing the elevation or contours of the ground at vertical intervals of two feet; pertinent structures, fill or storage elevation; the size, location and spatial arrangement of all proposed and existing structures on the site; the location and elevation of streets, water supply, sanitary facilities and soil types and other pertinent information.
  - e. A profile showing the slope of the bottom of the channel.
  - f. Specifications for building construction and materials floodproofing, filling, dredging, grading, channel improvement, storage of materials, water supply and sanitary facilities in accordance with the provisions contained in the Montgomery Township code, as amended.
4. The application for special exception or use by variance shall be accompanied by detailed engineering studies indicating the effects on drainage and streams on all adjacent properties as well as on the property in question.

**B. Procedures for Considering Special Exceptions and Variances.**

1. All applications for approval of special exceptions or variances shall be considered using standards listed in Section 230-14.D of this ordinance.
- a. The Zoning Hearing Board shall hold a public hearing within 60 days after an application is filed. Public notice of the hearing shall be given in accordance with Section 230-171 of this Zoning Ordinance.
  - b. The Zoning Hearing Board, in addition to other evidence and standards, shall request the review and recommendations of the Township Planning Commission and other Township agencies or officials as least 45 days before the public hearing.
  - c. The Zoning Hearing Board may request, at least 45 days prior to a public hearings, the review and recommendations of following agencies on a case-by-case basis to be determined by a consultation with the Code Enforcement Officer and appropriate agency or individual: the Montgomery County Planning Commission, the Neshaminy or Wissahickon Watershed Association, the United States Army Corps of Engineers, the Soil Conservation Services, the Township Engineer or other planning agencies, groups or individuals to assist in determining the impact of the proposed use.
  - d. The Zoning Hearing Board shall render a decision within 45 days after the public hearing. In rendering a decision, the Zoning Hearing Board may impose special measures or conditions are deemed reasonably necessary and appropriate for the use to conform with the intent of this article.

**C. Special Requirements**

1. All subdivision proposals and development proposals containing at least 50 lots or at least 5 acres, whichever is the lesser, in flood hazard areas where base

flood elevation data are not available, shall be supported by hydrologic and hydraulic engineering analyses that determine base flood elevations and floodway information. The analyses shall be prepared by a licensed professional engineer in a format required by FEMA for a Conditional Letter of Map Revision or Letter of Map Revision.

2. Within the Floodplain Conservation District, manufactured homes shall be prohibited within the area measured fifty (50) feet landward from the top-of-bank of any watercourse.
3. Where permitted by variance within the Floodplain Conservation District, all manufactured homes, and any improvements thereto, shall be:
  - a. Placed on a permanent foundation
  - b. Elevated so that the lowest floor of the manufactured home is at least one and one half (1 ½) feet above the Base Flood Elevation.
  - c. Anchored to resist flotation, collapse, or lateral movement
4. Installation of manufactured homes shall be done in accordance with the manufacturers' installation instructions as provided by the manufacturer. Where the applicant cannot provide the above information, the requirements of Appendix E of the International Residential Building Code or the U.S. Department of Housing and Urban Development's Permanent Foundation for Manufactured Housing, 1984 Edition, draft or latest revision thereto shall apply and the 34 PA Code Chapter 401-405.
5. Consideration shall be given to the installation requirements in § 230-15A.(14).
6. Recreational vehicles in Zones A1-30 and AE must either
  - a. Be on the site for fewer than 180 consecutive days, and
  - b. Be fully licensed and ready for highway use, or
  - c. Meet the permit requirement for manufactured homes in this section.

**D. Standards for Granting Special Exceptions and Variances**

1. The Zoning Hearing Board shall exercise discretion in allowing only those uses which are substantially in accord with the stated provisions in § 230-11 herein. The Zoning Hearing Board, in considering special exceptions or variance applications, shall consider the following:
  - a. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property and that the unnecessary hardship is due to such conditions and

not the circumstances or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located.

- b. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
- c. That such unnecessary hardship has not been created by the appellant.
- d. That the variance will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.
- e. The effect of the use shall not alter the carrying capacity of the stream and floodplains at the location of the proposed use.
- f. Lands abutting the waterway, both upstream and downstream, shall not be adversely affected by the proposed use.
- g. The general welfare or public interest of Montgomery Township or of other municipalities in the same watershed shall not be adversely affected. Nor create nuisances, causer fraud on, or victimize the public, or conflict with any other applicable state or local ordinances or regulations.
- h. Any new or substantially improved structures permitted by special exception or by variance shall be constructed and placed on the lot so as to offer the minimum obstruction to the flow of water and shall be designed to have no effect upon the flow and height of floodwater on other properties. Such structures shall be elevated in accordance with the provisions contained in the Montgomery Township Building Code, as amended.
- i. Any new or substantially improved structure permitted as a special exception or by variance shall be floodproofed in accordance with the provisions contained in the Montgomery Township Building Code, as amended.

2. All new or substantially improved structures shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse or lateral movement.

- a. All such structures shall be constructed so as to prevent the entrance of floodwaters into the water supply and waste treatment systems as well as other utility systems. In addition, waste treatment systems shall be designed to minimize or eliminate discharges from such systems into the floodwaters.
- b. In all such structures, there shall be provision in all fully enclosed areas below the base flood elevation of a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers or



other coverings or devices, provided that they permit the automatic entry and exit of floodwaters.

- c. In all such structures, the electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and located so as to prevent water from entering or accumulating within the components during conditions of flooding.
3. Any additions to existing structures permitted as a special exception or by a variance shall be elevated to the greatest extent possible according to the provisions contained in the Montgomery Township Building Code, as amended.
4. An affirmative decision shall not be issued by the Zoning Hearing Board for an application within the designated floodway if any increase in the flood levels during the base flood discharge would result.
5. If granted, a variance shall involve only the least modification necessary to provide relief.
6. In granting any variance, the Zoning Hearing Board shall notify the applicant in writing that.
  - a. The granting of the variance may result in increased premium rates for floor insurance.
  - b. Such variances may increase the risks to life and property.
  - c. Such notification shall be maintained with a record of all decisions as required in this section.
7. The Zoning Hearing Board shall maintain a complete record of all variance requests and decisions affecting the Floodplain Conservation District, including the written justification of the reason for the issuance of any special exception or variance, and report such decisions in the Township's biennial report submitted to the Federal Insurance Administration and FEMA.

#### **E. Additional Standards for Granting Variances**

A property owner of a lot of record, as of the date of the enactment of this article, who is able to prove that the strict enforcement of this article would create undue hardship by denying a reasonable use of an existing lot which is situated either wholly or partially in the Floodplain Conservation District, may seek relief by applying for a variance from the Zoning Hearing Board.

1. The Zoning Hearing Board, after deciding upon the merits of the application, may permit the applicant to make some reasonable use of the property in question, while ensuring that such use will not violate the basic objectives of this article as specified in § 230-11 herein.
2. In considering a use as a variance, the Zoning Hearing Board shall consider



those standards outlined in § 230-14 herein.

3. Requests for variances shall be considered by the Zoning Hearing Board in accordance with the following:
  - a. Affirmative decisions shall only be issued by the Zoning Hearing Board upon a determination that failure to grant the appeal would result in exceptional hardship to the applicant and a determination that the granting of an appeal will not result in increased flood heights, additional threats to public safety or extraordinary public expense or create nuisances, cause fraud on or victimization of the public or conflict with existing local laws or ordinances.
  - b. Affirmative decisions shall only be issued upon determination that it is the minimum necessary, considering the flood hazard, to provide relief.

### **§ 230-15. Technical Provisions**

#### **A. General**

In granting any variance, Montgomery Township Zoning Hearing Board shall attach the following technical provisions to the proposal for which the variance has been granted. These conditions and safeguards are necessary in order to protect the public health, safety, and welfare of the residents of the municipality.

1. Pertaining to The Alteration or Relocation of Watercourse
  - a. No encroachment, alteration, or improvement of any kind shall be made to any watercourse until all adjacent municipalities which may be affected by such action have been notified by the municipality, and until all required permits or approvals have been first obtained from the Department of Environmental Protections Regional Office.
  - b. No encroachment, alteration, or improvement of any kind shall be made to any watercourse unless it can be shown that the activity will not reduce or impede the flood carrying capacity of the watercourse in any way.
  - c. In addition, the FEMA and Pennsylvania Department of Community and Economic Development, shall be notified prior to any alteration or relocation of any watercourse.
2. The municipality shall require technical or scientific data to be submitted to FEMA for a Letter of Map Revision (LOMR) within six (6) months of the completion of any new construction, development, or other activity resulting in changes in the BFE. A LOMR or Conditional Letter of Map Revision (CLOMR) is required for:
  - a. Any development that causes a rise in the base flood elevations within the floodway; or

- b. Any development occurring in Zones A1-30 which will cause a rise of more than one foot in the base elevation; or
  - c. Alteration or relocation of a stream (including but not limited to installing culverts and bridges).
3. Any new construction, development, uses or activities allowed by variance within any Floodplain Conservation District shall be undertaken in strict compliance with the provisions contained in this Ordinance and any other applicable codes, ordinances and regulations. In addition, when such development is proposed within the area measured fifty (50) feet landward from the top of bank of any watercourse, a permit shall be obtained from the Department of Environmental Protection Regional Office.

## **B. Elevation and Floodproofing Requirements**

### **1. Residential Structures**

- a. In AE and A1-30 Zones, any new construction or substantial improvement shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation.
- b. In A Zones, where there are no Base Flood Elevations specified on the FIRM, any new construction or substantial improvement shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation determined in accordance with 230-12.A.1.d of this ordinance.
- c. The design and construction standards and specifications shall address the requirements of § 230-15.C(14)

### **2. Non-residential Structures**

- a. In AE and A1-30 Zones, any new construction or substantial improvement of a non-residential structure shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation, or be designed and constructed so that the space enclosed below the regulatory flood elevation:
  - is floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water and,
  - has structural components with the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
- b. In A Zones, where there no Base Flood Elevations are specified on the FIRM, any new construction or substantial improvement shall have the lowest floor (including basement) elevated or completely floodproofed up to, or above, the regulatory flood elevation determined in accordance with 230-12.A.1.d of this ordinance.
- c. Any non-residential structure, or part thereof, made watertight below the regulatory flood elevation shall be floodproofed in accordance with the WI or W2 space classification standards contained in the publication entitled "Flood-Proofing Regulations" published by the U.S. Army Corps of Engineers

(June 1972, as amended March 1992) or with some other equivalent standard. All plans and specifications for such floodproofing shall be accompanied by a statement certified by a registered professional engineer or architect which states that the proposed design and methods of construction are in conformance with the above referenced standards.

- d. The design and construction standards and specifications shall address the requirements of § 230-15.C(14).

3. Space below the lowest floor

- a. Fully enclosed space below the lowest floor (excluding basements) which will be used solely for the parking of a vehicle, building access, or incidental storage in an area other than a basement, shall be designed and constructed to allow for the automatic entry and exit of flood waters for the purpose of equalizing hydrostatic forces on exterior walls. The term "fully enclosed space" also includes crawl spaces.
- b. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:
  - minimum of two openings having a net total area of not less than one (1) square inch for every square foot of enclosed space.
  - the bottom of all openings shall be no higher than one (1) foot above grade.
  - openings may be equipped with screens, louvers, etc. or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

4. Accessory structures

Structures accessory to a principal building need not be elevated or floodproofed to remain dry, but shall comply, at a minimum, with the following requirements:

- a. The structure shall not be designed or used for human habitation, but shall be limited to the parking of vehicles, or to the storage of tools, material, and equipment related to the principal use or activity.
- b. Floor area shall not exceed 100 square feet.
- c. The structure will have a low damage potential.
- d. The structure will be located on the site so as to cause the least obstruction to the flow of flood waters.
- e. Power lines, wiring, and outlets will be elevated to the regulatory flood elevation.
- f. Permanently affixed utility equipment and appliances such as furnaces, heaters, washers, dryers, etc. are prohibited.
- g. Sanitary facilities are prohibited.

- h. The structure shall be adequately anchored to prevent flotation or movement and shall be designed to automatically provide for the entry and exit of floodwater for the purpose of equalizing hydrostatic forces on the walls. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:
- a minimum of two openings having a net total area of not less than one (1) square inch for every square foot of enclosed space.
  - the bottom of all openings shall be no higher than one (1) foot above grade.
  - openings may be equipped with screens, louvers, etc. or other coverings or devices provided that they permit the automatic entry and exit of flood waters.

### **C. Design and Construction Standards**

The following minimum standards shall apply for all construction and development proposed within any Floodplain Conservation District:

#### **1. Fill**

- a. If fill is used, it shall:
- extend laterally at least fifteen (15) feet beyond the building line from all points;
  - consist of soil or small rock materials only - Sanitary Landfills shall not be permitted;
  - be compacted to provide the necessary permeability and resistance to erosion, scouring, or settling;
  - be no steeper than one (1) vertical to two (2) horizontal, feet unless substantiated data, justifying steeper slopes are submitted to, and approved by the Floodplain Administrator; and
  - be used to the extent to which it does not adversely affect adjacent properties.

#### **2. Drainage Facilities**

Storm drainage facilities shall be designed to convey the flow of storm water runoff in a safe and efficient manner. The system shall insure proper drainage along streets and provide positive drainage away from buildings. The system shall also be designed to prevent the discharge of excess runoff onto adjacent properties.

#### **3. Water and Sanitary Sewer Facilities and Systems**

- a. All new or replacement water supply and sanitary sewer facilities and systems shall be located, designed and constructed to minimize or eliminate flood damages and the infiltration of flood waters.
- b. Sanitary sewer facilities and systems shall be designed to prevent the discharge of untreated sewage into flood waters.

c. No part of any on-site sewage system shall be located within any Floodplain Conservation District except in strict compliance with all State and local regulations for such systems. If any such system is permitted, it shall be located so as to avoid impairment to it, or contamination from it, during a flood.

d. The design and construction provisions of the UCC and FEMA #348, Protecting Building Utilities From Flood Damages and The International Private Sewage Disposal Code shall be utilized.

#### 4. Other Utilities

a. All other utilities such as gas lines, electrical and telephone systems shall be located, elevated (where possible) and constructed to minimize the chance of impairment during a flood.

#### 5. Streets

The finished elevation of all new streets shall be no more than one (1) foot below the Regulatory Flood Elevation.

#### 6. Storage

All materials that are buoyant, flammable, explosive, or in times of flooding could be injurious to human, animal, or plant life, and not listed in Section 230-13.B.2.b, Development Which May Endanger Human Life, shall be stored at or above the Regulatory Flood Elevation and/or flood proofed to the maximum extent possible.

#### 7. Placement of Buildings and Structures

All buildings and structures shall be designed, located, and constructed so as to offer the minimum obstruction to the flow of water and shall be designed to have a minimum effect upon the flow and height of flood water.

#### 8. Anchoring

a. All buildings and structures shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse, or lateral movement.

b. All air ducts, large pipes, storage tanks, and other similar objects or components located below the regulatory flood elevation shall be securely anchored or affixed to prevent flotation.

#### 9. Floors, Walls and Ceilings

a. Wood flooring used at or below the Regulatory Flood Elevation shall be installed to accommodate a lateral expansion of the flooring, perpendicular to the flooring grain without causing structural damage to the building.

b. Plywood used at or below the regulatory flood elevation shall be of a "marine" or "water-resistant" variety.

c. Walls and ceilings at or below the regulatory flood elevation shall be designed and constructed of materials that are "water-resistant" and will withstand inundation.



- d. Windows, doors, and other components at or below the regulatory flood elevation shall be made of metal or other "water-resistant" material.

#### 10. Paints and Adhesives

- a. Paints and other finishes used at or below the regulatory flood elevation shall be of "marine" or "water-resistant" quality.
- b. Adhesives used at or below the regulatory flood elevation shall be of a "marine" or "water-resistant" variety.
- c. All wooden components (doors, trim, cabinets, etc.) shall be finished with a "marine" or "water resistant" paint or other finishing material.

#### 11. Electrical Components

- a. Electrical distribution panels shall be at least three (3) feet above the base flood elevation.
- b. Separate electrical circuits shall serve lower levels and shall be dropped from above.

#### 12. Equipment

Water heaters, furnaces, air conditioning and ventilating units, and other electrical, mechanical or utility equipment or apparatus shall not be located below the Regulatory Flood Elevation.

#### 13. Fuel Supply Systems

All gas and oil supply systems shall be designed to prevent the infiltration of flood waters into the system and discharges from the system into flood waters. Additional provisions shall be made for the drainage of these systems in the event that flood water infiltration occurs.

#### 14. Uniform Construction Code Coordination

The Standards and Specifications contained in ASCE 24 and 34 PA Code (Chapters 401-405), as amended and not limited to the following provisions shall apply to the above and other sections and sub-sections of this ordinance, to the extent that they are more restrictive and/or supplement the requirements of this ordinance.

- a. International Building Code (IBC) the latest edition thereof: Sections 801, 1202, 1403, 1603, 1605, 1612, 3402, and Appendix G.
- b. International Residential Building Code (IRC) the latest edition thereof: Sections R104, R105, R106, R109, R323, Appendix AE101, Appendix E and Appendix J.

### § 230-16. Administration

#### A. Designation of the Floodplain Administrator

The Planning and Zoning Director within the Planning and Zoning Department is hereby appointed to administer and enforce this ordinance and is referred to herein as the Floodplain Administrator.



## **B. Duties and Responsibilities of the Floodplain Administrator**

1. The Floodplain Administrator shall issue a Permit only after it has been determined that the proposed work to be undertaken will be in conformance with the requirements of this and all other applicable codes and ordinances.
2. Prior to the issuance of any permit, the Floodplain Administrator shall review the application for the permit to determine if all other necessary government permits required by state and federal laws have been obtained, such as those required by the Pennsylvania Sewage Facilities Act (Act 1966-537, as amended); the Pennsylvania Dam Safety and Encroachments Act (Act 1978-325, as amended); the Pennsylvania Clean Streams Act (Act 1937-394, as amended); and the U.S. Clean Water Act, Section 404, 33, U.S.C. 1344. No permit shall be issued until this determination has been made.
3. In the case of existing structures, prior to the issuance of any Development/Permit, the Floodplain Administrator shall review the history of repairs to the subject building, so that any repetitive loss issues can be addressed before the permit is issued.
4. During the construction period, the Floodplain Administrator or other authorized official shall inspect the premises to determine that the work is progressing in compliance with the information provided on the permit application and with all applicable municipal laws and ordinances. The Floodplain Administrator shall make as many inspections during and upon completion of the work as are necessary.
5. In the discharge of his/her duties, the Floodplain Administrator shall have the authority to enter any building, structure, premises or development in the Floodplain Conservation District, upon presentation of proper credentials, at any reasonable hour to enforce the provisions of this ordinance.
6. In the event the Floodplain Administrator discovers that the work does not comply with the permit application or any applicable laws and ordinances, or that there has been a false statement or misrepresentation by any applicant, the Floodplain Administrator shall revoke the Permit and report such fact to the Board for whatever action it considers necessary.
7. The Floodplain Administrator shall maintain all records associated with the requirements of this ordinance including, but not limited to, permitting, inspection and enforcement.
8. The Floodplain Administrator shall consider the requirements of § 230-15.C(14).

## **C. Application Procedures and Requirements**

1. Application for such a Permit shall be made, in writing, to the Floodplain Administrator on forms supplied by the Township of Montgomery. Such application shall contain the following:
  - a. Name and address of applicant.
  - b. Name and address of owner of land on which proposed construction is to occur.
  - c. Name and address of contractor.

- d. Site location including address.
  - e. Listing of other permits or variances required.
  - f. Brief description of proposed work and estimated cost, including a breakout of flood-related cost and the market value of the building before the flood damage occurred where appropriate.
2. If any proposed construction or development is located entirely or partially within any Floodplain Conservation District, applicants for Permits shall provide all the necessary information in sufficient detail and clarity to enable the Floodplain Administrator to determine that:
- a. all such proposals are consistent with the need to minimize flood damage and conform with the requirements of this and all other applicable codes and ordinances;
  - b. all utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage; and
  - c. adequate drainage is provided so as to reduce exposure to flood hazards.
  - d. structures will be anchored to prevent floatation, collapse, or lateral movement.
  - e. building materials are flood-resistant.
  - f. appropriate practices that minimize flood damage have been used.
  - g. electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities have been designed and/or located to prevent water entry or accumulation.
3. Applicants shall file the following minimum information plus any other pertinent information as may be required by the Floodplain Administrator to make the above determination:
- a. A completed Permit Application Form.
  - b. A plan of the entire site, clearly and legibly drawn at a scale of one (1) inch being equal to one hundred (100) feet or less, showing the following:
    - c. north arrow, scale, and date;
    - d. topographic contour lines, if available;
    - e. the location of all existing and proposed buildings, structures, and other improvements, including the location of any existing or proposed subdivision and development;
    - f. the location of all existing streets, drives, and other access ways; and
    - g. the location of any existing bodies of water or watercourses, the Floodplain Conservation District, and, if available, information pertaining to the floodway, and the flow of water including direction and velocities.
4. Plans of all proposed buildings, structures and other improvements, drawn at a scale of one (1) inch being equal to one hundred (100) feet or less showing the following:

- a. the proposed lowest floor elevation of any proposed building based upon North American Vertical Datum of 1988;
  - b. the elevation of the base flood;
  - c. supplemental information as may be necessary under § 230-15.C(14).
5. The following data and documentation:
- a. if available, information concerning flood depths, pressures, velocities, impact and uplift forces and other factors associated with a base flood elevation; and detailed information concerning any proposed floodproofing measures and corresponding elevations.
  - b. a document, certified by a registered professional engineer or architect, which states that the proposed construction or development has been adequately designed to withstand the pressures, velocities, impact and uplift forces associated with the base flood elevation. Such statement shall include a description of the type and extent of flood proofing measures which have been incorporated into the design of the structure and/or the development.
  - c. detailed information needed to determine compliance with Section 230-15.C.6, Storage, and Section 230-13.B.2.b, Development Which May Endanger Human Life, including:
    - i. the amount, location and purpose of any materials or substances referred to in 230-13.B.2.b. and 230-15.C.6 which are intended to be used, produced, stored or otherwise maintained on site.
    - ii. a description of the safeguards incorporated into the design of the proposed structure to prevent leaks or spills of the dangerous materials or substances listed in 230-13.B.2.b during a base flood.
  - d. the appropriate component of the Department of Environmental Protection's "Planning Module for Land Development."
  - e. where any excavation or grading is proposed, a plan meeting the requirements of the Department of Environmental Protection, to implement and maintain erosion and sedimentation control.
6. Applications for Permits shall be accompanied by a fee, payable to the municipality based upon the estimated cost of the proposed construction as determined by the Floodplain Administration.

**D. Review by County Conservation District**

A copy of all applications and plans for any proposed construction or development in any Floodplain Conservation District to be considered for approval shall be submitted by the Floodplain Administrator to the County Conservation District for review and comment prior to the issuance of a Permit. The recommendations of the Conservation District shall be considered by the Floodplain Administrator for possible incorporation into the proposed plan.

**E. Review of Application by Others**

A copy of all plans and applications for any proposed construction or development in any Floodplain Conservation District to be considered for

approval may be submitted by the Floodplain Administrator to any other appropriate agencies and/or individuals (e.g. planning commission, municipal engineer, etc.) for review and comment.

#### **F. Changes**

After the issuance of a Permit by the Floodplain Administrator, no changes of any kind shall be made to the application, permit or any of the plans, specifications or other documents submitted with the application without the written consent or approval of the Floodplain Administrator. Requests for any such change shall be in writing, and shall be submitted by the applicant to Floodplain Administrator for consideration.

#### **G. Placards**

In addition to the Permit, the Floodplain Administrator shall issue a placard which shall be displayed on the premises during the time construction is in progress. This placard shall show the number of the Permit the date of its issuance and be signed by the Floodplain Administrator.

#### **H. Start of Construction**

Work on the proposed construction shall begin within 180 days after the date of issuance and shall be completed within twelve (12) months after the date of issuance of the Permit or the permit shall expire unless a time extension is granted, in writing, by the Floodplain Administrator. The term, 'start of construction' shall be understood as defined in Section 230-05 of this ordinance.

Time extensions shall be granted only if a written request is submitted by the applicant, which sets forth sufficient and reasonable cause for the Floodplain Administrator to approve such a request.

### **§ 230-17. Enforcement**

#### **A. Violation**

1. A structure or other development not fully compliant with the community's flood plain management regulations is in violation of this Article. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CFR §60.3(b) (5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

#### **B. Notice**

1. Whenever the Floodplain Administrator or other authorized municipal representative determines that there are reasonable grounds to believe that there has been a violation of any provisions of this Article, or of any regulations adopted pursuant thereto, the Floodplain Administrator shall give notice of such alleged violation as hereinafter provided. Such notice shall be in accordance with Article XXV of this chapter.

### **C. Penalties**

1. Any person who fails to comply with any or all of the requirements or provisions of this Article or who fails or refuses to comply with any notice, order of direction of the Floodplain Administrator or any other authorized employee of the municipality shall pay a fine in accordance with Article XXV of this chapter.
2. In addition to the above penalties all other actions are hereby reserved including an action in equity for the proper enforcement of this Ordinance. The imposition of a fine or penalty for any violation of, or noncompliance with, this Article shall not excuse the violation or noncompliance or permit it to continue and all such persons shall be required to correct or remedy such violations and noncompliance within a reasonable time. Any development initiated or any structure or building constructed, reconstructed, enlarged, altered, or relocated, in noncompliance with this Article may be declared by the Board of Supervisors to be a public nuisance and abatable as such.

**§ 230-18. (Reserved)**

**§ 230-19. (Reserved)**

**§ 230-20. (Reserved)**

**§ 230-21. (Reserved)**

**§ 230-22. (Reserved)**

#### **§ 230-23. Certificate of Compliance**

No vacant land shall be occupied or used and no building hereafter erected, altered or moved on the floodplains of any creek or stream shall be occupied until a certificate of compliance shall have been issued by the Code Enforcement Officer. The Code Enforcement Officer shall request the applicant to submit a certification by a registered professional engineer or land surveyor that the finished fill and building floor elevations, floodproofing measures or other flood protection factors were accomplished in compliance with the provisions of this chapter. The Code Enforcement Officer shall, within 10 days after receipt of such certification from the applicant, issue a certificate of compliance only if the building or premises and the proposed use thereof conform with all the requirements of this article.

#### **§ 230-24. Municipal Liability**

The granting of a zoning permit or approval of a subdivision or land development plan in or near the Floodplain Conservation District shall not constitute a representation, guaranty or warranty of any kind by the municipality or by any official or employee thereof of the practicability or safety of the proposed use and shall create no liability upon Montgomery Township, its officials or employees. The degree of flood protection intended to be provided by this article is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. This article is not intended to imply that areas outside Floodplain Conservation District boundaries or land uses permitted within such districts will always be totally free from flooding or



flood damages.

**SECTION 3. Repeal and Ratification.**

All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed. Any other terms and provisions of the ordinances of the Township that are unaffected by this Ordinance are hereby reaffirmed and ratified.

**SECTION 4. Severability.**

Should any section, paragraph, sentence, clause, or phrase in this Ordinance be declared unconstitutional or invalid for any reason, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and affect, and for this reason the provisions of this Ordinance shall be severable.

**SECTION 5. Effective Date.**

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

\*\*\*

[Signatures on Next Page]



**ORDAINED AND ENACTED** this \_\_\_\_\_<sup>th</sup> day of \_\_\_\_\_, by the Montgomery Township Board of Supervisors.

**MONTGOMERY TOWNSHIP  
BOARD OF SUPERVISORS**

\_\_\_\_\_  
MICHAEL J. FOX, *Chairman*

[Seal]

Attested by:

\_\_\_\_\_  
LAWRENCE J. GREGAN  
*Township Manager/Secretary*

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

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**SUBJECT:** Consider Authorization to Advertise Proposed Zoning/Text Ordinance Amendment - Ordinance #15-293-Z - Congregate Care/Independent Senior Living Use in BP District

**MEETING DATE:** December 14, 2015

**ITEM NUMBER:** #17

**MEETING/AGENDA:** WORK SESSION ACTION XX NONE

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

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

**BOARD LIAISON:** Michael J. Fox  
Chairman

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**BACKGROUND:**

Fairway 202 Associates, LP. have submitted a request for a text amendment to the BP – Business Office and Professional District ordinance. They propose a new use in this district for congregate care/independent senior living. This would be a combination of a senior day-care facility and a residential use. This proposed use is not permitted by right in any zoning district of the Township at present. The applicant proposes that the BP Business Office and Professional District would be the appropriate district for this use, subject to Conditional Use Approval.

A proposed ordinance is attached which provides for structural, dimensional and parking requirements specifically tailored to apply to this new use. The proposed ordinance has been revised by the applicant to address prior Township comments and is now in a format for the Board to authorize its review and scheduling for consideration at a future Public Hearing.

**ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:**

**PREVIOUS BOARD ACTION:**

None.

**ALTERNATIVES/OPTIONS:**

None.

**BUDGET IMPACT:**

None.

**RECOMMENDATION:**

The Board of Supervisors hereby authorize the Township Solicitor to advertise Proposed Ordinance #15-293-Z for consideration at a future Public Hearing subject to receipt of favorable recommendations from the Montgomery County and Township Planning Commissions.

**MOTION/RESOLUTION:**

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby authorize the advertisement of proposed Ordinance 15-293-Z to amend the BP Zoning District regulations in the Township Zoning Code to permit Congregate Care/Independent Senior Living Use and further direct that the Proposed Ordinance be submitted to the Montgomery County and Montgomery Township Planning Commissions, Township Consultants and staff for review and comment.

MOTION \_\_\_\_\_

SECOND \_\_\_\_\_

ROLL CALL:

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

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

# **MONTGOMERY TOWNSHIP**

Montgomery County, Pennsylvania

**ORDINANCE #15-\_\_\_\_-Z**

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**AN ORDINANCE AMENDING ARTICLE II [DEFINITIONS], SECTION 230-5 [WORD USAGE; DEFINITIONS], OF THE MONTGOMERY TOWNSHIP ZONING ORDINANCE TO INCLUDE "CONGREGATE CARE/INDEPENDENT SENIOR LIVING" AS A DEFINED TERM; AMENDING TABLE 230-A OF THE MONTGOMERY TOWNSHIP ZONING ORDINANCE TO PROVIDE FOR CONGREGATE CARE/INDEPENDENT SENIOR LIVING AS A PERMITTED USE IN THE BP BUSINESS OFFICE AND PROFESSIONAL DISTRICT; AMENDING ARTICLE XIV [BP BUSINESS OFFICE AND PROFESSIONAL DISTRICT], SECTION 230-81 [HEIGHT REGULATIONS], SECTION 230-82 [AREA, WIDTH AND YARD REGULATIONS], AND SECTION 230-83 [SPECIAL REGULATIONS] TO PROVIDE FOR HEIGHT, AREA, WIDTH, YARD, BUILDING COVERAGE, DENSITY, PARKING AND SPECIAL REGULATIONS FOR CONGREGATE CARE/INDEPENDENT SENIOR LIVING; AND FURTHER AMENDING SECTION 230-83 [SPECIAL REGULATIONS] TO EXCLUDE CERTAIN REGULATIONS FROM APPLYING TO PROPERTIES ABUTTING GOLF COURSES.**

---

**ENACTED:\_\_\_\_\_**

62 years of age (but at least 55 years of age or older) who have needs for congregate care and assistance with living similar to a person 62 years of age or older, which facility may include without limitation, private suites (each to be occupied by not more than two persons), cottages, common dining facilities, recreational features, special safety and convenience features designed for the needs of the elderly, and services for residents which may include the following: transportation, housekeeping, linen/laundry, and organized social and recreational activities. Such communities may have up to two manager dwelling units which may contain full kitchen facilities.

**SECTION 2**      **Amendment to Table 230-A [Table of Permitted Uses].**

Table 230-A [Table of Permitted Uses] shall be amended to add the following new use:

USE	DISTRICT				
	R3-B	C	BP	S	RS
Congregate Care/Independent Senior Living	N	N	CU	N	N

**SECTION 3**      **Amendment to Article XIV [BP Business Office and Professional District], Section 230-81 [Height regulations]**

Article XIV [BP Business Office and Professional District], Section 230-81 [Height regulations] of the Montgomery Township Zoning Ordinance shall be amended to read as follows:

§230-81. Height Regulations

The maximum height of any building or structure shall be 35 feet, except a building or structure used for the Congregate Care/Independent Senior Living use, which building or structure shall have a maximum height of 40 feet and shall not exceed three (3) stories.

**SECTION 4**      **Amendment to Article XIV [BP Business Office and Professional District], Section 230-82 [Area, width and yard regulations].**

Article XIV [BP Business Office and Professional District], Section 230-82 [Area, width and yard regulations] of the Montgomery Township Zoning Ordinance shall be amended by adding, replacing, or modifying Subsections C, D(2)(b), and G to read as follows:

C. Building coverage. The maximum building coverage of any lot shall not exceed 15% of the total lot area. Notwithstanding the foregoing, the maximum building coverage of any Congregate Care/Independent Senior Living use shall not exceed 25% of the total lot area (including the main building and cottages).

D.(2)(b) Corner lots: shall have two side yards, the street side setback not less than 40 feet and the adjoining lot side not less than 20 feet. Notwithstanding the foregoing, where any Congregate Care/Independent Senior Living use is located on a corner lot the front yard setback shall be permitted to be reduced to not less than 35 feet.

...

G. Congregate Care/Independent Senior Living Density. A Congregate Care/Independent Senior Living use shall be limited to no more than twenty (20) suites per gross acre (and may be proportioned for partial acres), plus two (2) manager dwelling units.

**SECTION 5**      **Amendment to Article XIV [BP Business Office and Professional District], Section 230-83 [Special regulation].**

Article XIV [BP Business Office and Professional District], Section 230-83 [Special regulations] of the Montgomery Township Zoning Ordinance shall be amended by adding, replacing, or modifying Subsections B and K to read as follows:

**B.      Parking regulations.**

(1) No parking to serve lots for business office or professional use shall be permitted within the area between the street line and any building or in the front yard, including extension of a line from the building to the full width of the lot, nor within 15 feet of the side or rear boundary lines of any property lot, except for a Congregate Care/Independent Senior Living use, which shall be permitted to have parking in the front yard and/or within the area between the building and 15 feet from the street line, and at least 15 feet from any side or rear boundary lines. In the event that there is not adequate space for a business office or professional use in the rear of the lot and on either side of the lot to provide all the parking required for the use to occur on the property, then to the extent that there is not adequate space in the rear and side yards, supplemental parking may be allowed in the front yard (no less than 20 feet from the street line), if authorized



by special exception granted by the Zoning Hearing Board, after hearing.

(2) The minimum number of parking spaces shall be equal to one space for each 200 square feet of service area or part thereof or for each patron seat. For medical, dental or similar practitioners or in case of principal or branch offices of insurance companies, the minimum number of parking spaces shall be one space for each 100 square feet of service area. But in all cases, except for a Congregate Care/Independent Senior Living use, the minimum required parking shall not be less than one parking space for every 200 square feet of total floor area. Notwithstanding the foregoing, the minimum number of parking spaces for a Congregate Care/Independent Senior Living use shall be no less than 0.5 parking spaces per suite.

...

K. Special regulations where a BP District property shall abut a residential zoning District. In addition to the regulations of this Article, the following regulations shall also apply to all properties within the BP District. However, where the proposed BP District use is a Congregate Care/Independent Senior Living facility, and the adjoining residential land is utilized for a golf course or open space, any conflict between the regulations of this paragraph and the regulations governing Congregate Care/Independent Senior Living use facilities, the regulations governing Congregate Care/Independent Senior Living facilities shall control. Additionally, parts (1), (2), (3), (4), (7), (8), and (10) of this subsection shall not apply to Congregate Care/Independent Senior Living facilities that adjoin residential land utilized for a golf course or open space.

## **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 declare 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**            **Repealer.**

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

**SECTION 8**

**Effective Date.**

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

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**ORDAINED AND ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2015, by the  
Montgomery Township Board of Supervisors

**MONTGOMERY TOWNSHIP  
BOARD OF SUPERVISORS**

\_\_\_\_\_  
**JOSEPH P. WALSH**, *Chairperson*

[Seal]

Attested by:

\_\_\_\_\_  
**LAWRENCE J. GREGAN**  
*Township Manager/Secretary*

**MONTGOMERY TOWNSHIP**  
**LEGAL NOTICE**

On \_\_\_\_\_, 2015, after 8:00 PM, the Montgomery Township Board of Supervisors, during its regularly scheduled meeting will consider enacting the following ordinance:

**AN ORDINANCE AMENDING ARTICLE II [DEFINITIONS], SECTION 230-5 [WORD USAGE; DEFINITIONS], OF THE MONTGOMERY TOWNSHIP ZONING ORDINANCE TO INCLUDE "CONGREGATE CARE/INDEPENDENT SENIOR LIVING" AS A DEFINED TERM; AMENDING TABLE 230-A OF THE MONTGOMERY TOWNSHIP ZONING ORDINANCE TO PROVIDE FOR CONGREGATE CARE/INDEPENDENT SENIOR LIVING AS A PERMITTED USE IN THE BP BUSINESS OFFICE AND PROFESSIONAL DISTRICT; AMENDING ARTICLE XIV [BP BUSINESS OFFICE AND PROFESSIONAL DISTRICT], SECTION 230-81 [HEIGHT REGULATIONS], SECTION 230-82 [AREA, WIDTH AND YARD REGULATIONS], AND SECTION 230-83 [SPECIAL REGULATIONS] TO PROVIDE FOR HEIGHT, AREA, WIDTH, YARD, BUILDING COVERAGE, DENSITY, PARKING AND SPECIAL REGULATIONS FOR CONGREGATE CARE/INDEPENDENT SENIOR LIVING; AND FURTHER AMENDING SECTION 230-83 [SPECIAL REGULATIONS] TO EXCLUDE CERTAIN REGULATIONS FROM APPLYING TO PROPERTIES ABUTTING GOLF COURSES.**

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

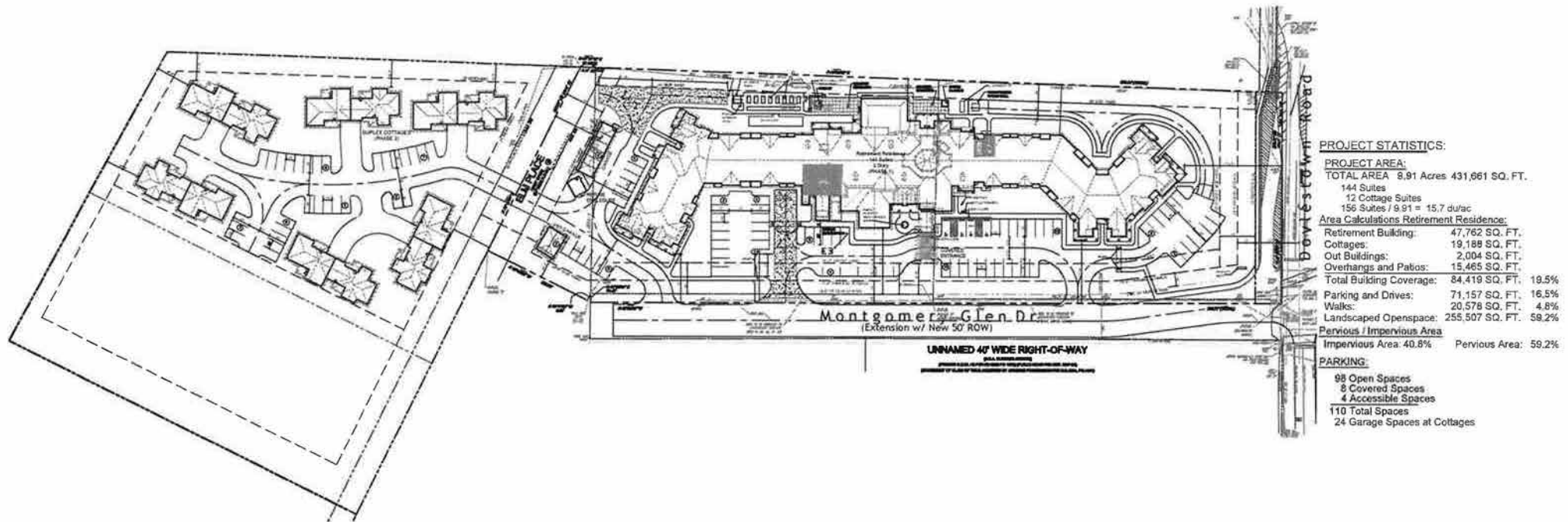
The public is invited to attend and will be given an opportunity to provide comments regarding this ordinance/ Persons with disabilities, wishing to attend the public meeting and requiring auxiliary aid, service, or other accommodations to participate, should contact the Montgomery Township Director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

**LAWRENCE J. GREGAN**  
*Township Manager*

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TO BE INSERTED in The Reporter on \_\_\_\_\_, 2015. Please send proof of Publication to Montgomery Township, Attn.: Bruce Shoupe, 1001 Stump Road, Montgomeryville, PA 18936.

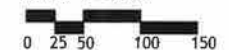
# Montgomery Township



## Preliminary Site Plan

DATE: NOV. 06, 2015

SCALE: 1" = 50'-0"



Daniel Roach architect

200 South Coast Rd., Suite 200  
Folsom, CA 95630  
P: 916.350.1234 F: 916.350.1235 W: danielroach.com

## Montgomery Township Retirement Residence

Montgomery County, PA

**HAWTHORN**  
RETIREMENT GROUP  
10110 N. 10th Ave., Suite 200  
Scottsdale, AZ 85260  
(480) 344-1100 Fax (480) 344-1101

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Authorization to Advertise Proposed Ordinance #15-291 - Amending Chapter 206 of the Township Code – Stormwater Management Regulations

MEETING DATE: December 15, 2015

ITEM NUMBER: #18.

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

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

INITIATED BY: Lawrence J. Gregan,  
Township Manager

BOARD LIAISON: Candyce Fluehr Chimera,  
Liaison to Planning Commission

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BACKGROUND:

The Wissahickon Creek Watershed Stormwater Act 167 Management Plan was adopted by Montgomery County on March 6, 2015 and approved by the Department of Environmental Protection on July 10, 2015 pursuant to the Pennsylvania Stormwater Management Act.

The Stormwater Management Act requires each municipality within the area covered by the Act 167 stormwater management plan to adopt or amend and implement ordinances and regulations including zoning, subdivision and development, building code, and erosion and sedimentation ordinances that are necessary to regulate development within the Township in a manner consistent with the Stormwater Management Plan and provisions of the Stormwater Management Act. Approximately 10% of the Township is tributary to the Wissahickon Creek Watershed.

Township staff, Township Solicitor and the Township Engineer have prepared the attached Proposed Ordinance #15-291 to amend Chapter 206 of the Township Code entitled the Montgomery Township Stormwater Management Ordinance to implement the requirements of the Wissahickon Creek Watershed Act 167 plan.

A copy of the proposed ordinance is attached in compare version to the current storm water management ordinance to identify the changes being implemented with this amendment. Also attached is a copy of the new Riparian Buffer Trail Guidelines which are an appendix in the ordinance.

The deadline for adopting the ordinance to satisfy these requirements is January 18, 2016.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None, the adoption of these regulations is mandated by the Pennsylvania storm water management act.

**BUDGET IMPACT:**

None. Implementation of the regulations will be handled through the issuance of stormwater permits subject to a fee schedule adopted by the Board.

**RECOMMENDATION:**

Authorize advertisement of Proposed Ordinance #15-291 - Amending Chapter 206 of the Township Code – Stormwater Management Ordinance to comply with the provisions of the Wissahickon Creek Watershed Act 167 Stormwater Management Plan.

**MOTION/RESOLUTION:**

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby authorize advertisement of Proposed Ordinance #15-291 - Amending Chapter 206 of the Township Code – Stormwater Management Ordinance to comply with the provisions of the Wissahickon Creek Watershed Act 167 Stormwater Management Plan.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_

**ROLL CALL:**

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

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





**pennsylvania**  
DEPARTMENT OF ENVIRONMENTAL  
PROTECTION

July 24, 2015

Montgomery Township  
1001 Stump Road  
Montgomeryville, PA 18936

Re: Implementation of the Stormwater Management Plan  
for Wissahickon Creek Watershed

Dear Sir or Madam:

The subject Act 167 Stormwater Management Plan (SWM Plan) was adopted by Montgomery County on March 6, 2015, and approved by the Department of Environmental Protection (DEP) on July 10, 2015, pursuant to the Pennsylvania Storm Water Management Act, the Act of October 4, 1978, 32 P.S., P.L. 864, (No. 167), Section 680.1 et seq. ("Act 167"), as amended by Act 63 of May 24, 1984, and the Storm Water Management Guidelines as approved by the General Assembly on May 14, 1985. A copy of DEP's letter of approval of the SWM Plan is enclosed for your records.

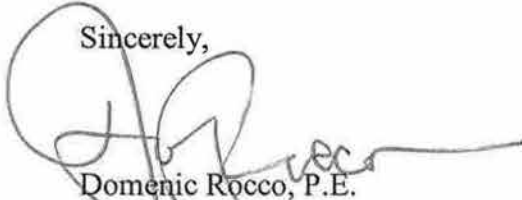
Section 11(b) of the Storm Water Management Act requires each municipality within the area covered by the subject SWM Plan to adopt or amend and implement such ordinances and regulations, including zoning, subdivision and development, building code, and erosion and sedimentation ordinances as are necessary to regulate development within the municipality in a manner consistent with the SWM Plan and the provisions of the Storm Water Management Act. A model stormwater management ordinance was prepared by Montgomery County as part of the SWM Plan and was transmitted by Montgomery County to the municipalities prior to the County's adoption of the SWM Plan.

The deadline for enacting an ordinance to satisfy these requirements is January 18, 2016. Please provide a copy of this letter to your solicitor regarding your obligation to implement the subject SWM Plan.

Please notify DEP immediately after your municipality enacts or amends ordinances as necessary to meet the requirements of the Storm Water Management Act. The notification should include the SWM Plan name, ordinance number, and the date the ordinance was enacted to meet the requirements of the SWM Plan and the Act.

Thank you for your interest and participation in the Stormwater Management Program. If you have any questions, please contact Mr. David Burke by e-mail at [daburke@pa.gov](mailto:daburke@pa.gov) or by telephone at 484.250.5822.

Sincerely,



Domenic Rocco, P.E.  
Regional Manager  
Waterways and Wetlands

Enclosure

cc: Mr. Furlan, DEP Division of Planning and Permits  
Mr. Fitzpatrick, PA Department of Community and Economic Development  
Re 30 (GJS15WAW)204a

July 10, 2015

Ms. Jody Holton  
Executive Director  
Montgomery County Planning Commission  
P.O. Box 311  
Norristown, PA 19404-0311

Re: Approval of the Act 167 Stormwater Management Plan  
for the Wissahickon Creek Watershed,  
Montgomery County, PA.

Dear Ms. Holton:

On March 6, 2015, the Montgomery County commissioners adopted the Wissahickon Creek Watershed Act 167 Stormwater Management Plan (SWM Plan). The adopted SWM Plan was submitted to the Department of Environmental Protection (DEP) for review and approval in accordance with Section 9 of the Pennsylvania Storm Water Management Act of 1978, 32 P.S. §§680.1 et seq. ("Act 167"), and the Pennsylvania Clean Streams Law, 35 P.S. §§691.1 et seq. ("The Clean Streams Law") on March 17, and was received by DEP on March 19, 2015.

DEP and the Department of Community and Economic Development (DCED) have reviewed the SWM Plan and find the SWM Plan to be consistent with municipal floodplain management plans; state programs that regulate dams, encroachments and water obstructions; and state and Federal flood control programs. The SWM Plan also is compatible with other watershed SWM Plans in the vicinity of Montgomery County's watersheds and is consistent with the purpose and policy of the Storm Water Management Act, or Act 167.

DEP hereby approves the referenced SWM Plan.

According to Section 11(b) of Act 167, municipalities subject to the SWM Plan must enact or amend and implement such ordinances as necessary to regulate development in a manner consistent with the SWM Plan by January 18, 2016. Municipalities are encouraged to use the model ordinance included with the SWM Plan. DEP will send notices to each municipality that is subject to this requirement.

As you may be aware, DEP and the Pennsylvania Infrastructure Investment Authority (PENNVEST) developed a program that funds the construction of non-point source Best Management Practices (BMPs). Under the program, municipalities may apply for funds to construct stormwater management projects that reduce the environmental impacts of stormwater runoff. For more information, see <<http://www.portal.state.pa.us/portal/server.pt/community/pennvest/9242>>.

Any person aggrieved by this decision may appeal pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa. C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, telephone number 717.787.3483. TDD users may contact the board through the Pennsylvania Relay Service at 1-800-654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this decision, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST REACH THE BOARD WITHIN 30 DAYS. YOU DO NOT NEED A LAWYER TO FILE AN APPEAL WITH THE BOARD.

IMPORTANT LEGAL RIGHTS ARE AT STAKE, HOWEVER, SO YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD (717.787.3483) FOR MORE INFORMATION.

Thank you for participating in the Stormwater Management Program. We hope that Montgomery County receives many benefits as a result of adopting the SWM Plan and its accompanying stormwater management ordinance. If you have any questions or need further assistance, please contact Mr. David Burke by e-mail at [daburke@pa.gov](mailto:daburke@pa.gov) or by telephone at 484.250.5822.

Sincerely,



Domenic Rocco, P.E.  
Regional Manager  
Waterways and Wetlands

cc. Mr. Furlan, DEP Division of Planning and Permits  
Ms. Fields, DEP SERO Clean Water Program  
Mr. Fitzpatrick - PA Dept. of Community and Economic Development  
Ms. Dahme - Philadelphia Water Department  
Mr. Meyer - Montgomery County Conservation District  
Re 30 (GJE15CLW)191-1


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Domenic Rocco, P.E.  
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Mr. Meyer - Montgomery County Conservation District  
Re 30 (GJE15CLW)191-1

**MONTGOMERY TOWNSHIP**  
Montgomery County, Pennsylvania

ORDINANCE #~~14-278~~15-291

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AN ORDINANCE ~~(1) ADOPTING AMENDING CHAPTER 206 OF THE TOWNSHIP'S CODE, ENTITLED "THE MONTGOMERY TOWNSHIP STORMWATER MANAGEMENT ORDINANCE, PROVIDING FOR GENERAL, MAKING PROVISIONS; DEFINITIONS; STORMWATER MANAGEMENT; STORMWATER MANAGEMENT SITE PLAN TO IMPLEMENT THE REQUIREMENTS; INSPECTIONS; FEES AND EXPENSES; MAINTENANCE RESPONSIBILITIES; PROHIBITIONS; ENFORCEMENT AND PENALTIES; AND RELATED APPENDICES AND (2) AMENDING THE MONTGOMERY TOWNSHIP CODE TO INCLUDE THE MONTGOMERY TOWNSHIP STORMWATER MANAGEMENT ORDINANCE AS CHAPTER 206 OF THE WISSAHICKON CREEK WATERSHED ACT 167 PLAN.~~

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**MONTGOMERY TOWNSHIP**  
Montgomery County, Pennsylvania

ORDINANCE #~~14-278~~15-291

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**NOW, THEREFORE,** it is hereby **ENACTED** and **ORDAINED** by the Montgomery Township Board of Supervisors as follows:

**SECTION 1. — Adoption of the Montgomery Township Stormwater Management Ordinance Amendment.**

~~Chapter 206 of the Montgomery Township Code, entitled "The Montgomery Township Stormwater Management Ordinance is hereby adopted to govern stormwater management within the Township.~~

**SECTION 2. — Amendment to the Montgomery Township Code.**

~~The Montgomery Township Code"/, shall be amended to includeimplement the requirements of the Montgomery Township Stormwater Management Ordinance as Chapter 206. Chapter 206Wissahickon Creek Watershed Act 167 Plan and~~ shall read as follows:

**CHAPTER 206**  
Stormwater Management Ordinance

**ARTICLE I**

## GENERAL PROVISIONS

### **§206-1. Short Title.**

This Ordinance shall be known and may be cited as the "Montgomery Township Stormwater Management Ordinance."

### **§206-2. Statement of Findings**

The Board of Supervisors finds that:

- A. Inadequate management of accelerated stormwater runoff resulting from development and redevelopment throughout a watershed increases flood flows and velocities, contributes to erosion and sedimentation, overtaxes the carrying capacity of streams and storm sewers, greatly increases the cost of public facilities to convey and manage stormwater, undermines floodplain management and flood reduction efforts in upstream and downstream communities, reduces groundwater recharge, and threatens public health and safety.
- B. Inadequate planning and management of stormwater runoff resulting from land development and redevelopment throughout a watershed can also harm surface water resources by changing the natural hydrologic patterns, accelerating stream flows (which increase scour and erosion of streambeds and streambanks, thereby elevating sedimentation), destroying aquatic habitat, and elevating aquatic pollutant concentrations and loadings such as sediments, nutrients, heavy metals, and pathogens.
- C. A comprehensive program of stormwater management (SWM), including reasonable regulation of development and activities causing accelerated runoff, is fundamental to the public health, safety, welfare, and the protection of the people of the Township and all the people of the Commonwealth, their resources, and the environment.
- D. Stormwater is an important water resource by providing groundwater recharge for water supplies and base flow of streams, which also protects and maintains surface water quality.
- E. Public education on the control of pollution from stormwater is an essential component in successfully addressing stormwater.
- F. Federal and state regulations require certain municipalities to implement a program of stormwater controls. These municipalities are required to obtain a permit for stormwater discharges from their separate storm sewer systems under the National Pollutant Discharge Elimination System (NPDES).
- G. Impacts from stormwater runoff can be minimized by using project designs that maintain the natural hydrologic regime and sustain high water quality, groundwater recharge, stream baseflow, and aquatic ecosystems.
- H. Nonstormwater discharges to municipal separate storm sewer systems can contribute to pollution of waters of the Commonwealth.

### **§206-3. Purpose**

The purpose of this Ordinance is to promote the public health, safety, and welfare within the Township by maintaining the natural hydrologic regime and by minimizing the harms and maximizing the benefits described in Section 206-2, through provisions designed to:

- A. Meet legal water quality requirements under state law, including regulations at 25 Pa. Code 93 to protect, maintain, reclaim, and restore the existing and designated uses of the waters of this Commonwealth.
- B. Minimize increases in stormwater volume and control peak flows.
- C. Minimize impervious surfaces.
- D. Provide review procedures and performance standards for stormwater planning and management.
- E. Preserve the natural drainage systems as much as possible.
- F. Manage stormwater impacts close to the runoff source, requiring a minimum of structures and relying on natural processes.
- G. Focus on infiltration of stormwater to maintain groundwater recharge, to prevent degradation of surface and groundwater quality, and to otherwise protect water resources.
- H. Preserve and restore the flood-carrying capacity of streams.
- I. Prevent scour and erosion of streambanks and stream beds.
- J. Provide standards to meet National Pollution Discharge Elimination System (NPDES) permit requirements.
- K. Address certain requirements of the Municipal Separate Stormwater Sewer System (MS4) NPDES Phase II Stormwater Regulations.
- L. Provide for proper operation and maintenance of all stormwater management facilities and Best Management Practices (BMPs) that are implemented in the Township.
- M. Implement the requirements of the Neshaminy Creek Watershed Act 167 Stormwater Management Plan (includes Little Neshaminy Creek Watershed).
- N. Implement the requirements of the Wissahickon Creek Watershed Act 167 Plan.

### **§206-4. Statutory Authority**

The Township is empowered to regulate land use activities that affect runoff, surface, and groundwater quality and quantity by the authority of:

- A. Pennsylvania Municipalities Planning Code, Act 247, as amended.
- B. Second Class Township Code (Act 69 of 1933, P.L. 103; 53 P.S. § 65101, as amended).



## §206-5. Applicability/Regulated Activities

All regulated activities and all activities that may affect stormwater runoff, including Land Development and Earth Disturbance Activity, are subject to regulation by this Ordinance.

Regulated activities include, but are not limited to;

1. Land development,
2. Subdivisions,
3. Prohibited or polluted discharges,
4. Alteration of the natural hydrologic regime,
5. Construction or reconstruction of, or addition of new impervious or semi-pervious surfaces (i.e., driveways, parking lots, roads, etc.), except for reconstruction of roads where there is no increase in impervious surface,
6. Construction of new buildings or additions to existing buildings,
7. Redevelopment,
8. Diversion piping or encroachments in any natural or man-made channel, and
9. Nonstructural and structural stormwater management Best Management Practices (BMPs) or appurtenances thereto.

10. Earth disturbance activities of equal to or greater than 1,000 square feet.

11. Any of the above regulated activities which were approved more than five (5) years prior to the effective date of this Ordinance and resubmitted for municipal approval.

## §206-6. Exemptions

~~A. Regulated Activities that create impervious surfaces smaller than or equal to 1,000 square feet do not have to apply the volume control requirements of this Ordinance. Regulated Activities of this size are exempt from the peak rate control requirements and the SWM Site Plan preparation located in Article IV. If the activity is found to be a significant contributor of pollution to the waters of this Commonwealth, the Township may enforce any of the above requirements.~~

~~B. Regulated Activities that create impervious surfaces greater than 1,000 square feet up to and including 5,000 square feet are exempt only from the peak rate control requirements of this Ordinance.~~

A. Table 206-6.1 summarizes the exemptions from certain requirements in this Ordinance. "Proposed Impervious Surface" in Tables 206-6.1 includes new, additional, or replacement impervious surface/cover. "Repaving" existing surfaces without reconstruction (see Section 206-10) does not constitute replacement.

**Table 206-6.1: ~~Impervious Surface~~ Exemption Thresholds**

Ordinance	Type of	< 5,000 sq. ft. <del>Disturbed Area and</del>	≥ 5,000 sq. ft.
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Article or Section	Project	Proposed Impervious Surface			Disturbed Area
		0 to 1,000 sq. ft.	>1,000 to ≤5,000 sq. ft.	≥5,000 -sq. ft.	
Article IV SWM Site Plan Requirements	All Development	Exempt	Not Exempt (except residential activity)	Not Exempt	<u>Not Exempt</u>
Appendix F Non-Engineered Small Project Site Plan	Only Residential Development Applicable	Exempt	Not Exempt	Not Applicable	<u>Not Applicable</u>
Section 206- <del>15</del> <sup>14</sup> Volume Control Requirements	All Development	Not Applicable	Not Exempt	Not Exempt	<u>Not Exempt</u>
Section 206- <del>16</del> <sup>15</sup> Peak Rate Control Requirements	All Development	Exempt	Exempt	Not Exempt	<u>Not Exempt</u>
<u>Section 206-16 Nonstructural Project Design Requirements</u>	<u>All Development</u>	<u>Exempt</u>	<u>Not Exempt</u>	<u>Not Exempt</u>	<u>Not Exempt</u>
<u>Section 206-17 Stream Bank Erosion Requirements</u>	<u>All Development</u>	<u>Exempt</u>	<u>Not Exempt</u>	<u>Not Exempt</u>	<u>Not Exempt</u>
Section 206- <del>14</del> <sup>13</sup> Erosion and Sediment Pollution Control Requirements	See Table 206-6.2				
Article V Inspections	All Development	Exempt	Not Exempt	Not Exempt	<u>Not Exempt</u>
Article VII Maintenance Responsibilities	All Development	Exempt	Not Exempt	Not Exempt	<u>Not Exempt</u>

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**Table 206-6.2: Erosion and Sediment Pollution Control Exemption Thresholds**

Disturbed Area	Written E&S Plan	E&S Plan Review for Adequacy by	E&S Plan Review for Adequacy by	NPDES Permit	Written PCSM Plan Required
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		<b>MCCD</b>	<b>the Township</b>		
0 – 1,000 sq. ft.	Not required unless in HQ or EV watershed, or is a condition of other State permit.	Exempt	Exempt	Exempt	Exempt
1,000 - 5,000 sq. ft.	Required by the Township	Exempt	Not Exempt	Exempt	Per Table 206-6.1
5,000 sq. ft. to < 1 acre	Required by the Township	Required by Township	Not Exempt	Exempt	Per Table 206-6.1
1 acre or greater	Required by MCCD	Required by MCCD	Not Exempt	Not Exempt	Per Table 206-6.1

- | ~~C.B.~~ Agricultural activity is exempt from the peak rate control requirements and SWM Site Plan preparation requirements of this Ordinance provided the activities are performed according to the requirements of 25 Pa. Code 102.
- | ~~D.C.~~ Forest management and timber operations are exempt from the peak rate control requirements and SWM Site Plan preparation requirements of this Ordinance provided the activities are performed according to the requirements of 25 Pa. Code 102.
- | ~~E.D.~~ Any aspect of BMP maintenance to an existing SWM system made in accordance with plans and specifications approved by the Township is exempt.
- | ~~F.E.~~ The use of land for gardening and/or landscaping for home consumption is exempt from the requirements of this ordinance.
- | ~~G.F.~~ Exemptions from any provisions of this Ordinance shall not relieve the applicant from the requirements in Section 206-~~1211~~.D through L.

#### G. Infiltration Exemptions

(1) Depth to Limiting Zone - A minimum of two (2) feet of soil suitable for infiltration must exist between the invert of the infiltration BMP and the top of the nearest limiting zone. Otherwise, the Volume Control requirement shall not be applied to the development site, and the entire volume must be treated.

#### H. Hotspots

(1) Stormwater Hotspots – Appendix D contains a list of types of hotspots that may be recognized by the Township. If a site is a potential hotspot, it has important implications for how stormwater is managed. First and foremost, untreated stormwater runoff from hotspots concentrated into a collection system, shall not be recharged into groundwater where it may contaminate water supplies. Therefore, the Volume Control requirement shall NOT be applied to development sites that lie within a hotspot (the entire volume must still be treated). Second, a greater level of stormwater treatment shall be applied at hotspot sites to prevent pollutant washoff after construction. The Environmental Protection Agency's (EPA) National Pollutant Discharge



Elimination System (NPDES) stormwater program requires some industrial sites to prepare and implement a stormwater pollution prevention plan.

(2) Rate of Infiltration - When infiltration is not feasible due to poor infiltration rates or hotspot, the water quality volume must be treated by an approved SMP.

H.I. Additional Exemption Criteria:

- (1) Exemption Responsibilities – An exemption shall not relieve the Applicant from implementing such measures as are necessary to protect public health, safety, and property.
- (2) Drainage Problems – Where drainage problems are documented or known to exist downstream of or is expected from the proposed activity, the Township may deny exemptions.
- (3) Exemptions are limited to specific portions of this Ordinance.
- (4) HQ and EV Streams – The Township may deny exemptions in high quality (HQ) or exceptional value (EV) waters and Source Water Protection Areas (SWPA).

(5) For a development taking place in stages, the entire development plan must be used in determining compliance with these exemption criteria. The starting point from which to consider tracts as "parent tracts" in which future subdivisions and respective impervious area computations are cumulatively considered shall be the date of the municipal adoption of the original Montgomery Township Stormwater Management Plan Ordinance [May 12, 2014].

(a) For example: If a property owner in Montgomery Township proposes a 300-square-foot shed after adoption of the municipal stormwater management ordinance, that property owner would be exempt from site plan and peak rate control requirements. If, at a later date, the property owner proposes to construct a garage and driveway adding an additional 1,300 square feet of impervious surface, the applicant would be required to submit a SWM Site Plan or Small Project SWM Site Plan (or if applicable a Fee-In-Lieu Of Alternative for Small Projects) in accordance with Article IV demonstrating the stormwater control requirements for the total impervious surface of 1,600 square feet.

J. The Township may deny or revoke any exemption pursuant to this Section at any time for any project that the Township believes may pose a threat to public health, safety, property or the environment.

#### **§206-7. Compatibility with Other Ordinance or Legal Requirements**

Approvals issued pursuant to this Ordinance do not relieve the Applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance.

#### **§206-8. Change of Appendices**

The Appendices listed below are incorporated herein by reference, as amended:

- (1) Appendix A – Stormwater Management Design Criteria

- (2) Appendix B – Low Impact Development Practices
- (3) Appendix C – Disconnected Impervious Area
- (4) Appendix D – Hot Spots
- (5) Appendix E – West Nile Virus Guidance
- (6) Appendix F – Small Project Stormwater Management Site Plan
- (7) Appendix G – Nonstructural Project Design Checklist
- (8) Appendix H – Riparian Buffer Trail Guidelines
- ~~(7)(9)~~ Appendix I – References

## **ARTICLE II**

### **DEFINITIONS**

#### **§206-9. Interpretation**

For the purposes of this Ordinance, certain terms and words used herein shall be interpreted as follows:

- A. Words used in the present tense include the future tense; the singular number includes the plural, and the plural number includes the singular; words of masculine gender include feminine gender; and words of feminine gender include masculine gender.
- B. The word “includes” or “including” shall not limit the term to the specific example, but is intended to extend its meaning to all other instances of like kind and character.
- C. The word “person” includes an individual, firm, association, organization, partnership, trust, company, corporation, unit of government, or any other similar entity.
- D. The words “shall” and “must” are mandatory; the words “may” and “should” are permissive.
- E. The words “used” or “occupied” include the words “intended, designed, maintained, or arranged to be used, occupied or maintained.”

#### **§206-10. Definitions**

**Accelerated Erosion** – The removal of the surface of the land through the combined action of man’s activity and the natural processes of a rate greater than would occur because of the natural process alone.

**Agricultural Activity** – Activities associated with agriculture such as agricultural cultivation, agricultural operation, and animal heavy use areas. This includes the work of producing crops including tillage, land clearing, plowing, disking, harrowing, planting, harvesting crops or pasturing and raising of livestock and installation of conservation measures. Construction of new buildings or impervious area is not considered an agricultural activity.

**Alteration** – As applied to land, a change in topography as a result of the moving of soil and rock from one location or position to another; also the changing of surface conditions by causing the surface to be more or less impervious as the result of changing the land cover including the water, vegetation and bare soil.

**Annual ~~Exceedence~~ Exceedance Probability** – See Return Period.

**Applicant** – A person who has filed an application for approval to engage in any Regulated Activity defined in Section 206-5.

**As-built Drawings** – Engineering or site drawings maintained by the Contractor as he constructs the project and upon which he documents the actual locations of the building components and changes to the original contract documents. These documents, or a copy of same, are turned over to the Qualified Professional at the completion of the project.

**Average Recurrence Interval** – See Return Period.

**Bankfull** – The channel at the top-of-bank, or point from where water begins to overflow onto a floodplain.

**Base Flow** – Portion of stream discharge derived from groundwater; the sustained discharge that does not result from direct runoff or from water diversions, reservoir releases, piped discharges, or other human activities.

**Best Management Practices (BMP)** – Activities, facilities, designs, measures, or procedures used to manage stormwater impacts from regulated activities, to meet state water quality requirements, to promote groundwater recharge, and to otherwise meet the purposes of this Ordinance. Stormwater BMPs are commonly grouped into one of two broad categories or measures: “structural” or “nonstructural.” In this Ordinance, nonstructural BMPs or measures refer to operational and/or behavior-related practices that attempt to minimize the contact of pollutants with stormwater runoff whereas structural BMPs or measures are those that consist of a physical device or practice that is installed to capture and treat stormwater runoff. Structural BMPs include, but are not limited to, a wide variety of practices and devices, from large-scale retention ponds and constructed wetlands, to small-scale underground treatment systems, infiltration facilities, filter strips, low impact design, bioretention, wet ponds, permeable paving, grassed swales, riparian or forested buffers, sand filters, detention basins, and manufactured devices. Structural stormwater BMPs are permanent appurtenances to the project site.

**Bioretention** – A stormwater retention area that utilizes woody and herbaceous plants and soils to remove pollutants before infiltration occurs.

**Buffer** – The area of land immediately adjacent to any stream, measured perpendicular to and horizontally from the top-of-bank on both sides of a stream (see Top-of-bank).

**Channel** – An open drainage feature through which stormwater flows. Channels include, but shall not be limited to, natural and man-made watercourses, swales, streams, ditches, canals, and pipes that convey continuously or periodically flowing water.

**Cistern** – An underground reservoir or tank for storing rainwater.

**Conservation District** – The Montgomery County Conservation District (MCCD).

**Culvert** – A structure with its appurtenant works, which carries water under or through an embankment or fill.

**Curve Number** – Value used in the Soil Cover Complex Method. It is a measure of the percentage of precipitation which is expected to run off from the watershed and is a function of the soil, vegetative cover, and tillage method.

**Dam** – A man-made barrier, together with its appurtenant works, constructed for the purpose of impounding or storing water or another fluid or semifluid. A dam may include a refuse bank, fill or structure for highway, railroad or other purposes which impounds or may impound water or another fluid or semifluid.

**Department** – The Pennsylvania Department of Environmental Protection (PADEP).

**Design Professional (Qualified)** – A Pennsylvania Registered Professional Engineer, Registered Landscape Architect or Registered Professional Land Surveyor trained to develop stormwater management plans.

**Design Storm** – The magnitude and temporal distribution of precipitation from a storm event measured in probability of occurrence (e.g., a 5-year storm) and duration (e.g., 24-hours), used in the design and evaluation of stormwater management systems. See Return Period.

**Detention Basin** – An impoundment designed to collect and retard stormwater runoff by temporarily storing the runoff and releasing it at a predetermined rate. Detention basins are designed to drain completely soon after a rainfall event and become dry until the next rainfall event.

**Detention Volume** – The volume of runoff that is captured and released into the Waters of the Commonwealth at a controlled rate.

**Developer** – Any landowner, agent of such landowner or tenant with the permission of such landowner who makes or causes to be made a subdivision of land or a land development or who seeks to undertake any regulated earth disturbance activity.

**Development** – Any human-induced change to improved or unimproved real estate, whether public or private, including but not limited to land development, construction, installation, or expansion of a building or other structure, land division, street construction, drilling, and site alteration such as embankments, dredging, grubbing, grading, paving, parking or storage facilities, excavation, filling, stockpiling, or clearing. As used in this ordinance, development encompasses both new development and redevelopment.

**Development Site** – The specific tract or parcel of land where any regulated activity set forth in 206-5 is planned, conducted or maintained.

**Diffused Drainage Discharge** – Drainage discharge that is not confined to a single point location or channel, including sheet flow or shallow concentrated flow.

**Discharge** – 1. (verb) To release water from a project, site, aquifer, drainage basin or other point of interest (verb); 2. (noun) The rate and volume of flow of water such as in a stream, generally expressed in cubic feet per second. See also Peak Discharge.

**Discharge Point** – The point of discharge for a stormwater facility.

**Disconnected Impervious Area (DIA)** – An impervious or impermeable surface that is disconnected from any stormwater drainage or conveyance system and is redirected or

directed to a pervious area, which allows for infiltration, filtration, and increased time of concentration as specified in Appendix C, Disconnected Impervious Area.

**Disturbed Areas** – Unstabilized land area where an earth disturbance activity is occurring or has occurred.

**Ditch** – A man-made waterway constructed for irrigation or stormwater conveyance purposes.

**Drainage Conveyance Facility** – A stormwater management facility designed to transport stormwater runoff that includes channels, swales, pipes, conduits, culverts, and storm sewers.

**Drainage Easement** – A right granted by a landowner to a grantee, allowing the use of private land for stormwater management purposes.

**Drainage Permit** – A permit issued by the Township after the SWM Site Plan has been approved.

**Earth Disturbance Activity** – A construction or other human activity that disturbs the surface of land, including, but not limited to, clearing and grubbing, grading, excavations, embankments, land development, agricultural plowing or tilling, timber harvesting activities, road maintenance activities, mineral extraction, and the moving, depositing, stockpiling, or storing of soil, rock or earth materials.

**Emergency Spillway** – A conveyance area that is used to pass peak discharge greater than the maximum design storm controlled by the stormwater facility.

**Encroachment** – A structure or activity that changes, expands or diminishes the course, current or cross section of a watercourse, floodway or body of water.

**Existing Resources and Site Analysis Map** – A base map which identifies fundamental environmental site information including floodplains, wetlands, topography, vegetative site features, natural areas, prime agricultural land and areas supportive of endangered species.

**Erosion** – The process by which the surface of the land, including water/stream channels, is worn away by water, wind, or chemical action.

**Erosion and Sediment Control Plan** – A site-specific plan identifying BMPs to minimize accelerated erosion and sedimentation. For agricultural plowing or tilling activities, the Erosion and Sediment Control Plan is that portion of a conservation plan identifying BMPs to minimize accelerated erosion and sedimentation.

**Exceptional Value Waters** – Surface waters of high quality which satisfy Pennsylvania Code Title 25 Environmental Protection, Chapter 93, Water Quality Standards, §93.4b(b) (relating to antidegradation).

**Existing Conditions** – The initial condition of a project site prior to the proposed alteration.

**Existing Recharge Area** – Undisturbed surface area or depression where stormwater collects and a portion of which infiltrates and replenishes the groundwater.

**Flood** – A temporary condition of partial or complete inundation of land areas from the overflow of streams, rivers, and other waters of the Commonwealth.



**Floodplain** – Any land area susceptible to inundation by water from any natural source or as delineated by applicable Department of Housing and Urban Development, Federal Insurance Administration Flood Hazard Boundary Map as being a special flood hazard area. That area defined in the Township Zoning Ordinance as the Floodplain Conservation District; the floodplain definition contained therein is made part of this chapter by reference.

**Floodway** – The channel of a ~~river or other~~ watercourse and those portions of the adjacent land areas adjoining floodplains that must be reserved in order are reasonably required to carry and discharge the base 100-year frequency flood without cumulatively increasing. Unless otherwise specified, the water surface elevation more than a designated height boundary of the floodway is as indicated on Flood Insurance Rate Maps (FIRMs) and flood insurance studies provided by FEMA. In an area where no FEMA maps or studies have defined the boundary of the 100-year frequency floodway, it is assumed, absent evidence to the contrary, that the floodway extends fifty (50) feet from the top-of-bank on each side of the stream.

**Forest Management/Timber Operations** – Planning and associated activities necessary for the management of forestland. These include timber inventory and preparation of forest management plans, silvicultural treatment, cutting budgets, logging road design and construction, timber harvesting, and reforestation.

**Freeboard** – A vertical distance between the elevation of the design high-water and the top of a dam, levee, tank, basin, swale, or diversion berm. The space is required as a safety margin in a pond or basin.

**Grade** – 1. (noun) A slope, usually of a road, channel or natural ground specified in percent and shown on plans as specified herein. 2. (verb) To finish the surface of a roadbed, the top of an embankment, or the bottom of excavation.

**Groundwater** – Water beneath the earth's surface that supplies wells and springs, and is often between saturated soil and rock.

**Groundwater Recharge** – The replenishment of existing natural underground water supplies from rain or overland flow.

**HEC-HMS** – The U.S. Army Corps of Engineers, Hydrologic Engineering Center (HEC) - Hydrologic Modeling System (HMS). This model was used to model the Neshaminy Creek watershed during the Act 167 Plan development and was the basis for the Standards and Criteria of this Ordinance.

**High Quality Waters** – Surface waters having quality which exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water by satisfying Pennsylvania Code Title 25 Environmental Protection, Chapter 93 Water Quality Standards, § 93.4b(a).

**Hot spot** – An area where land use or activity generates highly contaminated runoff, with concentrations of pollutants in excess of those typically found in stormwater. Typical pollutant loadings in stormwater may be found in Chapter 8 Section 6 of the *Pennsylvania Stormwater Best Management Practices Manual*, Pennsylvania Department of Environmental Protection (PADEP) no. 363-0300-002 (2006). More information concerning hot spots may be found in Section 206-18-A6.

**Hydrograph** – A graph representing the discharge of water versus time for a selected point in the drainage system.



**Hydrologic Regime** – The hydrologic cycle or balance that sustains quality and quantity of stormwater, baseflow, storage, and groundwater supplies under natural conditions.

**Hydrologic Soil Group** – A classification of soils by the Natural Resources Conservation Service, formerly the Soil Conservation Service, into four runoff potential groups. The groups range from A soils, which are very permeable and produce little runoff, to D soils, which are not very permeable and produce much more runoff.

**Impervious Material** – Any materials that do not permit the natural absorption and permeation by soils of rain or other surface water, to include but not be limited to all concrete, asphalt, and similar paving products, earthen materials (brick, stone), chemical treatment of soils or artificial ground covers as may be used in the construction of roads, walks, driveways, parking areas, patios and recreation facilities.

**Impervious Surface** – A surface that prevents the infiltration of water into the ground. Impervious surfaces include, but are not limited to, streets, sidewalks, pavement roofs, or driveway areas. Any surface areas designed to be gravel or crushed stone shall be regarded as impervious surfaces.

**Impoundment** – A retention or detention basin designed to retain stormwater runoff and release it at a controlled rate.

**Infill development** – Development that occurs on smaller parcels that remain undeveloped but are within or very close proximity to urban or densely developed areas. Infill development usually relies on existing infrastructure and does not require an extension of water, sewer or other public utilities.

**Infiltration** – Movement of surface water into the soil, where it is absorbed by plant roots, evaporated into the atmosphere, or percolated downward to recharge groundwater.

**Infiltration Structures** – A structure designed to direct runoff into the underground water (e.g., French drains, seepage pits, or seepage trenches).

**Initial Abstraction (I<sub>a</sub>)** – The value used to calculate the volume or peak rate of runoff in the soil cover complex method. It represents the depth of rain retained on vegetation plus the depth of rain stored on the soil surface plus the depth of rain infiltrated prior to the start of runoff.

**Inlet** – The upstream end of any structure through which water may flow.

**Intermittent Stream** – A stream that flows only part of the time. Flow generally occurs for several weeks or months in response to seasonal precipitation or groundwater discharge.

**Karst** – A type of topography or landscape characterized by surface depressions, sinkholes, rock pinnacles/uneven bedrock surface, underground drainage, and caves. Karst is formed on carbonate rocks, such as limestone or dolomite.

**Land Development** – Any of the following activities:

- a) The improvement of one lot or two or more contiguous lots, tracts, or parcels of land for any purpose involving:

- (1) A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure, or
  - (2) The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups, or other features;
- b) A subdivision of land;
  - c) Development in accordance with Section 503(1.1) of the PA Municipalities Planning Code.

**Limiting Zone** – A soil horizon or condition in the soil profile or underlying a stratum that includes one of the following:

- a) A seasonal high water table, whether perched or regional, determined by direct observation of the water table or indicated by soil mottling.
- b) A rock with open joints, fracture or solution channels, or masses of loose rock fragments, including gravel, with sufficient fine soil to fill the voids between the fragments.
- c) A rock formation, other stratum, or soil condition that is so slowly permeable that it effectively limits downward passage of water.

**Lot** – A designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit.

**Low Impact Development (LID) Practices** – Practices that will minimize proposed conditions runoff rates and volumes, which will minimize needs for artificial conveyance and storage facilities.

**Main Stem (Main Channel)** – Any stream segment or other runoff conveyance used as a reach in the applicable watershed hydrologic model.

**Manning Equation (Manning Formula)** – A method for calculation of velocity of flow (e.g., feet per second) and flow rate (e.g., cubic feet per second) in open channels based upon channel shape, roughness, depth of flow and slope. “Open channels” may include closed conduits so long as the flow is not under pressure.

**MCCD** – The Montgomery County Conservation District.

**Municipality** – Montgomery Township, Montgomery County, Pennsylvania.

**Natural Hydrologic Regime** (see Hydrologic Regime).

**Neshaminy Creek Watershed Act 167 Stormwater Management Plan** – The watershed plan for managing those land use activities that will influence stormwater runoff quality and quantity and that would impact the Neshaminy Creek watershed adopted by Bucks and Montgomery Counties as required by the Act of October 4, 1978, P.L. 864 (Act 167).

**Nonpoint Source Pollution** – Pollution that enters a water body from diffuse origins in the watershed and does not result from discernible, confined, or discrete conveyances.

**Nonstormwater Discharges** – Water flowing in stormwater collection facilities, such as pipes or swales, which is not the result of a rainfall event or snowmelt.

**NPDES** – National Pollutant Discharge Elimination System, the federal government's system for issuance of permits under the Clean Water Act, which is delegated to PADEP in Pennsylvania.

**NRCS** – Natural Resource Conservation Service (previously Soil Conservation Service).

**Outfall** – "Point source" as described in 40 CFR § 122.2 at the point where the Township's storm sewer system discharges to surface Waters of the Commonwealth.

**Outlet** – Points of water disposal to a stream, river, lake, tidewater or artificial drain.

**PADEP** – The Pennsylvania Department of Environmental Protection.

**Parent Tract** – The parcel of land from which a land development or subdivision originates, determined from the date of Township adoption of this ordinance.

**Peak Discharge** – The maximum rate of stormwater runoff from a specific storm event.

**Penn State Runoff Model (PSRM)** – The computer-based hydrologic model developed at the Pennsylvania State University.

**Perennial Stream** – A stream which contains water at all times except during extreme drought.

**Pipe** – A culvert, closed conduit, or similar structure (including appurtenances) that conveys stormwater.

**Planning Commission** – The planning commission of Montgomery Township.

**Point Source** – Any discernible, confined and discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, or conduit from which stormwater is or may be discharged, as defined in State regulations at 25 Pa. Code § 92.1.

**Post Construction** – Period after construction during which disturbed areas are stabilized, stormwater controls are in place and functioning and all proposed improvements in the approved land development plan are completed.

**Predevelopment** – (see Existing Condition)

**Pretreatment** – Techniques employed in stormwater BMPs to provide storage or filtering to trap coarse materials and other pollutants before they enter the system, but not necessarily designed to meet the volume requirements of Section 206-1514. For example, any inlets draining to an infiltrating system should be sumped and trapped to prevent the system from becoming clogged with excess sediment.

**Pervious Surface** – A surface that allows the infiltration of water into the ground.

**Project Site** – The specific area of land where any Regulated Activities in the Township are planned, conducted or maintained.

**Qualified Professional** – Any person licensed by the Pennsylvania Department of State or otherwise qualified by law to perform the work required by the Ordinance.

**Rational Method** – A rainfall-runoff relation used to estimate peak flow.

**Recharge** – The replenishment of groundwater through the infiltration of rainfall, other surface waters, or land application of water or treated wastewater.

**Record Drawings** – Original documents revised to suit the as-built conditions and subsequently provided by the Engineer to the Client. The Engineer reviews the Contractor's as-built drawings against his/her own records for completeness, then either turns these over to the Client or transfers the information to a set of reproducible, in both cases for the Client's permanent records. Record drawings are not the same as record plans submitted for recording with the County in accordance with the PA Municipalities Planning Code (Act 247).

**Redevelopment** – Any development that requires demolition or removal of existing structures or impervious surfaces at a site and replacement with new impervious surfaces. Maintenance activities such as top-layer grinding and re-paving are not considered to be redevelopment. Interior remodeling projects and tenant improvements are also not considered to be redevelopment. Utility trenches in streets are not considered redevelopment unless more than 50 percent of the street width including shoulders is removed and re-paved.

**Regulated Activities** – Any earth disturbance activities or any activities that involve the alteration or development of land in a manner that may affect stormwater runoff.

**Regulated Earth Disturbance Activity** – Activity involving earth disturbance subject to regulation under 25 Pa. Code 92, 25 Pa. Code 102, or the Clean Streams Law.

**Release Rate** – The percentage of existing conditions peak rate of runoff from a site or subarea to which the proposed conditions peak rate of runoff must be reduced to protect downstream areas.

**Repaving** – Replacement of the impervious surface that does not involve reconstruction of an existing paved (impervious) surface.

**Replacement Paving** – Reconstruction of and full replacement of an existing paved (impervious) surface.

**Retention Basin** – A structure in which stormwater is stored and not released during the storm event. Retention basins are designed for infiltration purposes, and do not have an outlet. The retention basin must infiltrate stored water in 4 days or less.

**Retention Volume/Removed Runoff** – The volume of runoff that is captured and not released directly into the surface Waters of the Commonwealth during or after a storm event.

**Return Period (or Average Recurrence Interval)** – The average interval, in years, within which a storm event of a given or greater magnitude can be expected to recur. The reciprocal of the return period is the annual exceedance probability of the storm event, that is, the probability that the storm event is equaled or exceeded in any one year period. For example, the 25-year return period rainfall would be expected to recur on the average of once every twenty-five (25) years, or conversely would have a 1/25 or four percent (4%) chance of occurrence or exceedance in any given year.

**Road Maintenance** – Earth disturbance activities within the existing road cross-section, such as grading and repairing existing unpaved road surfaces, cutting road banks, cleaning or clearing drainage ditches and other similar activities.

**Roof Drains** – A drainage conduit or pipe that collects water runoff from a roof and leads it away from the structure.

**Runoff** – Any part of precipitation, as well as any other flow contributions, that flows over the land surface.

**SALDO** – Subdivision and ~~land development ordinance~~ Land Development Ordinance.

**Sediment** – Soils or other materials transported by water, air or gravity as a product of erosion.

**Sediment Pollution** – The placement, discharge or any other introduction of sediment into the Waters of the Commonwealth.

**Sedimentation** – The process by which mineral or organic matter is accumulated or deposited by the movement of water, air or gravity. Once this matter is deposited (or remains suspended), it is usually referred to as "sediment."

**Seepage Pit/Seepage Trench** – An area of excavated earth filled with loose stone or similar coarse material, into which surface water is directed for infiltration into the underground water. More information on Seepage Pits may be found in the PA BMP Manual, December 2006, Chapter 6, Section 4.

**Separate Storm Sewer System** – A conveyance or system of conveyances (including roads with drainage systems, Township streets, catch basins, curbs, gutters, ditches, man-made channels or storm drains) primarily used for collecting and conveying stormwater runoff.

**Shallow Concentrated Flow** – Stormwater runoff flowing in shallow, defined ruts prior to entering a defined channel or waterway.

**Sheet Flow** – A flow process associated with broad, shallow water movement on sloping ground surfaces that is not channelized or concentrated.

**Soil Cover Complex Method** – A method of runoff computation developed by the NRCS that is based on relating soil type and land use/cover to a runoff parameter called Curve Number (CN).

**Source Water Protection Areas (SWPA)** – The zone through which contaminants, if present, are likely to migrate and reach a drinking water well or surface water intake.

**Special Protection Subwatersheds** – Watersheds that have been designated in Pennsylvania Code Title 25 Environmental Protection, Chapter 93 Water Quality Standards as exceptional value (EV) or high quality (HQ) waters.

**Spillway** – A conveyance that is used to pass the peak discharge of the maximum design storm that is controlled by the stormwater facility.

**State Water Quality Requirements** – The regulatory requirements to protect, maintain, reclaim, and restore water quality under Title 25 of the Pennsylvania Code and the Clean Streams Law.

**Storm Frequency** – The number of times that a given storm "event" occurs or is exceeded on the average in a stated period of years. See "Return Period".

**Storm Sewer** – A system of pipes and/or open channels that convey intercepted runoff and stormwater from other sources, but excludes domestic sewage and industrial wastes.



**Stormwater** – The surface runoff generated by precipitation reaching the ground surface.

**Stormwater Management Best Management Practices** – Is abbreviated as **BMPs** or **SWM BMPs** throughout this Ordinance.

**Stormwater Management Facility** – Any structure, natural or man-made, that, due to its condition, design, or construction, conveys, stores, or otherwise affects stormwater runoff quality, rate or quantity. Typical stormwater management facilities include, but are not limited to, detention and retention basins, open channels, storm sewers, pipes, and infiltration structures.

**Stormwater Management Plan** – The watershed plan or plans for managing those land use activities that will influence stormwater runoff quality and quantity and that would impact the watershed adopted Montgomery County as required by the Act of October 4, 1978, P.L. 864 (Act 167).

**Stormwater SWM Site Plan** – The plan prepared by the Applicant or his representative indicating how stormwater runoff will be managed at the particular site of interest according to this ordinance.

**Stream** – A flow of water in a natural channel or bed, as a brook, rivulet, or a small river.

**Stream Buffer** – The land area adjacent to each side of a stream, essential to maintaining water quality. (See Buffer)

**Stream Enclosure** – A bridge, culvert, or other structure in excess of 100 feet in length upstream to downstream which encloses a regulated water of the Commonwealth.

**Streambank Erosion** – The widening, deepening, or headward cutting of channels and waterways, caused by stormwater runoff or bankfull flows.

**Subarea (Subwatershed)** – The smallest drainage unit of a watershed for which stormwater management criteria have been established in the Stormwater Management Plan.

**Subdivision** – The division or redivision of a lot, tract, or parcel of land by any means into two or more lots, tracts, parcels, or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership, or building or lot development, provided the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or any residential dwelling, shall be exempted. Refer to Land Development

**Surface Waters of the Commonwealth** – Any and all rivers, streams, creeks, rivulets, ditches, watercourses, storm sewers, lakes, dammed water, wetlands, ponds, springs, and all other bodies or channels of conveyance of surface waters, or parts thereof, whether natural or artificial, within or on the boundaries of the Commonwealth.

**Swale** – A low lying stretch of land that gathers or carries surface water runoff.

**SWM Site Plan** – The documentation of the stormwater management system to be used for a given development site, the contents of which are established in Section 206-2022.



**Timber Operations** – See Forest Management.

**Time-of-Concentration (Tc)** – The time required for surface runoff to travel from the hydraulically most distant point of the watershed to a point of interest within the watershed. This time is the combined total of overland flow time and flow time in pipes or channels, if any.

**Top-of-Bank** – Highest point of elevation in a stream channel cross-section at which a rising water level just begins to flow out of the channel and over the floodplain.

**Township** – Montgomery Township, Montgomery County, Pennsylvania.

**Township Engineer** – A professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the engineer for Montgomery Township.

**Vegetated swale** – A natural or man-made waterway, usually broad and shallow, covered with erosion-resistant grasses, used to convey surface water.

**Vernal Pool** – Seasonal depressional wetlands that are covered by shallow water for variable periods from winter to spring, but may be completely dry for most of the summer and fall.

**Watercourse** – A channel or conveyance of surface water having a defined bed and banks, whether natural or artificial, with perennial or intermittent flow.

**Waters of the Commonwealth** – Any and all rivers, streams, creeks, rivulets, ditches, watercourses, storm sewers, lakes, dammed water, wetlands, ponds, springs, and all other bodies or channels of conveyance of surface and underground water, or parts thereof, whether natural or artificial, within or on the boundaries of the Commonwealth.

**Watershed** – Region or area drained by a river, watercourse, or other body of water, whether natural or artificial.

**Wet Basin** – Pond for urban runoff management that is designed to detain urban runoff and always contains water.

**Wetland** – Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, fens, and similar areas.

**Wissahickon Creek Act 167 Plan** – The watershed plan for managing those land use activities that will influence stormwater runoff quality and quantity and that would impact the Wissahickon Creek watershed adopted by Philadelphia and Montgomery Counties as required by the Act of October 4, 1978, P.L. 864 (Act 167).

### ARTICLE III STORMWATER MANAGEMENT

#### §206-11. General Requirements

- A. Applicants proposing Regulated Activities in Township that do not fall under the exemption criteria shown in Section 206-6 shall submit a Stormwater Management (SWM) Site Plan consistent with the Watershed SWM Plan to the Township for

review. The SWM criteria of this Ordinance shall apply to the total proposed development even if development is to take place in stages. Preparation and implementation of an approved SWM Site Plan is required. No Regulated Activities shall commence until the Township issues written approval of a SWM Site Plan, which demonstrates compliance with the requirements of this Ordinance.

- B. SWM Site Plans approved by the Township, in accordance with Article IV, shall be on-site throughout the duration of the Regulated Activity.
- C. The Township may, after consultation with the Department of Environmental Protection (PADEP), approve measures for meeting the state water quality requirements other than those in this Ordinance, provided that they meet the minimum requirements of, and do not conflict with, state law including but not limited to the Clean Streams Law.
- D. For all regulated earth disturbance activities, Erosion and Sediment (E&S) Control Best Management Practices (BMPs) shall be designed, implemented, operated, and maintained during the Regulated Earth Disturbance Activities (e.g., during construction) to meet the purposes and requirements of this Ordinance and to meet all requirements under Title 25 of the Pennsylvania Code and the Clean Streams Law. Various BMPs and their design standards are listed in the Erosion and Sediment Pollution Control Program Manual, No. 363-2134-008 (April 15, 2000), as amended and updated.
- E. For all Regulated Activities, implementation of the volume controls in Section 206-1514 is required.
- F. Impervious areas:
  - (1) The measurement of impervious areas shall include all of the impervious areas in the total proposed development even if development is to take place in stages.
  - (2) For development taking place in stages, the entire development plan must be used in determining conformance with this Ordinance.
  - (3) For projects that add impervious area to a parcel, the total impervious area on the parcel is subject to the requirements of this Ordinance.
- G. Stormwater flows onto adjacent property shall not be created, increased, decreased, relocated, or otherwise altered without written notification of the adjacent property owner(s) from the developer. Such stormwater flows shall be subject to the requirements of this Ordinance.
- H. All Regulated Activities shall include such measures as necessary to:
  - (1) Protect health, safety, and property;
  - (2) Meet the water quality goals of this Ordinance by implementing measures to:
    - (a) Minimize disturbance to floodplains, wetlands, and wooded areas.
    - (b) Create, maintain, repair or extend riparian buffers.
    - (c) Avoid erosive flow conditions in natural flow pathways.
    - (d) Minimize thermal impacts to waters of this Commonwealth.

- (e) Disconnect impervious surfaces (i.e. Disconnected Impervious Areas, DIAs) by directing runoff to pervious areas, wherever possible. See Appendix C for detail on DIAs.
- (3) To the maximum extent practicable, incorporate the techniques for Low Impact Development Practices (e.g. protecting existing trees, reducing area of impervious surface, cluster development, and protecting open space) described in the *Pennsylvania Stormwater Best Management Practices Manual*, Pennsylvania Department of Environmental Protection (PADEP) no. 363-0300-002 (2006). See Appendix B for a summary description.
- I. Infiltration BMPs should be spread out, made as shallow as practicable, and located to maximize the use of natural on-site infiltration features while still meeting the other requirements of this Ordinance.
- J. The design of all facilities over karst shall include an evaluation of measures to minimize the risk of adverse effects.
- K. Storage facilities should completely drain both the volume control and rate control capacities over a period of time not less than 24 and not more than 72 hours from the end of the design storm.
- L. The design storms to be used in the analysis of peak rates of discharge ~~are listed in Table A-1~~ are listed in Table A-1 (Appendix A).
- M. For all regulated activities, SWM BMPs shall be designed, implemented, operated, and maintained to meet the purposes and requirements of this Ordinance and to meet all requirements under Title 25 of the Pennsylvania Code, the Clean Streams Law, and the Storm Water Management Act.
- N. Various BMPs and their design standards are listed in the *Pennsylvania Stormwater Best Management Practices Manual* (PA BMP Manual).

#### **§206-12. Permit Requirements by Other Governmental Entities**

Approvals issued and actions taken under this Ordinance do not relieve the Applicant of the responsibility to secure required permits or approvals for activities regulated by any other code, law, regulation or ordinance.

#### **§206-13. Erosion and Sediment Pollution Control**

- A. Must comply with Title 25, Chapter 102 of the PA Code and any other applicable state, county and Township codes. PADEP requires an engineered post-construction SWM Plan with projects proposing earth disturbance greater than 1 acre.
- B. Evidence of any necessary permit(s) for regulated earth disturbance activities from the appropriate DEP regional office or County Conservation District must be provided to the Township.
- C. Approval of earth disturbance activities is required by the Township per Table 206-6.2.
- D. Additional erosion and sediment control design standards and criteria are recommended to be applied where infiltration BMPs are proposed. They shall include the following:

- (1) Areas proposed for infiltration BMPs shall be protected from sedimentation and compaction during the construction phase to maintain maximum infiltration capacity.
- (2) Infiltration BMPs shall not be constructed nor receive runoff until the entire drainage area contributory to the infiltration BMP has achieved final stabilization.

#### **§206-14. Volume Control**

Volume controls will mitigate increased runoff impacts, protect stream channel morphology, maintain groundwater recharge, and contribute to water quality improvements. Stormwater runoff volume control methods are based on the net change in runoff volume for the two-year storm event.

Volume controls shall be implemented using the Design Storm Method in subsection A or the Simplified Method in subsection B below. For Regulated Activities equal to or less than one (1) acre, this Ordinance establishes no preference for either methodology; therefore, the applicant may select either methodology on the basis of economic considerations, the intrinsic limitations of the procedures associated with each methodology, and other factors. —All regulated activities greater than one (1) acre must use the Design Storm Method.

**A. Design-Storm Method (CG-1 in the BMP Manual) (Any Regulated Activity):**  
This method requires detailed modeling based on site conditions. For modeling assumptions refer to Section 206-1819.A.

- (1) Post-development total runoff should not be increased from pre-development total runoff for all storms equal to or less than the 2-year 24-hour duration precipitation.
- (2) The following applies in order to estimate the increased volume of runoff for the 2-year 24-hour duration precipitation event:

To calculate the runoff volume (cubic feet) for existing site conditions (pre-development) and for the proposed developed site conditions (post-development), it is recommended to use the soil cover complex method as shown on the following page. Table A-3 in Appendix A is available to guide a qualified professional and/or an applicant to calculate the stormwater runoff volume. The calculated volume shall be either reused, evapotranspired, or infiltrated through structural or nonstructural means.

*Soil Cover Complex Method:*

$$\text{Step 1: Runoff (in)} = Q = (P - 0.2S)^2 / (P + 0.8S)$$

where

P = 2-year Rainfall (in)

S = the potential maximum retention (including initial abstraction, Ia)

$$S = (1000 / CN) - 10$$

Step 2:       $\text{Runoff Volume (Cubic Feet)} = Q \times \text{Area} \times 1/12$

where

$Q = \text{Runoff (in)}$

$\text{Area} = \text{SWM Area (sq ft)}$

**B. Simplified Method (CG-2 in the BMP Manual) (Regulated activities less than or equal to 1 acre):**

- (1) Stormwater facilities shall capture the runoff volume from at least the first two inches (2") of runoff from all new impervious surfaces.

**Volume (cubic feet) = (2" runoff / 12 inches) \* impervious surface (sq ft)**

- (2) At least the first inch (1") of runoff volume from the new impervious surfaces shall be permanently removed from the runoff flow—i.e., it shall not be released into the surface waters of the Commonwealth. The calculated volume shall be either reused, evapotranspired or infiltrated through structural or nonstructural means.

**Volume (cubic feet) = (1" runoff / 12 inches) \* impervious surface (sq ft)**

- (3) Infiltration facilities should be designed to accommodate the first half inch (0.5") of the permanently removed runoff.
- (4) No more than one inch (1") of runoff volume from impervious surfaces shall be released from the site. The release time must be over 24 to 72 hours.

**C. Stormwater Control Measures:**

The applicant must demonstrate how the required volume is controlled through Stormwater Best Management Practices (BMPs) which shall provide the means necessary to capture, reuse, evaporate, transpire or infiltrate the total runoff volume.

- (1) If natural resources exist on the site and a SWM Site Plan submission is required for the regulated activity, the applicant shall determine and display the total acreage of protected area where no disturbance is proposed on the plan. The acreage of the protected area should be subtracted from the total site area and not included in the stormwater management site area acreage used in determining the volume controls.

**Stormwater Management Site Area =**

**{Total Site Area (for both pre and post development conditions) – Protected Area}**

Natural Resource Areas should be calculated based upon the Township's own natural resource protection ordinance. If no ordinance exists, see Table A-2 in Appendix A for guidance to assess the total protected area. For additional reference see Chapter 5 Section 5.4.1 of the PA BMP manual.



- (2) Calculate the volume controls provided through nonstructural BMPs. Table A-5 in Appendix A is recommended as guidance.
- (3) Volume controls provided through nonstructural BMPs should be subtracted from the required volume to determine the necessary structural BMPs.

$$\begin{array}{rcccl}
 \text{Required} & & \text{Nonstructural} & & \text{Structural} \\
 \text{Volume} & & \text{Volume} & & \text{Volume} \\
 \text{Control (ft}^3\text{)} & - & \text{Control(ft}^3\text{)} & = & \text{Requirement} \\
 & & & & \text{(ft}^3\text{)}
 \end{array}$$

- (4) Calculate the volume controls provided through structural BMPs. Table A-6 in Appendix A is recommended as guidance. See PA BMP manual Chapter 6 for description of the BMPs.
- (5) Infiltration BMPs intended to receive runoff from developed areas shall be selected based on the suitability of soils and site conditions (see Table A-6 in Appendix A for a list of Infiltration BMPs). Infiltration BMPs shall be constructed on soils that have the following characteristics:
  - (a) A minimum soil depth of twenty-four inches (24") between the bottom of the infiltration BMPs and the top of bedrock or seasonally high water table.
  - (b) An infiltration rate sufficient to accept the additional stormwater load and dewater completely as determined by field tests. A minimum of 0.2 inches/hour (in/hr) should be utilized and for acceptable rates a safety factor of 50% should be applied for design purposes (e.g., for soil which measured 0.4 in/hr, the BMP design should use 0.2 in/hr to insure safe infiltration rates after construction).
  - (c) All open-air infiltration facilities shall be designed to completely infiltrate runoff volume within three (3) days (72 hours) from the start of the design storm.
  - (d) All subsurface and contained facilities such as capture-and-reuse systems must have storage available equivalent to the Water Volume Control amount within three (3) days (72 hours) from the end of the design storm.
  - (e) Pretreatment (See Appendix D) shall be provided prior to infiltration.
- (6) Soils – A soils evaluation of the project site shall be required to determine the suitability of infiltration facilities. All regulated activities are required to perform a detailed soils evaluation by a qualified design professional which at minimum address' soil permeability, depth to bedrock, and subgrade stability. The general process for designing the infiltration BMP shall be:
  - (a) Analyze hydrologic soil groups as well as natural and man-made features within the site to determine general areas of suitability for infiltration practices. In areas where development on fill material is under consideration, conduct geotechnical investigations of sub-grade stability; infiltration may not be ruled out without conducting these tests.
  - (b) Provide field tests such as double ring infiltrometer or hydraulic conductivity tests (at the level of the proposed infiltration surface) to determine the

appropriate hydraulic conductivity rate. Percolation tests are not recommended for design purposes.

- (c) Design the infiltration structure based on field determined capacity at the level of the proposed infiltration surface and based on the safety factor of 50%.
- (d) If on-lot infiltration structures are proposed, it must be demonstrated to the Township that the soils are conducive to infiltrate on the lots identified.
- (e) An impermeable liner will be required in detention basins where the possibility of groundwater contamination exists. A detailed hydrogeologic investigation may be required by the Township.

#### **§206-15. Stormwater Peak Rate Control and Management Districts**

- A. District Boundaries – For the purposes of this Chapter the Township is divided in Stormwater Management Districts as listed in Table 206-1715.1. The boundaries of the Stormwater Management Districts are shown on official maps attached to and made part of this Chapter, which shall be ~~designated~~designated “Stormwater Management District Map.” The exact location of the Stormwater Management District boundaries as they apply to a given development site shall be determined by mapping the boundaries using the two-foot topographic contours (or most accurate data required) provided as part of the SWM Site Plan.
- B. General – Proposed conditions rates of runoff from any Regulated Activity shall not exceed the peak release rates of runoff from existing conditions for the design storms specified on the Stormwater Management District Watershed Map and in this section of the Ordinance.
- C. Standards for managing runoff from each subarea in the Watershed for the 2-, 5-, 10-, 25-, 50-, and 100-year design storms are shown in Table 206-1715.1. Development sites located in each of the management districts must control proposed development conditions runoff rates to existing conditions runoff rates for the design storms in accordance with Table 206-1715.1 on the following page.

**Table 206-15.1: Peak Rate Runoff Control Standards by Stormwater Management Districts**

<b>District</b>	<b>Design Storm Postdevelopment (Proposed Conditions)</b>	<b>Design Storm Predevelopment (Existing Conditions)</b>
Neshaminy A	2-year	1-year
	5-year	5-year
	10-year	10-year
	25-year	25-year
	50-year	50-year
	100-year	100-year
Neshaminy -B	2-year	1-year
	5-year	2-year

	10-year	5-year
	25- year	10-year
	50-year	25-year
	100-year	50-year
Neshaminy -C	2-year	2-year
	5-year	5-year
	10-year	10-year
	25- year	25- year
	50-year	50-year
	100-year	100-year
Wissahickon	2-year	1-year
	5-year	5-year
	10-year	2-year
	25- year	25- year
	50-year	10-year
	100-year	100-year

NOTE:

The Neshaminy Creek Watershed includes the Little Neshaminy Creek.

**Comment [JPD1]:** This is from previous Twp SLDO. Act 167 plan requires 10yr post.

**Comment [JPD2]:** This is from previous Twp SLDO. Act 167 plan requires 25 yr post.

- D. Sites Located in More Than One District – For a proposed development site located within two or more stormwater management district category subareas, the peak discharge rate from any subarea shall meet the Management District Criteria for the district in which the discharge is located.
- E. Off-Site Areas – When calculating the allowable peak runoff rates, developers do not have to account for runoff draining into the subject development site from an off-site area. On-site drainage facilities shall be designed to safely convey off-site flows through the development site.
- F. Site Areas – The stormwater management site area is the only area subject to the management district criteria. Non-impacted areas or non-regulated activities bypassing the stormwater management facilities would not be subject to the management district criteria.
- G. Alternate Criteria for Redevelopment Sites – For redevelopment sites, one of the following minimum design parameters shall be accomplished, whichever is most appropriate for the given site conditions as determined by the Township:
- (1) Meet the full requirements specified by Table 206-~~17~~15.1 and Sections 206-~~18.A through 206-18.F~~20
  - or
  - (2) Reduce the total impervious surface on the site by at least twenty (20) percent based upon a comparison of existing impervious surface to proposed impervious surface.



~~H. Areas covered by a release rate map from an alternative approved Act 167 Stormwater Management Plan~~

~~For~~

#### **§206-16. Nonstructural Project Design to Minimize Stormwater Impacts**

~~A. The design of all regulated activities should include the 1, 2, 5, 10, 25, 50, and 100-year storms, following to minimize stormwater impacts:~~

~~(1) The Applicant should find practicable alternatives to the postdevelopment peak surface discharge rates will follow of stormwater, the applicable approved release rate maps. For any areas not shown on creation of impervious surfaces, and the release rate maps, degradation of waters of the postdevelopment discharge rates Commonwealth and must maintain as much as possible the natural hydrologic regime of the site.~~

~~(2) An alternative is practicable if it is available and capable of implementation after taking into consideration existing technology and logistics in light of overall project purposes and other municipal requirements.~~

~~(3) See Appendix G for a Nonstructural Project Design Checklist.~~

#### **§206-17. Stream Bank Erosion Requirements (Channel Protection)**

~~A. If a perennial or intermittent stream passes through the site, the Applicant shall create a riparian buffer extending a minimum of ten (10) feet to either side of the top-of-bank of the channel. The buffer area shall be established and maintained in an undisturbed state. This buffer area may be maintained as a meadow with minimal mowing of the grassed area, or as a forested buffer, being planted with appropriate native vegetation (refer to Appendix B of the BMP Manual for plant lists). If an existing buffer is legally prescribed (i.e., deed, covenant, easement, etc.) and it exceeds the requirements of this Ordinance, the existing buffer shall be maintained. This does not include lakes or wetlands.~~

~~B. Applicants shall adhere to the following Stream Bank Erosion/Channel Protection Requirements:~~

~~(1) In addition to the control of water quality volume (in order to minimize the impact of stormwater runoff on downstream stream bank erosion), the primary requirement is to design a BMP to detain the proposed conditions 2-year, 24-hour storm event to the existing conditions 1-year flow using the SCS Type II distribution. Additionally, provisions shall be made (such as adding a small orifice at the bottom of the outlet structure or a sand filter) so that the proposed conditions 1-year, 24-hour storm event takes a minimum of twenty-four (24) hours to drain from the facility from a point when the maximum volume of water from the 1-year, 24-hour storm event is captured (i.e., the maximum water surface elevation is achieved in the facility). Release of water can begin at the start of the storm (i.e., the invert of the water volume control orifice is at the invert of the facility).~~

~~(2) The minimum orifice size in the outlet structure to the BMP shall be three (3) inches in diameter, where possible, and a trash rack shall be installed to prevent clogging. On sites with small drainage areas contributing to this BMP~~

that do not exceed the predevelopment discharge rates, provide enough runoff volume to allow a 24-hour attenuation with the 3-inch orifice, the calculations shall be submitted showing this condition. Orifice sizes less than three (3) inches can be utilized, provided that the design will prevent clogging of the intake. It is recommended that the design, to accommodate maintenance, include a replaceables and or porous media filter cartridge.

## **§206-18. Reserved**

(1)

## **§206-16. §206-19. Calculation Methodology**

### **A. The following criteria shall be used for runoff calculations:**

- (1) For development sites not considered redevelopment, the ground cover used to determine the existing conditions runoff volume and flow rate shall be as follows:
  - (a) Wooded sites shall use a ground cover of "woods in good condition." A site is classified as wooded if a continuous canopy of trees exists over a ¼ acre.
  - (b) The undeveloped portion of the site including agriculture, bare earth, and fallow ground shall be considered as "meadow in good condition," unless the natural ground cover generates a lower curve number (CN) or Rational "c" value (i.e., woods) as listed in Tables A-4 or A-7 in Appendix A.
- (2) For development and redevelopment sites, the ground cover used to determine the existing conditions runoff volume and flow rate for the developed portion of the site shall be based upon actual land cover conditions. If the developed site contains impervious surfaces, 20 percent of the impervious surface area shall be considered meadow in the model for existing conditions.

### **B. Stormwater runoff peak discharges from all development sites with a drainage area equal to or greater than 2 acres shall be calculated using a generally accepted calculation technique that is based on the NRCS Soil Cover Complex Method. Table 206-1819.1 summarizes acceptable computation methods. The method selected by the design professional shall be based on the individual limitations and suitability of each method for a particular site. The Township may allow the use of the Rational Method ( $Q=CIA$ ) to estimate peak discharges from drainage areas that contain less than 2 acres.**

Q = Peak flow rate, cubic feet per second (CFS)

C = Runoff coefficient, dependent on land use/cover

I = Design rainfall intensity, inches per hour

A = Drainage Area, acres.

### **C. All calculations consistent with this ordinance using the Soil Cover Complex Method shall use the appropriate design rainfall depths for the various return period storms according to Table A-1 in Appendix A. —If a hydrologic computer model such as PSRM or HEC-1 / HEC-HMS is used for stormwater runoff calculations, then the duration of rainfall shall be 24 hours.**

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**Table 206-19.1: Acceptable Computation Methodologies For Stormwater Management Plans**

METHOD	METHOD DEVELOPED BY	APPLICABILITY
TR-20 (or commercial computer package based on TR-20)	USDA NRCS	Applicable where use of full hydrology computer model is desirable or necessary.
TR-55 (or commercial computer package based on TR-55)	USDA NRCS	Applicable for land development plans within limitations described in TR-55.
HEC-1 / HEC-HMS	U.S. Army Corps of Engineers	Applicable where use of full hydrology computer model is desirable or necessary.
PSRM	Penn State University	Applicable where use of full hydrology computer model is desirable or necessary; simpler than TR-20 or HEC-1.
Rational Method (or commercial computer package based on the Rational Method)	Emil Kuichling (1889)	For sites less than 2 acres, or as approved by the Township and/or Township Engineer. <u>Not acceptable when a full hydrograph is required.</u>
Other Methods	Varies	Other computation methodologies approved by the Township and/or Township Engineer

- D. All calculations using the Rational Method shall use rainfall intensities consistent with appropriate times-of-concentration for overland flow and return periods from Table A-1 in Appendix A. Times-of-concentration for overland flow shall be calculated using the methodology presented in Chapter 3 of *Urban Hydrology for Small Watersheds*, NRCS, TR-55 (as amended or replaced from time to time by NRCS). Times-of-concentration for channel and pipe flow shall be computed using Manning's equation.
- E. Runoff Curve Numbers (CN) for both existing and proposed conditions to be used in the soil cover complex method shall be based on Table A-4 in Appendix A.
- F. Runoff coefficients (C) for both existing and proposed conditions for use in the Rational Method shall be consistent with Table A-7 in Appendix A.
- G. Runoff from proposed sites graded to the subsoil will not have the same runoff conditions as the site under existing conditions because of soil compaction, even after top-soiling or seeding. The proposed condition "CN" or "C" shall increase by 5% to better reflect proposed soil conditions.
- H. The Manning equation is preferred for one-dimensional, gradually-varied, open channel flow. In other cases, appropriate, applicable methods should be applied, however, early coordination with the Township is necessary.
- I. Outlet structures for stormwater management facilities shall be designed to meet the performance standards of this Ordinance using the generally accepted hydraulic analysis technique or method of the Township.

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- J. The design of any stormwater detention facilities intended to meet the performance standards of this Ordinance shall be verified by routing the design storm hydrograph through these facilities using the Storage-Indication Method. For drainage areas greater than 2 acres in size, the design storm hydrograph shall be computed using a calculation method that produces a full hydrograph. The Township may approve the use of any generally accepted full hydrograph approximation technique that shall use a total runoff volume that is consistent with the volume from a method that produces a full hydrograph.

**§206-17. §206-20. Other Requirements**

**A. Hot Spots**

- (1) The use of infiltration BMPs is prohibited on hot spot land use areas. Examples of hot spots are listed in Appendix D.
- (2) Stormwater runoff from hot spot land uses shall be pretreated. In no case may the same BMP be employed consecutively to meet this requirement. Guidance regarding acceptable methods of pre-treatment is located in Appendix D.

**B. West Nile Guidance Requirements**

All wet basin designs shall incorporate biologic controls consistent with the West Nile Guidance found in Appendix E.

**ARTICLE IV  
STORMWATER MANAGEMENT (SWM)  
SITE PLAN REQUIREMENTS**

**§206-18. §206-21. General Requirements**

For any of the activities regulated by this Ordinance, the preliminary or final approval of subdivision and/or land development plans, the issuance of any building or occupancy permit, the commencement of any earth disturbance, or activity may not proceed until the Property Owner or Applicant or his/her agent has received written approval of a SWM Site Plan from the Township and an approval of an adequate Erosion and Sediment (E&S) Control Plan review from the Township or County Conservation District.

**§206-19. §206-22. SWM Site Plan Requirements**

The SWM Site Plan shall consist of a general description of the project, including calculations, maps, and plans. A note on the maps shall refer to the associated computations and E&S Control Plan by title and date. The cover sheet of the computations and E&S Control Plan shall refer to the associated maps by title and date. All SWM Site Plan materials shall be submitted to the Township in a format that is clear, concise, legible, neat, and well organized; otherwise, the SWM Site Plan shall not be accepted for review and shall be returned to the Applicant.

The following items shall be included in the SWM Site Plan:

**A. General**

- (1) General description of the project including plan contents described in Section 206-2122.B.
- (2) General description of proposed SWM techniques to be used for SWM facilities.
- (3) Complete hydrologic and hydraulic computations for all SWM facilities.
- (4) All reviews and letters of adequacy from the Conservation District for the Erosion & Sedimentation Plan as required by Township, county or state regulations.
- (5) A general description of proposed nonpoint source pollution controls.
- (6) The SWM Site Plan Application and completed fee schedule form and associated fee *for all regulated activities not already paying pay fees by under the SALDO regulations.*
- (7) The SWM Site Plan Checklist
- (8) Appropriate sections from the Township's Subdivision and Land Development Ordinance, and other applicable local ordinances, shall be followed in preparing the SWM Site Plan.

B. Plans: SWM Site Plan shall provide the following information;

- (1) The overall stormwater management concept for the project.
- (2) A determination of natural site conditions and stormwater management needs. This shall include, but not be limited to:
  - (a) Site Features:
    - [1] The location of the project relative to highways, Township boundaries or other identifiable landmarks.
    - [2] The locations of all existing and proposed utilities, sanitary sewers, and water lines on site and to within fifty (50) feet of property lines.
    - [3] Proposed structures, roads, paved areas, and buildings.
    - [4] The total tract boundary and size with distances marked to the nearest foot and bearings to the nearest degree.
    - [5] Plan and profile drawings of all SWM BMP's, including drainage structures, pipes, open channels, and swales. At a minimum this should include pre- and post-drainage area maps, an overall post construction stormwater management plan, stormwater details sheets, and landscape plans (if proposing bio-retention facilities, low impact development, bioretention, or vegetative basins).
    - [6] The locations and minimum setback distances of existing and proposed on-lot wastewater facilities and water supply wells.
    - [7] The location of all erosion and sediment control facilities.
    - [8] The location of proposed septic tank infiltration areas and wells in cases where groundwater recharge measures such as seepage pits, beds or trenches are proposed.

(b) Natural Site Conditions:

[1] An Existing Resource and Site Analysis Map (ERSAM) showing environmentally sensitive areas including, but not limited to;

- steep slopes,
- ponds,
- lakes,
- streams,
- wetlands,
- hydric soils,
- hydrologic soil groups A and B,
- vernal pools,
- stream buffers,
- open channels,
- existing recharge areas, and
- floodplains.

The area of each of these sensitive areas shall be calculated and should be consistent with the runoff volume calculation Section 206-1614.C.1.

[2] A detailed site evaluation for projects proposed in areas of frequent flooding, karst topography, and other environmentally sensitive areas, such as brownfields and source water protection areas.

[3] Existing and proposed contour lines (2 ft).

[4] The total extent of the drainage area upstream from the site and all down gradient receiving channels, swales and waters to which stormwater runoff or drainage will be discharged.

(c) Stormwater runoff design computations and documentation as specified in this Ordinance, or as otherwise necessary to demonstrate that the maximum practicable measures have been taken to meet the requirements of this Ordinance, including the recommendations and general requirements in Section 206-1311.

(d) The effect of the project (in terms of runoff volumes, water quality, and peak flows) on surrounding properties and aquatic features and on any existing stormwater conveyance system that may be affected by the project.

(3) The format of the Plan shall include the following;

(a) The expected project time schedule.

(b) The name of the development, the name and address of the owner of the property, and the name of the individual or firm preparing the plan.

(c) The date of submission.

(d) A graphic and written scale of one (1) inch equals no more than fifty (50) feet; for tracts of twenty (20) acres or more, the scale shall be one (1) inch equals no more than one hundred (100) feet.

- (e) A north arrow.
- (f) An access easement around all stormwater management facilities is required that would provide ingress to and egress from a public right-of-way. The size of the easement shall commensurate with the maintenance and access requirements determined in the design of the BMP.
- (g) A key map showing all existing man-made features beyond the property boundary that would be affected by the project.
- (h) A note on the plan indicating the location and responsibility for maintenance of stormwater management facilities. All facilities shall meet the performance standards and design criteria specified in this ordinance.
- (i) The following signature block for the Design Engineer: "I, (Design Engineer), on this date (date of signature), hereby certify that the SWM Site Plan meets all design standards and criteria of Montgomery Township Stormwater Management Ordinance or Plan."
- (j) A statement, signed by the Applicant, acknowledging that any revision to the approved SWM Site Plan must be approved by the Township and that a revised E&S Plan must be submitted to the Conservation District.

(4) 7. Limits of earth disturbance, including the type and amount of impervious area that is proposed.

(4)(5) A soil erosion and sediment control plan, where applicable, as prepared for and submitted to the approval authority.

(5)(6) The SWM Site Plan shall include an Operations & Maintenance (O&M) Plan for all existing and proposed physical stormwater management facilities, as well as schedules and costs for O&M activities. This plan shall address long-term ownership and responsibilities for O&M.

~~§206-20.~~ **§206-23. Plan Submission**

The Township requires submission of a complete SWM Site Plan, as specified in this Ordinance.

- A. Proof of application or documentation of required permit(s) or approvals for the programs listed below shall be part of the plan:
  - (1) NPDES Permit for Stormwater Discharges from Construction Activities.
  - (2) Any other permit under applicable state or federal regulations.
- B. The SWM Site Plan shall be submitted to the following agencies. Refer to the Township Application for the number of copies.
  - (1) the Township accompanied by the requisite Township review fee.
  - (2) the County Conservation District.
  - (3) the Township Engineer (where applicable).
- C. When the SWM Site Plan is associated with a subdivision and/or land development; the submission requirements of the Township Subdivision and Land Development Ordinance shall be followed.



- D. Any submissions to the agencies listed above that are found to be incomplete shall not be accepted for review and shall be returned to the Applicant with a notification in writing of the specific manner in which the submission is incomplete.
- E. Additional copies shall be submitted as requested by the Township, MCCD or PADEP.

**~~§206-21.~~ §206-24. Small Project Stormwater Management Site Plan**

- A. Residential projects proposing less than or equal to 5,000 square feet of impervious surface and less than 1 acre of earth disturbance qualify as a small project. The requirements of a Small Project Stormwater Management Plan are presented in Appendix F.
- B. Fee-In-Lieu Of Alternative for Small Projects:
  - (1) In order to address flooding and erosion problems found in the Township, applicants proposing a small project, as defined in the Montgomery Township Stormwater Management Ordinance, may pay a fee-in-lieu of stormwater conveyance/detention/storage facilities as an alternative to the construction of stormwater conveyance/detention/storage facilities, with the approval of the Board of Supervisors. When fees are offered by an applicant, the Township may, but shall not be required to, accept the fees, provided that the proposed stormwater solution meets the requirements in the Township Stormwater Management Ordinance.
  - (2) These fees shall be used to construct or make improvements to stormwater facilities that are either Township-owned or have a perpetual easement or deed restriction that would ensure access, and that are located in the Township within the same watershed as the project paying the fee. Additionally, such fees may be used for the acquisition of land and rights-of-way, engineering, legal and planning costs and all other costs, including debt service, related to the construction or improvement of necessary stormwater control facilities.
    - (a) Applicability
      - [1] In order to ensure that water quality protection and stormwater management is provided during and after the construction of the proposed activity, the FILO alternative shall be available where the following conditions apply:
        - (a) The proposed activity is located in a residential zoning district.
        - (b) The project site is located in a watershed for which an Act 167 stormwater management plan has been prepared by the county and approved by PADEP.
      - [2] In addition to the criteria in [1](a), the project site must meet at least one of the following two criteria:
        - (a) The project site is located in a subdivision that is served by storm sewers discharging to a stormwater basin or other stormwater management facility which infiltrates, evaporates or detains stormwater for a period of time prior to discharge, or

(b) The following conditions exist on the site, in the opinion of the Township Engineer:

- (i) The surface conditions on the site will encourage overland sheet flow of stormwater, as opposed to concentrated flow, and
- (ii) The project site is located at a sufficient distance from the receiving stream such that runoff from the project will be filtered by vegetation and given opportunity to infiltrate as it flows across the land to the stream.

(b) Fees:

[1] Applicants shall pay the following fees-in-lieu of stormwater facilities:

- (a) Fees-in-lieu of stormwater detention/storage facilities on a single-family dwelling lot shall be based on the cubic feet of required storage capacity generated by the entire area of the proposed impervious surface, when that area is greater than 1,000 square feet and less than 5,000 square feet, in accordance with the Township Stormwater Management Ordinance. Such fee shall be established and updated periodically by resolution of the Board of Supervisors and shall be based on an average cost of providing stormwater control facilities per cubic square foot of storage capacity proposed impervious surface.
- (b) Fees collected by the Township shall be deposited in an interest-bearing account in a bank authorized to receive deposits of Township funds. Interest earned by the account shall be credited to that account and shall be used for the same purposes as money deposited in the account.
- (c) Fee-in-lieu payments shall be collected when the land development agreement is finalized or, if no land development agreement is required, before final permits are issued.

(c) Fee-in-lieu credit:

- [1] Each cubic square foot of stormwater storage capacity proposed impervious surface compensated by a fee-in-lieu payment shall be credited as the actual construction of this stormwater storage when sites are proposed for development in the future.

#### **§206-22. — §206-25. Stormwater Management Site Plan Review**

- A. The Stormwater Management (SWM) Site Plan shall be reviewed by a Qualified Professional on behalf of the Township for consistency with the provisions of this Ordinance. After review, the Qualified Professional shall provide a written recommendation for the Township to approve or disapprove the SWM Site Plan. If it is recommended to disapprove the SWM Site Plan, the Qualified Professional shall state the reasons for the disapproval in writing. The Qualified Professional also may recommend approval of the SWM Site Plan with conditions and, if so, shall provide the acceptable conditions for approval in writing. The SWM Site Plan review and recommendations shall be completed within the time allowed by the Municipalities Planning Code for reviewing subdivision plans.

- B. The Township will notify the applicant in writing within 45 days whether the SWM Site Plan is approved or disapproved. If the SWM Site Plan involves a Subdivision and Land Development Plan, the notification period is 90 days. If a longer notification period is provided by other statute, regulation, or ordinance, the applicant will be so notified by the Township. If the Township disapproves the SWM Site Plan, the Township shall cite the reasons for disapproval in writing.

**~~§206-23.~~ §206-26. Modification of Plans**

A modification to a submitted SWM Site Plan that involves a change in SWM BMPs or techniques, or that involves the relocation or redesign of SWM BMPs, or that is necessary because soil or other conditions are not as stated on the SWM Site Plan as determined by the Township shall require a resubmission of the modified SWM Site Plan in accordance with this Article.

**~~§206-24.~~ §206-27. Resubmission of Disapproved SWM Site Plans**

A disapproved SWM Site Plan may be resubmitted, with the revisions addressing the Township's concerns, to the Township in accordance with this Article. The applicable review fee must accompany a resubmission of a disapproved SWM Site Plan.

**~~§206-25.~~ §206-28. Authorization to Construct and Term of Validity**

The Township's approval of an SWM Site Plan authorizes the regulated activities contained in the SWM Site Plan for a maximum term of validity of 5 years following the date of approval. The Township may specify a term of validity shorter than 5 years in the approval for any specific SWM Site Plan. Terms of validity shall commence on the date the Township signs the approval for an SWM Site Plan. If an approved SWM Site Plan is not completed according to Section 206-2829 within the term of validity, the Township may consider the SWM Site Plan disapproved and may revoke any and all permits. SWM Site Plans that are considered disapproved by the Township shall be resubmitted in accordance with Section 206-26-27.

**ARTICLE V  
INSPECTIONS**

**~~§206-26.~~ §206-29. Inspections**

- A. The Township shall inspect all phases of the installation of the Best Management Practices (BMPs) and/or stormwater management (SWM) facilities as deemed appropriate by the Township.
- B. During any stage of the work, if the Township determines that the BMPs and/or stormwater management facilities are not being installed in accordance with the approved SWM Site Plan, the Township shall revoke any existing permits or other approvals and issue a cease and desist order until a revised SWM Site Plan is submitted and approved, as specified in this Ordinance and until the deficiencies are corrected.

- C. A final inspection of all BMPs and/or stormwater management facilities may be conducted by the Township to confirm compliance with the approved SWM Site Plan prior to the issuance of any Occupancy Permit.
- D. The applicant and/or developer shall be responsible for providing as-built plans of all SWM BMPs included in the approved SWM Site Plan. The as-built plans and an explanation of any discrepancies, which were reviewed and received approval by the Township, shall be submitted to the Township.
- E. The as-built submission shall include a certification of completion signed by a Qualified Professional verifying that all SWM BMPs have been constructed according to the approved plans and specifications. If any Qualified Professionals contributed to the construction plans, they must sign and seal the completion certificate.
- F. Final plans based upon the Record Drawings must be submitted to the Township for the project to be eligible for the issuance of a Certificate of Occupancy.

## ARTICLE VI FEES AND EXPENSES

### **§206-27. — §206-30. Stormwater Management Site Plan Review and Inspection Fee**

Fees shall be established by the Township to cover plan review and construction inspection costs incurred by the Township. All fees shall be paid by the Applicant at the time of SWM Site Plan submission. A review and inspection fee schedule shall be established by Township resolution. The Township shall periodically update the review and inspection fee schedule to ensure that review costs are adequately reimbursed.

### **§206-28. — §206-31. Expenses Covered by Fees**

The fees required by this Ordinance (unless otherwise waived by the Township) shall, at a minimum, cover:

- A. Township Administrative costs.
- B. Township legal costs.
- C. Township engineering costs
- D. The review of the Stormwater (SWM) Site Plan by the Township.
- E. The review of As-built Drawings.
- F. The site inspections.
- G. The inspection of SWM facilities and drainage improvements during construction.
- H. The final inspection at the completion of the construction of the SWM facilities and drainage improvements presented in the SWM Site Plan.
- I. Any additional work required to enforce any permit provisions regulated by this Ordinance, correct violations, and assure proper completion of stipulated remedial actions.

**ARTICLE VII**  
**MAINTENANCE RESPONSIBILITIES**

**~~§206-29.~~ §206-32. Performance Guarantee**

- A. For subdivisions and land developments, the Applicant shall provide a financial guarantee to the Township for the timely installation and proper construction of all stormwater management (SWM) facilities as:
- (1) Required by the approved SWM Site Plan equal to or greater than the full construction cost of the required controls; or
  - (2) The amount and method of payment provided for in the subdivision and land development ordinance.
- B. For other regulated activities, the Township shall require a financial guarantee from the Applicant.

**~~§206-30.~~ §206-33. Responsibilities for Operations and Maintenance of Stormwater Facilities and BMPs**

- A. The owner of any land upon which stormwater facilities and BMPs will be placed, constructed, or implemented, as described in the stormwater facility and BMP Operations and Maintenance (O&M) plan, shall record the following documents in the Office of the Recorder of Deeds for Montgomery County, within ninety (90) days of approval of the stormwater facility and BMP O&M plan by the Township:

- (1) The O&M plan, or a summary thereof,
- (2) O&M agreements under Section 206-34~~35~~, and
- (3) Easements under Section 206-35~~36~~.

The developer or builder shall immediately notify the Township Secretary of the book and page wherein said documents are recorded and shall supply a copy of the recorded documents. If such information is not received within 100 days of the approval of the stormwater facility and BMP O&M plan by the Township, the stormwater facilities and BMP O&M plan shall not be considered an approved plan for the purpose of this article.

- B. The Township may suspend or revoke any approvals granted for the project site upon discovery of failure on the part of the owner to comply with this section.
- C. The following items shall be included in the Stormwater Facility and BMP O&M Plan:
- (1) Map(s) of the project area, in a form that meets the requirements for recording at the offices of the Recorder of Deeds of Montgomery County, and shall be submitted on 24-inch x 36-inch sheets. The contents of the maps(s) shall include, but not be limited to:
    - (a) Clear identification of the location and nature of stormwater facilities and BMPs.
    - (b) The location of the project site relative to highways, Township boundaries or other identifiable landmarks.



- (c) Existing and final contours at intervals of two (2) feet, or others as appropriate.
- (d) Existing streams, lakes, ponds, or other bodies of water within the project site area.
- (e) Other physical features including flood hazard boundaries, sinkholes, streams, existing drainage courses, and areas of natural vegetation to be preserved.
- (f) The locations of all existing and proposed utilities, sanitary sewers, and water lines on site and within 50 feet of property lines of the project site.
- (g) Proposed final changes to the land surface and vegetative cover, including the type and amount of impervious area that would be added.
- (h) Proposed final structures, roads, paved areas, and buildings, and
- (i) A twenty (20)-foot-wide access easement around all stormwater facilities and BMPs that would provide ingress to and egress from a public right-of-way.
- (2) A description of how each stormwater facility and BMP will be operated and maintained, and the identity and contact information associated with the person(s) responsible for O&M.
- (3) The name of the project site, the name and address of the owner of the property, and the name of the individual or firm preparing the plan, and
- (4) A statement, signed by the facility owner, acknowledging that the stormwater facilities and BMPs are fixtures that can be altered or removed only after approval by the Township.
- D. The Stormwater Facility and BMP O&M Plan for the project site shall establish responsibilities for the continuing O&M of all stormwater facilities and BMPs, as follows:
  - (1) If a plan includes structures or lots which are to be separately owned and in which streets, sewers and other public improvements are to be dedicated to the Township, stormwater facilities and BMPs may also be offered for dedication to and maintained by the Township.
  - (2) If a plan includes O&M by single ownership, or if sewers and other public improvements are to be privately owned and maintained, the O&M of stormwater facilities and BMPs shall be the responsibility of the owner or private management entity.
- E. The Township shall make the final determination on the continuing O&M responsibilities. The Township reserves the right to accept or reject the O&M responsibility for any or all of the stormwater facilities and BMPs.
- F. Facilities, areas, or structures used as BMPs shall be enumerated as permanent real estate appurtenances and recorded as deed restrictions or conservation easements that run with the land.
- G. The O&M Plan shall be recorded as a restrictive deed covenant that runs with the land.

- H. The Township may take enforcement actions against an owner for any failure to satisfy the provisions of this Article and this Ordinance.

**~~§206-31.~~ ~~§206-34.~~ Township Review of Stormwater Facilities and BMP Operations and Maintenance Plan**

- A. The Township shall review the Stormwater Facilities and BMP O&M Plan for consistency with the purposes and requirements of this ordinance, and any permits issued by PADEP.
- B. The Township shall notify the Applicant in writing whether the Stormwater Facility and BMP O&M Plan is approved.
- C. The Township shall require a "Record Drawing" of all stormwater facilities and BMPs.

**~~§206-32.~~ ~~§206-35.~~ Operations and Maintenance Agreement for Privately Owned Stormwater Facilities and BMPs**

- A. The owner shall sign an O&M agreement with the Township covering all stormwater facilities and BMPs that are to be privately owned. The O&M agreement shall be transferred with transfer of ownership. The agreement shall be subject to the review and approval of the Township.
- B. Other items may be included in the O&M agreement where determined necessary to guarantee the satisfactory O&M of all stormwater controls and BMPs. The O&M agreement shall be subject to the review and approval of the Township.
- C. The owner is responsible for the O&M of the SWM BMPs. If the owner fails to adhere to the O&M Agreement, the Township may perform the services required and charge the owner appropriate fees. Nonpayment of fees may result in a lien against the property.

**~~§206-33.~~ ~~§206-36.~~ Stormwater Management Easements**

- A. The owner must obtain all necessary real estate rights to install, operate, and maintain all stormwater facilities in the SWM Site Plan.
- B. The owner must provide the Township easements, or other appropriate real estate rights, to perform inspections and maintenance for the preservation of stormwater runoff conveyance, infiltration, and detention areas.

**ARTICLE VIII  
PROHIBITIONS**

**~~§206-34.~~ ~~§206-37.~~ Prohibited Discharges**

- A. Any drain or conveyance, whether on the surface or subsurface, that allows any non-stormwater discharge, including sewage, process wastewater, and wash water to enter the waters of the Commonwealth is prohibited.
- B. No person shall allow, or cause to allow, discharges into surface waters of this Commonwealth which are not composed entirely of stormwater, except (1) as provided in Subsection C below, and (2) discharges allowed under a state or federal permit.
- C. The following discharges are authorized unless they are determined to be significant contributors to pollution to the waters of the Commonwealth:
  - (1) Discharges from firefighting activities,
  - (2) Potable water sources including water line flushing,
  - (3) Irrigation drainage,
  - (4) Air conditioning condensate,
  - (5) Springs,
  - (6) Water from crawl space pumps,
  - (7) Flows from riparian habitats and wetlands,
  - (8) Uncontaminated water from foundations or from footing drains,
  - (9) Lawn watering,
  - (10) De-chlorinated swimming pool discharges (per Department of Environmental Protection (PADEP) requirements),
  - (11) Uncontaminated groundwater,
  - (12) Water from individual residential car washing, and/or
  - (13) Routine external building wash down (which does not use detergents or other compounds)
- D. In the event that the Township or PADEP determines that any of the discharges identified in Subsection C significantly contribute to pollution of the waters of this Commonwealth, the Township or PADEP will notify the responsible person(s) to cease the discharge.

**~~§206-35.~~ ~~§206-38.~~ Roof Drains**

- A. Roof Drains and sump pumps shall not be connected to sanitary sewers.
- B. Roof drains and sump pumps may be connected to streets, storm sewers or roadside ditches only when permitted by the Township.
- C. Roof drains and sump pumps shall discharge to infiltration or vegetative BMPs to the maximum extent practicable.

**~~§206-36.~~ ~~§206-39.~~ Alteration of Stormwater Management BMPs**

- A. No person shall modify, remove, fill, landscape, or alter any Stormwater Management (SWM) Best Management Practices (BMPs), facilities, areas, or structures unless it is part of an approved maintenance program and written approval of the Township has been obtained.
- B. No person shall place any structure, fill, landscaping, or vegetation into a stormwater facility or BMP or within a drainage easement which would limit or alter the functioning of the stormwater facility or BMP without the written approval of the Township.

**ARTICLE VIV**  
**ENFORCEMENT AND PENALTIES**

**~~§206-37.~~ ~~§206-40.~~ Right-of-Entry**

- A. Upon presentation of proper credentials, duly authorized Township representatives may enter at reasonable times upon any property within the Township to inspect the implementation, condition, or operation and maintenance of the stormwater facilities or Best Management Practices (BMPs) in regard to any aspect governed by this Ordinance.
- B. Landowners with stormwater facilities and BMPs on their property shall allow persons working on behalf of the Township ready access to all parts of the premises for the purposes of determining compliance with this Ordinance.
- C. Persons working on behalf of the Township shall have the right to temporarily locate on any stormwater facility or BMP in the Township such devices as are necessary to conduct monitoring and/or sampling of the discharges from such stormwater facilities or BMP.

**~~§206-38.~~ ~~§206-41.~~ Inspection**

Stormwater Management (SWM) Best Management Practices (BMPs) should be inspected for proper operation by the landowner, or the owner's designee (including the Township for dedicated and owned facilities), according to the following list of minimum frequencies:

- 1. Annually for the first 5 years,
- 2. Once every 3 years thereafter,
- 3. During or immediately after the cessation of a 10-year or greater storm, and/or
- 4. As specified in the Operations and Maintenance (O&M) agreement.

**~~§206-39.~~ ~~§206-42.~~ Enforcement**

All inspections regarding compliance with the Stormwater Management (SWM) Site Plan and this Ordinance shall be the responsibility of the Township.

- A. Public nuisance.

- (1) The violation of any provision of this section is hereby deemed a public nuisance.
  - (2) Each day that a violation continues shall constitute a separate violation.
- B. Whenever the Township finds that a person has violated a prohibition or failed to meet a requirement of this Ordinance, the Township may order compliance by written notice to the responsible person. Such notice may, without limitation, require the following remedies:
- (1) Performance of monitoring, analyses, and reporting;
  - (2) Elimination of prohibited connections or discharges;
  - (3) Cessation of any violating discharges, practices, or operations;
  - (4) Abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;
  - (5) Payment of a fine to cover administrative and remediation costs;
  - (6) Implementation of stormwater facilities and Best Management Practices (BMPs); and
  - (7) Operation and Maintenance (O&M) of stormwater facilities and BMPs.
- C. Such notification shall set forth the nature of the violation(s) and establish a time limit for correction of these violations(s). Said notice may further advise that, if applicable, should the violator fail to take the required action within the established deadline, the work will be done by the Township and the and the expense may be charged to the violator.
- D. Failure to comply within the time specified may subject a violator to the penalty provisions of this Ordinance. All such penalties shall be deemed cumulative and shall not prevent the Township from pursuing any and all other remedies available in law or equity.

**~~§206-40.~~ §206-43. Suspension and Revocation of Permits and Approvals**

- A. Any building, land development, or other permit or approval issued by the Township may be suspended or revoked, in whole or in part, by the Township for:
- (1) Noncompliance with or failure to implement any provision of the permit;
  - (2) A violation of any provision of this ordinance; or
  - (3) The creation of any condition or the commission of any act during construction or development which constitutes or creates a hazard or nuisance, pollution or which endangers the life, health, or property of others.
- B. Any permit or authorization issued or approved based on false, misleading, or erroneous information provided by an applicant is void without the necessity of any proceedings for revocation. Any work undertaken or use established pursuant to such permit or other authorization is unlawful. No action may be taken by a board, agency, or employee of the Township purporting to validate such a violation.
- B-C. A suspended permit may be reinstated by the Township when:



- (1) The Township has inspected and approved the corrections to the stormwater facilities and BMPs or the elimination of the hazard or nuisance, and;
- (2) The Township is satisfied that all applicable violations in this Ordinance have been corrected.

G.D. Any permit or approval that has been revoked by the Township cannot be reinstated. The Applicant may apply for a new permit under the procedures outlined of this Ordinance.

**~~§206-41.~~ §206-44. Penalties**

- A. Any person violating the provisions of this Ordinance shall be subject to penalties that may range from liens against the property to fines for each violation, recoverable with costs. Each day that the violation continues shall constitute a separate offense and the applicable fines are cumulative.
- B. In addition, the Township may institute injunctive, mandamus or any other appropriate action or proceeding at law or in equity for the enforcement of this ordinance. Any court of competent jurisdiction shall have the right to issue restraining orders, temporary or permanent injunctions, mandamus, or other appropriate forms of remedy or relief.

**~~§206-42.~~ §206-45. Appeals**

- A. Any person aggrieved by any action of the Township or its designee, under this Ordinance, may appeal to the appropriate judicial or administrative body accordingly to applicable Pennsylvania law.

[APPENDICIES ATTACHED]

**SECTION 32. Repeal and Ratification.**

All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed. Any other terms and provisions of the ordinances of the Township that are unaffected by this Ordinance are hereby reaffirmed and ratified.

**SECTION 43. Severability.**

Should any section, paragraph, sentence, clause, or phrase in this Ordinance be declared unconstitutional or invalid for any reason, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and affect, and for this reason the provisions of this Ordinance shall be severable.

**SECTION 54. Effective Date.**

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

\*\*\*

ORDAINED AND ENACTED this 12<sup>th</sup> day of ~~May 2014~~ January 2016, by the  
Montgomery Township Board of Supervisors.

**MONTGOMERY TOWNSHIP  
BOARD OF SUPERVISORS**

*Chairperson* \_\_\_\_\_  
JOSEPH P. WALSH \_\_\_\_\_,

[Seal]

Attested by:

\_\_\_\_\_  
LAWRENCE J. GREGAN  
*Township Manager/Secretary*

## **APPENDIX H: RIPARIAN BUFFER TRAIL GUIDELINES**

[Note to Municipality: The following riparian buffer trail guidelines may be modified provided that the buffer meets all minimum width and vegetation requirements detailed in Section 206-17 of the ordinance as well as all federal, state and local, stormwater, floodplain, and other requirements and regulations.]

### **INTRODUCTION**

Riparian buffers are used as non-structural best management practices (BMPs) for protecting and enhancing water quality. Depending on their size, location, and design, riparian buffers often supply additional environmental, economic, aesthetic, and recreational value. Passive recreational trails can be a compatible use within riparian buffers if the trails are sized and placed appropriately. The trail guidelines below are meant to supplement Section 206-14, Water Volume Control Requirements, and do not alter or modify the regulations set forth in Section 206-11, General Requirements. All other applicable rules and requirements should be followed, including all federal, state, permitting, and local stormwater and floodplain ordinances.

Installing a trail does not relieve a developer or municipality of the minimum buffer and vegetation requirements described in Section 206-17, or infiltration and peak rate controls in Sections 206-14 and 206-15. Effort shall be made to mitigate water quality and peak rate adjacent the trail structure to avoid collecting runoff in a large facility and creating a point discharge. This can be accomplished by trail-side stone filtration trenches, vegetative filter strips, small bio-retention facilities, and other mechanisms subject to site constraints and municipal engineer approval. See Figure 1. In situations where site constraints negate the feasibility of trail-side mitigation methods, effort shall be made to collect runoff in multiple stormwater facilities for segmented portions of the trail, in place of detaining stormwater in one large facility. Level spreaders shall be constructed at facility outlets to decrease point-source discharges.

As with all trails, adequate land acquisition, easements, and/or landowner permission should be obtained in advance of any trail placement. Care should be given when designing and installing trails so as not to compromise the buffer's ability to protect water quality. Many factors such as slope, vegetation, and soil type will determine the type, size, and placement of the trail within the riparian buffer. Heavily used trails and trails with wide impervious surfaces should be set back farther from the stream edge to help mitigate the effects of any associated increase in runoff. Note: failure to comply with these guidelines (Installing a trail with inadequate setback from the stream bank) could result in increased stormwater runoff, decreased water quality, stream bank degradation, and damage to the buffer or trail.

### **TRAIL RECOMMENDATIONS**

#### **Location, Size, and Orientation**

All trails should be a reasonable width appropriate for the site conditions. It is not recommended that the width of any paved trail exceed twenty five (25) percent of the total buffer width. All trail designs and specifications are subject to approval by the Municipality.

Natural vegetation must be present throughout the buffer as described in Section 206-17 of the ordinance. Grassy areas should be managed as meadows or be reforested and should not be mowed as lawn in any part of the buffer. Where existing vegetation is insufficient to protect water quality, additional native species should be planted to enhance the buffer.

Paved trails, if appropriate to the site, are permitted and must be located at least twenty-five (25) feet from the top of the stream bank. In limited instances, paved trails be placed closer to a stream due to topography, or in order to accommodate passive educational and recreational activities, but must always be at least ten (10) feet from the top of the stream bank. Although this can be achieved by diverting the entire trail closer to the stream, more conservative methods should be considered, such as smaller spur trails or loop trails. These smaller trails provide access to the stream, but reduce the total traffic along the sensitive stream bank.

In rare instances where the buffer width is reduced due to zoning setback or geographical constraints, the municipality should strongly consider whether the benefits of a trail outweigh the benefits of a wider buffer.

### Signage

The installation of interpretive and educational signage is strongly encouraged along the trail. Signs should point out local natural resources and educate the public on how riparian buffers protect the watershed. There should be minimum disturbance in the vegetated buffer between the trail and the stream. Therefore, all appurtenances (e.g. benches, educational signs, kiosks, fountains, etc.) should be installed on the landward side of the trail, if possible. All appurtenances shall be installed in compliance with federal, state, local, stormwater, floodplain, and other regulations and permitting requirements (e.g. anchoring, etc.)

### Parking Areas

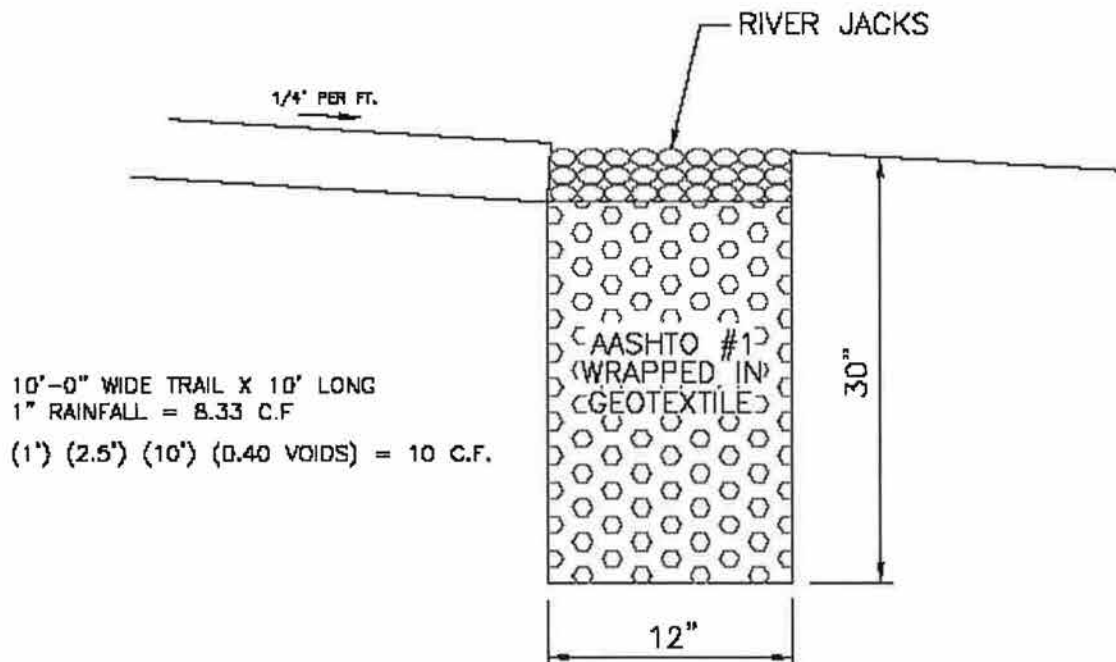
New trailheads and trail parking areas shall meet all the infiltration, rate control, and minimum setback requirements of this ordinance. Every effort should be made to coordinate trail access with existing parking areas. Any new parking areas and trailhead clearings should not encroach on the riparian buffer in any way.

### Trail Maintenance

The installation and maintenance of all trails should be performed in a manner that minimizes site disturbance and prevents runoff and erosion. Soil disturbance should be avoided if possible. The removal of native trees and other native vegetation should also be kept to a minimum. If large or heavy equipment is required for trail installation, special care should be given not to damage existing trees and tree roots.

**FIGURE 1.**

**EXAMPLE DESIGN OF A TRAIL-SIDE  
STONE FILTRATION TRENCH**



Source:

James MacCombie, Herbert E. MacCombie Jr. P.E. Consulting Engineers & Surveyors Inc.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Authorization to Submit PennDOT Multi-Modal Grant- Phase 1 - Powerline Trail Connection

MEETING DATE: December 14, 2015

ITEM NUMBER: # 19

MEETING/AGENDA:

ACTION

NONE

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

INITIATED BY: Stacy Crandell

Assistant to the Township Manager

BOARD LIAISON: Michael J. Fox, Chairman

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BACKGROUND:

The Township is proposing to apply for funding under the PennDOT Multi-Modal Grant Program to fund the construction of an approximately 3,800 foot long, 10 foot wide multi-use trail segment between the existing Route 202 Parkway Trail and the Township's newly constructed Community & Recreation Center (CRC).

Projects eligible for funding under this grant program include those that improve connectivity or utilization of existing transportation assets. The Multi-Modal Grant Program has \$40 million available statewide to fund projects. The maximum Grant is \$3 million and requires a local match of 30%.

This trail segment would benefit Township Residents by providing pedestrian and bicycle access to the CRC. From a regional perspective, this link is part of the "Circuit", which is the region's officially endorsed regional trail network and supports the Township's goal of providing a trail system that will provide a multitude of recreational opportunities for the Township. These trail networks will provide access to various parks, open space, commercial areas and cultural/historical sites. Implementation of the trails will also open up opportunities for enhancement of natural areas.

Letters of support for the Grant have been provided by State Senator Stewart Greenleaf, State Representative Todd Stephens, and Montgomery County. In addition, Township Staff met with the owner of the Joseph Ambler Inn to discuss the project. The owner expressed enthusiasm for the project and a willingness to work together with the Township to provide access across the Joseph Ambler Inn property for the trail.

The Township Traffic Engineer's estimated cost for this trail connection is \$922,050 including design and construction management. The Township will be requesting a grant amount of \$645,435 with the local Township match of \$276,615.

The filing deadline for the grant is December 18, 2015. Attached is information that will be provided on the online application including the plans, cost estimate and a funding commitment letter.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.



ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

If the Township is awarded this grant, the project the Township would be required to provide the local 30% match estimated at \$276,615.

RECOMMENDATION:

It is recommended that the Board authorize the submission of the application under the PennDOT Multi-Modal Grant Program for grant funding in the amount of \$645,435 for the Phase 1 - Powerline Trail Connection project.

MOTION/RESOLUTION:

See attached Resolution.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_

ROLL CALL:

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

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

Be it RESOLVED, that the Board of Supervisors of Montgomery Township, Montgomery County, hereby request a Multimodal Transportation Fund grant of \$645,435 from the Pennsylvania Department of Transportation to be used for the Phase 1- Powerline Trail Connection Project.

Be it FURTHER RESOLVED, that the Board of Supervisors of Montgomery Township, Montgomery County does hereby designate the Board of Supervisors Chairman and Township Manager/Secretary as the official(s) to execute all documents and agreements between Montgomery Township and the Pennsylvania Department of Transportation to facilitate and assist in obtaining the requested grant.

MOTION:

SECOND:

I, Lawrence J. Gegan, duly qualified Secretary of the Montgomery Township, Montgomery County, Montgomeryville, PA, hereby certify that the forgoing is a true and correct copy of a Resolution duly adopted by a majority vote of the Montgomery Township Board of Supervisors at a regular meeting held December 14, 2015 and said Resolution has been recorded in the Minutes of Montgomery Township and remains in effect as of this date.

IN WITNESS THEREOF, I affix my hand and attach the seal of Montgomery Township this 15<sup>th</sup> day of December, 2015.

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Name of Applicant

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County

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Secretary

## **PennDOT Multimodal Transportation Fund**

Act 89 established a dedicated Multimodal Transportation Fund that stabilizes funding for ports and rail freight, increases aviation investments, establishes dedicated funding for bicycle and pedestrian improvements, and allows targeted funding for priority investments in any mode.

The Multimodal Transportation Fund provides grants to encourage economic development and ensure that a safe and reliable system of transportation is available to the residents of this commonwealth. The program will be jointly administered by the PennDOT. Grants under the Fund shall be matched by local funding in an amount not less than 30% of the non-federal share of the project costs. Grants are available for projects with a total cost of \$100,000 or more and grants shall not exceed \$3 Million for any project. The total amount available for FY2017 is up to \$46 Million.

## **Powerline Connector Trail – Phase 1 Grant Summary**

### **Statement of problem:**

Within Montgomery Township and many parts of the Philadelphia suburbs, there is a lack of infrastructure designated to the non-motorized vehicle making conditions hazardous at times for bicyclists, pedestrians and other forms of non-motorized transportation. Lack of facilities that connect destinations and provide safe access for bicyclists and pedestrians among others, force people to use motorized vehicles to get to their destinations or risk personal safety. By doing so, this increases vehicular congestion, increases CO2 emissions, and reduces the quality of life while polluting the air. Secondly, it promotes a sedentary lifestyle and discourages active forms of transportation leading to a plethora of health related issues including cardiovascular diseases, diabetes and obesity.

### **Proposed solutions and actions:**

Montgomery Township seeks funds to construct a 10 foot multi-use trail that connects two already existing and heavily used multi-use trails in order to provide safe access and passage for non-motorized vehicles and pedestrians, and provide transportation options and alternatives. The Township aims to create an environment that encourages healthier lifestyles and improves the environment at the same time enabling people to safely choose active transportation instead of driving a car or SUV to their destination. Phase I of this trail will connect the existing US 202 Parkway trail and travel in a southeastern direction where it will connect with the Township's newly constructed Community & Recreation Center. This will not only connect one of the region's spine trail corridors with the community center, it will also improve safety at several major road crossings for trail users. Important destinations exist along the proposed route including the Montgomery Township Municipal Building and the Montgomery Township Police Department. It will provide a first class multi-use trail to a large concentration of Montgomery Township's population connecting the new Township's Community & Recreation Center as well as the US 202 Parkway Trail.

### **Describe economic conditions of the region where the project is located: (unemployment rate of region. Describe how project will increase opportunities of local employment)**

The economic conditions of both Montgomery County as well as Montgomery Township are very good. Montgomery County is fortunate to have a low unemployment rate at 3.7% (as of April 2015).

Montgomery Township possesses the lowest unemployment rate in the County at 3.2% according to Homefacts.com which provides the most up to date employment data available.

**Consistency with local, regional and statewide planning: (is the proposed project consistent with and supportive of local and regional statewide plans and initiatives? Explain)**

This project is very much consistent with planning efforts on every level from local to regional plans. Montgomery Township completed a township-wide bike/pedestrian plan and identifies this trail as a main priority. Montgomery County has also identified the Powerline trail as a primary trail corridor in their Montco 2040 Comprehensive Plan. In addition to the local and County endorsement for the trail, the proposed trail segment is part of "The Circuit", which is the Philadelphia region's endorsed primary trail network as approved by the 5 counties that encompass The Delaware Valley.

The Delaware Valley Regional Planning Commission, with funds provided by the William Penn Foundation, implemented the Regional Trails Program. The purpose of this program is to help identify critical gaps in the regional trail network and provide funding for their study, design and construction. This segment was selected for feasibility study funding due to its status as part of the Circuit, and it was identified as a critical gap in the regional trail network.

**Benefits to safety and mobility, and transportation system integration: (does the project address a demonstrated safety need? Will the project enhance mobility? Explain)**

There have been several accidents that involved bicycles in the project area based on a review of recent PennDOT crash data. By providing a safe off road trail network, the goal of this project is to eliminate these occurrences where bicycle and motor vehicles come in contact.

**Technical and financial feasibility of the project: (show financial commitments are in place to achieve the project goals and ensure that they will be fully completed with the use of these funds)**

\*\*\*\* PROVIDE CAFR (Exhibit A)

**Level of matching investment in the project: increased consideration will be given to projects with greater than minimum matching funds requirement and local financial support. Provide letters of matching commitments. What amount match has been established?**

\*\*\*\* PROVIDE LETTER STATING TOWNSHIP COMMITTED TO MATCHING FUNDS. (Exhibit B)

**Number and quality of jobs. Increased consideration given to projects that create or preserve jobs in the state. (Based on 40 hour week how many full time/part time jobs created.**

This project anticipated to take a full construction season to complete and is projected to create approximately 10 full time jobs during construction. In addition to the jobs created during construction, there is potential for other ancillary jobs that could be created by providing viable transportation for bicyclists and pedestrians. By encouraging more trips taken by bicycles, the potential exists for additional bicycle sale and repair shops. Once constructed, it is also anticipated that this will draw individuals from other areas who prefer to ride longer trails providing an increase in tourism for the area potentially providing a modest increase in consumption of goods and services.

**Regional nature of the project: (are there other projects planned in the region that this project links to?**

This trail connects the US 202 Parkway Trail as well as existing segments of the Power Line Trail. In filling this gap, this would create a critical regional connection. Both the 202 Parkway Trail and the Power Line



Trail are integral resources included in Montgomery County's primary trail network, DVRPC's regional trail initiative known as "the Circuit," and PA DCNR's initiative to close gaps in the state network of important trails. Since this project is part of "The Circuit" it would be part of a fully integrated, connected regional trail network that is endorsed and promoted by the entire Philadelphia region.

**Project readiness: is this project designed and ready to go to construction?**

Though this trail has not yet been engineered and designed, this route has been thoroughly vetted, and The Township fully believes that the project will be ready for construction by spring 2017. Montgomery Township will be able to design and engineer this trail in conjunction with obtaining all of the necessary permits in this timeframe to ensure that the trail is ready for construction. All Right of Way for this trail is either under control of the Township and the small portions of right of way that are not under Township control are privately owned parcels whose owners fully support the project, and are eager to see the trail constructed.

There are several permits that are required during the course of engineering necessary to see the project into construction. In addition to the required Highway Occupancy Permits for the portions of the trail that are along state owned roadway which includes SR 0463 Horsham Road, revised signal permits for signalized intersections where there will be modifications to the signage, pavement markings and signal timing.

The Pennsylvania DEP will require a permit for the proposed pedestrian bridge that crosses Little Neshaminy Creek as well as a GP-7 for a Minor Road Crossing across wetlands.

A National Pollution Discharge Elimination System (NPDES) permit will be required which will be coordinated with the Montgomery County Conservation District. Also Coordinated through the Conservation District will be the for Erosion and Sedimentation Control Measures permit.

Montgomery Township will require a grading permit and the Township Engineer will review the proposed storm-water management design. The Montgomery Township Board of Supervisors will need to review and approve all plans and specifications in order to authorize the solicitation of bids for construction.

Montgomery Township has a history with similar projects. The Township fully understands what each permit entails leaving no doubt that each will be obtained in timely fashion.

**Energy efficiency – does the project involve energy efficiency measures? Describe calculated energy benefits.**

The potential for energy savings comes in the form of reduced fuel consumption. The vision is to have a fully connected trail network that would greatly reduce the number of trips currently made by motor vehicles. The full effect of this vision will not be realized until a connected trail network exists and people are provided with a safe option to choose to walk or bicycle instead of driving a motor vehicle.

**Operational sustainability – once complete will the project be able to sustain itself? Is there a commitment to provide ongoing operating funds for the life of the project?**

The Township is committed to keep the segment of the trail within its boundaries open to free public use as a recreational and commuter trail, permitting bicycling, walking, jogging, and roller-skating, as well as other appropriate recreational activities. The Township shall assume certain responsibilities for maintaining and repairing the trail.



**Multimodal nature of the project – Incorporate more than one mode of transportation? Describe:**

Multi-purpose trails are inherently multimodal. All forms of non-motorized transportation are accommodated by these facilities including bicyclists, pedestrians, runners, and any other form that can be safely included.

**Environmental impact: Describe any potential impact on environmental features or public controversy on environmental grounds. Does the project require environmental clearance? Have they been obtained?**

There is minimal environmental impact by this project. Part of the trail will cross over the Little Neshaminy Creek and all appropriate measures will be taken to design a project that has minimal environmental impact while enhancing the beauty and aesthetics of the project area. In doing so, it will provide access for people to enjoy and recreate in a beautiful scenic environment.

**ROW – describe any needed temporary or permanent easements –**

Discussions have occurred with the one parcel that would need an easement and the landowner is supportive of the project.



**TRAFFIC PLANNING AND DESIGN  
ENGINEER'S OPINION OF PROBABLE COST**

**PROJECT:** **Power Line Connector Trail - Phase 1**  
**MUNICIPALITY:** Montgomery Township/Montgomery County, PA  
**TPD JOB #:** MOTO 000082

**DESCRIPTION OF WORK:** Construct a 10 foot multi-use trail from the Route  
 202 Trail to the Montgomery Township Community  
 Center

**ESTIMATE DATE:** **11/23/2015**  
**PREPARED BY:** LH  
**CHECKED BY:** JP

**DISCLAIMER:** TPD IS FURNISHING THIS COST ESTIMATE AS REQUESTED BY THE CLIENT. PLEASE NOTE THAT ESTIMATED COSTS ARE SUBJECT TO CHANGE BASED ON FIELD CONDITIONS, LOCAL OR REGIONAL DIFFERENCES, CHANGES TO THE PLANS, AND/ OR CHANGES IN UNIT COSTS. COST ESTIMATES ARE PROVIDED FOR USE IN BUDGETING, BUT IN NO WAY SHOULD THIS ESTIMATE BE CONSTRUED AS A FINAL COST FOR THE PROJECT. FINAL COSTS ARE CONTINGENT ON ACTUAL BIDS FROM CONTRACTORS. TPD WILL NOT BE HELD RESPONSIBLE FOR DIFFERENCES BETWEEN THIS COST ESTIMATE AND BID COSTS.

DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	COST
<b>GRADING AND PREPARATION</b>				
CLEARING AND GRUBBING	AC	1.0	\$9,000.00	\$9,000
CLASS 1 EXCAVATION	CY	1,800	\$20.00	\$36,000
<b>SUBTOTAL GRADING AND PREPARATION</b>				<b>\$45,000</b>
<b>PAVEMENT ITEMS</b>				
SUPERPAVE BINDER COURSE, 2.5" DEPTH	SY	4,200	\$14.00	\$58,800
SUBBASE 6" DEPTH (NO. 2A)	SY	4,200	\$11.50	\$48,300
BITUMINOUS TACK COAT	SY	4,200	\$0.40	\$1,680
<b>SUBTOTAL PAVEMENT ITEMS</b>				<b>\$108,780</b>
<b>CURBING ITEMS</b>				
ADA COMPLIANT CURB RAMPS	EA	6	\$4,500.00	\$27,000
<b>SUBTOTAL CURBING ITEMS</b>				<b>\$27,000</b>



<b><i>DRAINAGE ITEMS</i></b>				
DRAINAGE IMPROVEMENTS/SWM	LS	1	\$30,000.00	\$30,000
<b>SUBTOTAL DRAINAGE ITEMS</b>				<b>\$30,000</b>
<b><i>SIGNS AND LANE MARKINGS</i></b>				
WAYFINDING SIGNAGE	EA	5	\$150.00	\$750
PEDESTRIAN SCALE STOP SIGN	EA	6	\$150.00	\$900
GENERAL LINE STRIPING	LF	3,500	\$3.00	\$10,500
PAINTED CROSSWALK	LF	250	\$100.00	\$25,000
<b>SUBTOTAL SIGNS AND LANE MARKINGS</b>				<b>\$37,150</b>
<b><i>LANDSCAPING ITEMS</i></b>				
MULCHING	SY	5,600	\$0.20	\$1,120
GENERAL LANDSCAPING	LS	1	\$25,000.00	\$25,000
STRUCTURAL SOIL	CY	0	\$75.00	\$0
<b>SUBTOTAL LANDSCAPING ITEMS</b>				<b>\$26,120</b>
<b><i>STREETSCAPE ITEMS</i></b>				
SPLIT RAIL FENCING	LF	250	\$75	\$18,750
6' HIGH PRIVACY FENCING	LF	500	\$120	\$60,000
80' PEDESTRIAN BRIDGE (12' WIDTH)	LF	1	\$215,000	\$215,000
<b>SUBTOTAL MISCELLANEOUS ITEMS</b>				<b>\$293,750</b>
<b>SUBTOTAL PAY ITEMS</b>				<b>\$567,800</b>

OTHER ITEMS				
MOBILIZATION (4%)	LS	1	\$22,712	\$22,712
MAINTENANCE AND PROTECTION OF TRAFFIC (3%)	LS	1	\$17,034	\$17,034
CONSTRUCTION SURVEY & STAKEOUT (4%)	LS	1	\$22,712	\$22,712
EROSION AND SEDIMENTATION CONTROL (4%)	LS	1	\$22,712	\$22,712
SUBTOTAL OTHER ITEMS				\$85,170
TOTAL: PAY ITEMS + OTHER ITEMS				\$652,970
CONTINGENCY (5%)				\$32,649
TOTAL ESTIMATE FOR CONSTRUCTION*				\$685,619
CONSTRUCTION INSPECTION      Estimated at 10% of Estimate for Construction	LS	1	\$68,562	\$68,561.85
TOTAL FOR CONSTRUCTION INCLUDING INSPECTION				\$754,180

**SURVEY AND ENGINEERING**

SURVEY	Estimated at 3% of Estimate for Roadway Items	LS	1	\$17,034	\$17,034
ENVIRONMENTAL	Estimated at 2% of Estimate for Construction	LS	1	\$13,712	\$13,712
PRELIM ENGINEERING	Estimated at 7.5% of Estimate for Construction	LS	1	\$51,421	\$51,421
FINAL ENGINEERING	Estimated at 7.5% of Estimate for Construction	LS	1	\$51,421	\$51,421
CONSTR MANAGEMENT	Estimated at 5% of Estimate for Construction	LS	1	\$34,281	\$34,281
<b>TOTAL FOR SURVEY AND ENGINEERING</b>			0		<b>\$167,870</b>
<b>EST. PROJECT COST, INCLUDING ENGINEERING AND INSPECTION</b>					<b>\$922,050</b>



December 14, 2015

Mr. David J. Bratina  
PennDOT Office Multimodal Transportation  
Commonwealth Keystone Building  
400 North Street, 8<sup>th</sup> Floor  
Harrisburg, PA 17120-3457

Reference: Funding Commitment Letter  
PennDOT Multimodal Transportation Grant  
Powerline Trail Connection, Phase 1  
Montgomery Township, PA

Dear Mr. Bratina:

On behalf of the Board of Supervisors, Montgomery Township is pleased to be submitting a PennDOT Multimodal Grant Program to fund the construction of a 3, 800 foot long 10 foot wide multi-use trail to connect the 202 Parkway Trail and the Township's newly constructed Community and Recreation Center. This will be the first phase of the project that will eventually connect to the PECO Powerline Trail.

The Township is committed to this project financially. If awarded this grant funding from PennDOT, the Township would be able to fulfill the local 30 percent match obligation.

Sincerely:

Michael J. Fox  
Board of Supervisors Chairman  
Montgomery Township

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

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SUBJECT: Consider Construction Escrow Release #1 - LDS#676 – Sprint Store

MEETING DATE: December 14, 2015

ITEM NUMBER: **#20**

MEETING/AGENDA: WORK SESSION ACTION ☒ NONE

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

INITIATED BY: Bruce Shoupe  
Director of Planning and Zoning

BOARD LIAISON: Michael J. Fox  
Chairman

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BACKGROUND:

Attached is a construction escrow release requested by Kin Properties for the Sprint Store at 770 Bethlehem pike, as recommended by the Township Engineer. The original amount of the escrow was \$133,680.80, held as a Cash Escrow. This is the first escrow release for this project. The current release is in the amount of \$115,203.56. The new balance would be \$18,477.24.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None

PREVIOUS BOARD ACTION:

None

ALTERNATIVES/OPTIONS:

Approve or not approve the construction escrow release.

BUDGET IMPACT:

None.

RECOMMENDATION:

That this construction escrow be released.

MOTION/RESOLUTION:

The Board of Supervisors hereby authorize a construction escrow release in the amount of \$115,203.56, as recommended by the Township Engineer for the Sprint Store.

MOTION \_\_\_\_\_

SECOND \_\_\_\_\_

ROLL CALL:

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

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

**RELEASE OF ESCROW FORM**

Russell S. Dunlevy, P.E.  
Executive Vice President  
Gilmore & Associates, Inc.  
65 East Butler Avenue, Suite 100  
New Britain, PA 18901  
215-345-4330

Date: 11/18/2015

Development: Sprint Store - 770 Bethlehem Pike - LD/S #676  
Release #: 1

G&A Project #: 2014-03038

Dear Mr. Dunlevy:

This is an escrow release request in the amount of \$115,203.56. Enclosed is a copy of our escrow spreadsheet with the quantities noted.


**ESCROW RELEASE REQUESTS ARE LIMITED TO ONE PER MONTH.**

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

Date: 12/01/2015

Dear Mr. Gegan:

We have reviewed the developer's request for an escrow release. We therefore, recommend that \$115,203.56 be released. These improvements will be subject to a final observation prior to dedication and again at the end of the maintenance period. Any deficiencies will be required to be corrected by the developer.

 For RS  
\_\_\_\_\_  
Russell S. Dunlevy, P.E., Executive VP, Gilmore & Associates, Inc.

Resolution # \_\_\_\_\_

WHEREAS, a request for release of escrow was received from Kin Properties  
for Sprint Store - 770 Bethlehem Pike - LD/S #676, in the amount of \$115,203.56, on the  
representation that work set forth in the Land Development Agreement to the extent has been completed and;  
WHEREAS, said request has been reviewed by the Township Engineer who recommends release of \$115,203.56;  
NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we do hereby authorize  
release of \$115,203.56; in accordance with the developer's request, and the officers of the Township are  
authorized to take the necessary action to obtain release of said sum.  
BE IT FURTHER RESOLVED that Township records indicate that escrow has been deposited via Cash  
with Montgomery Township in total sum of \$133,680.80 pursuant to a signed Land Development  
Agreement and that \$0.00 has previously been released from escrow. Therefore, the action of the Board  
releasing said sum leaves a new balance of \$18,477.24 in escrow.

MOTION BY \_\_\_\_\_

VOTE: \_\_\_\_\_

SECOND BY: \_\_\_\_\_

DATED: \_\_\_\_\_

RELEASED BY: \_\_\_\_\_

Department Director



**GILMORE & ASSOCIATES, INC.**  
ENGINEERING & CONSULTING SERVICES

December 1, 2015

File No. 2014-03038

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

Reference: Financial Security Release 1  
Sprint Store 770 Bethlehem Pike – LD/S #676

Dear Larry:

We have received and reviewed the Request for Escrow Release for the above-referenced project. This letter is to certify that the improvements attached to this letter in the amount of \$115,203.56 have been completed. We recommend release of the improvement security in an amount of \$115,203.56. Please find enclosed a copy of our escrow calculations and the application for release of funds for your use.

Please be advised that these improvements will be subject to a final inspection prior to dedication and again at the end of the maintenance period. Any deficiencies will be required to be corrected by the developer. Should you have any further questions or require any additional information, please do not hesitate to contact our office.

Sincerely,

James P. Dougherty, P.E.  
Gilmore & Associates, Inc.  
Township Engineers

JPD/

Enclosures: As Referenced

cc: Bruce S. Shoupe, Director of Planning and Zoning  
Marita A. Stoerrle, Development Coordinator - Montgomery Township  
Kevin Johnson, P.E. - Traffic Planning & Design, Inc.  
Judith Stern Goldstein, ASLA, R.L.A. - Boucher & James, Inc.  
Robert C. Brand – KIN Properties



# ESCROW STATUS REPORT

## SUMMARY OF ESCROW ACCOUNT

RELEASE NO.: 1  
RELEASE DATE: 1-Dec-2015

PROJECT NAME:	Sprint Store - 770 Bethlehem Pike	TOTAL CONSTRUCTION:	\$121,528.00	ORIGINAL CONSTRUCTION AMOUNT:	\$133,680.80
PROJECT NO.:	2014-03038	TOTAL CONSTRUCTION CONTINGENCY (10%):	\$ 12,152.80	AMOUNT OF THIS RELEASE:	\$ 115,203.56
TOWNSHIP NO.:	LD/S #676	TOTAL CONSTRUCTION ESCROW POSTED:	\$133,680.80	PRIOR CONSTRUCTION RELEASED:	\$ -
PROJECT OWNER:	Kin Properties			TOTAL CONSTRUCTION RELEASED TO DATE:	\$ 115,203.56
MUNICIPALITY:	Montgomery Township	TOTAL ENG/INSP/LEGAL (CASH ACCOUNT):	\$ 12,000.00	BALANCE AFTER CURRENT RELEASE:	\$ 18,477.24
ESCROW AGENT:		TOTAL ADMINISTRATION (CASH ACCOUNT):	\$ 2,500.00		
TYPE OF SECURITY:	Cash				
AGREEMENT DATE:		MAINTENANCE BOND AMOUNT (15%):	\$ 18,229.20		

ESCROW TABULATION					CURRENT RELEASE		RELEASED TO DATE		AVAILABLE FOR RELEASE		RELEASE REQ # 1
CONSTRUCTION ITEMS					QUANTITY	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT	QUANTITY
<b>A. EROSION &amp; SEDIMENTATION CONTROL</b>											
1. Construction Entrance	LS	1	\$ 500.00	\$ 500.00	1.00	\$ 500.00	1.00	\$ 500.00	\$ -		
2. Silt Fence	LF	375	\$ 2.50	\$ 937.50	375.00	\$ 937.50	375.00	\$ 937.50	\$ -		
3. Tree Protection	LF	250	\$ 5.00	\$ 1,250.00	250.00	\$ 1,250.00	250.00	\$ 1,250.00	\$ -		
4. Curlex Blanket	SY	300	\$ 2.00	\$ 600.00	300.00	\$ 600.00	300.00	\$ 600.00	\$ -		
<b>B. DEMOLITION</b>											
1. Tree Removal	EA	4	\$ 500.00	\$ 2,000.00	4.00	\$ 2,000.00	4.00	\$ 2,000.00	\$ -		
2. Asphalt Paving Removal	SF	5,300	\$ 2.50	\$ 13,250.00	5300.00	\$ 13,250.00	5300.00	\$ 13,250.00	\$ -		
3. Asphalt 1.5in Milling	SF	5,875	\$ 2.00	\$ 11,750.00	5875.00	\$ 11,750.00	5875.00	\$ 11,750.00	\$ -		
4. Concrete Sidewalk	SF	380	\$ 2.00	\$ 760.00	380.00	\$ 760.00	380.00	\$ 760.00	\$ -		
<b>C. NEW IMPROVEMENT</b>											
1. Asphalt Paving (6in 2A, 1.5in 25mm, 1.5in 9.5mm)	SF	5,250	\$ 5.00	\$ 26,250.00	5250.00	\$ 26,250.00	5250.00	\$ 26,250.00	\$ -		
2. Asphalt Overlay (1.5in 9.5mm)	SF	5,875	\$ 2.00	\$ 11,750.00	5875.00	\$ 11,750.00	5875.00	\$ 11,750.00	\$ -		
3. Concrete Curbing	LF	435	\$ 20.00	\$ 8,700.00	435.00	\$ 8,700.00	435.00	\$ 8,700.00	\$ -		
4. Concrete Sidewalk (4in 3/4 stone, 4in concrete)	SF	990	\$ 7.00	\$ 6,930.00	990.00	\$ 6,930.00	990.00	\$ 6,930.00	\$ -		
5. Line Painting	LS	1	\$ 1,200.00	\$ 1,200.00	1.00	\$ 1,200.00	1.00	\$ 1,200.00	\$ -		
6. Site Lighting (foundation, pole, fixture, conduit, wiring)	EA	4	\$ 1,800.00	\$ 7,200.00	4.00	\$ 7,200.00	4.00	\$ 7,200.00	\$ -		
7. Signs	EA	7	\$ 250.00	\$ 1,750.00	7.00	\$ 1,750.00	7.00	\$ 1,750.00	\$ -		
8. Wheelstops	EA	4	\$ 250.00	\$ 1,000.00	4.00	\$ 1,000.00	4.00	\$ 1,000.00	\$ -		
9. Curb Ramps	EA	3	\$ 500.00	\$ 1,500.00	3.00	\$ 1,500.00	3.00	\$ 1,500.00	\$ -		
10. Swale (grading)	LS	1	\$ 500.00	\$ 500.00	1.00	\$ 500.00	1.00	\$ 500.00	\$ -		
<b>D. LANDSCAPING</b>											
1. Shade Tree - Legacy Sugar Maple	EA	1	\$ 450.76	\$ 450.76	1.00	\$ 450.76	1.00	\$ 450.76	\$ -		
2. Shade Tree - Skyline Thornless Honeylocust	EA	4	\$ 450.77	\$ 1,803.08		\$ -		\$ -	4	\$ 1,803.08	
3. Shade Tree - Sweetgum	EA	8	\$ 450.77	\$ 3,606.16		\$ -		\$ -	8	\$ 3,606.16	
4. Ornamental Tree - Sweetbay Magnolia	EA	6	\$ 400.00	\$ 2,400.00	5.00	\$ 2,000.00	5.00	\$ 2,000.00	1	\$ 400.00	
5. Shrub - Green Gem Boxwood	EA	23	\$ 64.40	\$ 1,481.20	23.00	\$ 1,481.20	23.00	\$ 1,481.20	\$ -		
6. Shrub - Winter Flame Bloodtwig Dogwood	EA	10	\$ 64.40	\$ 644.00	10.00	\$ 644.00	10.00	\$ 644.00	\$ -		





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ESCROW AGENT:		TOTAL ADMINISTRATION (CASH ACCOUNT):	\$ 2,500.00		
TYPE OF SECURITY:	Cash	MAINTENANCE BOND AMOUNT (15%):	\$ 18,229.20		
AGREEMENT DATE:					

ESCROW TABULATION					CURRENT RELEASE		RELEASED TO DATE		AVAILABLE FOR RELEASE		RELEASE REQ # 1	
CONSTRUCTION ITEMS		UNITS	QUANTITY	UNIT PRICE	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY
7.	Shrub - Dwarf Deutzia	EA	7	\$ 64.40	\$ 450.80	7.00	\$ 450.80	7.00	\$ 450.80	\$	-	
8.	Shrub - Dense Inkberry	EA	61	\$ 64.40	\$ 3,928.40	59.00	\$ 3,799.60	59.00	\$ 3,799.60	2	\$ 128.80	
9.	Shrub - Southern Gentleman Winterberry	EA	1	\$ 64.80	\$ 64.80	1.00	\$ 64.80	1.00	\$ 64.80	\$	-	
10.	Shrub - Winter Red Winterberry	EA	11	\$ 64.40	\$ 708.40	11.00	\$ 708.40	11.00	\$ 708.40	\$	-	
11.	Shrub - Neon Flash Spiraea	EA	21	\$ 64.40	\$ 1,352.40	21.00	\$ 1,352.40	21.00	\$ 1,352.40	\$	-	
12.	Shrub -Chicago Luster Arrowwood Viburnum	EA	6	\$ 64.40	\$ 386.40		\$ -		\$ -	6	\$ 386.40	
13.	Shrub -Judd Viburnum	EA	14	\$ 64.40	\$ 901.60	14.00	\$ 901.60	14.00	\$ 901.60	\$	-	
14.	Groundcovers - Variegated Liriope	EA	155	\$ 13.50	\$ 2,092.50	155.00	\$ 2,092.50	155.00	\$ 2,092.50	\$	-	
15.	Grading & Seeding	LS	1	\$ 1,000.00	\$ 1,000.00	1.00	\$ 1,000.00	1.00	\$ 1,000.00	\$	-	
16.	Bedding Mix	CY	25	\$ 70.00	\$ 1,750.00	25.00	\$ 1,750.00	25.00	\$ 1,750.00	\$	-	
17.	Mulch	CY	17	\$ 40.00	\$ 680.00	17.00	\$ 680.00	17.00	\$ 680.00	\$	-	
E. CONTINGENCY												
1.	10% Contingency	LS	1		\$ 12,152.80		\$ -		\$ -	1	\$ 12,152.80	
(Released upon certification of completion and receipt of Maintenance Bond)												

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT:       Announcement of Re-Organization Meeting Date and Consideration of Authorization to  
                  Advertise for Re-Organization meeting on January 4, 2016

MEETING DATE:       December 14, 2015

ITEM NUMBER:       #21

MEETING/AGENDA: WORK SESSION

ACTION   XX       NONE

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

INITIATED BY:   Lawrence J. Gegan  
                  Township Manager

BOARD LIAISON: Michael J. Fox, Chairman

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BACKGROUND:

The Second Class Township Code requires municipalities to reorganize on the first Monday of the year. January 4, 2016 is the date for the Montgomery Township reorganization meeting. The Township is required to advertise this meeting.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:   None

PREVIOUS BOARD ACTION:   None

ALTERNATIVES/OPTIONS:  
None.

BUDGET IMPACT:  
None.

RECOMMENDATION:

Authorize the Township Manager to advertise the reorganization meeting for Montgomery Township on Monday, January 4, 2016.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby authorize the advertisement of the reorganization meeting of the Township for Monday, January 4, 2016 at 8:00 p.m. at the Township building.

MOTION: \_\_\_\_\_       SECOND: \_\_\_\_\_

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Candace Fluehr Chimera	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

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

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Payment of Bills for December 14, 2015

MEETING DATE: December 14, 2015 ITEM NUMBER: # 22

MEETING/AGENDA: WORK SESSION ACTION XX NONE

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

INITIATED BY: Lawrence J. Gregan Township Manager  
 BOARD LIAISON: Michael J. Fox, Chairman  
of the Board of Supervisors

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BACKGROUND:

Please find attached a list of the December 14, 2015 bills for your review.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Approval all bills as presented.

MOTION/RESOLUTION:

None.

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

Check Date	Bank	Check	Vendor	Vendor Name	Amount
Bank 01 UNIVEST CHECKING					
12/01/2015	01	62740	03214599	FRANK M. RICH III &	159.00
12/03/2015	01	62741	00000091	TARHEEL CANINE TRAINING, INC.	3,500.00
12/04/2015	01	62742	00000958	WILLIAM KEUCHER	770.00
12/04/2015	01	62743	00000496	21ST CENTURY MEDIA NEWSPAPERS LLC	1,400.55
12/04/2015	01	62744	00000842	911 SAFETY EQUIPMENT	246.00
12/04/2015	01	62745	00000006	ACME UNIFORMS FOR INDUSTRY	259.26
12/04/2015	01	62746	MISC	AIRGAS USA LLC	3,950.64
12/04/2015	01	62747	00000075	ALDERFER GLASS COMPANY, INC.	795.00
12/04/2015	01	62748	MISC-FIRE	ALEXANDER J DEANGELIS	60.00
12/04/2015	01	62749	03214596	ALICIA SASSO	75.00
12/04/2015	01	62750	00000027	ARMOUR & SONS ELECTRIC, INC.	1,651.80
12/04/2015	01	62751	00000030	ASSOCIATED TRUCK PARTS	58.73
12/04/2015	01	62752	00000999	BCG-BENEFIT CONSULTANTS GROUP	1,415.56
12/04/2015	01	62753	00000466	BILL MITCHELL'S AUTO SERVICE, INC.	290.00
12/04/2015	01	62754	MISC-FIRE	BILL WIEGMAN	120.00
12/04/2015	01	62755	MISC-FIRE	BRANDON UZDZIENSKI	30.00
12/04/2015	01	62756	00905000	BS&A SOFTWARE	63,430.00
12/04/2015	01	62757	MISC-FIRE	CARL HERR	15.00
12/04/2015	01	62758	MISC-FIRE	CHRIS MAGEE	30.00
12/04/2015	01	62759	03214597	CHRISTINE RIDDELL	75.00
12/04/2015	01	62760	00000554	DARREN GARRETT	100.00
12/04/2015	01	62761	MISC-FIRE	DAVID P BENNETT	30.00
12/04/2015	01	62762	00000629	DAVIDHEISER'S INC.	273.00
12/04/2015	01	62763	00001172	DETLAN EQUIPMENT, INC.	1,095.95
12/04/2015	01	62764	00001837	ESI EQUIPMENT, INC.	7,051.95
12/04/2015	01	62765	00000171	FAST SIGNS	2,733.82
12/04/2015	01	62766	00001034	FASTENAL	395.78
12/04/2015	01	62767	00001669	FIRST HOSPITAL LABORATORIES, INC.	37.50
12/04/2015	01	62768	00001852	G.L. SAYRE, INC.	612.55
12/04/2015	01	62769	00001498	GFOA - PA	75.00
12/04/2015	01	62770	MISC-FIRE	GLEN ROETMAN	30.00
12/04/2015	01	62771	00001323	GLICK FIRE EQUIPMENT COMPANY INC	10,428.44
12/04/2015	01	62772	00000060	GRAF ENGINEERING, LLC	2,757.50
12/04/2015	01	62773	00000229	GRAINGER	81.41
12/04/2015	01	62774	00000418	GREG REIFF	100.00
12/04/2015	01	62775	00000206	GT RADIATOR REPAIRS, INC.	174.00
12/04/2015	01	62776	00000223	GUIDEMARK, INC.	2,175.00
12/04/2015	01	62777	03214598	GUIDI HOMES, INC	1,200.00
12/04/2015	01	62778	00000609	HLADIK, ONORATO & PEARLSTINE, LLP	0.00 V
12/04/2015	01	62779	00000903	HOME DEPOT CREDIT SERVICES	1,572.78
12/04/2015	01	62780	00000903	VOID	0.00 V
12/04/2015	01	62781	00001272	J & M TIRE & AUTO TRANSPORT INC.	1,281.40
12/04/2015	01	62782	MISC	James & Tiara Falcone	1,200.00
12/04/2015	01	62783	00000735	JD BRAVO COMPANY	1,808.00
12/04/2015	01	62784	MISC-FIRE	JOE BIFOLCO	135.00
12/04/2015	01	62785	MISC-FIRE	JOHN H. MOGENSEN	60.00
12/04/2015	01	62786	MISC-FIRE	JOSEPH J. SIMES	120.00
12/04/2015	01	62787	00000264	KENCO HYDRAULICS, INC.	217.80
12/04/2015	01	62788	03214593	KISSELL FIRE PROTECTION ENGINEERING	100.00
12/04/2015	01	62789	00000271	LANSDALE CHRYSLER PLYMOUTH INC.	246.52
12/04/2015	01	62790	03214594	LAURA BOLESTA	46.00
12/04/2015	01	62791	00000738	LENNI ELECTRIC CORP	28,087.74
12/04/2015	01	62792	00002021	MARRIOTT'S EMERGENCY EQUIPMENT	662.00
12/04/2015	01	62793	MISC-FIRE	MARY NEWELL	30.00
12/04/2015	01	62794	MISC-FIRE	MATT SHINTON	30.00
12/04/2015	01	62795	MISC-FIRE	MATTHEW VITUCCI	15.00
12/04/2015	01	62796	MISC-FIRE	MICHAEL D. SHINTON	80.00
12/04/2015	01	62797	00000912	MICHENER'S GRASS ROOTS, INC.	438.00
12/04/2015	01	62798	MISC-FIRE	MIKE BEAN	15.00
12/04/2015	01	62799	03214595	NANCY MCELWEE	192.00
12/04/2015	01	62800	00001134	OFFICE DEPOT, INC	540.79
12/04/2015	01	62801	00001676	PA DEPT OF AGRICULTURE	25.00
12/04/2015	01	62802	MISC-FIRE	PAUL R. MOGENSEN	90.00
12/04/2015	01	62803	MISC-FIRE	PAUL SMITH	20.00
12/04/2015	01	62804	00000595	PENN VALLEY CHEMICAL COMPANY	78.45
12/04/2015	01	62805	00000447	PETTY CASH - POLICE	227.60
12/04/2015	01	62806	MISC-FIRE	PHIL STUMP	45.00
12/04/2015	01	62807	00000446	PHISCON ENTERPRISES, INC.	400.00
12/04/2015	01	62808	00000345	PRINTWORKS & COMPANY, INC.	289.41
12/04/2015	01	62809	MISC-FIRE	RACHEL TROUTMAN	85.00
12/04/2015	01	62810	00002033	REPUBLIC SERVICES NO. 320	1,179.34
12/04/2015	01	62811	00000117	RIGGINS INC	529.28
12/04/2015	01	62812	00000115	RIGGINS, INC	1,523.00
12/04/2015	01	62813	00001972	ROBERT L. BRANT	7,638.87
12/04/2015	01	62814	MISC-FIRE	ROBERT MCMONAGLE	30.00
12/04/2015	01	62815	MISC-FIRE	RYAN CROUTHAMEL	45.00
12/04/2015	01	62816	00000452	S&S WORLDWIDE	47.52
12/04/2015	01	62817	00000653	SCATTON'S HEATING & COOLING, INC.	990.78



Check Date	Bank	Check	Vendor	Vendor Name	Amount
12/04/2015	01	62818	00905087	SCOOGIE EVENTS LLC	500.00
12/04/2015	01	62819	00000468	SIRCHIE FINGER PRINT	409.51
12/04/2015	01	62820	00000467	SNAP-ON INDUSTRIAL	185.80
12/04/2015	01	62821	00001847	STAPLES CONTRACT & COMMERCIAL, INC.	1,318.10
12/04/2015	01	62822	MISC-FIRE	STEVE SPLENDIDO	15.00
12/04/2015	01	62823	00002020	THOMSON REUTERS	110.25
12/04/2015	01	62824	00001273	TIM KUREK	392.25
12/04/2015	01	62825	00002031	TRI-COUNTY ELECTRICAL SUPPLY	248.00
12/04/2015	01	62826	00000077	TRISTATE ENVIRONMENTAL	0.00 V
12/04/2015	01	62827	00000327	U.S. MUNICIPAL SUPPLY INC.	720.00
12/04/2015	01	62828	00002062	UNITED ELECTRIC SUPPLY CO., INC.	159.78
12/04/2015	01	62829	00000520	VALLEY POWER, INC.	1,217.10
12/04/2015	01	62830	MISC-FIRE	VINAY SETTY	105.00
12/04/2015	01	62831	MISC-FIRE	VINCE ZIRPOLI	120.00
12/04/2015	01	62832	00001329	WELDON AUTO PARTS	59.84
12/04/2015	01	62833	00000590	YOCUM FORD	3,095.82
12/04/2015	01	62834	00000550	ZEP MANUFACTURING COMPANY	426.98
12/11/2015	01	62835	00000496	21ST CENTURY MEDIA NEWSPAPERS LLC	899.00
12/11/2015	01	62836	00000006	ACME UNIFORMS FOR INDUSTRY	28.16
12/11/2015	01	62837	00000043	BERGEY'S	219.72
12/11/2015	01	62838	00000209	BOUCHER & JAMES, INC.	14,232.76
12/11/2015	01	62839	00000071	CANON SOLUTIONS AMERICA, INC.	1,857.60
12/11/2015	01	62840	03214585	CAPITAL CONTRACTORS, INC.	3,927.00
12/11/2015	01	62841	00001601	CDW GOVERNMENT, INC.	414.27
12/11/2015	01	62842	MISC-REC	CHERI SOLOMETO	75.00
12/11/2015	01	62843	00000086	DAVID D. DUNLAP	252.54
12/11/2015	01	62844	00000118	DEL-VAL INTERNATIONAL TRUCKS, INC.	28.73
12/11/2015	01	62845	00001172	DETLAN EQUIPMENT, INC.	390.11
12/11/2015	01	62846	MISC-REC	DINA GUERTIN	42.00
12/11/2015	01	62847	00000125	DISCHELL, BARTLE DOOLEY	17,170.86
12/11/2015	01	62848	00000125	VOID	0.00 V
12/11/2015	01	62849	00002086	DOYLESTOWN ANIMAL MEDICAL CLINIC	737.58
12/11/2015	01	62850	00001332	EAGLE POWER & EQUIPMENT CORP	410.94
12/11/2015	01	62851	00000161	EUREKA STONE QUARRY, INC.	367.88
12/11/2015	01	62852	00000423	FAMILY DINING, INC.	103.34
12/11/2015	01	62853	00000171	FAST SIGNS	985.00
12/11/2015	01	62854	00000606	FIRE CHIEF'S AID ASSOC OF MONTG CO	2,184.00
12/11/2015	01	62855	00001669	FIRST HOSPITAL LABORATORIES, INC.	466.05
12/11/2015	01	62856	00000174	FISHER & SON COMPANY, INC.	958.00
12/11/2015	01	62857	00000428	FRANK MANAGEMENT, LLC	333.00
12/11/2015	01	62858	00000611	FUN EXPRESS LLC	44.00
12/11/2015	01	62859	00000193	GEORGE ALLEN PORTABLE TOILETS, INC.	552.00
12/11/2015	01	62860	00000817	GILMORE & ASSOCIATES, INC.	32,170.92
12/11/2015	01	62861	00000817	VOID	0.00 V
12/11/2015	01	62862	00001323	GLICK FIRE EQUIPMENT COMPANY INC	19,156.49
12/11/2015	01	62863	00001323	GLICK FIRE EQUIPMENT COMPANY INC	445.03
12/11/2015	01	62864	00001784	GOOGLE INC.	94.00
12/11/2015	01	62865	00000229	GRAINGER	115.00
12/11/2015	01	62866	00000609	HLADIK, ONORATO & PEARLSTINE, LLP	1,391.72
12/11/2015	01	62867	00000829	IMSA - INTERNATIONAL MUNICIPAL	85.00
12/11/2015	01	62868	00001345	INTERNATIONAL ASSOCIATION OF	100.00
12/11/2015	01	62869	00000102	INTERSTATE BATTERY SYSTEMS OF	293.85
12/11/2015	01	62870	00000531	INTERSTATE GRAPHICS	635.00
12/11/2015	01	62871	00000735	JD BRAVO COMPANY	1,918.00
12/11/2015	01	62872	03214601	JOHN J. MC CREESH, III, ESQ.	593.69
12/11/2015	01	62873	00000740	K.J. DOOR SERVICES INC.	112.00
12/11/2015	01	62874	00000261	KERSHAW & FRITZ TIRE SERVICE, INC.	1,867.92
12/11/2015	01	62875	03214591	KIMBALL MIDWEST	311.22
12/11/2015	01	62876	00000932	KIMMEL BOGRETTE	1,917.00
12/11/2015	01	62877	00000201	LAWRENCE J. MURPHY	3,964.61
12/11/2015	01	62878	00001706	LOWE'S COMPANIES INC.	3.66
12/11/2015	01	62879	00000421	LYNN CARD COMPANY	135.95
12/11/2015	01	62880	03214600	MARK E. KOZAR, ESQ.	1,429.45
12/11/2015	01	62881	00000689	MARY KAY KELM, ESQUIRE	1,125.00
12/11/2015	01	62882	MISC-REC	MARY REGAN	42.00
12/11/2015	01	62883	00000312	MOBILE LIFTS, INC.	1,050.75
12/11/2015	01	62884	00000326	MONTGOMERY COUNTY	47.52
12/11/2015	01	62885	00001838	MONTGOMERY COUNTY LAW	200.00
12/11/2015	01	62886	00001225	MONTGOMERY TOWNSHIP MUNICIPAL	470.98
12/11/2015	01	62887	00000417	NANCY J. LARKIN	1,063.44
12/11/2015	01	62888	00001849	NORTH PENN LIFE	47.95
12/11/2015	01	62889	MISC-REC	OLIVE LEIGHTON	84.00
12/11/2015	01	62890	00905320	PATRIOT GROUNDS & SITE SERVICES INC	35,198.70
12/11/2015	01	62891	00000397	PECO ENERGY	14,709.72
12/11/2015	01	62892	00000399	PECO ENERGY	9,346.19
12/11/2015	01	62893	00000595	PENN VALLEY CHEMICAL COMPANY	285.81
12/11/2015	01	62894	00000560	PENNSYLVANIA HORTICULTURAL	2,187.00
12/11/2015	01	62895	00002025	PET DINER, THE	310.45
12/11/2015	01	62896	00000009	PETTY CASH	208.80
12/11/2015	01	62897	00001171	PHILA OCCEALTH/DBA WORKNET OCC	211.60
12/11/2015	01	62898	00000446	PHISCON ENTERPRISES, INC.	200.00



12/11/2015 12:48 PM  
User: msanders  
DB: Montgomery Twp

CHECK REGISTER FOR MONTGOMERY TOWNSHIP  
CHECK DATE FROM 11/24/2015 - 12/14/2015

Page: 3/3

Check Date	Bank	Check	Vendor	Vendor Name	Amount
12/11/2015	01	62899	00000345	PRINTWORKS & COMPANY, INC.	237.00
12/11/2015	01	62900	00001689	PTM DOCUMENT SYSTEMS	251.43
12/11/2015	01	62901	00000228	REGAL CINEMEDIA CORP	858.00
12/11/2015	01	62902	00000429	RICHARD PETERSON	100.00
12/11/2015	01	62903	00000117	RIGGINS INC	1,599.69
12/11/2015	01	62904	00000115	RIGGINS, INC	2,202.78
12/11/2015	01	62905	MISC	ROCK SOLID INC	1,200.00
12/11/2015	01	62906	00000653	SCATTON'S HEATING & COOLING, INC.	233.12
12/11/2015	01	62907	00000467	SNAP-ON INDUSTRIAL	1,957.89
12/11/2015	01	62908	03214602	SOLAR CITY CORP	280.00
12/11/2015	01	62909	00001847	STAPLES CONTRACT & COMMERCIAL, INC.	637.75
12/11/2015	01	62910	00000252	SUNG K. KIM	546.75
12/11/2015	01	62911	00000724	TANNER FURNITURE	1,898.00
12/11/2015	01	62912	00001982	TEMPLE UNIVERSITY - CJTP	178.20
12/11/2015	01	62913	00000506	TRANS UNION LLC	40.00
12/11/2015	01	62914	00002031	TRI-COUNTY ELECTRICAL SUPPLY	330.10
12/11/2015	01	62915	00000077	TRISTATE ENVIRONMENTAL	809.27
12/11/2015	01	62916	00000699	TURF EQUIPMENT AND SUPPLY CO.	7,497.72
12/11/2015	01	62917	03214603	UPPER GWYNEDD TOWYSHIP	865.50
12/11/2015	01	62918	00000040	VERIZON	170.66
12/11/2015	01	62919	00000040	VERIZON	37.99
12/11/2015	01	62920	00000040	VERIZON	97.39
12/11/2015	01	62921	00000038	VERIZON WIRELESS SERVICES, LLC	1,390.90
12/11/2015	01	62922	00445566	WAYTEK INC.	154.25
12/11/2015	01	62923	00001329	WELDON AUTO PARTS	256.17
12/11/2015	01	62924	03214583	WESTON FITNESS	8,195.00
12/11/2015	01	62925	00001546	WILSON'S HARDWARE & LOCKSMITHS	19.50

01 TOTALS:

(5 Checks Voided)

Total of 181 Disbursements:

379,144.17

12/10/2015

Check List  
For Check Dates 11/24/2015 to 12/14/2015

Check

Date	Name	Amount
11/25/2015	STATE OF PA	State Tax Payment \$ 7,642.43
12/01/2015	ICMA RC	DROP Plan Payment \$ 17,827.41
12/01/2015	UNITED STATES TREASURY	945 Tax Payment \$ 4,680.00
12/03/2015	UNITED STATES TREASURY	941 Tax Payment \$ 140,836.14
12/03/2015	BCG 401	401 Payment \$ 16,944.49
12/03/2015	BCG 457	457 Payment \$ 16,116.67
12/03/2015	PBA	PBA Payment \$ 856.31
12/03/2015	PA SCDU	Withholding Payment \$ 2,717.28
12/09/2015	STATE OF PA	State Tax Payment \$ 14,895.88
Total Checks: 10		\$ 222,516.61