

**AGENDA**  
**MONTGOMERY TOWNSHIP**  
**BOARD OF SUPERVISORS**  
**DECEMBER 18, 2017**

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

Robert J. Birch  
Candyce Fluehr Chimera  
Michael J. Fox  
Jeffrey W. McDonnell  
Richard E. Miniscalco

Lawrence J. Gregan  
Township Manager

**ACTION MEETING – 8:00 PM**

1. Call to Order by Chairman
2. Pledge of Allegiance
3. Public Comment
4. Announcement of Executive Session
5. Consider Approval of Minutes of November 27, 2017 Meeting
6. Announce Employee Resignation
7. Consider Public Hearing - Conditional Use Application - C-66 - Higher Rocks Partners
8. Consider Preliminary/Final Land Development Plan – LDS 694 Higher Rocks Partners
9. Consider Approval of Montgomery Township Sewer Authority 2018 Budget
10. Consider Approval of Montgomery Township Municipal Sewer Authority 2017 Tapping Fee Agreements
11. Consider Adoption of Montgomery Township 2018 Final Budget
12. Consider Definition & Commitment of Fund Balances in Accordance with GASB Statement No. 54
13. Consider Approval of 2017 Budget Amendments
14. Consider Agreement with Constellation to Supply Electric Energy
15. Consider Approval of PA Unemployment Compensation Reimbursable Employer Election for Political Subdivisions
16. Consider Award of Bids for Tree Removal Project – Spring Valley Park
17. Consider Escrow Releases and End of Maintenance Periods:
  - a. LDS 630 Firefox Phase 1
  - b. LDS 639 Maple Drive/Crystal Road
  - c. LDS 656 End of Maintenance - Flynn/Deck Minor Subdivision
  - d. LDS 593 Indian Lake Farms
  - e. LDS 660 End of Maintenance Period – Wegmans
  - f. LDS 676 Construction Escrow Release – Sprint Store
18. Consider Authorization to Auction Surplus Assets
19. Consider Authorization to Execute 401(a) Pension Plan Amendment
20. Announcement of Re-Organization Meeting Date and Consideration of Authorization to advertise Re-Organization Meeting of January 2, 2018 at 7:00 p.m.

21. Consider Payment of Bills

22. Other Business

23. Adjournment

**Future Public Hearings/Meetings:**

12-20-2017 @ 5:00pm – Municipal Sewer Authority

12-20-2017 @ 7:30pm – Shade Tree Commission

12-21-2017 @ 7:30pm – Planning Commission

01-02-2018 @ 7:00pm – Board of Supervisors Reorganization

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Public Comment

MEETING DATE: December 18, 2017

ITEM NUMBER: #3

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

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

INITIATED BY: Lawrence J. Gregan  
Township Manager

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

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BACKGROUND:

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

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

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

None.

MOTION/RESOLUTION:

None.

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



MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Approval of Minutes for November 27, 2017

MEETING DATE: December 18, 2017                      ITEM NUMBER: #5

MEETING/AGENDA: WORK SESSION                      ACTION XX                      NONE

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

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



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BACKGROUND:

Please contact Deb Rivas on Monday, December 18, 2017 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 27, 2017**

At 7:00 p.m. Vice Chairman Robert J. Birch called to order an executive session. In attendance were Supervisors Michael J. Fox, Jeffrey W. McDonnell and Richard E. Miniscalco. Chairman Candyce Fluehr Chimera was absent. Also in attendance were Township Manager Lawrence Gregan and Township Solicitor Frank R. Bartle, Esquire.

Vice Chairman Robert J. Birch called the action meeting to order at 8:08 p.m. In attendance were Supervisors Michael J. Fox, Jeffrey W. McDonnell and Richard E. Miniscalco. Chairman Candyce Fluehr Chimera was absent. Also in attendance were Township Solicitor Frank R. Bartle, Esquire, Township Manager Lawrence Gregan, Police Chief J. Scott Bendig, Director of Administration and Human Resources Ann Shade, Assistant to the Township Manager Stacy Crandell, Director of Planning and Zoning Bruce Shoupe, Director of Public Works Kevin Costello, Director of Recreation and Community Center Floyd Shaffer, Director of Information Technology Richard Grier and Recording Secretary Deborah Rivas.

Following the Pledge of Allegiance, Vice Chairman Robert J. Birch called for public comment from the audience.

Under public comment, Megan Lewis of 100 Destiny Way stated that she and her family moved in to the Montgomery Knoll development over four and a half years ago in March of 2013 and wanted to inquire about and get an update on what the Township was doing with regard to having the David Cutler Group complete the site improvements in her development.

Township Solicitor Frank R. Bartle, Esquire reported that this situation is a matter of litigation or potential litigation and as such he is best able to respond with some information. Mr. Bartle reviewed what the Township has already done, such as give notice for the calling of the security about 60 days ago. That notice was given because the Township was required to do so in order to be able to take any action. As a guide, the Township would consider whether or

not it would pull the security at the time depending upon whether the Township felt that it could do the improvements quicker than the Cutler Group was getting them done. It is an issue that the Board continues to evaluate as time goes on. During the past 60 days, there has finally been a substantial amount of progress with respect to things that have happened. The Board feels that we are moving in the right direction and it has been in constant contact with representatives of the Cutler Group. Mr. Bartle stated that residents should be assured that this is a front burner issue for this Board of Supervisors. Mr. Bartle declined to address any additional details as this issue is a pending litigation matter.

Solicitor Frank R. Bartle, Esquire announced that the Board had met in an Executive Session at 7:00 p.m. prior to this meeting to discuss three current matters of litigation which are Zoning Hearing Board cases: Christopher Lear – 1079 Horsham Road, Shinn Family Practice – 1200 Welsh Road and Bharatiya Temple – 1612 County Line Road. The Board also discussed the Mirabella litigation matter which is in the Court of Common Pleas of Montgomery County, No. 2015-29477-0. The Board also discussed a potential matter of litigation which is the Cutler Group, as well as two personnel matters. Mr. Bartle stated that these matters are legitimate subjects of executive session pursuant to Pennsylvania's Sunshine Law.

Vice Chairman Robert J. Birch made a motion to approve the minutes of the November 13, 2017 Board of Supervisors meeting, and Supervisor Michael J. Fox seconded the motion. The minutes of the meeting were unanimously approved as submitted.

Public Works Director Kevin Costello introduced two new employees who recently joined the Public Works Department. Evan Stephens and William Medvic were recently hired as Laborers to fill two vacancies created by one resignation and one retirement. Evans Stephens joined the Township on October 23, 2017. Mr. Stephens served in the United States Navy as a 3<sup>rd</sup> Class Petty Officer, where he gained considerable mechanical experience as well as proficiency in hand and power tool usage. Evan previously worked for Montgomery Township as a seasonal laborer. Evan will be working under Greg Reiff, Park Foreman, to assist with park

maintenance and projects as well as many other varied tasks. William Medvic joined the Township on October 30, 2017 and brings a wide range of experience as a laborer and heavy equipment operator, as well as landscape maintenance experience. Bill also holds a Class B CDL drivers license. He will be working under Scott Stutzman, Acting Road Foreman, to assist with the maintenance and repair of roads as well as other various tasks. Resolution #1 made by Vice Chairman Robert J. Birch, seconded by Supervisor Michael J. Fox and adopted unanimously, welcomed the two new employees to Montgomery Township, Evan Stephens and William Medvic.

At 8:19pm, Vice Chairman Robert J. Birch opened the Public Hearing for proposed Ordinance #17-305Z, a zoning text amendment for the HLI – Highway Limited Industrial Zoning District. Notes of testimony were taken by Court Stenographer, Julie Schoettle. Township Solicitor Frank Bartle, Esquire, introduced the text amendment for consideration which proposes to amend the Township Zoning Code by amending Section 230-217I(1) to increase the maximum lot area from 7 acres to 20 acres; amend Section 230-218B for drive-through banking facilities by decreasing the minimum car stacking from eight cars to four cars; and amend Section 230-219F to allow for a Unified Development. Robert Brandt, Esquire, representing the applicant affected by this amendment, Higher Rock Partners LP, acknowledged that they support the amendments to the ordinance. Mr. Brandt stated that the applicants have been working with Township on this site for some time and they are planning a development which will include extensive traffic improvements to the location. There was no public comment on the matter. Vice Chairman Robert J. Birch closed the hearing at 8:28 p.m. Resolution #2 made by Supervisor Michael J. Fox, seconded by Vice Chairman Robert J. Birch and adopted unanimously approved Ordinance #17-305Z, HLI – Highway Limited Industrial Zoning District Text Amendment.

Assistant to the Township Manager Stacy Crandell reported that the Keystone Purchasing Network (KPN) Cooperative Purchasing Program is a group purchasing program

that is administered by the Central Susquehanna Intermediate Unit (CSIU) offering members competitively bid contracts and services for over 10 years. There is no cost to register and the Township will have access to a large scope of products and manufacturers, which includes such products as athletic equipment, cleaning supplies and custodial equipment, furniture, etc. Resolution #3 made by Vice Chairman Robert J. Birch, seconded by Supervisor Michael J. Fox and adopted unanimously, authorized staff to utilize the Keystone Purchasing Network Program for purchases that are permitted in the Commonwealth Procurement Code.

Assistant to the Township Manager Stacy Crandell reported that in March of 2016, the Township was awarded funding through the Transportation Alternatives Program in the amount of \$850,000 for the Powerline Trail Connection – Phase 1 Project. This project will connect the Route 202 Parkway Trail to the Township's Community and Recreation Center. Since that time, the Board has approved a proposal from Traffic Planning & Design (TPD) for the preliminary concept plan of a proposed realignment. In July 2017, the Township staff and TPD staff met with representatives of PennDOT and Delaware Valley Regional Planning Commission (DVRPC) for the field scoping meeting to walk the proposed trail and gather feedback before moving forward with a proposed design. PennDOT has requested an archaeological survey since the property that the proposed trail will be constructed on is historic. A proposal to provide this study has been prepared by CHRS, Inc. in the amount of \$3,961.06. Once this study is completed, TPD can begin working on the proposed design. Resolution #4 made by Vice Chairman Robert J. Birch, seconded by Supervisor Michael J. Fox and adopted unanimously, approved the proposal from CHRS, Inc. in the amount of \$3,961.06 to complete the Archaeological Survey that is required to proceed with the proposed trail connection between the Route 202 Parkway and the Community and Recreation Center.

Assistant to the Township Manager Stacy Crandell reported that Act 42 of 2017 authorizes the placement of ten new Category 4 casinos within the Commonwealth. A Category 4 casino is a "mini-casino" with not less than 300 or more than 750 slot machines and table

games. Under Act 42, a host municipality would receive 50% of the 4% local assessment fee paid by the Category 4 casino. Act 42 grants municipalities the authority to prohibit placement of a Category 4 casino within the boundaries of a municipality. The resolution must be passed and delivered to the PA Gaming Control Board by December 31, 2017 and may be rescinded in the future. Resolution #5 made by Vice Chairman Robert J. Birch, seconded by Supervisor Richard E. Miniscalco and adopted unanimously, approved the prohibition of a Category 4 Licensed Casino Facility within Montgomery Township.

Township Manager Lawrence J. Gregan reported that the Minimum Municipal Obligation calculation has determined that for 2018, a combination of State Aid, Township contributions and Police Officer contributions will be required to meet the funding obligations of the Police Pension Plan and keep the Fund actuarially sound. Resolution #6 made by Vice Chairman Robert J. Birch, seconded by Supervisor Michael J. Fox 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 2018 and direct that notice of contribution be provided to the representatives of the Police Collective Bargaining Unit.

Township Manager Lawrence J. Gregan reported that Suzanne Mayes, Esquire of Cozen O'Connor, has advised the Township that she has been requested to represent Harriet Carter Gifts, Inc., Fresh Finds, LLC and Plymouth Direct, Inc. ("Harriet Carter") in a business tax audit by the Township and any related issues. Ms. Mayes had represented the Township as Bond Counsel in 2016 for the refunding of the 2013 General Obligation Series Bonds. Ms. Mayes has submitted a request asking the Board for a waiver of any conflict so that she can proceed to represent Harriet Carter on this matter with the Township. Resolution #7 made by Vice Chairman Robert J. Birch, seconded by Supervisor Michael J. Fox and adopted unanimously, approved the waiver of conflict for Suzanne Mayes, Esquire, Cozen O'Connor.

Director of Planning and Zoning Bruce Shoupe reported that the Joseph Ambler Inn has requested a waiver of the Township's formal land development process for their property

located at 1005 Horsham Road. An area off the site is being utilized for equipment storage, trash and a workshop area. The property owner proposes to demolish the existing storage structures and construct a new equipment storage garage, workshop, and concrete dumpster pad. The new structure would be approximately 2500 s.f. in size and would be constructed on the Route 202 Parkway side of the property. The existing area will be needed for a storm water management system for possible future expansion of the existing parking area, which will be reviewed under a separate application. Resolution #8 made by Vice Chairman Robert J. Birch, seconded by Supervisor Michael J. Fox and adopted unanimously, approved the waiver of formal land development process for the Joseph Ambler Inn, M-17-94.

Chief of Police J. Scott Bendig reported that on October 26, 2017, Lieutenant William Peoples was extended an invitation to attend the 271<sup>st</sup> Session of the FBI National Academy, scheduled to commence on January 8, 2018. This program, located at the FBI Training Academy in Quantico, Virginia, is an outstanding developmental course of study attended by both United States and International law enforcement managers. Attendees are nominated by their agencies' because of their demonstrated leadership qualities and undergo an extensive background investigation before their acceptance into the program. The program is 10-weeks long and the costs for training, lodging and meals are incurred by the FBI. The Police Department Budget of 2018 has allocated approximately \$1,000 for uniforms and incidentals for this training. Resolution #9 made by Vice Chairman Robert J. Birch, seconded by Supervisor Michael J. Fox and adopted unanimously, approved the request for Lieutenant William Peoples to attend the FBI National Academy from Monday, January 8, 2018 through March 16, 2018 in Quantico, Virginia.

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

Under other business, Vice Chairman Robert J. Birch made a motion that the Board oppose the zoning hearing board application of Christopher Lear and authorize the Township Solicitor to appear in opposition and present the case of the Township. The motion was seconded by Supervisor Michael J. Fox and adopted unanimously.

Also under other business, Richard Allman, owner of the Joseph Ambler Inn, stated that the Township has a problem with all of the real estate signs that are being placed on the roadsides of the Township. Mr. Allman said that the images make the Township look cheap and it looks bad to visitors. The signs come and go every weekend. Mr. Allman stated that he would like to have a conversation with the Board going forward on how we can do away with these signs.

There being no further business to come before the Board, the meeting adjourned at 8:47 p.m.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

SUBJECT: Announce Employee Resignation

MEETING DATE: December 18, 2017

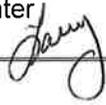
ITEM NUMBER: #6

MEETING/AGENDA: ACTION XX NONE

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

INITIATED BY: Floyd Shaffer  
Director of Recreation and Community Center

BOARD LIAISON:



BACKGROUND:

Montgomery Township wishes to recognize and acknowledge the service of Matt Reimel, who worked as the Community Center's Athletics and Recreation Coordinator since April 1, 2015. Matt's separation will be effective December 31, 2017.

The Township appreciates Matt's service and wishes him well in his future endeavors.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT: None.

PREVIOUS BOARD ACTION: None.

ALTERNATIVES/OPTIONS: None.

BUDGET IMPACT: None.

RECOMMENDATION:

Acknowledge the resignation of Matt Reimel from his position with Montgomery Township and thank him for his service to the residents of Montgomery Township.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby accept the resignation of Matt Reimel from his position with Montgomery Township and take this opportunity to thank him for his commitment to public service during his employment at Montgomery Township.

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

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Richard E. Miniscalco	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

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

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

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SUBJECT: Consider Conditional Use Approval - Higher Rock Partners LP - # C 66  
Bethlehem Pike and Stump Road

MEETING DATE: December 18, 2017 ITEM NUMBER: # 7

MEETING/AGENDA: WORK ACTION XX NONE

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

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

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BACKGROUND:

Attached is an application for Conditional Use Approval submitted by Higher Rock Partners, LP. The applicant is proposing a unified development on 18+/- acres located at the intersection of Bethlehem Pike and Stump Road. The applicant proposes to construct a commercial and retail use development on the properties located at 1004 Bethlehem Pike; 1010 Bethlehem Pike; 316 Stump Road; and 307 Stump Road, within the Township's LI Limited Industrial and HLI Highway Limited Industrial Overlay Districts. The Applicant requests conditional use approval under the HLI Highway Limited Industrial Overlay District/Establishment of Overlay District, Article XXIX, Section 230-215(H); Article XXIX, 230-216(C); and the C Commercial District/Use Regulations Article XIII, Section 230-75(A)(1)] with Appendix Table 230-A, in accordance with Article XXI, Section 230-156.2.

The project would include the present Sal's Nursery adding onto the existing design center building and constructing a new retail center, a Wawa with fuel dispensary, a Citadel Bank, a Wendy's Restaurant, a strip retail building and a 3-story office building along with associated improvements, such as parking, green space, and site amenities.

Significant road improvements along Bethlehem Pike and Stump Road are proposed, along with the extension of Witchwood Drive from Stump Road to Bethlehem Pike. The Witchwood Drive extension through the property would create two new signalized intersections at Stump Road and Witchwood Drive and Bethlehem Pike and Witchwood Drive. The existing traffic signal at Stump Road and Bethlehem Pike would be upgraded with the addition of two left turn lanes on the east side of the intersection for southbound Bethlehem Pike traffic.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

The Board approved an amendment to the HLI Zoning District on November 27, 2017, which provides for a unified development and other minor text amendment.

ALTERNATIVES/OPTIONS:

Approve or not approve the conditional use application.

BUDGET IMPACT:

None.

RECOMMENDATION:

That the conditional use application be approved.

MOTION/RESOLUTION:

The resolution is attached.

MOTION \_\_\_\_\_ SECOND \_\_\_\_\_ VOTE \_\_\_\_\_

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Richard E. Miniscalco	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

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

Resolution #

WHEREAS, Higher Rock Partners, LP, has submitted an application to the Township of Montgomery for Conditional Use approval to develop the property located at Stump Road and Bethlehem Pike, as a Unified Development requiring irrevocable cross easements, application of zoning regulations, including but not limited road frontage, building coverage, impervious and green area requirements, parking loading and landscaping requirements, as well as required area, width and yard requirement regulations shall apply to the overall tract approved as a unified development plan; and

WHEREAS, said application was submitted in compliance with Section 230-215(H), 230-216(C), 230-75(A) (1) with Appendix Table 230-A and 230-156.2 of the Zoning Code; and

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

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

MOTION BY:

SECOND BY:

VOTE:

DATE:

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



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

Legal Owner \_\_\_\_\_  
\_\_\_\_\_

1. Brief Description of Real Estate Affected:

Block and Unit Number Block #19; Unit #'s 3, 19, 35, 49, & 17 & 9

Location Route 309 & Stump Road

Lot Size 18.25 Acres overall

Present Use Retail Garden Center/Nursery and Unimproved lot.

Present Zoning Classification Limited Industrial (LI), Highway Limited Industrial Overlay District(HLI)

Present Improvements Upon Land Retail Garden Center, Nursery

	5968		345
Deed Recorded at Norristown in Deed Book	5968	Page	339
	5378		1558
	2761		576

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

Proposed development in accordance with §230-216.C by Conditional Use.

Gasoline filling station, per §230-215.H., §230-75, Table 230-A, by Conditional Use.

3.

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

Proposed Commercial and Retail Mixed Use Development with the following uses: financial institution; restaurant w/ outdoor dining; convenience store with gasoline filling station; retail garden center/nursery; business or professional office; retail sales

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

See attached Addendum.

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

NOTE:

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

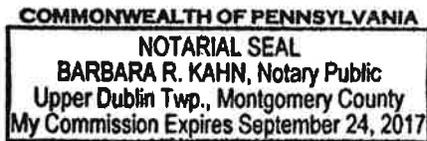
I, hereby depose and say that all of the above statements and the statements contained in any papers or plans submitted herewith, are true to the best of my knowledge and belief.

SWORN TO AND SUBSCRIBED BEFORE ME THIS

  20<sup>th</sup>   DAY OF   September   2017

  Barbara R. Kahn    
Notary Public

  James Kohn    
Appellant's or Owner's Signature



5. Has previous application for conditional use been filed in connection with these premises?  
\_\_\_\_\_ Yes        ✓   No

NOTE:

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

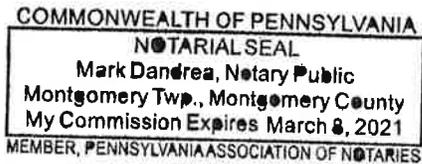
I, hereby depose and say that all of the above statements and the statements contained in any papers or plans submitted herewith, are true to the best of my knowledge and belief.

SWORN TO AND SUBSCRIBED BEFORE ME THIS

11 DAY OF October 20 17

Mark Dandrea  
Notary Public

John S. Antonucci  
Appellant's or Owner's Signature  
John S. Antonucci



5. Has previous application for conditional use been filed in connection with these premises?  
\_\_\_\_\_ Yes      ✓ \_\_\_\_\_ No

NOTE:

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

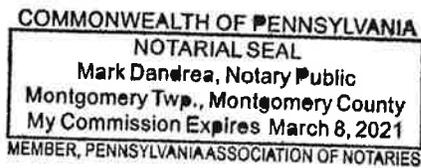
I, hereby depose and say that all of the above statements and the statements contained in any papers or plans submitted herewith, are true to the best of my knowledge and belief.

SWORN TO AND SUBSCRIBED BEFORE ME THIS

11 DAY OF October 20 17

Mark Danfren  
Notary Public

Mary Anne Antonucci  
Appellant's or Owner's Signature  
Mary Anne Antonucci



**ADDENDUM TO CONDITIONAL USE APPLICATION  
OF HIGHER ROCK PARTNERS, LP, JOHN S.  
ANTONUCCI AND MARY ANNE ANTONUCCI**

Higher Rock Partners, LP is the owner of a portion of the subject property comprised of the following tax parcels: 46-00-00301-004 (Block 19, Unit 17); 46-00-00295-001 (Block 19, Unit 49); 46-00-00298-007 (Block 19, Unit 3) (hereinafter, the "Higher Rock Parcels"). John S. Antonucci is the owner of a portion of the subject property identified as tax parcel number 46-00-03556-007 (Block 19, Unit 35); Mary Anne Antonucci is the owner of a portion of the subject property identified as tax parcel number 46-00-03562-001 (Block 19, Unit 19) (hereinafter, collectively the "Antonucci Parcels"). The Higher Rock Parcels and the Antonucci Parcels are hereinafter collectively referred to as the "Property". The Property is proposed to be developed pursuant to the HLI Overlay District, Article XXIX, §230-214 through §230-217 of the Montgomery Township Zoning Ordinance (the "Ordinance").

The Property is situate at Route 309 and Stump Road in the Limited Industrial (LI)/Highway Limited Industrial Overlay District (HLI); the combined total acreage is 18.705 acres gross, 18.25 acres net (to required R.O.W.). The present use of the Antonucci Parcels is a retail garden center/nursery; the present improvements on the Antonucci Parcels consist of an approximate 1,530 square foot two story building utilized for the existing retail garden center and an approximate one story, 1,419 square foot building. The Higher Rock Parcels are unimproved.

The Appellants propose to develop the Property as a commercial and retail mixed use development which is permitted by conditional use pursuant to §230-215 and §230-216.C. of the Montgomery Township Zoning Ordinance (the "Ordinance").

The proposed uses permitted under the HLI Zoning District by conditional use are as follows: Wendy's restaurant with drive-through; Wawa convenience store with gas; Citadel bank; garden center; office; retail store.

The proposed development satisfies the standards and criteria for conditional use approval set forth in §230-218<sup>1</sup> and §230-156.2. of the Zoning Ordinance, including the following:

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<sup>1</sup> Zoning Ordinance Text Amendment Application has been filed and is pending.

1. The proposed use as a commercial and retail mixed use development is permitted by conditional use, and it will conform to the applicable regulations which relate to and apply to the proposed use, including but not limited to setbacks, building coverage, open space and buffering.<sup>2</sup>
2. The proposed use as a commercial and retail mixed use development will conform to the regulations applicable according to use and/or district, including but not limited to regulations contained in Article XVIII, Signs, Article XIX, Off Street Parking and Loading, Article XX, Non-Conforming Uses, and Article XXI, Miscellaneous Provisions.<sup>3</sup>
3. Points of vehicular access to the lot are provided at a distance from the intersections and other points of access in numbers sufficient to prevent undue traffic hazards and obstruction to the movement of traffic.
4. The location of the site with respect to the existing public roads giving access to it is such that the safe capacity of the public roads is not exceeded by the estimated traffic attracted or generated by the proposed use, and the traffic generated or attracted is not out of character with the normal traffic using said public roads.
5. The proposed use will not have an unwarranted impact on traffic in the area, and will not create any traffic hazard dangerous to the public safety.

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<sup>2,3</sup> Pursuant to the Zoning Hearing Board Order entered October 4, 2017, the Applicant obtained relief from the following provisions of the Zoning Ordinance:

§230-75; Table 230A  
 §230-77.B.  
 §230-78.A.  
 §230-112.A.  
 §230-134.C.(13)  
 §230-219.A.(2)  
 §230-123.A.(36)  
 §230-127.A.(1)(a)[1]  
 §230-127.A.(2)(a)  
 §230-127.A.(4)  
 §230-127.A.(4)(b)[3]

6. Screening of the proposed use from adjacent uses is sufficient to prevent the deleterious impact of the uses upon each other.
7. The proposed use does not adversely affect or contradict Montgomery Township's Comprehensive Plan.
8. The proposed use meets the purpose described in Article I of the Zoning Ordinance, Section 230-2.
9. The proposed use is suitable for the character of the neighborhood and the uses of the surrounding properties.
10. The proposed use will not impair an adequate supply of light and air to adjacent property.
11. The proposed use will not adversely affect the public health, safety or general welfare.
12. The proposed will not adversely affect transportation or unduly burden water, sewer, school, park, or other public facilities.
13. The proposed use shall not overcrowd land or create an undue concentration of population or undue intensity of use.

### Check Off Sheet for Appeal for Conditional Use

Check off each item that accompanies this appeal. If the item is not applicable, put n/a.

1. (6) six paper copies of appeal; (1) one pdf
2. (6) six paper copies of plans showing proposed locations of all lots, roads, easements, water courses, tree masses, and areas for open space; (1) one pdf
3. (6) six paper copies of tax map; (1) one pdf
4. (6) six paper copies of deed; (1) one pdf
5. (6) six paper copies of agreement of sale or lease agreement; (1) one pdf  N/A
6. (6) six paper copies of detailed plan of proposed structure; (1) one pdf
7. (1) one paper copy of owners of record of all adjoining properties, and those directly across the street (including block and unit number); (1) one pdf
8. (1) paper copy of exhibits if any. Exhibits would include but not be limited to pictures, diagrams, changes, etc; (1) pdf  N/A
9. application must be notarized
10. paper copies of application and all required material to be stapled in pack form as follows: 
  - a. appeal
  - b. plan
  - c. tax map
  - d. deed
  - e. agreement of sale or lease agreement if applicable
  - f. detailed plan of proposed structure
  - g. list of property owners
  - h. exhibits
11. All information must be submitted in pdf version.

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

On Monday, December 18, 2017, after 8:00PM, the Montgomery Township Board of Supervisors, during its regularly scheduled meeting, will conduct a conditional use hearing on the application of Higher Rock Partners LP, John S. Antonucci, and Mary Anne Antonucci for approval to construct a commercial and retail use development on the properties located at 1004 Bethlehem Pike; 1010 Bethlehem Pike; 316 Stump Road; 307 Stump Road; and Stump Road, further identified as Tax Parcel Numbers 46-00-00301-00-4 (Block 19, Unit 17); 46-00-00295-00-1 (Block 19, Unit 49); 46-00-00298-00-7 (Block 19, Unit 3); 46-00-03556-00-7 (Block 19, Unit 35); 46-00-03562-00-1 (Block 19, Unit 19); and 46-00-03562-10-9 (Block 19, Unit 43), within the Township's LI Limited Industrial and HLI Highway Limited Industrial Overlay Districts. Applicants request conditional use approval under Article XXIX, Section 230-215(H) [HLI Highway Limited Industrial Overlay District/Use Regulations]; Article XXIX, 230-216(C) [HLI Highway Limited Industrial Overlay District/Establishment of Overlay District]; and Article XIII, Section 230-75(A)(1) [C Commercial District/Use Regulations] with Appendix Table 230-A [Table of Permitted Uses/Gasoline Filing Station], in accord with Article XXI, Section 230-156.2 [Miscellaneous Provisions/Procedures and Standards for Conditional Use Approval].

All interested parties are invited to attend. A copy of the application may be examined at the Township building, Monday through Friday, during normal business hours: 9:00AM to 4:00PM. Persons with disabilities wishing to attend the public meeting/hearing and requiring auxiliary aid or other accommodations to participate should contact the Montgomery Township Human Resources Coordinator 215-393-6900.

LAWRENCE J. GREGAN  
*Township Manager*

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TO BE INSERTED in The Reporter on Friday, December 1, 2017 and Friday, December 8, 2017. Please send Proof of Publication to Montgomery Township, Attn: Bruce Shoupe, 1001 Stump Road, Montgomeryville PA 18936.

**LEGAL NOTICES**

MONTGOMERY TOWNSHIP LEGAL NOTICE On Monday, December 18, 2017, after 8:00PM, the Montgomery Township Board of Supervisors, during its regularly scheduled meeting, will conduct a conditional use hearing on the application of Higher Rock Partners LP, John S. Antonucci and Mary Anne Antonucci for approval to construct a commercial and retail use development on the properties located at 1004 Bethlehem Pike; 1010 Bethlehem Pike; 316 Stump Road; 307 Stump Road; and Stump Road, further identified as Tax Parcel Numbers 46-00-00301-00-4 (Block 19, Unit 17); 46-00-00295-00-1 (Block 19, Unit 49); 46-00-00298-00-7 (Block 19, Unit 3); 46-00-03556-00-7 (Block 19, Unit 35); 46-00-03562-00-1 (Block 19, Unit 19); and 46-00-03562-10-9 (Block 19, Unit 43), within the Township's LI Limited Industrial and HLI Highway Limited Industrial Overlay Districts. Applicants request conditional use approval under Article XXIX, Section 230-215 (H) [HLI Highway Limited Industrial Overlay District/Use Regulations]; Article XXIX, 230-216(C) [HLI Highway Limited Industrial Overlay District/Establishment of Overlay District]; and Article XIII, Section 230-75(A)(1) [C Commercial District/Use Regulations] with Appendix Table 230-A [Table of Permitted Uses/Gasoline Filling Station], in accord with Article XXI, Section 230-156.2 [Miscellaneous Provisions/Procedures and Standards for Conditional Use Approval]. All interested parties are invited to attend. A copy of the application may be examined at the Township building, Monday through Friday, during normal business hours: 9:00AM to 4:00PM. Persons with disabilities wishing to attend the public meeting/hearing and requiring auxiliary aid or other accommodations to participate should contact the Montgomery Township Human Resources Coordinator 215-393-6900. LAWRENCE J. GREGAN Township Manager LAN 12/1, 12/8 1-a

Appeared in: **Reporter** on Friday, 12/01/2017

<http://pa.mypublicnotices.com>

**LEGAL NOTICES**

MONTGOMERY TOWNSHIP LEGAL NOTICE On Monday, December 18, 2017, after 8:00PM, the Montgomery Township Board of Supervisors, during its regularly scheduled meeting, will conduct a conditional use hearing on the application of Higher Rock Partners LP, John S. Antonucci and Mary Anne Antonucci for approval to construct a commercial and retail use development on the properties located at 1004 Bethlehem Pike; 1010 Bethlehem Pike; 316 Stump Road; 307 Stump Road; and Stump Road, further identified as Tax Parcel Numbers 46-00-00301-00-4 (Block 19, Unit 17); 46-00-00295-00-1 (Block 19, Unit 49); 46-00-00298-00-7 (Block 19, Unit 3); 46-00-03556-00-7 (Block 19, Unit 35); 46-00-03562-00-1 (Block 19, Unit 19); and 46-00-03562-10-9 (Block 19, Unit 43), within the Township's LI Limited Industrial and HLI Highway Limited Industrial Overlay Districts. Applicants request conditional use approval under Article XXIX, Section 230-215 (H) [HLI Highway Limited Industrial Overlay District/Use Regulations]; Article XXIX, 230-216(C) [HLI Highway Limited Industrial Overlay District/Establishment of Overlay District]; and Article XIII, Section 230-75(A)(1) [C Commercial District/Use Regulations] with Appendix Table 230-A [Table of Permitted Uses/Gasoline Filling Station], in accord with Article XXI, Section 230-156.2 [Miscellaneous Provisions/Procedures and Standards for Conditional Use Approval]. All interested parties are invited to attend. A copy of the application may be examined at the Township building, Monday through Friday, during normal business hours: 9:00AM to 4:00PM. Persons with disabilities wishing to attend the public meeting/hearing and requiring auxiliary aid or other accommodations to participate should contact the Montgomery Township Human Resources Coordinator 215-393-6900. LAWRENCE J. GREGAN Township Manager LAN 12/1, 12/8 1-a

Appeared in: **Reporter** on Friday, 12/08/2017

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No. C-66 December 18 2017

# ZONING NOTICE

*Higher Rock Partners, LP*

has appealed to the **ZONING BOARD OF SUPERVISORS** for con-

sideration of a Conditional Use approval in regards to a proposed mixed use commercial / retail development on an 18.25 acre site located at Bethlehem Pike and Stump Road including a restaurant with drive-thru and outdoor dining, a gasoline filling station with convenience store, a bank with drive-thru, retail, a garden center and a 3-story office building.

The **BOARD OF SUPERVISORS** under authority of the MONTGOMERY TOWNSHIP ZONING ORDINANCE invites all interested parties to appear and be heard at a PUBLIC HEARING to be held in the Montgomery Township Building located at 1001 Stump Road, on December 18, 2017 at 8:00 p.m.

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

*[Signature]*  
Zoning Officer

12/06/2017



**ZONING NOTICE**

12/06/2017



12/06/2017



**MONTGOMERY TOWNSHIP  
BOARD OF SUPERVISORS**

1001 STUMP ROAD  
MONTGOMERYVILLE, PA 18936-9605  
Telephone: 215-393-6900 • Fax 215-855-6656  
www.montgomerytp.org

**ROBERT J. BIRCH  
CANDYCE FLUEHR CHIMERA  
MICHAEL J. FOX  
JEFFREY W. McDONNELL  
RICHARD E. MINISCALCO**

**LAWRENCE J. GREGAN  
TOWNSHIP MANAGER**

December 5, 2017

RE: Conditional Use Application #C-66  
Higher Rock Partners, L.P. – Commercial and Retail Mixed Use Development  
Route 309 and Stump Road

Dear Property Owner:

This letter is to advise you that Higher Rock Partners Limited Partnership has applied to the Montgomery Township Board of Supervisors for a Conditional Use approval for a mixed use commercial/retail development at Route 309 and Stump Road. The 18.25-acre property currently has a retail garden center/nursery with the remainder of the property currently undeveloped. The applicant proposes to develop the first phase of the property comprising of a Wendy's restaurant with drive-through and outdoor seating; a Wawa convenience store with gas; a Citadel bank; a 3-story office building; a small retail strip center, and a garden center. A gasoline filling station is permitted in the Highway Limited Industrial Overlay District by Conditional Use.

In order to receive public comment on this request, the Board of Supervisors has set Monday, December 18, 2017, after 8:00 p.m., in the Township Building, as the date, time and place for a public hearing.

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

Sincerely,

Bruce S. Shoupe  
Director of Planning and Zoning

**PECO Energy  
Or Current Resident  
2301 Market Street  
Philadelphia, PA 19103**

**Nappen & Associates  
171 Corporate Drive  
Montgomeryville, PA 18936**

**309 Autovest Properties  
Or Current Resident  
1009 Bethlehem Pike  
Montgomeryville, PA 18936**

**Nappen Associates  
Or Current Resident  
215-217 Keystone Drive  
Montgomeryville, PA 18936**

**Robert & Madeline Nappen  
Or Current Resident  
204 Progress Drive  
Montgomeryville, PA 18936**

**Robert & Madeline Nappen  
Or Current Resident  
206 Progress Drive  
Montgomeryville, PA 18936**

**Robert & Madeline Nappen  
Or Current Resident  
208 Progress Drive  
Montgomeryville, PA 18936**

**Robert & Madeline Nappen  
Or Current Resident  
210 Progress Drive  
Montgomeryville, PA 18936**

**Robert & Madeline Nappen  
Or Current Resident  
212 Progress Drive  
Montgomeryville, PA 18936**

**Neil & Joann Franklin  
Or Current Resident  
310 Stump Road  
North Wales, PA 19454**

**Jo Ann Taylor  
Or Current Resident  
312 Stump Road  
North Wales, PA 19454**

**Wojciech Zwolinski  
Or Current Resident  
314 Stump Road  
North Wales, PA 19454**



TRAFFIC PLANNING AND DESIGN, INC.

WWW.TRAFFICPD.COM

**December 4, 2017**

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

**RE: Retail and Mixed Use - Higher Rock Partners, LP  
Conditional Use Plan Review**

*Montgomery Township, Montgomery County, PA*  
Montgomery Township Conditional Use # C-66  
TPD No. MOTO-00054

Dear Bruce:

In our role as Township Traffic/Street Lighting Engineer, Traffic Planning and Design, Inc. (TPD) has reviewed the following items as part of our Conditional Use Plan Review:

- Preliminary/Final Land Development, Subdivision, and Conditional Use Plans prepared by Bohler Engineering, dated October 13, 2017;
- Traffic Impact Study for the Higher Rock Partners, L.P. Commercial Development prepared by Heinrich & Klein Associates.

Based on our review, we offer the following comments:

**Traffic Impact Study Comments**

1. PennDOT proposes retaining the existing jughandle (Ramp E), so it is included in the traffic study. In our opinion, this matter needs to be discussed further with PennDOT. If eliminated, the U-Turn and left turn movements at the jughandle could be accommodated by the proposed Witchwood Drive Extension. Removal of the existing jughandle would improve the operation of the intersection of Bethlehem Pike and Stump Road by moving the merge area on Stump Road further from Bethlehem Pike so that vehicles on the jughandle will not merge into queued traffic on Stump Road, will improve traffic operations on Bethlehem Pike by reducing driver confusion and the required reliance on signage to address the various right turn movements, and will encourage more through traffic to use the proposed southbound outside through lane on Bethlehem Pike. Both Bethlehem Pike and the jughandle are PennDOT roads, so the applicant must comply with PennDOT's direction on this matter.

Mr. Bruce S. Shoupe

December 4, 2017

Page 2

2. The traffic study was prepared for full development of the site rather than just for development of the five new commercial uses that are part of the land development application. The traffic study recommends significant improvements to the study area intersections in order to mitigate the impacts of the proposed development as outlined in the Executive Summary. In our opinion, these improvements are necessary to accommodate the proposed development.

The traffic study was prepared prior to optimization of the traffic signal timing at the intersection of Bethlehem Pike and Stump Road. Furthermore, the traffic study was prepared prior to the provision of a third through lane beginning north of the Toys R Us driveway and continuing to the proposed Salvatore Drive for a distance exceeding 4/10 of a mile. The traffic study also did not account for a significant diversion of traffic to the Witchwood Drive Extension. Revising the analyses to address these three points, results in a significant improvement to traffic operations compared to that in the traffic study and will satisfy PennDOT level of service and queue length standards.

3. Our understanding of the history of the entrance-only driveway is that it was originally proposed when the Wawa store was located on the north side of Witchwood Drive. Over the course of the project, the Wawa store was relocated to the south side of Witchwood Drive, but the entrance-only driveway has remained. Elimination of the entrance-only driveway would be a further improvement over elimination of the jughandle alone. Justification for the need for the entrance-only driveway should be provided.
4. There is a crest vertical curve on Bethlehem Pike that limits visibility for drivers heading southbound on Bethlehem Pike approaching Witchwood Drive. Therefore, TPD prepared a centerline profile for Bethlehem Pike and determined that PennDOT's safe stopping sight distance requirements can be satisfied for southbound Bethlehem Pike traffic traveling at the posted 45 mph speed limit approaching the back of the maximum queue length projected for the southbound queue at Witchwood Drive. However, it is recommended that an overhead sign, indicating "Watch for Stopped Traffic" with flashers, be provided on the southbound Bethlehem Pike approach to Witchwood Drive as an additional safety measure. Furthermore, it is recommended that the Township approach PennDOT about extending the existing 40 mph speed limit from the US Route 202 overpass to a point south of the site.

#### Plan Comments

1. Two new traffic signals will be provided at the proposed intersections of the Witchwood Drive Extension with Bethlehem Pike and with Stump Road. Revisions to the traffic signal timings and traffic signal permit plan will also be required at the intersection of Bethlehem Pike and Stump Road. Although the developer must provide the design plans for these changes and must pay for any new traffic signals and revisions to existing ones, the Township must be the applicant to PennDOT for all three traffic signal plans. As such, the plans and signalization equipment must comply with both Township and PennDOT specifications.

2. Pedestrian connectivity must be provided from the sidewalk along the access roads to the uses on the site. In addition, a crosswalk should be provided on Witchwood Drive to provide pedestrian connectivity between the uses on the northern and southern ends of the site.
3. The need for sidewalk on Bethlehem Pike and Stump Road along the entire length of the property frontage should be determined by the Township. However, the grade of Witchwood Drive could preclude the ability to make such crossings ADA accessible.
4. There are currently no pedestrian crossings provided along Bethlehem Pike in the vicinity of the site and none are proposed as part of this development. If one was ever to be provided, the optimum location would be on Bethlehem Pike at the intersection with Witchwood Drive because the concrete median in Bethlehem Pike could be used as a pedestrian refuge island with a pedestrian push button to accommodate a two-stage crossing of Bethlehem Pike. However, a pedestrian crossing at this location would require stopping northbound Bethlehem Pike traffic when a pedestrian call is received which is something PennDOT has been opposed to. For these reasons, the current plans call for signage prohibiting pedestrian crossings at this location.
5. There is no pedestrian connection between the upper and lower parking lots for the office building. Consideration should be given to providing a pedestrian connection between the upper and lower parking lots.
6. The garden center will consist of two buildings which are separated by Witchwood Drive. Since it is likely that patrons and/or employees will regularly travel between the buildings, a crosswalk on Witchwood Drive and sidewalk should be provided to connect both garden center buildings.
7. The sidewalk width along the buildings varies between five (5) feet and 5.7 feet where perpendicular parking is provided adjacent to the sidewalk. The sidewalk should be a minimum of six (6) feet wide in locations where perpendicular parking is located adjacent to the sidewalk to accommodate vehicle overhang without blocking the sidewalk. As an alternative, consideration should be given to providing wheel stops where sidewalk widths of six (6) feet cannot be provided. In addition, the sidewalk width along the eastern side of the office and retail buildings should be clearly labeled on the plans.
8. The air compressor station for the Wawa store is located adjacent to the access driveway. Vehicles using the air station are often not parked completely within the designated area and there are often multiple vehicles waiting to use the air station which could block the access the driveway. The air station should be located away from the access driveway to protect patrons using the air station and to ensure that access will not be adversely impacted.
9. Loading areas should be provided for the garden center buildings and for the Wendy's restaurant.
10. There are no dumpsters provided for either of the garden center buildings. The dumpster locations should be shown on the plans and truck templates should be provided demonstrating

how trash trucks will access the dumpster areas.

11. The plans should demonstrate how delivery vehicles will access the Wendy's restaurant and garden center buildings.
12. The delivery truck circulation plan for the retail building does not show the truck accessing the loading area. The loading area does not appear to be large enough to accommodate a delivery truck. The loading area should be increased in size by eliminating the curbing on both ends of the loading area.
13. The largest design vehicle shown is a WB-50. However, deliveries to many commercial properties are made with WB-62 design vehicles. Therefore, these vehicles either need to be accommodated or need to be precluded from the site through either signage or lease language with the tenants.
14. The text amendment for Sections 230-218.B of the Montgomery Township Zoning Ordinance requires stacking for four (4) vehicles for each drive-thru window. The plans show sufficient stacking for eight (8) vehicles for one of the bank windows and approximately three (3) vehicles for the second bank window if the by-pass lane is to remain unblocked. However, there does not appear to be a requirement in the Ordinance for a by-pass lane for a drive-thru bank. The Township should determine if the by-pass lane is permitted to be used for vehicle storage.

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

Sincerely,

TRAFFIC PLANNING AND DESIGN, INC.



Kevin L. Johnson, P.E.

President

[kjohnson@TrafficPD.com](mailto:kjohnson@TrafficPD.com)

cc: Larry Gregan, Township Manager  
Mary Gambino, Township Project Coordinator  
Kevin Costello, Township Public Works Director  
Russ Dunlevy, P.E., Township Engineer  
Frank Falzone, P.E., TPD  
Jerry Baker, P.E., TPD  
Eric Hammond, TPD  
George Hartman, PE, Bohler Engineering  
John Antonucci, Applicant  
James Kahn, Applicant



TRAFFIC PLANNING AND DESIGN, INC.

WWW.TRAFFICPD.COM

**December 13, 2017**

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

**RE: Retail and Mixed Use - Higher Rock Partners, LP  
Recommended Pavement Marking and Signing Plan**  
*Montgomery Township, Montgomery County, PA*  
Montgomery Township LD/S# 694  
TPD No. MOTO-00054

Dear Bruce:

Please find attached the Recommended Pavement Marking and Signing plan developed for the above referenced project. This plan is subject to review by PennDOT as part of the Highway Occupancy and Traffic Signal Permits required for this project. Standard signage at traffic signals related to street names, pedestrian movements, etc. are not shown on the attached plan because the standard is to show such signage on the Traffic Signal Permit plans.

Please call if you have any questions.

Sincerely,

TRAFFIC PLANNING AND DESIGN, INC.

Kevin L. Johnson, P.E.

President

[kjohnson@TrafficPD.com](mailto:kjohnson@TrafficPD.com)

cc: Larry Gegan, Township Manager  
Mary Gambino, Township Project Coordinator  
Kevin Costello, Township Public Works Director  
James Dougherty, P.E., Township Engineer  
David Dunlap, Montgomery Township Police Department  
Tuan Duong, P.E., TPD  
Jerry Baker, P.E., TPD  
Eric Hammond, TPD





**GILMORE & ASSOCIATES, INC.**  
ENGINEERING & CONSULTING SERVICES

November 30, 2017

File No. 2016-07014

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

Reference: **Conditional Use Application – C66**  
Higher Rock Partners, LP - Commercial Development  
Tax Map Parcel Numbers: 46-00-00298-007, 46-00-00295-001, 46-00-00301-004, 46-00-03562-001, 46-00-03556-007, 46-00-03562-109; Block 19 – Units 3, 49, 17, 19, 35, and 43  
Stump Road and Bethlehem Pike (S.R. 0309)

Dear Bruce:

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

**I. SUBMISSION**

- A. Conditional Use Application for Higher Rock Partners, LP, prepared by Robert L. Brant & Associates, dated October 13, 2017.
- B. Preliminary/Final Land Development, Subdivision & Conditional Use Plans for Higher Rock Partners, LP (64 sheets), prepared by Bohler Engineering, dated October 13, 2017.
- C. Stormwater Dispersal System Plans for Higher Rock Partners, LP (7 sheets), prepared by Castle Valley Consultants, Inc., dated September 21, 2017.
- D. Change in Zoning Text Request for Higher Rock Partners, LP, prepared by Robert L. Brant & Associates, dated October 11, 2017.
- E. Alluvial Soil Investigations & Flagging Letter, prepared by Penn's Trail Environmental, LLC, dated November 21, 2017.
- F. Wetland & Waters Site Evaluation Summary Letter of Findings Letter, prepared by Penn's Trail Environmental, LLC, dated November 20, 2017.

**II. GENERAL**

The project consists of five parcels with combined gross and net areas of 18.705 acres and 18.25 acres, respectively that will be subdivided into four lots along with the extension of Witchwood Road from Stump Road to Bethlehem Pike. The project is located at the intersection of Bethlehem Pike (S.R. 0309) and Stump Road, within the LI Limited Industrial and HLI Highway Limited Industrial Overlay Zoning Districts. The Applicant, Higher Rock Partners, LP, proposes to demolish all existing features with the exception of an existing 1,530 square foot (SF), two-story garden center to remain on proposed Lot 2 and an existing 1,419 SF brick building to remain on Lot 4. The applicant proposes the development of the project site in accordance with a unified development plan. Lots 1, 3, & 4 will be situated west of the proposed Witchwood Road extension. Lot 1 would contain a Wendy's restaurant with a drive thru and outdoor seating, and a Wawa with gasoline filling station. Lot 3 will contain a 4,500 SF Garden Center (Building 1).

BUILDING ON A FOUNDATION OF EXCELLENCE

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

Lot 4 will remain unchanged and contain the existing 1,419 SF brick building. Lot 2 will be situated east of the proposed road extension and contain a Citadel Bank with a drive-thru, a three-story, 16,000 SF office building, a 6,000 SF retail building, and the existing garden center (Garden Center Building 2) with a 1,500 square foot addition.

The applicant's proposal includes appurtenant parking, utilities, storm water management, landscaping, etc. to support the proposed uses. The Applicant intends to offer dedication of the Witchwood Drive extension to the Township.

Concurrent with review of the conditional use application, the Township has before it a Zoning Ordinance text amendment. The text amendment modifies certain sections of the Zoning Ordinance dealing with the required minimum lot area, the minimum length of banking facility drive-thru stacking lanes, and sets forth conditions regarding a unified development. For the purpose of our review we have assumed the Board of Supervisor will adopt the pending text amendment.

### III. REVIEW COMMENTS

#### A. Zoning Hearing Board Decision and Order

The Montgomery Township Zoning Hearing Board granted the following variances and special exceptions from the Montgomery Township Zoning Ordinance (Chapter 230) per the Opinion and Order dated November 17, 2017.

1. §230-75 & Table 230-A – A Special Exception to permit an outdoor dining area as an accessory use to a principal restaurant use. The Wendy's restaurant is proposing installation of outdoor seating.
2. §230-77.B – To permit the front yard setback of the existing garden center building from the proposed Witchwood Drive extension of 9.7 feet rather than 60 feet as required by the Ordinance.
3. §230-78.A – To permit the existing garden center building within the required 25 foot planting area along the proposed Witchwood Drive extension.
4. §230-112.A – To permit the Wawa trash enclosure to be located in the front yard.
5. §230-134.C(13) – To permit 42 parking spaces for the proposed garden center building 1 and 14 parking spaces for proposed garden center building 2
6. §230-219.A(2) & §230-219.B(2) – To permit portions of parking and drive aisles within the required softening buffer.
7. §230-123.A(36) – A Special Exception to permit a pre-sell board and menu for the proposed Wendy's restaurant.
8. Several variances related to signage were granted from §230-127.A(1)(a)[1], §230-127.A(2)(a), §230-127.A(4), and §230-127.A(4)(b)[3]. Refer to the Opinion and Order for details.

#### B. Zoning Ordinance (Chapter 230)

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

1. §230-78.F(1) – No waste, rubbish and discarded materials shall be stored outside of the building unless it is placed within a completely fenced-in area so as to conceal the materials. Waste disposal areas have not been designated on the plans for garden center building 1 (Lot 3). A fenced-in area should be designated on the plan or other accommodation proposed.
2. The parking calculations and tabulations on Sheet 6 do not appear to be consistent with the parking spaces shown on the plan views. Specifically, it appears the plans depict 6 fewer spaces than indicated in the note on Sheet 6. However, it does appear that the required number of spaces are provided. The applicant should verify the correct number of proposed parking spaces are noted on Sheet 6.

3. We defer review of proposed signage to the Township Code Officer.

C. General

1. A retaining wall detail shall be added to the plans or a note stating that design calculations and construction details will be provided for Township review and approval prior to construction.
2. Fall protection barriers shall be provided atop the proposed retaining walls shall be provided where required by the applicable building codes. Design calculations and construction details shall be provided for Township review and approval prior to construction.
3. Notes shall be added to the plans referencing the Penn's Trail Environmental, LLC letters documenting the extent of the alluvial soils and wetlands with respect to the USDA NRCS Soil Survey.
4. Review of the Subdivision and Land Development Application, which was submitted concurrently with the Conditional Use Application, will be reviewed under separate cover.

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

Sincerely,



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

JPD/SW/sl

cc: Lawrence J. Gregan, Manager – Montgomery Township  
Marianne McConnell, Deputy Zoning Officer – Montgomery Township  
Richard Lesniak, Director of Fire Services – Montgomery Township  
Frank R. Bartle, Esq., Solicitor – Dischell Bartle & Dooley, PC  
Ken Amey, AICP  
Judith Stern Goldstein, ASLA, R.L.A. – Boucher & James, Inc.  
Kevin Johnson, P.E. – Traffic Planning & Design, Inc.  
John Antonucci – Higher Rock Partners, LP  
Jim Kahn, President – Higher Rock Partners, LP  
Wendy Feiss McKenna – Robert L. Brant & Associates  
George Hartman, P.E. – Bohler Engineering  
Russell S. Dunlevy, P.E., Senior Executive Vice President – Gilmore & Associates, Inc.



**Boucher & James, Inc.**  
CONSULTING ENGINEERS

AN EMPLOYEE OWNED COMPANY

INNOVATIVE ENGINEERING

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

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

559 Main Street, Suite 230  
Bethlehem, PA 18018  
610-419-9407  
Fax 610-419-9408  
[www.hjengineers.com](http://www.hjengineers.com)

November 30, 2017

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

**SUBJECT: HIGHER ROCK PARTNERSHIP  
CONDITIONAL USE APPLICATION  
TOWNSHIP LD/S NO. C-66  
PROJECT NO. 1655305R1**

Dear Mr. Gregan:

Please be advised that we have reviewed the Conditional Use Application for the Proposed Retail and Mixed-Use Land Development prepared for Higher Rock Partners, dated October 13, 2017.

The application seeks approval of a Commercial and Retail Mixed Use Development to be located south of the intersection of Route 309 and Stump Road, within the LI Limited Industrial Zoning District and the HLI Highway Limited Industrial Overlay District.

The application has also been submitted for Land Development approval. Our full landscape plan review for this submission is provided under separate cover.

It does not appear that there are any issues related to landscape requirements with regard to the request for Conditional Use Approval.

Sincerely,

*Judith Stern Goldstein, km*

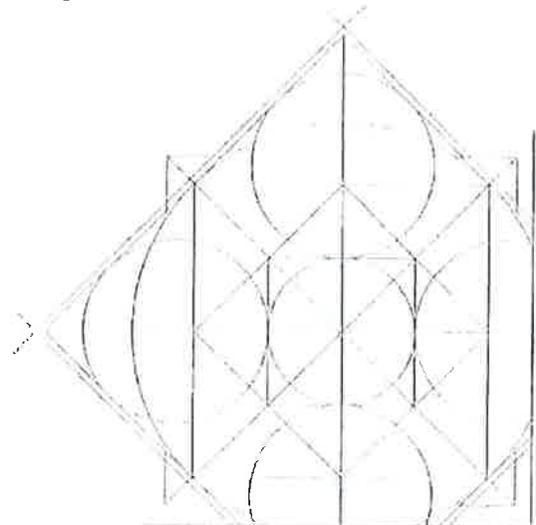
Judith Stern Goldstein, ASLA, R.L.A.  
Managing Director

*Valerie L. Liggett*

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

JSG/vll/kam

- cc: Board of Supervisors
- Planning Commission
- Bruce Shoupe, Director of Planning and Zoning
- Marianne McConnell, Deputy Zoning Officer
- James P. Dougherty, P.E., Gilmore & Associates, Inc.
- Kevin Johnson, P.E., Traffic Planning & Design
- Ken Amey, AICP
- John and Mary Anne Antonucci, Higher Rock Partners, LP
- Jim Kahn, Higher Rock Partners, LP
- George J. Hartman III, P.E., Bohler Engineering PA, LLC



Motion was made by the Montgomery Township Planning Commission on December 7, 2017, that Conditional Use Application C-66, regarding the Higher Rock Partners LP project in the Highway Limited Industrial II (HLI2) Overlay District, be recommended for approval to the Montgomery Township Board of Supervisors.

Moved: Ellen Reynolds

Seconded: Jim Rall

Vote: 6-0

Date: December 7, 2017

**ZONING ORDINANCE  
PLAN REVIEW  
High Rock Partners**

DATE: November 30, 2017 revised December 5, 2017

PLAN REVIEW – Higher Rock Partners LLC  
LD/S # 694 – Preliminary/Final Approval Requested

DEVELOPMENT NAME: High Rock Partners LP  
 LOCATION: Intersection of Stump Road and Bethlehem Pike LOT NUMBER & SUBDIVISION: 1  
 ZONING DISTRICT: HLI-Highway Limited Industrial  
 PROPOSED USE: Unified Development – Mixed Use  
 ZONING HEARING BOARD APPROVAL REQUIRED? YES  
 CONDITIONAL USE APPROVAL REQUIRED? YES

	Proposed	Required	Approved	Not Approved	WAIVER
USE	Unified Development – Mixed Use			Conditional Use Approval Required	
HEIGHT	Office Bldg 54 ft (setback 79.5)	Max 35 ft.	X		
LOT SIZE	Min 2AC – Max 20 Ac	Min 2Ac Max 20 Ac	X		
SETBACKS					
FRONT	60 ft	60 ft.	X		
SIDES	10 ft	10 ft.	X		
REAR	40 ft	40 ft.	X		
BUFFERS					
SOFTENING	Waivers Requested	25 ft. Perimeter			X
SCREENING	Waivers Requested	25 ft. Perimeter			X
BUILDING COVERAGE	Max 5.4%	Max 20%	X		
IMPERVIOUS COVERAGE	Max 75%	Max 43.2%	X		
GREEN AREA	Min 25%	Min 56.8%	X		

ADDITIONAL COMMENTS

- PADEP Act 537, Section 750.5(a) and Section 71.51(a) requires an approved sewage facilities planning module issued prior to recording of any subdivision plan.
- Demonstrate planting area around freestanding sign meets 230-127A.(8)(a)
- Meet requirements of Zoning Hearing Board decision #17090002 dated November 17, 2017.
- Please identify dumpster area at Garden Center 1. Garden Center 2 shares dumpster with office building?
- All dumpster areas must be capable of placement of a trash and recyclable material dumpster.
- Building permit(s) shall not be issued until all weather paved roadways and fire service protection systems have been installed to the satisfaction of the Township Engineer and Montgomery Township Department of Fire Services.
- Connect all roof drains to storm water management system on 6000 sf retail building.
- Plans do not match parking amount table. Please explain.

  
ZONING OFFICER

  
DATE

**KENNETH AMEY, AICP**  
professional land planner

December 1, 2017

(via e-mail)

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

Re: Conditional Use Application  
Higher Rock Development  
Bethlehem Pike & Stump Road - SW Corner

Dear Mr. Gregan:

As requested, I have reviewed the Conditional Use application for the above referenced project. The applicant has also submitted a Land Development application which will be reviewed in a separate letter. We have previously reviewed a proposed text amendment to the HLI District and, for the purposes of this review, we will assume that the text amendment has been adopted by the Board of Supervisors.

The subject tract is approximately 18.25 acres in area, is located within the LI-Limited Industrial District and is also within the HLI-Highway Limited Industrial Overlay District. The applicant proposes to improve the tract for a unified, commercial and mixed use, development.

We have no objection to the uses proposed or the manner in which the mixed use center is shown on the Conditional Use plans. However, the general walkability of the site could be improved by providing additional pedestrian connections. We do note that the bulk of Lot #1 is shown as undeveloped in this application; once tenants are identified, additional approvals for those uses will be necessary.

If you have any questions, please let me know.

Very truly yours,



Kenneth Amey

cc: Frank Bartle, Esq., Township Solicitor  
Bruce S. Shoupe, Township Director of Planning and Zoning  
Marianne McConnell, Deputy Zoning Officer  
James Dougherty, PE  
Judy Stern Goldstein, ASLA  
Kevin Johnson, PE  
George Hartman, PE, Applicant's Engineer  
Robert Brant, Esq., Applicant's Attorney  
Wendy Feiss McKenna, Esq., Applicant's Attorney

1122 Old Bethlehem Pike  
Lower Gwynedd, PA 19002



phone: 215.283.9619  
fax: 215.646.3458  
kenamey@aol.com

**MONTGOMERY COUNTY  
BOARD OF COMMISSIONERS**  
VALERIE A. ARKOOSH, MD, MPH, CHAIR  
KENNETH E. LAWRENCE, JR., VICE CHAIR  
JOSEPH C. GALE, COMMISSIONER



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

JODY L. HOLTON, AICP  
EXECUTIVE DIRECTOR

November 20, 2017

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

Re: MCPC #17-0242-002  
Plan Name: Higher Rock Partners LP (LD/S #694)  
(4 lots comprising 18.25 acres)  
Situate: Bethlehem Pike (W)/Stump Road (S)  
Montgomery Township

Dear Mr. Shoupe:

We have reviewed the above-referenced conditional use application and subdivision and land development plan in accordance with Section 502 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on October 25, 2017. We forward this letter as a report of our review and recommendations.

## BACKGROUND

The applicants, John and Mary Antonucci, propose to construct a retail, office, and restaurant complex on 18.25 acres of land at the southwest corner of PA Route 309 (Bethlehem Pike) and Stump Road on behalf of Higher Rock Partners, LP. The current zoning for this area is Limited Industrial with a Highway Limited Industrial overlay; a set of zoning text amendments to permit this development were previously reviewed by the MCPC (Letter #17-0242-001, dated November 13, 2017). The applicants propose to continue Witchwood Drive across Stump Road (with the right-of-way to be deeded to the Township) to a new intersection with Bethlehem Pike, which will include a left turn lane for northbound Bethlehem Pike traffic to enter the complex at a partially signalized intersection. The proposed buildings for the complex include a 3-story office building, a 1-story general retail building, a

Citadel credit union, a Wawa convenience store with attached gas pumps, a Wendy's restaurant, and a garden center building and addition to the existing garden center building. Two additional southbound Bethlehem Pike entrances to portions of the site are proposed, in addition to the Bethlehem Pike and Stump Road connections to Witchwood Road. Sidewalks are proposed in certain areas.

## RECOMMENDATION

The Montgomery County Planning Commission (MCPC) generally supports the applicant's proposal, however, in the course of our review we have identified a number of key issues we believe should be resolved prior to final zoning amendment adoption. Our comments are as follows:

## REVIEW COMMENTS

### PEDESTRIAN ACCESS

1. Sidewalks are provided for this development, but only in certain locations, such as along part of the frontage of Bethlehem Pike and the south side of the Witchwood Road Extension. Installing sidewalk on only the south side would require pedestrians to cross Witchwood in the middle of the block in order to access the businesses in the proposed retail building. The MCPC strongly encourages the Township to require the applicant to install additional sidewalks in locations where they are technically feasible and compatible with the proposed retaining walls, especially along the remainder of the frontage of Bethlehem Pike (in front of the Wawa and Wendy's), along the north side of the Witchwood Road extension to permit access to the retail building, and along the rear access driveway from Witchwood Road to Wawa and Wendy's.
2. Pedestrian access should also be examined within the various proposed parking lots, including the installation of crosswalks, raised crossings, and/or pedestrian aisles. Especially on Lot 2, there will likely be a form of shared parking where patrons of one particular building may be parking closer to another, or where someone may park in one location to patronize more than one use.
3. The Witchwood Drive extension will replace what originally served as a low-traffic access driveway for the garden center. Since portions of the garden center will now be located on both sides of the extension, the Township should coordinate with the applicants, the current occupants, and the owner of the easement that includes the Stump Road and Witchwood Drive intersection (PECO Energy) to ensure that pedestrians will be able to move between the different areas of the garden center safely.

## BUILDING ORIENTATION AND DRIVEWAY ACCESS

1. The Wendy's restaurant is oriented in such a way that drive-through customers will need to make two complete trips around the building to enter, order, pick up their food, and exit the property, creating numerous opportunities for conflicts with pedestrians parking and entering the building. The MCPC requests that the Township work with the applicant to examine if another orientation of the building is possible.
  - a. One possible method would be to rework the parking availability for the Wawa from the currently provided 63 spaces. Some of the 14 spaces provided at the south end of the site along the right-in, right-out driveway could be relocated to the frontage along Bethlehem Pike, and the overall site space for Wendy's could be expanded by moving the driveway closer to the Wawa.
2. The Citadel bank was previously addressed for reducing the required car stacking length from eight cars to four in the zoning text amendments request and letter.
  - a. The MCPC is comfortable with the zoning amendment for reducing the car stacking queue length. However, it appears that the request was needed in order to fit the proposed building and driveways into the site.
  - b. There are three access points to the site off of Bethlehem Pike, all close to each other. The entrance-only driveway from southbound Bethlehem Pike between the Stump Road ramp and Witchwood Road (labeled as Site Drive B on Traffic, Planning and Design's roadway plans) should be eliminated, as it offers the least amount of access to the entire site (along with no egress back to Bethlehem Pike) and is too close to the Stump Road jughandle, which creates too much confusion for traffic in a short distance.
  - c. Removing the entrance-only driveway could allow the bank to be resituated to allow for an extended car stacking queue if the zoning amendments are not adopted, but as stated previously, the MCPC is amenable to the change.

## STUMP ROAD & WITCHWOOD ROAD

A portion of the garden center and widened intersection at Witchwood Road and Stump Road is located within lands of PECO Energy in an area that is shaded on the site plan. The MCPC would encourage the applicant to explicitly list the specific rights granted by the easement in the general notes section of the plan.

## COMPREHENSIVE PLAN COMPATIBILITY

This development proposal is located in Special Area C as defined by the Vision map of the 2008 Township Comprehensive Plan Update. The note included with Special Area C is as follows: "For most people, this is the 'entry driveway' into Montgomery Township. The older buildings in this area should be improved or replaced and the streetscape significantly improved." The older buildings located on this site are being replaced, and the MCPC believes that the streetscape can be improved with a complete sidewalk installation, especially along the frontage of Bethlehem Pike.

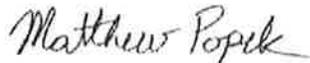
## CONCLUSION

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

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

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

Sincerely,



Matthew Popek, Transportation Planner II  
[mpopek@montcopa.org](mailto:mpopek@montcopa.org) – 610-278-3730

c: John S. and Mary Anne Antonucci, Applicants  
Bohler Engineering, Applicant's Engineer  
Lawrence Gregan, Twp. Manager  
Jay Glickman, Chrm., Twp. Planning Commission

Attachments: Aerial Photograph of Site  
Subdivision Record Plan

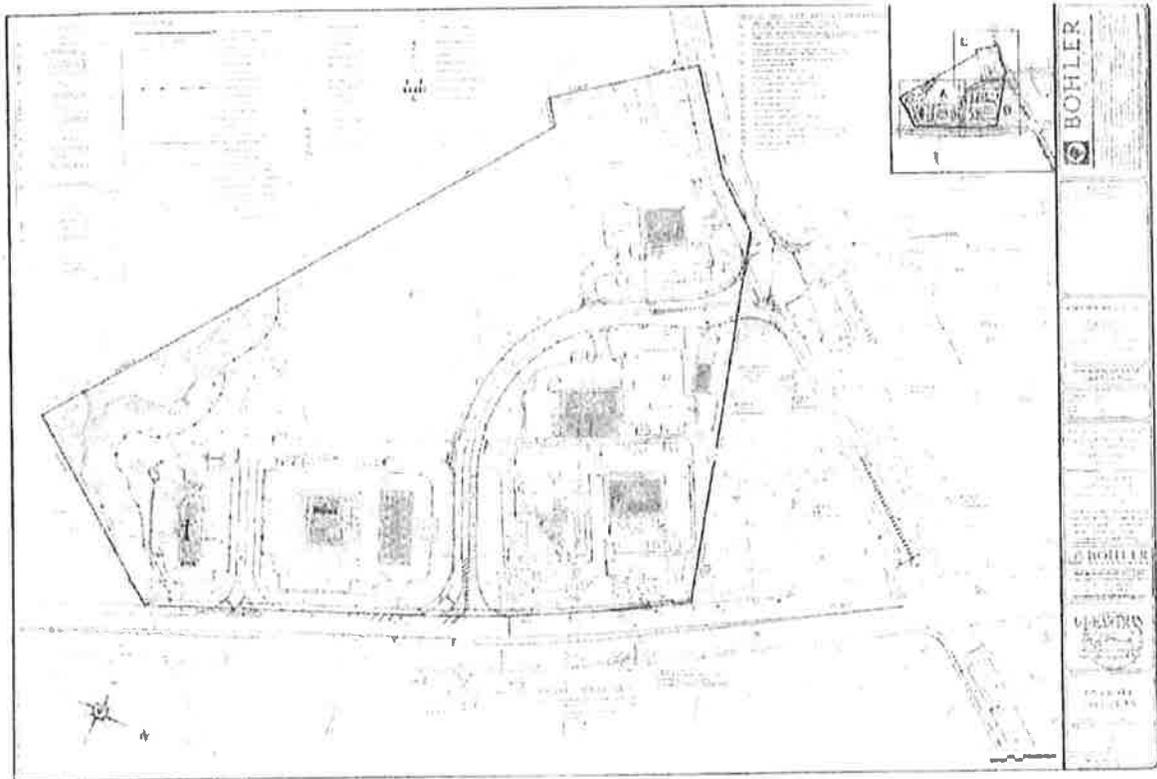
***Aerial – Higher Rock Partners LP, Montgomery Township***



**Higher Rock Partner LP**  
170242002

Montgomery  
County  
Planning  
Commission  
1400 Walnut Street, 4th Floor, Suite 400  
P.O. Box 211, Norristown, PA 19380  
610-278-3370 • Fax 610-278-3341  
www.montco.org/planning  
1400 Walnut Street, 4th Floor, Suite 400  
P.O. Box 211, Norristown, PA 19380

**Overall Site Plan – Higher Rock Partners LP, Montgomery Township**



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

Resolution #

**SUBJECT:** Consideration – Preliminary/ Final Subdivision Land Development Plan –  
Higher Rock Partners, LP – LDS#694

**MEETING DATE:** December 18, 2017

**ITEM NUMBER:** #8

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

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

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

BACKGROUND:

Higher Rock Partners, LP proposes a unified development at the intersection of Stump Road and Bethlehem Pike. The development would include the present Sal's Nursery adding onto the existing design center building and constructing a new retail center, a Wawa with fuel dispensary, Citadel Bank, Wendy's Restaurant, a strip retail building and a 3-story office building along with associated improvements, such as parking, green space, and site amenities.

Significant road improvements along Bethlehem Pike and Stump Road would be constructed and Witchwood Drive would be extended through the property creating two new signalized intersections at Stump Road and Witchwood Drive and Bethlehem Pike and Witchwood Drive. The existing traffic signal at Stump Road and Bethlehem Pike will be upgraded with the addition of two left turn lanes on the east side of the intersection for southbound Bethlehem Pike traffic.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

The Applicant executed an indefinite extension form, which allows unlimited review time by the Township.

PREVIOUS BOARD ACTION: Zoning Hearing Board approval granted on October 4, 2017 and Conditional Use was approved on December 18, 2017.

ALTERNATIVES/OPTIONS:

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

BUDGET IMPACT: None

RECOMMENDATION:

The resolution be adopted by the Board of Supervisors.

MOTION/RESOLUTION:

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

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

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Richard E. Miniscalco	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

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

**RESOLUTION #**

**MONTGOMERY TOWNSHIP**

**MONTGOMERY COUNTY, PENNSYLVANIA**

**A RESOLUTION GRANTING CONDITIONAL PRELIMINARY/FINAL APPROVAL OF THE APPLICATION FOR LAND DEVELOPMENT FOR HIGHER ROCK PARTNER LP, FOR HIGHER ROCK PARTNERS DEVELOPMENT, BETHLEHEM PIKE AND STUMP ROAD, LDS #694**

The Board of Supervisors of Montgomery Township, Montgomery County, Pennsylvania, hereby resolves to grant Conditional Preliminary/Final approval of the Subdivision-Land Development application and plan for **Higher Rock Partners LP, for Higher Rock Partners proposed Retail and Mixed Use, Bethlehem Pike and Stump Road**, as more fully detailed on the plans listed on Exhibit "A" attached hereto and made part hereof and further conditioned upon the following being satisfied by the Applicant prior to the recording of the final plan:

1. Fulfilling all obligations and requirements of the **Gilmore & Associates**, Inc. letters dated November 30, 2017; Accessibility Review dated November 30, 2017 and Waiver Request Review dated December 7, 2017; **Boucher & James**, Inc. letters dated November 30, 2017 and Waiver Request Review dated December 7, 2017; **Montgomery Township Planning Commission** motion and draft minutes dated December 7, 2017; **Montgomery County Planning Commission** letter dated November 20, 2017; **Traffic Planning and Design, Inc.** letters dated December 4, 2017, Waiver Request Review dated December 6, 2017 and Recommended Pavement Marking and Signing Plan letter dated December 13, 2017; **Zoning Officers** review dated December 5, 2017; **Montgomery Township Police Department** comments dated December 14, 2017; **Kenneth Amey's** review letter dated December 1, 2017; **Montgomery Township Fire Marshal** review dated November 22, 2017.
2. Entering into a Land Development Agreement and post financial security in the amount of 110% of the total cost or all public improvements to the satisfaction of the Township Engineer and Township Solicitor for each phase of this development if required. As used herein, the term "public improvements" shall include, but shall not be limited to, streets, parking areas, drive aisles, curbs, water mains, sanitary sewer pipes, manholes and appurtenances thereto, storm water facilities, rain gardens (best management practice) and appurtenances, grading, erosion and sediment control, lighting, required trees, shrubs and landscape buffering, monuments, pins and sidewalks. The record plan shall indicate phasing if required. Upon completion of public improvements, financial security shall be posted in the amount of 15% of the original total public improvement cost, regardless of whether such public improvements are dedicated to the Township, for a period not less than 18 months after Township Engineer approval. If the end of maintenance period for trees and other plantings ends outside the time period specified in 205-49, the maintenance period shall be extended to comply with this requirement and the appropriate financial security shall be provided to the satisfaction of the Township Solicitor.
3. Satisfying the requirements of all Montgomery Township Codes and rules and regulations of the Montgomery Township Municipal Sewer Authority and North Wales Water Authority. A copy of the Authorities' permits and/or agreements from the above must be provided to the Township.

4. Paying all Township Consultant and Solicitors fees related to this project.
5. Obtaining all other Regulatory Authority Permits having jurisdiction over this project.
6. Executing the required Storm Water Management Facilities Maintenance and Monitoring Agreement and Landscaping Declaration of Covenants and Restriction for its benefit and its successors and assigns.
7. Any **new** future development of this parcel shall be subject to new application and approval by the Board of Supervisors.
8. Identifying all storm water inlets and outfall structures in accordance with the PADEP Municipal Separate Storm Sewer Systems requirements.
9. The Applicant acknowledges that Section 205-116 of the SALDO provides for the payment of a fee in lieu of the dedication of parkland for park and recreation purposes. The Applicant hereby agrees to accept the provisions of Section 205-116(A) (2) of the SALDO providing for the payment of \$.50 per square foot for nonresidential development or use up to 10,000 square feet and \$.25 per square foot over 10,000 square feet. This fee must be paid prior to the submission of an application for a building permit.
10. Building permit(s) shall not be issued until all weather paved roadways and fire service protection systems have been installed to the satisfaction of the Township Engineer and Montgomery Township Department of Fire Services.
11. Any signage identified on the plan is not approved unless it conforms to the Township Zoning code or has been granted prior relief from the Zoning Hearing Board.
12. Complying with Zoning Hearing Board Decision and Order for Application 17090002 held on October 4, 2017.
13. Complying with the Conditional Use Decision and Order memorializing the Board's December 18, 2017 approval of the #C-66 Conditional Use Application.
14. Providing a copy of all cross easement documentation for review prior to recording. The applicant should provide access easement to the Township to allow access to streetlights for maintenance, but not the requirement to maintain.
15. Installation of Emergency Preemption at Stump Road Fire Station per the Director of Fire Service, Traffic Planning and Design and PADOT.

**BE IT RESOLVED that the following waivers have been requested by the applicant and are granted to the extent that they concur with the recommendation of the consultants:**

- 1 A waiver from SALDO Section 205-10.C.2 which requires intersections shall be approached on all sides by leveling areas. Where grades exceeds 7%, such leveling areas shall have a minimum length of 50 feet within which no grade shall exceed a maximum of 4%. The grade of actual intersections shall not exceed 1% in any direction. Due to the nature of existing grades on site (in excess of 10% in several areas), it is infeasible to provide the required leveling areas for intersections along the proposed Witchwood Drive extension through the project site. A modification is requested to permit grading of intersections that is consistent with the existing grades of the site. **We do not object to this waiver request.**

- 2 A waiver from SALDO Section 205-10.D.1 (a) Witchwood Drive is a secondary road and as such is required to have right-of-way width of 60 feet and a paving width of 40 feet. A waiver has been requested to permit a right-of-way width of 40 feet per coordination with the Township, which is sufficient to be dedicated. The Applicant also request a waiver to allow paving to be 38 feet wide. **We do not object to this waiver request.**
- 3 A waiver from SALDO Section 205-10.G.7 which requires a stopping area which grade does not exceed 6%. Due to the nature of existing grades on site (in excess of 10% in several areas), it is infeasible to provide the required grades in stopping areas for intersections along the proposed Witchwood Drive extension through the project site. A modification is requested to permit grading of intersections that is consistent with the existing grades of the site. **We do not object to this waiver request.**
- 4 A waiver from SALDO Section 205-10.H.7(b) which requires handicapped spaces to be 12 feet wide by 20 feet long. A minimum width of 8' is proposed for handicapped parking spaces for the development in accordance with the '2010 ADA Standards for Accessible Design.' A waiver is requested to provide handicapped parking spaces in compliance with the minimum design requirements of the Americans with Disabilities Act. **We do not object to this waiver request provided the proposed accessible parking spaces meet federal requirements.**
- 5 A waiver from SALDO Section 205-17.D. (4) which requires a standard curb reveal of 8 inch. Due to the pedestrian traffic associated with the various uses, 6-inch curb is proposed instead of 8-inch curb, as 8-inch curb can be a tripping hazard. In addition, 6-inch curb is proposed throughout the entire development to keep uniformity between the different pad sizes. **We do not object to this waiver request.**
- 6 A waiver from SALDO Section 205-18.A(3)(b) any closed conduit, when flowing full shall have a minimum velocity of 3.5 feet per second and a maximum velocity of 15 feet per second. Due to the slope of Witchwood Drive, the maximum velocity of 15 feet per second (fps) is exceeded. **We do not object to this waiver request.**
- 7 A waiver from SALDO section 205-18.A (6) which requires 95% of gutter flow to be captured. Due to the slope of Witchwood Drive, the inlets are unable to capture this flow in all instances. The gutter spread will be designed consistent with PennDOT standards for the 10-year storm event, which requires the spread to be less than ½ the travel lane width. **We do not object to this waiver request provided the following: (1) the Stormwater Management Report be revised to include a tabulation of full-flow velocities, and (2) the Applicant agrees to address any concerns we may have upon review of the additional information requested.**
- 8 A waiver from SALDO Section 205-18.D (3) (f) which requires storm water management facilities to be designed for either the total impervious coverage or the maximum impervious coverage ratio per the zoning district (75% Commercial District), whichever is greater. **The Applicant has noted that additional stormwater management systems will be installed as the site expands. Given the nature of the proposed use (commercial) and the site topography, we do not object to this waiver requested contingent upon: (1) notes be included in the record plan and the PCSWM plan noting the need to comply with the Stormwater Management Ordinance with any future development or additional impervious surface, and (2) proposed storm sewer pipes be designed to handle these future flows where applicable (e.g. upsize any pipes that are flowing near capacity and may receive additional flow from potential future development.**

- 9 A waiver from SALDO Section 205-24 requiring street lighting to be installed along each street front abutting a public street. Street lighting for the development is proposed to be maintained privately and located outside of the right-of-way. **We do not object to this waiver request. The Applicant should provide access easement to the Township to allow access to these lights for maintenance, but not the requirement to maintain.**
- 10 A waiver from SALDO Section 205-52.A.(2)(a) to permit spacing of street trees to be less than 40 feet on center and greater than 50 feet on center. Including but not limited to conflicts with utilities, driveways and signage. **We have no objection to this waiver request.**
- 11 A waiver from SLDO 205.52.A(3) which requires that street trees be a species listed in SLDO 205-56.A or 205.56.B This waiver is being requested to permit the planting of species that are not noted within the ordinance for the benefit of horticultural diversity. **We have no objection to this waiver request.**
- 12 A waiver from SALDO Section 205-52.B.(2)(a) to permit not providing a softening buffer along Bethlehem Pike and Stump Road in order to preserve views of the existing billboard and into the site. **We have no objection to this waiver request, provided the required trees and shrubs are planted elsewhere in the Township or a fee-in-lieu is provided. An additional forty-eight (48) trees and ninety-six (96) shrubs are required. 48 Shade Trees x \$600 = \$28,800.00 96 Shrubs x \$90 = \$8,640.00**
- 13 A waiver from SALDO Section 205-52.B (2) d to allow slopes greater than 25% within a softening buffer. Due to the existing grades on site (in excess of 10% in several areas), it is infeasible to provide slopes less than 25% in the buffers. Retaining walls have been proposed in several locations to limit steep slopes as possible. **We have no objection to this waiver request, provided appropriate details and specification are provided for the adequate stabilization of the steep slope areas.**
- 14 A waiver from SALDO Section 205-52.C (2) (b) which requires all loading areas, trash receptacles and mechanical equipment to be screened from view. Loading areas are in the rear of the buildings and the property is surrounded by industrial users who will not be impacted. **We have no objection to this waiver request provided the evergreen buffering currently shown around the dumpster pads on the landscape plan remains in place.**
- 15 A Waiver from SALDO Section 205-52.D (1) (c) which requires a maximum of 15 parking spaces in a row without a landscape island of 15 feet in width. This waiver is being requested for operational reasons, only for the proposed parking facility adjacent to the nursery. **We have no objection to this waiver request, provided the shade tree required to be located in the missing landscape island in accordance with the Table 1 Parking Lot Landscaping Requirements is planted on the site, is planted elsewhere in the Township, or a fee-in-lieu is provided. 1 Shade tree x \$600 = \$600.**
- 16 SLDO 205.52.D(1)(d) requires raised planter islands to be placed at the end of each row of parking spaces beginning and/or terminating at an internal circulation drive. Striping is proposed at the ends of the parking rows surrounding the Wawa building for operational reasons. **We have no objection to this waiver request, provided the shade tree required to be located in the missing landscape islands are planted on the site, are planted elsewhere in the township, or a fee-in-lieu is provided. 4 Shade Trees x \$600 = \$2,400.00**

- 17 A Waiver from SALDO Section 205-52.H(2) & 205-52.H(3), which requires sod plantings on slopes greater than 15% and groundcover plantings for slopes greater than 33%. This waiver is being requested to permit the planting of seeded lawn areas, but in no way will relieve the applicant from providing complete stabilization for the entire site. **We have no objection to this waiver request, provided appropriate details and specifications are provided for the adequate stabilization of steep slope areas.**
- 18 A waiver from SALDO Section 205-53.C.(1) to permit removing greater than 40% of existing trees 24-48" caliper in order to permit development on the project site. **We have no objection to this waiver request, as the required replacement trees are proposed to be planted on site.**
- 19 A waiver from SALDO Section 205-56 to permit deviating from the recommended plant list. Alternate native and adapted species have been selected under the direction of the client who has industry knowledge of the species in question. The goal is to develop a sustainable and long-lasting landscape. **We have no objection to this waiver request, with the exception of the proposed Acer rubrum "Armstrong" and Quercus robur x bicolor "long" trees, which are columnar form trees and do not meet the ordinance requirement that the trees be of the same general character and growth habit as the plants listed in the recommended plant list. Alternate shade tree species should be selected from the recommended plant list for these two species.**
- 20 A waiver from SALDO Section 205-78.B.1 which requires all existing features within 400 feet of the property. The plans show existing underground utility structures, utility rights-of-way, and other manmade features that are pertinent for the portion of the site to be developed and an Aerial Plan has been provided showing manmade features within 400 ft. of the subject property. The Applicant has supplied an aerial to supplement the survey information provided on the existing features plan. **We do not object to this waiver request provided the Applicant supply any of this information should it be deemed necessary to complete the review.**
- 21 Waiver from Montgomery Township Street Lighting Specification, Section 1: 3.f., which requires the extinguishing of illumination of signs after 10pm until sunrise. **TPD does not support this waiver request as the Montgomery Township Street Lighting Specification allows sign lighting to remain on during the hours of operation if they extend beyond 10:00 PM. Per the section stated above, "such lighting situated on the premises of a commercial establishment may remain illuminated while the establishment is actually open for business, and until one hour after closing."**
- 22 Waiver from Montgomery Township Street Lighting Specification, Section 4, which requires a specific High Pressure Sodium "American Revolution" luminaire (manufactured by American Electric) along Witchwood Drive. This waiver is being requested to permit the use of LED lighting to match other proposed fixtures on the project for consistency, energy compliance and to fit the overall design intent of the site. **TPD supports this waiver request because the portion of Witchwood Drive across Stump Road provides a street light fixture different from the Montgomery Township Street Light Specification standard.**

- 23 Waiver from Montgomery Township Street Lighting Specification, Section 5, which requires the use of laminated wood poles for proposed street lighting. This waiver is being requested to permit the use of poles matching other proposed fixtures on the project for consistency and to fit the overall design intent of the site. **TPD supports this waiver request as a matter of procedure in supporting waiver request no. 22. The street lights to be installed shall match, in physical characteristics, the other proposed fixtures on the project.**
- 24 A waiver from Section 230-231.A (1) which requires side and rear yard areas. An area 25 feet wide shall be landscaped with a softening or screening buffer. When authorized by the Board of Supervisors, this may be reduced to no less than 10 feet, but only where the yard abuts a commercial or industrial use or zoning district. The project provides a minimum of 10' buffer and our property is surrounded by industrial and commercial uses except in the northwest corner where the buffer is provided. **We have no objection to this request**
- 25 A waiver from Section 205-22, which requires Sidewalks, shall be required at any location where the Supervisors shall determine that sidewalks are necessary for public safety or convenience. Sidewalk is proposed in areas that are feasible for connection. As there is no sidewalk south of this development along Bethlehem Pike, it is not provided, however, grading is shown that would accommodate a future sidewalk.
- 26 A waiver from Section 205-52.B(3)(a) which requires softening buffers shall be aligned adjacent and parallel to the entire property perimeter, including rights-of-way, but may be sited on any position of the property if permitted by the Board of Supervisors. Some of the softening buffer landscaping is located farther than 20' from the property lines due to the proposed sidewalk, grading, and other issues. **We have no objection to this request.**
- 27 A waiver from Montgomery Township Street Lighting Specification, Section 1: 3.d., which requires commercial uses to extinguish their lighting between the hours of 10pm and dawn, unless otherwise permitted by the appropriate officers or agents of the Municipality, for the safety or security or businesses that operate all night. We are requesting permission to keep lighting on after 10pm as some of the tenants are expected to have hours beyond that time. **TPD supports this waiver request for tenants to provide lighting beyond 10:00 PM at 50% light reduction after 10:00 PM. For those tenants that have business hours extending beyond 10:00 PM, TPD supports 100% light output for the duration of the hours of operation, at which time the light output shall be reduced by 50% until dawn.**
- 28 A waiver from Montgomery Township Street Lighting Specification, Section 1: 3.e., which requires lighting, used after 10 PM to be reduced to 50% until dawn, unless supporting a specific purpose and approved by the appropriate officers or agents of the Municipality. We are requesting permission to keep lighting at full power for safety and security reasons for facilities that will be operating beyond 10 PM. **TPD supports this waiver request for 100% light output after 10:00 PM only for those tenants that have extended business hours. For those tenants that have business hours extending beyond 10:00 PM, TPD supports 100% light output for the duration of the hours of operation, at which time the light output shall be reduced by 50% until dawn. All other tenants intending to require lighting after 10:00 PM shall reduce lighting output by 50% after 10:00 PM, as identified within the Montgomery Township Street Lighting Specification.**

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

DULY PRESENTED AND ADOPTED by the Board of Supervisors of Montgomery Township, Montgomery County, Pennsylvania, at a public meeting held this 18<sup>th</sup> day of December, 2017.

MOTION BY:

SECOND BY:

VOTE:

The applicant agrees to the above conditions this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Applicant Signature

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

EXHIBIT "A"

LIST OF DRAWINGS

<u>SHEET</u>	<u>DESCRIPTION</u>	<u>ORIGINAL DATE</u>	<u>REVISED DATE</u>
1	...COVER SHEET	10-13-17	
2	...OVERALL SITE PLAN	10-13-17	
3	...SITE PLAN (A)	10-13-17	
4	...SITE PLAN (B)	10-13-17	
5	...SITE PLAN (C)	10-13-17	
6	...PROJECT NOTES	10-13-17	
7	...LOT CONSOLIDATION & LOT LINE ADJUSTMENT PLAN	10-13-17	
8	...OVERALL EXISTING CONDITIONS & DEMOLITION PLAN	10-13-17	
9	...EXISTING CONDITIONS & DEMOLITION PLAN (A)	10-13-17	
10	...EXISTING CONDITIONS & DEMOLITION PLAN (B)	10-13-17	
11	...EXISTING CONDITIONS & DEMOLITION PLAN (C)	10-13-17	
12	...TREE REMOVAL / PROTECTION PLAN	10-13-17	
13	...OVERALL GRADING PLAN	10-13-17	
14	...GRADING PLAN (A)	10-13-17	
15	...GRADING PLAN (B)	10-13-17	
16	...GRADING PLAN (C)	10-13-17	
17	...OVERALL UTILITY PLAN	10-13-17	
18	...UTILITY PLAN (A)	10-13-17	
19	...UTILITY PLAN (B)	10-13-17	
20	...UTILITY PLAN (C)	10-13-17	
21	...UTILITY TABLES	10-13-17	
22	...STORM SEWER PROFILES	10-13-17	
23	...STORM SEWER PROFILES	10-13-17	
24	...STORM SEWER PROFILES	10-13-17	
25	...STORM SEWER PROFILES	10-13-17	
26	...SANITARY SEWER PROFILES	10-13-17	
27	...SANITARY SEWER PROFILES	10-13-17	
28	...SANITARY SEWER PROFILES	10-13-17	
29	...PHASE 1 OVERALL SOIL EROSION & SEDIMENT POLLUTION CONTROL PLAN	10-13-17	
30	...PHASE 2 OVERALL SOIL EROSION & SEDIMENT POLLUTION CONTROL PLAN	10-13-17	
31	...PHASE 2 SOIL EROSION & SEDIMENT POLLUTION CONTROL PLAN (A)	10-13-17	
32	...PHASE 2 SOIL EROSION & SEDIMENT POLLUTION CONTROL PLAN (B)	10-13-17	
33	...PHASE 2 SOIL EROSION & SEDIMENT POLLUTION CONTROL PLAN (C)	10-13-17	
34	...SOIL EROSION & SEDIMENT POLLUTION CONTROL NOTES	10-13-17	
35	...SOIL EROSION & SEDIMENT POLLUTION CONTROL DETAILS	10-13-17	
36	...SOIL EROSION & SEDIMENT POLLUTION CONTROL DETAILS	10-13-17	
37	...OVERALL LANDSCAPE PLAN	10-13-17	
38	...LANDSCAPE PLAN (A)	10-13-17	
39	...LANDSCAPE PLAN (B)	10-13-17	
40	...LANDSCAPE PLAN (C)	10-13-17	
41	...LANDSCAPE DETAILS	10-13-17	
42	...OVERALL LIGHTING PLAN	10-13-17	
43	...LIGHTING PLAN (A)	10-13-17	
44	...LIGHTING PLAN (B)	10-13-17	
45	...LIGHTING PLAN (C)	10-13-17	
46	...DETAILS	10-13-17	
47	...DETAILS	10-13-17	
48	...DETAILS	10-13-17	

49... WAWA DETAILS	10-13-17
50... WENDY'S DETAILS	10-13-17
51... SIGNAGE DETAILS	10-13-17
52... PRE-DEVELOPMENT DRAINAGE AREA PLAN	10-13-17
53... POST DEVELOPMENT DRAINAGE AREA PLAN	10-13-17
54... INLET DRAINAGE AREA PLAN	10-13-17
55... OVERALL POST CONSTRUCTION STORMWATER MANAGEMENT PLAN	10-13-17
56... POST CONSTRUCTION STORMWATER MANAGEMENT PLAN (A)	10-13-17
57... POST CONSTRUCTION STORMWATER MANAGEMENT PLAN (B)	10-13-17
58... POST CONSTRUCTION STORMWATER MANAGEMENT PLAN (C)	10-13-17
59... POST CONSTRUCTION STORMWATER MANAGEMENT NOTES	10-13-17
60... POST CONSTRUCTION STORMWATER MANAGEMENT DETAILS	10-13-17
61... POST CONSTRUCTION STORMWATER MANAGEMENT DETAILS	10-13-17
62... FIRE TRUCK CIRCULATION PLAN	10-13-17
63... DELIVERY TRUCK CIRCULATION PLAN	10-13-17
64... AERIAL PLAN	10-13-17



**GILMORE & ASSOCIATES, INC.**  
ENGINEERING & CONSULTING SERVICES

November 30, 2017

File No. 2016-07014-01

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

Reference: **Preliminary/Final Subdivision and Land Development Application – LDS#694**  
Higher Rock Partners, LP  
Tax Map Parcel Numbers: 46-00-00298-007, 46-00-00295-001, 46-00-00301-004, 46-00-03562-001, 46-00-03556-007, 46-00-03562-109; Block 19 – Units 3, 49, 17, 19, 35, and 43  
Stump Road and Bethlehem Pike (S.R. 0309)

Dear Bruce:

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

**I. SUBMISSION**

- A. Preliminary/Final Land Development and Subdivision Application for Higher Rock Partners, LP, prepared by Robert L. Brant & Associates, dated October 13, 2017.
- B. Preliminary/Final Land Development, Subdivision & Conditional Use Plans for Higher Rock Partners, LP (64 sheets), prepared by Bohler Engineering, dated October 13, 2017.
- C. Waiver Request Letter for Proposed Commercial Development, prepared by Bohler Engineering, dated October 13, 2017.
- D. Change in Zoning Text Request for Higher Rock Partners, LP, prepared by Robert L. Brant & Associates, dated October 11, 2017.
- E. General Project Description and Preliminary Stormwater Management Calculations (SWM) for Higher Rock Partners, LP's Proposed Retail & Mixed Use, prepared by Bohler Engineering, dated October 13, 2017.
- F. PCSM Narrative for Stormwater Dispersal System, prepared by Castle Valley Consultants, Inc., dated September 21, 2017.
- G. Stormwater Dispersal System Plans for Higher Rock Partners, LP (7 sheets), prepared by Castle Valley Consultants, Inc., dated September 21, 2017.
- H. Alluvial Soil Investigations & Flagging Letter, prepared by Penn's Trail Environmental, LLC, dated November 21, 2017.
- I. Wetland & Waters Site Evaluation Summary Letter of Findings Letter, prepared by Penn's Trail Environmental, LLC, dated November 20, 2017.

**II. GENERAL**

The project consists of five parcels with combined gross and net areas of 18.705 acres and 18.25 acres, respectively that will be subdivided into four lots along with the extension of Witchwood Road from Stump Road to Bethlehem Pike. The project is located at the intersection of Bethlehem Pike (S.R. 0309) and Stump Road, within the LI Limited Industrial and HLI Highway Limited Industrial Overlay Zoning Districts. The Applicant, Higher Rock Partners, LP, proposes to demolish all existing features with the exception of an existing 1,530 square foot (SF), two-story garden center to remain on proposed Lot 2 and an existing 1,419 SF brick building

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to remain on Lot 4. The applicant proposes the development of the project site in accordance with a unified development plan. Lots 1, 3, & 4 will be situated west of the proposed Witchwood Road extension. Lot 1 would contain a Wendy's restaurant with a drive thru and outdoor seating, and a Wawa with gasoline filling station. Lot 3 will contain a 4,500 SF Garden Center (Building 1). Lot 4 will remain unchanged and contain the existing 1,419 SF brick building. Lot 2 will be situated east of the proposed road extension and contain a Citadel Bank with a drive-thru, a three-story, 16,000 SF office building, a 6,000 SF retail building, and the existing garden center (Garden Center Building 2) with a 1,500 square foot addition.

The applicant's proposal includes appurtenant parking, utilities, storm water management, landscaping, etc. to support the proposed uses. The Applicant intends to offer dedication of the Witchwood Drive extension to the Township.

Concurrent with review of the preliminary & final land development plan application, the Township has before it a conditional use application to allow the proposed gasoline filling station proposed in conjunction with the Wawa. Also, before the Township is a Zoning Ordinance text amendment. The text amendment modifies certain sections of the Zoning Ordinance dealing with the required minimum lot area, the minimum length of banking facility drive-thru stacking lanes, and sets forth conditions regarding a unified development. For the purpose of our review we have assumed the applicant will be granted the conditional use and that the Board of Supervisor will adopt the pending text amendment.

### III. REVIEW COMMENTS

#### A. Zoning Hearing Board Decision and Order

The Montgomery Township Zoning Hearing Board granted the following variances and special exceptions from the Montgomery Township Zoning Ordinance (Chapter 230) per the Opinion and Order dated November 17, 2017.

1. §230-75 & Table 230-A – A Special Exception to permit an outdoor dining area as an accessory use to a principal restaurant use. The Wendy's restaurant is proposing installation of outdoor seating.
2. §230-77.B – To permit the front yard setback of the existing garden center building from the proposed Witchwood Drive extension of 9.7 feet rather than 60 feet as required by the Ordinance.
3. §230-78.A – To permit the existing garden center building within the required 25 foot planting area along the proposed Witchwood Drive extension.
4. §230-112.A – To permit the Wawa trash enclosure to be located in the front yard.
5. §230-134.C(13) – To permit 42 parking spaces for the proposed garden center building 1 and 14 parking spaces for proposed garden center building 2
6. §230-219.A(2) & §230-219.B(2) – To permit portions of parking and drive aisles within the required softening buffer.
7. §230-123.A(36) – A Special Exception to permit a pre-sell board and menu for the proposed Wendy's restaurant.
8. Several variances related to signage were granted from §230-127.A(1)(a)[1], §230-127.A(2)(a), §230-127.A(4), and §230-127.A(4)(b)[3]. Refer to the Opinion and Order for details.

#### B. Zoning Ordinance (Chapter 230)

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

1. §230-78.F(1) – No waste, rubbish and discarded materials shall be stored outside of the building unless it is placed within a completely fenced-in area so as to conceal the materials. Waste disposal areas have not been designated on the plans for garden center building 1 (Lot 3). A fenced-in area should be designated on the plan or other accommodation proposed.
2. The parking calculations and tabulations on Sheet 6 do not appear to be consistent with the parking spaces shown on the plan views. Specifically, it appears the plans depict 6 fewer spaces than indicated in the note on Sheet 6. However, it does appear that the required number of spaces are provided. The applicant should verify the correct number of proposed parking spaces are noted on Sheet 6.

3. We defer review of proposed signage to the Township Code Officer.

C. Subdivision and Land Development Ordinance (Chapter 205) – Waiver Requests

The following waivers from the Montgomery Township Subdivision and Land Development Ordinance were requested per Bohler Engineering letter dated October 13, 2017:

1. §205-10.C(2) – Vertical curves shall be used in changes of grade exceeding 1% and should be designed for maximum visibility. Intersections shall be approached on all sides by leveling areas. Where the grade exceeds 7%, such leveling areas shall have a minimum length of 50 feet within which no grade shall exceed a maximum of 4%. The grade of actual intersections shall not exceed 1% in any direction. The slopes along Witchwood Drive exceed the required maximum due to the site elevations. We do not object to this waiver request.
2. §205-10.D(1)(a) – Witchwood Drive is a secondary road and as such is required to have a right-of-way width of 60 feet and a paving width of 40 feet. A waiver has been requested to permit a right-of-way that is 40 feet wide. It shall be noted that the Applicant is required to request a waiver to allow a paving width of 38 feet wide. The Applicant requested a waiver from §205-10.D.1(1). The appropriate section shall be referenced on future submissions. We do not object to this waiver request.
3. §205-10.G(7) – Regardless of the driveway classification, all driveways shall be provided with a stopping area within which the grade shall not exceed 6%. Both access driveways for Lot 2, as well as the one on Lot 1 that provides access to Garden Center Building 1 exceed the maximum 6%. *We do not object to this waiver request provided adequate site distance is provided at each intersection.*
4. §205-10.H(7)(b) – Accessible parking spaces are to be 12 feet wide and 20 feet long. *We do not object to this waiver request provide the proposed accessible parking spaces meet federal requirements.*
5. §205-17.D(4) – Concrete curbs shall have a curb reveal of 8 inches. The Applicant proposes a curb reveal of 6 inches. We do not object to this waiver request.
6. §205-18.D(3)(f) – Stormwater management facilities must be designed for the greater of either the total impervious cover or the maximum impervious surface ratio permitted within the respective zoning district (75% for Commercial district). The Applicant is proposing a total impervious coverage for all lots of 43.2%. The Applicant has noted that additional stormwater management systems will be installed as the site expands. Given the nature of the proposed use (commercial) and the site topography, we do not object to this waiver request contingent upon:
  - a. notes be included in the record plan and PCSWM plan noting the need to comply with the Stormwater Management Ordinance with any future development or addition of impervious surface, and.
  - b. proposed storm sewer pipes be designed to handle these future flows where applicable (e.g. upsize any pipes that are flowing near capacity and may receive additional flow from potential future development).
7. §205-24 – The Applicant is requesting relief from having to provide streetlighting along each street front abutting a public street. The Applicant is proposing to install streetlights outside of the right-of-way and to maintain said lights privately. We defer recommendation for this request to the Township Landscaping and Lighting Engineer.
8. §205-52.A(2)(a) – Street trees shall be spaced to permit the healthy growth of each tree, but in no instance shall they be closer than 40 feet on center nor farther than 50 feet on center for each side of the street. The Applicant is proposing to install street trees less than 40' apart in some areas and greater than 50' apart in others when conflicts occur with utilities, driveways, and signage. We defer recommendation for this request to the Township Landscaping and Lighting Engineer.
9. §205-52.B(2)(a) – Softening buffers are required in all zoning districts and for all uses. The Applicant requested a waiver from §205-50.B(2)(a) The appropriate section shall be referenced on future submissions. The Applicant is proposing to not provide a softening buffer along both Bethlehem Pike and Stump Road in order to preserve views of the existing billboard and into the site. We defer recommendation for this request to the Township Landscaping and Lighting Engineer.

10. §205-52.B(2)(d) – Within the buffer area, no slopes shall be steeper than one foot in height for each four feet in width (slope 25%). The Applicant has stated that existing steep slopes have been addressed to the greatest extent possible thru the use of retaining walls and that it is infeasible to provide slopes less than 25% in the buffers. We defer recommendation for this request to the Township Landscaping and Lighting Engineer.
11. §205-52.C(2)(b) – All truck loading, outside storage areas, mechanical equipment and trash receptacles shall be screened from view from streets and abutting residential areas in accordance with the standards for screen buffer size and type. The Applicant has stated that loading areas are in the rear of the buildings and the property is surrounded by industrial users who will not be impacted. We defer recommendation for this request to the Township Landscaping and Lighting Engineer.
12. §205-53.C(1) – On all parts of the site, except for those areas within the legal or ultimate right-of-way, whichever is greater, of existing streets, all trees shall be protected. The Applicant seeks to remove greater than 40% of existing trees 24 inch – 48 inch caliper in order to permit development on the project site. We defer recommendation for this request to the Township Landscaping and Lighting Engineer.
13. §205-56 – The Applicant seeks to deviate from the recommended plant list. We defer recommendation for this request to the Township Landscaping and Lighting Engineer.
14. §205-78.B(1) – The location, names and widths of streets and alleys, including existing streets; the location and names of railroads; the location of property lines and names of owners; and the location of watercourses, sanitary sewers, storm drains and similar features within 400 feet of any part of the land to be subdivided. The Applicant has supplied an aerial to supplement the survey information provided on the existing features plan. We do not object to this waiver request provided the Applicant supply any of this information should it be deemed necessary to complete the review.

D. Subdivision and Land Development Ordinance (Chapter 205)

Based on our review, the following items do not appear to comply with the SALDO and waivers were not requested. Upon further development of the plans, additional items may become apparent.

1. §205-9.A, §205-9.B, §205-19, & §205-20 – The Applicant shall provide documentation that public water and sewer services will be provided.
2. §205-10.E(4) & §205-10.G(8) - Proper sight lines should be maintained at all intersections of streets and driveways. Measured along the center line, there should be a clear-sight triangle of 75 feet from the point of intersection. Clear sight triangle shall be depicted on the grading and landscape plans.
3. §205-10.G(9) & §205-10.H(5) - Driveways and aisles where illegal parallel parking is possible should be posted with signs reading "No parking by order of the Fire Marshal." Locations of signs shall be coordinated with the Township Fire Marshal.
4. §205-10.H(4) - All parking spaces shall be marked with all-weather paint with double parallel lines to be a minimum of six inches apart to separate each space. The width of spaces is to be measured to the center of the double parallel lines.
5. §205-10.H(6) - Off-street loading areas shall be provided for all retail business and wholesale and industrial uses requiring the regular delivering or shipping of goods, merchandise or equipment to the site by semitrailer truck. All loading space shall be located on the same lot as the principal use it serves. The garden centers and Wendy's may require off-street loading zones. The applicant shall provide loading zones or documentation that demonstrates these are not required.
6. §205-10.H(6) – If deliveries by truck are anticipated for the garden center building 1 (Lot 3), the turning diagrams shall be added to the plan to demonstrate adequate access and circulation is provided.
7. §205-17.A(2) – All major and secondary roadways shall have a thickness of not less than 16 inches, the subbase of which shall consist of 6 inches of compacted 2A modified stone, 7 inches of superpave 25mm base course, 1.5 inches superpave 25mm binder course, and 1.5 inches superpave 9.5mm wearing course, or approved equivalent. All materials shall conform to the current specifications of the Pennsylvania Department of Transportation. Sheet 46 of 64 contains a standard asphalt pavement detail that is only 10 inches thick. A detail shall be provided that meets the ordinance for Witchwood Drive as well as any work proposed on Bethlehem Pike and/or Stump Road.

8. §205-17.A(3) – Commercial, industrial and multifamily parking areas. All commercial, industrial and multifamily parking areas shall have a thickness of not less than 8 ½ inches, which shall consist of 6 inches of crushed aggregate base course, 1.5 inches superpave 25mm binder course and a 1 inch superpave 9.5mm wearing course conforming to the current specifications of the Pennsylvania Department of Transportation. A detail shall be provided that meets the ordinance for all parking areas.
9. §205-17.A(4) – Commercial, industrial and multifamily driveways (mostly car use). The standard asphalt pavement detail on Sheet 46 of 64 is adequate for car parking areas per §205-17.A(3). However, all commercial, industrial and multifamily driveways carrying mostly cars shall be constructed in accordance with the residential road standards (§205-17.A(1)) or those noted in §205-17.A(4). A detail shall be provided that meets the ordinance for all driveway areas.
10. §205-17.A(5) – The applicant should consider a heavy duty paving section in driveway, loading, and parking areas where a higher concentration of truck traffic is anticipated.
11. §205-18.A(3)(a) – The minimum internal diameter of storm sewers shall be 15 inches. The storm pipe proposed on Lot 1 between the yard drains is 12 inches in diameter. **All storm sewer pipes shall be a minimum of 15 inches in diameter or a waiver requested.** We would not object if a waiver were considered.
12. §205-18.A(3)(b) – Any closed conduit, when flowing full, shall have a minimum velocity of 3.5 feet per second (fps) and a maximum velocity of 15 fps. The Stormwater Management Report provides a tabulation of pipe velocities for the 10-year and 100-year design storm events. However, a tabulation of full-flow velocity does not appear to be provided. The report should be revised to include a tabulation of full-flow velocities. **Pipe runs that have full-flow velocities less than 3.5 fps or greater than 15 fps shall be modified or a waiver requested where the prescribed velocities are not feasible.** In general, we would not object to a waiver if considered provided the applicant agrees to address any concerns we may have upon review of the additional information requested.
13. If the Applicant anticipates potential flow increases from future development of Lot 1 will be directed to the proposed storm sewer between MH25 and EW01; we recommend that the Applicant consider installing larger diameter storm pipe along this run to account for potential flow increases from future development to reduce the likelihood of having to replace pipe in the future.
14. §205-18.A(6) - Inlet spacing and the type used shall be so arranged that 95% of the gutter flow will be captured. Inlet efficiency calculations shall be included in the SWM report. Modifications to proposed inlets shall be made or additional inlets added as needed to achieve the 95% capture rate.
15. §205-18.D(4) & §206-36 – The plans shall designate the party responsible for maintenance of all proposed stormwater facilities and BMPs. Also, easements shall be provided in favor of the Township for inspection and maintenance.
16. §205-21 – The applicant shall obtain approval of the number and locations of all fire hydrant from the Township Fire Marshal.
17. §205-22 – The plan includes sidewalk along Bethlehem Pike north of the Witchwood Drive extension. However, sidewalk is not provided south of Witchwood Drive. The Supervisors should consider the possibility of sidewalks in this area as well as pedestrian connections to the various uses from Witchwood Drive.
18. §205-24 – We defer review of lighting to the Township Lighting Consultant.
19. §205-28.A - No person shall commence or perform any grading, excavation, fill, topsoil removal or removal of vegetative cover without first having obtained a grading permit from the Township Zoning Officer upon the recommendation of the Township Engineer. We note an NPDES permit is required for this project.
20. §205-28.D(2) & (3) - After final grading there shall be a minimum of eight inches of topsoil on the entire site other than that portion of the site where there are buildings or other impervious surface coverage. The developer is not required to import topsoil to the site if an eight-inch final depth cannot be achieved. In cases where the original site has less than eight inches of topsoil at the start of grading activities, the total amount available will become the minimum topsoil requirement. No topsoil will be allowed to be released from the site. All notes on the plans regarding the required topsoil depth shall be revised to reference the Township requirements.

21. §205-78.E, §205-79.A(3) & §205-79.B(3) – The applicant should review the enclosed memorandum regarding Recording Requirements for Plans and for Notary Acknowledgments and make any revisions necessary in order to record the plans.
22. §205-100 – We defer review of the traffic impact study to the Township Traffic Engineer.
23. §205-113 – The applicant shall dedicate land suitable for park or recreational use to the Township, unless one of the alternatives set forth in § 205-116 is agreed to by the Township and the applicant. The land shall be dedicated to the Township as a condition of final plan approval, and no lots shall be sold or built upon until and unless the actual transfer of title has been completed or guaranteed to the satisfaction of the Board. The requirements of this chapter shall be in addition to any other Township requirements for dedication of open space.
24. §205-Appendix A – All concrete curb, sidewalk, and driveway aprons shall be constructed with 4,000 psi concrete and sealed/cured with Aquaron 2000 or approved equal as soon as forms are removed. Notes shall be added to all pertinent details.

E. Stormwater Management Ordinance (Chapter 206)

Based on our review, the following items do not appear to comply with the Montgomery Township Stormwater Management Ordinance (Chapter 206). Upon further development of plans, additional items may become apparent.

1. §206-12 – At a minimum, the applicant shall obtain an NPDES permit for the proposed earth disturbance and stormwater BMPs.
2. §206-17 – The required minimum 10 feet wide riparian buffer shall be delineated on the plans. The SWM report shall include narrative addressing the stream bank erosion requirements and how they have been addressed.
3. §206-22.B(2)[5] – PCSWM Plan shall provide plan and profile drawings of all stormwater BMP's. Top of grate, rim, invert, sump, weir, and orifice details shall be added to the plans in plan view for all stormwater structures (inlets, manholes, headwalls/endwalls, etc.). Additionally, a profile from IN10 to IN11 shall be added to the plan set.
4. §206-33 & §206-35 – The property owner(s) shall enter into a stormwater facilities and BMP operations and maintenance agreement to the satisfaction of the Township Solicitor.
5. §206-39.A & B – The paragraphs of these Ordinance sections, regarding the alteration of BMPs, shall be included as notes on the PCSM Plan to be recorded.
6. It appears the invert elevations of UGB4(A) and the tributary storm sewer pipes are not consistent (e.g. pipe inverts appear to be lower than the basin bottom). The information on Sheets 21 and 60 of 64, as well as the SWM report as they pertain to UGB4(A) shall be verified and modified accordingly for all stormwater pipe related to the system.

F. General

1. A retaining wall detail shall be added to the plans or a note stating that design calculations and construction details will be provided for Township review and approval prior to construction.
2. Fall protection barriers shall be provided atop the proposed retaining walls shall be provided where required by the applicable building codes. Design calculations and construction details shall be provided for Township review and approval prior to construction.
3. The trash enclosure detail for Citadel Bank on Sheet 48 of 64 is illegible and shall be revised.
4. The Lot Consolidation Plan shall be made clearer as to the intent. The meets and bounds of all proposed property lines shall be included on the plans.
  - a. Information regarding tax map parcel number 46-00-03562-109 (Block 19, Unit 43 on Stump Road) shall be added to the plans. It is our understanding that this lot will be merged with the remainder of Unit 19. If this is the case; it should be reflected on the plans (e.g. remove the property line between these lots).

- b. Legal descriptions for all four lots, the Witchwood Drive extension, and any proposed easements should be provided for review.
5. Notes shall be added to the plans referencing the Penn's Trail Environmental, LLC letters documenting the extent of the alluvial soils and wetlands with respect to the USDA NRCS Soil Survey.
6. It is recommended that the Applicant obtain the review and approval of the Township Fire Marshal with respect to emergency vehicle access and circulation as well as fire hydrant locations. Several driveway entrances from Witchwood may require widening to accommodate the fire truck.
7. The Applicant shall provide documentation that the proposed underground stormwater facilities can support all anticipated vehicle and equipment loads.
8. The underground basin on the Wendy's restaurant property is referenced as Underground Stormwater Basin 6 on the plans in plan view. The Storm Pipe Chart on Sheet 21 of 64 denotes it as UGB5, as does the SWM report. The basin shall have the same reference in all locations.
9. Several of the waivers requested were improperly referenced in both the waiver request letter and on the plans. All waivers shall be reference the appropriate Ordinance section.
10. The applicant should provide the Township a revised waiver request letter if additional waivers are to be requested.
11. Site Accessibility review will be provided under separate cover.

Please note that due to revisions that may be made to the plans, additional comments may be forthcoming as part of future plan reviews. Also, in order to help expedite the review process of the plan resubmission, we request that the Applicant submit a response letter which addresses each of the above comments. Changes that have been made to the application that are unrelated to the review comments should also be identified in the response letter.

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

Sincerely,



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

JPD/SW/sl

Enclosure: Dischell Bartle Dooley Memorandum dated November 14, 2014 Re: Recording Requirements for Plans and for Notary Acknowledgments Generally

cc: Lawrence J. Gregan, Manager – Montgomery Township  
Marianne McConnell, Deputy Zoning Officer – Montgomery Township  
Richard Lesniak, Director of Fire Services – Montgomery Township  
Frank R. Bartle, Esq., Solicitor – Dischell Bartle & Dooley, PC  
Ken Amey, AICP  
Judith Stern Goldstein, ASLA, R.L.A. – Boucher & James, Inc.  
Kevin Johnson, P.E. – Traffic Planning & Design, Inc.  
John Antonucci – Higher Rock Partners, LP  
Jim Kahn, President – Higher Rock Partners, LP  
Wendy Feiss McKenna – Robert L. Brant & Associates  
George Hartman, P.E. – Bohler Engineering  
Russell S. Dunlevy, P.E., Senior Executive Vice President – Gilmore & Associates, Inc.



**GILMORE & ASSOCIATES, INC.**  
ENGINEERING & CONSULTING SERVICES

November 30, 2017

File No. 2016-07014-01

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

Reference: Preliminary/Final Land Development and Subdivision Application – LDS#694  
Site Accessibility Review  
Higher Rock Partners, LP - Stump Road and Bethlehem Pike (S.R. 0309)  
Tax Parcel #46-00-00298-007, 46-00-00295-001, 46-00-00301-004, 46-00-03562-001, 46-00-03556-007, and 46-00-03562-109; Block 19, Units 3, 49, 17, 19, 35, and 43

Dear Bruce:

Pursuant to your request, Gilmore & Associates, Inc. has reviewed the preliminary/final land development plans for the above-referenced project for accessibility. The review was completed in accordance with the requirements of the current Pennsylvania Uniform Construction Code for the site only and did not include doors or any interior elements. We offer the following comments for consideration:

**I. SUBMISSION**

- A. Preliminary/Final Land Development, Subdivision & Conditional Use Plans for Higher Rock Partners, LP (64 sheets), prepared by Bohler Engineering, dated October 13, 2017

**II. ACCESSIBILITY REVIEW COMMENTS**

Based on our review, the following items do not appear to comply with the accessibility provisions of Pennsylvania's Uniform Construction Code, specifically the 2015 International Building Code (IBC) and/or the ICC/ANSI A117.1-2009 Accessible and Usable Buildings and Facilities (ICC) standard:

1. IBC §1103.1 – Information, including revising related details, shall be provided to indicate that the proposed air pumps are accessible.
2. IBC §§1104.2 & 1105.1 – At least 60 percent of all public entrances shall be accessible and at least one accessible route shall connect all accessible elements, including between accessible building entrances and accessible parking spaces. The location of all proposed public and accessible building entrances shall be identified on the plans to confirm whether these requirements have been met.
3. IBC §1105.1.3 – Information shall be provided to indicate whether any restricted entrances are proposed to determine whether the requirements of this section apply and have been met, as may be applicable.
4. IBC §1105.1.6 – At least one accessible entrance shall be provided to each tenant in a facility. Information shall be provided to indicate whether any tenant buildings are proposed with individual exterior tenant entrances to confirm whether the requirements of this section apply to the land development plans and have been met, as may be applicable.

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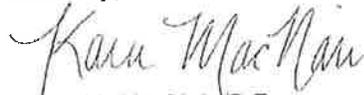
5. IBC §§1106.1 & 1106.6 - Accessible parking spaces shall be located on the shortest accessible route of travel to an accessible building entrance and dispersed to be located near the multiple accessible entrances. All accessible entrances shall be identified on the plans to confirm whether these requirements have been met. Additionally, the Loading Zone Striping Detail on the Wawa Details plan, Sheet 49, shall be revised to match the plan views to confirm the proposed location of the accessible parking spaces.
6. IBC §1109.13 & ICC §§308, 309 – Information, including revising related details, shall be provided to indicate that the proposed air pumps are accessible, including reach ranges and operable part requirements.
7. IBC §1109.14 & ICC §§308, 309 – Additional information shall be provided to confirm that all fuel-dispensing systems are accessible, including reach ranges and operable part requirements.
8. IBC §1110.1 – If not all entrances are accessible, the plans shall be revised to provide signage at accessible entrances. The signage shall comply with ICC §703 and include the International Symbol of Accessibility.
9. IBC §1110.2 – If not all entrances are accessible, directional signage, indicating the route to the nearest like accessible entrance, shall be provided at inaccessible building entrances. The directional signs shall comply with ICC §703 and include the International Symbol of Accessibility.
10. IBC §E105.5 & ICC §707 – Information shall be provided to indicate whether any automatic teller machines are proposed and, if so, confirm that they comply with the requirements of these sections.
11. IBC §E105.6 & ICC §708 – Information shall be provided to indicate whether any two-way communication systems are proposed and, if so, confirm that they comply with the requirements of these sections.
12. ICC §307.3 – Post-mounted signs located within accessible routes shall be relocated outside of the accessible routes or shall be placed on post or pylons which provide a maximum 4 inch overhang.
13. ICC §§403, 405, & 406 – Information shall be provided to confirm that the slopes of all accessible routes comply with the walking surface, ramp, or curb ramp requirements. Additionally, a detailed design shall be provided for each curb ramp; curb ramp designs which are being reviewed by PennDOT as part a Highway Occupancy Permit do not need to be added to the land development plans.
14. ICC §403.5 – The General Bollard Dimensions and Spacing Around Building detail provided on the Wawa Details plan, Sheet 49, shall be revised to confirm the proposed clear width will comply with the requirements of this section.
15. ICC §502.5 – Spot elevations shall be provided at the four corners of each accessible parking space and access aisle to confirm that the surface slopes are not steeper than 1:48.
16. ICC §502.7 – The Reserve Parking Space w/ Penalties & Van Accessible Signs detail on the Details plan, Sheet 46, shall be revised to indicate that the bottom of the van accessible sign will be set a minimum of 60 inches above the floor of the parking space.
17. ICC §705 – The Patent Pending ADA Detectable Warning Truncated Dome Tool Design detail provided on the Details and Wawa Details plans, Sheets 46 and 49 respectively, shall be revised in accordance with the requirements of this section. The location of all proposed detectable warning surfaces shall be shown on the plans.

18. We recommend the plans be revised to include a note stating that the plans must comply with the PAUCC.

Please note that due to the nature of revisions that will be made to the plans, additional comments may be forthcoming during future plan reviews. Also, in order to help expedite the review process of the plan resubmission, the Applicant should submit a response letter which addresses each of the above comments. Changes that have been made to the application that are unrelated to the review comments should also be identified in the response letter.

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

Sincerely,



Karen M. MacNair, P.E.  
Accessibility Inspector/Plans Examiner, Certification #005027  
Gilmore & Associates, Inc.

KMM/si

cc: Lawrence J. Gregan, Manager – Montgomery Township  
Marianne McConnell, Deputy Zoning Officer – Montgomery Township  
Richard Lesniak, Director of Fire Services – Montgomery Township  
Frank R. Bartle, Esq., Solicitor – Dischell Bartle & Dooley, PC  
Ken Arney, AICP  
Judith Stern Goldstein, ASLA, R.L.A. – Boucher & James, Inc.  
Kevin Johnson, P.E. – Traffic Planning & Design, Inc.  
John Antonucci – Higher Rock Partners, LP  
Jim Kahn, President – Higher Rock Partners, LP  
Wendy Feiss McKenna – Robert L. Brant & Associates  
George Hartman, P.E. – Bohler Engineering  
Russell S. Dunlevy, P.E., Senior Executive Vice President – Gilmore & Associates, Inc.  
James P. Dougherty, P.E., Senior Project Manager – Gilmore & Associates, Inc.



# GILMORE & ASSOCIATES, INC.

ENGINEERING & CONSULTING SERVICES

December 7, 2017

File No. 2016-07014-01

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

Reference: Preliminary/Final Subdivision and Land Development Application – LDS#694  
Higher Rock Partners, LP  
Tax Map Parcel Numbers: 46-00-00298-007, 46-00-00295-001, 46-00-00301-004, 46-00-03562-001, 46-00-03556-007, 46-00-03562-109; Block 19 – Units 3, 49, 17, 19, 35, and 43  
Stump Road and Bethlehem Pike (S.R. 0309)

Dear Bruce:

As requested, Gilmore & Associates, Inc. has reviewed the waiver requests with regard to the preliminary/final land development and subdivision application referenced above and offers the following comments for consideration by the Montgomery Township Board of Supervisors.

The following waivers from the Montgomery Township Subdivision and Land Development Ordinance were requested per Bohler Engineering letter dated December 6, 2017:

1. §205-10.C(2) which requires intersections shall be approached on all sides by leveling areas. Where grades exceeds 7%, such leveling areas shall have a minimum length of 50 feet within which no grade shall exceed a maximum of 4%. The grade of actual intersections shall not exceed 1% in any direction. Due to the nature of existing grades on site (in excess of 10% in several areas), it is infeasible to provide the required leveling areas for intersections along the proposed Witchwood Drive extension through the project site. A modification is requested to permit grading of intersections that is consistent with the existing grades of the site. **We do not object to this waiver request.**
2. §205-10.D(1)(a) which requires a right-of-way of 60' for a secondary street. A 40' right-of-way is proposed for Witchwood Drive. Per coordination with the Township, 40' is sufficient to be dedicated to the Township. **We do not object to this waiver request.**
3. §205-10.G(7) which requires a stopping area which grade does not exceed 6%. Due to the nature of existing grades on site (in excess of 10% in several areas), it is infeasible to provide the required grades in stopping areas for intersections along the proposed Witchwood Drive extension through the project site. A modification is requested to permit grading of intersections that is consistent with the existing grades of the site. **We do not object to this waiver request provided adequate sight distance is provided at each intersection.**
4. §205-10.H(7)(b) which requires handicapped spaces to be 12 feet wide by 20 feet long. A minimum width of 8' is proposed for handicapped parking spaces for the development in accordance with the '2010 ADA Standards for Accessible Design.' A waiver is requested to provide handicapped parking spaces in compliance with the minimum design requirements of the Americans with Disabilities Act. **We do not object to this waiver request.**
5. §205-17.D(4) which requires a standard curb reveal of 8 inch. Due to the pedestrian traffic associated with the various uses, 6 inch curb is proposed instead of 8 inch curb as 8 inch curb can be a tripping hazard. Also, 6 inch curb is proposed throughout the entire development to keep uniformity between the different pad sites. **We do not object to this waiver request.**
6. §205-18.A(3)(b) which requires any closed conduit, when flowing full, shall have a minimum velocity of 3.5 feet per second and a maximum velocity of 15 feet per second. Due to the slope of Witchwood Drive the maximum velocity of 15 feet per second (fps) is exceeded. **We do not object to this waiver request provided the following:**
  - a. **the Stormwater Management Report be revised to include a tabulation of full-flow velocities.**

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- b. the Applicant agrees to address any concerns we may have upon review of the additional information requested.**
7. §205-18.A(6) which requires 95% of gutter flow to be captured. Due to the slope of Witchwood Drive the inlets are unable to capture this flow in all instances. The gutter spread will be designed consistent with PennDOT standards for the 10-year storm event, which requires the spread to be less than ½ the travel lane width. **We do not object to this waiver request.**
  8. §205-18.D(3)(f) which requires stormwater management facilities to be designed for either the total impervious coverage or the maximum impervious coverage ratio per the zoning district (75%), whichever is greater. The stormwater management has been designed consistent with the proposed impervious coverage based on the nature of the proposed use (commercial). Furthermore, any future development will manage Stormwater Management as necessary per the ordinance. **We do not object to this waiver request provided the following:**
    - a. notes to be included on the record plan and PCSWM plan noting the need to comply with the Stormwater Management Ordinance with any future development or addition of impervious surface, and
    - b. the Applicant consider future development and that proposed storm sewer pipes be designed to handle these future flows where applicable (e.g. un-developed area of Lot 1).
  9. §205-24 requiring streetlighting to be installed along each street front abutting a public street. Streetlighting for the development is proposed to be maintained privately and located outside of the right-of-way. **We do not object to this waiver request provided the applicant provide either an agreement to the Township to secure the private operation and maintenance of these lights or an access easement to the Township to allow access to the lights.**
  10. §205-52.A(2)(a) to permit spacing of street trees to be less than 40 feet on center and greater than 50 feet on center. Including but not limited to conflicts with utilities, driveways and signage. **We defer recommendation regarding this waiver request to the Township Landscape Consultant.**
  11. §205-52.A(3) which requires that street trees use species specifically selected from Section 205-56.A. and 205-56.B. This waiver is being requested to permit the planting of species that are not noted within the ordinance for the benefit of horticultural diversity. **We defer recommendation regarding this waiver request to the Township Landscape Consultant.**
  12. §205-52.B(2)(a) to permit not providing a softening buffer along Bethlehem Pike and Stump Road in order to preserve views of the existing billboard and into the site. **We defer recommendation regarding this waiver request to the Township Landscape Consultant.**
  13. §205-52.B(2)(d) to allow slopes greater than 25% within a softening buffer. Due to the existing grades on site (in excess of 10% in several areas), it is infeasible to provide slopes less than 25% in the buffers. Retaining walls have been proposed in several locations to limit steep slopes as possible. **We defer recommendation regarding this waiver request to the Township Landscape Consultant.**
  14. §205-52.C(2)(b) which requires all loading areas, trash receptacles and mechanical equipment to be screened from view. Loading areas are in the rear of the buildings and the property is surrounded by industrial users who will not be impacted. **We defer recommendation regarding this waiver request to the Township Landscape Consultant.**
  15. §205-52.D(1)(c) which requires a maximum of 15 parking spaces in a row without a landscape island of 15 feet in width. This waiver is being requested for operational reasons, only for the proposed parking facility adjacent to the nursery. **We defer recommendation regarding this waiver request to the Township Landscape Consultant.**
  16. §205-52.D(1)(d) which requires planter islands at the end of each row of parking spaces. This waiver is being requested for operational reasons, only for the proposed Convenience Store with fueling operation. **We defer recommendation regarding this waiver request to the Township Landscape Consultant.**
  17. §205-52.H(2) & §205-52.H(3) which requires sod plantings on slopes greater than 15% and groundcover plantings for slopes greater than 33%. This waiver is being requested to permit the planting of seeded lawn areas, but in no way will relieve the applicant from providing complete stabilization for the entire site. **We defer recommendation regarding this waiver request to the Township Landscape Consultant.**

18. §205-53.C(1) to permit removing greater than 40% of existing trees 23-48" caliper in order to permit development on the project site. **We defer recommendation regarding this waiver request to the Township Landscape Consultant.**
19. §205-56 to permit deviating from the recommended plant list. Alternate native and adapted species have been selected under the direction of the client who has industry knowledge of the species in question. The goal is to develop a sustainable and long-lasting landscape. **We defer recommendation regarding this waiver request to the Township Landscape Consultant.**
20. §205-78.B(1) which requires all existing features within 400 feet of the property. The plans show existing underground utility structures, utility rights-of-way, and other manmade features that are pertinent for the portion of the site to be developed and an Aerial Plan has been provided showing manmade features within 400 ft. of the subject property. **We do not object to this waiver provided the Applicant agrees to provide any additional information that may be deemed necessary for the review and approval of the application.**
21. Montgomery Township Street Lighting Specification, Section 1: 3.f. which requires the extinguishing of illumination of signs after 10pm until sunrise. **We defer recommendation regarding this waiver request to the Township Lighting Consultant.**
22. Montgomery Township Street Lighting Specification, Section 4, which requires a specific High Pressure Sodium "American Revolution" luminaire (manufactured by American Electric) along Witchwood Drive. This waiver is being requested to permit the use of LED lighting to match other proposed fixtures on the project for consistency, energy compliance and to fit the overall design intent of the site. **We defer recommendation regarding this waiver request to the Township Lighting Consultant.**
23. Montgomery Township Street Lighting Specification, Section 5, which requires the use of laminated wood poles for proposed street lighting. This waiver is being requested to permit the use of poles matching other proposed fixtures on the project for consistency and to fit the overall design intent of the site. **We defer recommendation regarding this waiver request to the Township Lighting Consultant.**

In addition to the requested waivers, we are requesting the Board take action on the following:

1. §230-231.A(1) which requires side and rear yard areas. An area 25 feet wide shall be landscaped with a softening or screening buffer. When authorized by the Board of Supervisors, this may be reduced to no less than 10 feet, but only where the yard abuts a commercial or industrial use or zoning district. The project provides a minimum of 10' buffer and our property is surrounded by industrial and commercial uses except in the northwest corner where the buffer is provided. **We defer recommendation regarding this request to the Township Landscape Consultant.**
2. §205-22 which requires Sidewalks shall be required at any location where the Supervisors shall determine that sidewalks are necessary for public safety or convenience. Sidewalk is proposed in areas that are feasible for connection. As there is no sidewalk South of this development along Bethlehem Pike it is not provided, however, grading is shown that would accommodate a future sidewalk. **We defer recommendation regarding this request to the Township Landscape Consultant.**
3. §205-52.B(3)(a) which requires softening buffers shall be aligned adjacent and parallel to the entire property perimeter, including rights-of-way, but may be sited on any position of the property if permitted by the Board of Supervisors. Some of the softening buffer landscaping is located farther than 20' from the property lines due to the proposed sidewalk, grading, and other issues. **We defer recommendation regarding this request to the Township Landscape Consultant.**
4. Montgomery Township Street Lighting Specification, Section 1: 3.d. which requires commercial uses to extinguish their lighting between the hours of 10pm and dawn, unless otherwise permitted by the appropriate officers or agents of the Municipality, for the safety or security or businesses that operate all night. We are requesting permission to keep lighting on after 10pm as some of the tenants are expected to have hours beyond that time. **We defer recommendation regarding this request to the Township Lighting Consultant.**
5. Montgomery Township Street Lighting Specification, Section 1: 3.e. which requires lighting used after 10 PM to be reduced to 50% until dawn, unless supporting a specific purpose and approved by the appropriate officers or agents of the Municipality. We are requesting permission to keep lighting at full-power for safety and security reasons for facilities that will be operating beyond 10 PM. **We defer recommendation regarding this request to the Township Lighting Consultant.**

---

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

Sincerely,



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

JPD/sl

cc: Marianne McConnell, Deputy Zoning Officer – Montgomery Township  
Ken Amey, AICP  
Judith Stern Goldstein, ASLA, R.L.A. – Boucher & James, Inc.  
Kevin Johnson, P.E. – Traffic Planning & Design, Inc.  
John Antonucci – Higher Rock Partners, LP  
Jim Kahn, President – Higher Rock Partners, LP  
George Hartman, P.E. – Bohler Engineering



**Boucher & James, Inc.**  
CONSULTING ENGINEERS

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

2/38 Rimrock Drive  
Stroudsburg, PA 18360  
570 679 0300  
Fax 570 679 0306

559 Main Street, Suite 230  
Bethlehem, PA 18018  
610 419 9407  
Fax 610 419 9408  
[www.bjengineers.com](http://www.bjengineers.com)

AN EMPLOYEE OWNED COMPANY

November 30, 2017

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

**SUBJECT: HIGHER ROCK MIXED USE LAND DEVELOPMENT  
PRELIMINARY/FINAL LAND DEVELOPMENT PLANS  
TOWNSHIP LD/S NO. 694  
PROJECT NO. 1655305R**

Dear Mr. Gregan:

Please be advised that we have reviewed the Preliminary/Final Land Development, Subdivision, and Conditional Use Plans for the Proposed Retail and Mixed-Use Land Development prepared for Higher Rock Partners, LP by Bohler Engineering, dated October 13, 2017. The site is located south of the intersection of Route 309 and Stump Road, within the LI Limited Industrial Zoning District and the HLI Highway Limited Industrial Overlay District.

The existing site consists of five tax parcels. Present uses include a retail garden center/nursery, residential, and vacant/unimproved lots. The plans proposed the consolidation and subdivision of the subject parcels into four (4) lots and an area of right-of-way to be used for an extension of Witchwood Drive and dedicated to the Township.

Lot 1 is proposed to contain a 2,566 SF Wendy's Restaurant with drive-thru facilities and a 5,585 SF Wawa Convenience Store with a 16-bay Gasoline Filling Station. Lot 2 is proposed to contain a 2,676 SF Citadel Bank Financial Institution with drive-thru facilities, a 6,000 SF Retail Sales Building, and a 16,000 SF 3-story Business or Professional Office Building. In addition, a 1,500 SF addition is proposed to be constructed to enlarge the existing Retail Garden Center Building/Nursery structure on Lot 2. Lot 3 is proposed to contain a 4,500 SF Garden Center Building/Nursery. It appears that Lot 2 will continue to be used for plant material display accessory to the Garden Center, and the existing single-residence is to remain on Lot 1. Associated parking, signage, dumpster, and underground stormwater management facilities are also proposed.

On November 17, 2017 the applicant received variances and special exceptions from the Zoning Hearing Board for the following: to permit an outdoor dining area accessory to the restaurant use; to permit reduced front yard and building setbacks for the proposed garden center(s); to permit the location of the trash enclosure in front of the Wawa building; to permit reduced parking spaces for the proposed garden center buildings, and to permit portions of the parking and drive aisles within the softening buffer. In addition, variances were granted for a number of signage requirements.

The application has also been submitted for Conditional Use Approval to permit the proposed commercial and retail mixed use development as described above within the LI/HLI Districts.

We offer the following comments for your consideration.

1. General Requirements
  - A. SLDO 205-49.F: a note shall be added demonstrating compliance with the requirement that pruning shall be performed in accordance with ANSI A300 pruning standards.

- B. SLDO 205-49.G & H: Landscape Specification #11 Guarantee and Supplemental Landscape Note #16 shall be revised to demonstrate compliance with the Guaranty and final inspection requirements provided in these sections.

2. Landscape Plan Requirements

SLDO Section 205-51: the Landscape Plan shall be revised to provide the following information, or waivers would be required:

- A. Section 2: ultimate right-of-way lines.
- B. Section 15: existing steep slopes in excess of 15%.
- C. Section 18: a detailed cost estimate shall be attached to the final landscape plan submission for the preparation of the land development agreement. Unit costs for plant material shall include costs for labor, materials, and guaranty, and shall be so stated on the estimate.
- D. Section 19: limits and details of temporary fencing to be used for protection of existing trees and shrubs during construction. The TPI<sup>®</sup> shown in the E&S Plans and the Tree Protection Plan should also be shown in the Landscape Plan and on the Phase 1 Overall E&S Plan.

3. Planting Requirements

- A. ZO 230-127.A(8) requires landscaping for all freestanding signs within the Limited Industrial District. The plans should be revised to provide calculations demonstrating that two (2) square feet of landscaped area will be provided for each square foot of sign area.
- B. ZO 230-129.A(1) requires that for side or rear yards within the HLI District, an area 25' wide shall be landscaped with a softening or screening buffer. When authorized by the Board of Supervisors, this dimension may be reduced to no less than 10', but only where the yard abuts a commercial or industrial use or zoning district. The plans should be revised to show the required buffer areas, and to indicate whether authorization to reduce the buffer yard dimensions is requested where adjacent to industrial uses.
- C. SLDO 205-52.A(2)(a) requires that street trees be spaced no closer than 40 feet on center and no farther than 50 feet on center. Irregular street tree spacing is proposed due to existing and proposed site features. A waiver has been requested.
- D. SLDO 205-52.A(2)(b) requires that street trees shall be planted no closer than six feet to any public sidewalk. Where small street trees are permitted, they shall be planted no closer than 5 feet to any public sidewalk. The locations of street trees along the Witchwood drive extension shall be adjusted so as to meet this requirement.
- E. SLDO 205-52.A(2)(f) permits the use of small street trees where overhead utilities or other limitations create space constraints. However, the trees must still be located the greatest feasible distance from the overhead lines (to a maximum of 25' from the line of the poles). The American Hornbeam street trees proposed along Bethlehem Pike in front of the Wawa shall be adjusted to be located a greater distance from the overhead lines.
- F. SLDO 205-52.A(3) requires that street trees be a species listed in SLDO 205-56.A or 205-56.B. Several Persian Ironwood trees are proposed to meet the street tree requirement. This tree is not included within the street tree list. A waiver is required.

- G. SLDO 205-52.B(2)(a) states that softening buffers are required in all zoning districts and for all uses. Softening buffers have not been provided along the Bethlehem Pike and Stump Road frontages. A waiver has been requested.
  - H. SLDO 205-52.B(2)(d) requires that there be no slopes steeper than 25% within the softening buffer area. A waiver has been requested.
  - I. SLDO 205-52.B(3)(a) requires that softening buffers be aligned adjacent and parallel to the entire property perimeter, within 20' of the property line or legal/ultimate right-of-way lines. Some of the softening buffer landscaping is located farther than 20' from the property lines due to the sidewalk, grading, and other issues. However, plant material for softening buffers may be located on any position of the property if permitted by the Board of Supervisors.
  - J. SLDO 205-52.C(2)(a) a screen buffer is required between the proposed Lot 1 and the adjacent residential development. The plans propose the use of the existing evergreen tree hedge in this location to meet the screen buffer requirement. It appears that the existing trees are sufficient to meet the landscape requirement.
  - K. SLDO 205-52.C(2)(b) requires all truck loading, outside storage areas, mechanical equipment and trash receptacle be screened from view from streets and abutting residential areas. A waiver has been requested.
  - L. SLDO 205-52.D(1)(c) requires that a maximum of 15 parking spaces shall be permitted in a row without a landscape island of 15' in width. A row of 17 parking spaces is shown in front of the proposed Garden Center. A waiver is required.
  - M. SLDO 205-52.D(1)(d) requires raised planter islands to be placed at the end of each row of parking spaces beginning and/or terminating at an internal circulation drive. Striping is proposed at the ends of the parking rows surrounding the Wawa building. A waiver is required.
  - N. SLDO 205-52.D(1)(f) requires that perimeters of parking areas within 100' of an adjacent public street must be softened by a continuous low hedge around the outside perimeter. Hedges are required between the Wendy's circulation drive and Route 309, and the proposed Garden Center parking lot and Stump Road. The plan should be revised to provide the required shrubs.
  - O. SLDO 205-52.H; the landscape plans, landscape specifications, and permanent stabilization specifications should be revised to demonstrate compliance with the Steep Slope Landscaping requirements outlined in this section.
4. Preservation, Protection and Replacement of Trees
- A. SLDO 205-53.B(2): a note should be added to the plan indicating that should it become necessary to disturb more than 1/4 of the total root area of a tree, the tree will no longer be considered to be preserved and must be replaced.
  - B. SLDO 205-53.B(3): a note should be added to the plan indicating that at the direction of the Township Engineer, Township Shade Tree Commission or Township Landscape Architect, existing trees which have not been adequately protected are to be removed and replaced.
  - C. SLDO 205-53.C(1) requires 60% preservation of trees over 23" caliper to 48". The plans propose 49.6% preservation of trees in this category. A waiver has been requested.

5. Recommended Plant List and Planting Standards and Guidelines

- A. SLDO 205-56: planting types not on the Township recommended plant list may be permitted if they meet the requirements of this ordinance section, including the requirement that they have the same general character and growth habit as those listed. A number of trees and shrubs not included in the plant list have been proposed. *Acer rubrum* 'Armstrong' and *Quercus robur* x *bicolor* 'Long' are columnar form trees and do not meet this requirement. A waiver has been requested.
- B. SLDO 205-56.A through H outlines specific size and quality requirements for different planting types including street trees, small street trees, shade trees, evergreen trees, ornamental trees, and shrubs. The landscape details and specifications should be revised to demonstrate compliance with the size and quality requirements for each plant type.
- C. SLDO Appendix C: notes should be provided demonstrating compliance with the standards in subsections (1) through (12) of Appendix C. In addition, the tree and shrub planting details should be revised to demonstrate compliance with the planting details provided in this section.

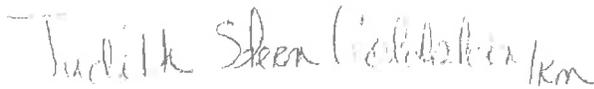
6. General Comments

- A. SLDO 205-55.A: No building permit shall be issued unless a performance bond or other surety approved by the Township solicitor has been filed with the Township in an amount equal to the cost of purchasing, planting, maintaining and replacing all vegetative materials for a period of 18 months after written acceptance of the first landscape installation by the Township.
- B. A number of shrubs are shown directly over utility lines. The plans should be revised so that shrubs are not located directly above underground utility lines.
- C. General Demolition Note 8.B on sheet 6 of 64 should be revised to state that tree protection fence shall be in place, inspected, and approved by the Township Landscape Architect prior to site disturbance.
- D. The Erosion and Sediment Pollution Control Plans show several areas where the limit of disturbance is shown beyond tree protection fence boundary, and several areas where proposed contour lines are shown beyond the tree protection fence, indicating that disturbance is to occur beyond the TPF boundary. The plans should be revised to align the tree protection fencing with the limit of disturbance in order to accurately indicate the extent of tree preservation on the site.
- E. The Sequence of Construction Notes on sheet 34 shall be revised to specify that tree protection fencing shall be in place, inspected, and approved by the Township Landscape Architect prior to site disturbance.
- F. The seeding, permanent stabilization, and sod specifications on sheet 34 should be reconciled with the notes and specifications regarding seeding, permanent stabilization, and sod specifications in the landscape plan details.
- G. The Tree Protection detail on sheet 35 shall be revised to remove the snow fence wrapped around the tree trunk, and to specify that the tree protection fencing shall be installed at the drip line, 15' from the trunk, or at the limit of disturbance, whichever is greater, in accordance with the specifications on the Landscape Details sheet.
- H. Three (3) shade trees and four (4) shrubs shown to the northwest of the wetland area on sheet 37 of 64 have not been labeled.

Mr. Lawrence Gregan, Township Manager  
Higher Rock Mixed Use Land Development  
November 30, 2017  
Page 5

- I. Due to long-term maintenance issues, we recommend that notes and details regarding the use of weed barrier fabric be removed from the plan set.
- J. The plans should be revised to specify areas where sod is to be installed as opposed to areas to be planted with permanent stabilization seed mix.
- K. The plans should be revised to provide a note indicating that if a plant species or other substitution is made without receiving prior substitution request approval from the Township, the unapproved plants will be rejected upon inspection. All plant substitution requests should be forwarded in writing to this office for review and approval.
- L. The following landscape plan discrepancies should be corrected:
  - 1. The Landscape Schedule indicates that 7 *Nyssa sylvatica* are proposed. However, 4 are labeled on the plan.
  - 2. The Landscape Schedule indicates that 147 *Ilex glabra* 'Compacta' are proposed. However, 146 are labeled on the plan.
  - 3. The Landscape Schedule indicates that 18 *Viburnum carlesii* are proposed. However, 14 are labeled on the plan.
  - 4. The Landscape Schedule indicates that 21 *Panicum virgatum* 'Heavy Metal' are proposed. However, 21 are labeled on the plan.
- M. A detailed response letter addressing the above noted comments and any other changes to the plans should be included with future submissions.

Sincerely,



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



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

JSG/vll/kam

cc: Board of Supervisors  
Planning Commission  
Bruce Shoupe, Director of Planning and Zoning  
Marianne McConnell, Deputy Zoning Officer  
James P. Dougherty, P.E., Gilmore & Associates, Inc.  
Kevin Johnson, P.E., Traffic Planning & Design  
Ken Amey, AICP  
John and Mary Anne Antonucci, Higher Rock Partners, LP  
Jim Kahn, Higher Rock Partners, LP  
George J. Hartman III, P.E., Bohler Engineering PA, LLC



**Boucher & James, Inc.**  
CONSULTING ENGINEERS

AN EMPLOYEE OWNED COMPANY

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

7738 Bannock Drive  
Stroudsburg, PA 18360  
570-629-0300  
Fax 570-629-0306

559 Main Street, Suite 250  
Bethlehem, PA 18018  
610-419-9407  
Fax 610-419-9408  
[www.bjengineers.com](http://www.bjengineers.com)

December 7, 2017

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

**SUBJECT: HIGHER ROCK MIXED USE LAND DEVELOPMENT  
WAIVER REQUEST LETTER REVIEW  
TOWNSHIP LD/S NO. 694  
PROJECT NO. 1655305R**

Dear Mr. Gregan:

As requested, we have reviewed the Waiver Request letter from Bohler Engineering dated December 6, 2017. Following are the landscaping waivers requested, and our responses.

1. A waiver from SALDO Section 205-52.A.(2)(a) to permit spacing of street trees to be less than 40 feet on center and greater than 50 feet on center. Including but not limited to conflicts with utilities, driveways and signage. *We have no objection to this waiver request.*
2. A waiver from SLDO 205.52.A(3) which requires that street trees be a species listed in SLDO 205-56.A or 205.56.B. This waiver is being requested to permit the planting of species that are not noted within the ordinance for the benefit of horticultural diversity. *We have no objection to this waiver request.*
3. A waiver from SALDO Section 205-52.B.(2)(a) to permit not providing a softening buffer along Bethlehem Pike and Stump Road in order to preserve views of the existing billboard and into the site. *We have no objection to this waiver request, provided the required trees and shrubs are planted elsewhere in the Township or a fee-in-lieu is provided. An additional forty-eight (48) trees and ninety-six (96) shrubs are required. 48 Shade Trees x \$600 = \$28,800.00; 96 Shrubs x \$90 = \$8,640.00.*
4. A waiver from SALDO Section 205-52.B(2)d to allow slopes greater than 25% within a softening buffer. Due to the existing grades on site (in excess of 10% in several areas), it is infeasible to provide slopes less than 25% in the buffers. Retaining walls have been proposed in several locations to limit steep slopes as possible. *We have no objection to this waiver request, provided appropriate details and specification are provided for the adequate stabilization of the steep slope areas.*
5. A waiver from SALDO Section 205-52.C(2)(b) which requires all loading areas, trash receptacles and mechanical equipment to be screened from view. Loading areas are in the rear of the buildings and the property is surrounded by industrial users who will not be impacted. *We have no objection to this waiver request provided the evergreen*

*buffering currently shown around the dumpster pads on the landscape plan remains in place.*

6. A Waiver from SALDO Section 205-52.D(1)(c) which requires a maximum of 15 parking spaces in a row without a landscape island of 15 feet in width. This waiver is being requested for operational reasons, only for the proposed parking facility adjacent to the nursery. *We have no objection to this waiver request, provided the shade tree required to be located in the missing landscape island in accordance with the Table 1 Parking Lot Landscaping Requirements is planted on the site, is planted elsewhere in the Township, or a fee-in-lieu is provided. 1 Shade tree x \$600 = \$600.*
7. SLDO 205.52.D(1)(d) requires raised planter islands to be placed at the end of each row of parking spaces beginning and/or terminating at an internal circulation drive. Striping is proposed at the ends of the parking rows surrounding the Wawa building for operational reasons. *We have no objection to this waiver request, provided the shade tree required to be located in the missing landscape islands are planted on the site, are planted elsewhere in the township, or a fee-in-lieu is provided. 4 Shade Trees x \$600 = \$2,400.00.*
8. A Waiver from SALDO Section 205-52.H(2) & 205-52.H(3), which requires sod plantings on slopes greater than 15% and groundcover plantings for slopes greater than 33%. This waiver is being requested to permit the planting of seeded lawn areas, but in no way will relieve the applicant from providing complete stabilization for the entire site. *We have no objection to this waiver request, provided appropriate details and specifications are provided for the adequate stabilization of steep slope areas.*
9. A waiver from SALDO Section 205-53.C.(1) to permit removing greater than 40% of existing trees 24-48" caliper in order to permit development on the project site. *We have no objection to this waiver request, as the required replacement trees are proposed to be planted on site.*
10. A waiver from SALDO Section 205-56 to permit deviating from the recommended plant list. Alternate native and adapted species have been selected under the direction of the client who has industry knowledge of the species in question. The goal is to develop a sustainable and long-lasting landscape. *We have no objection to this waiver request, with the exception of the proposed Acer rubrum "Armstrong" and Quercus robur x bicolor "Long" trees, which are columnar form trees and do not meet the ordinance requirement that the trees be of the same general character and growth habit as the plants listed in the recommended plant list. Alternate shade tree species should be selected from the recommended plant list for these two species.*
11. A waiver from Section 230-231.A(1) which requires side and rear yard areas. An area 25 feet wide shall be landscaped with a softening or screening buffer. When authorized by the Board of Supervisors, this may be reduced to no less than 10 feet, but only where the yard abuts a commercial or industrial use or zoning district. The project provides a minimum of 10' buffer and our property is surrounded by industrial and commercial uses

Mr. Lawrence Gregan, Township Manager  
Higher Rock Mixed Use Land Development  
December 7, 2017  
Page 3

except in the northwest corner where the buffer is provided. *We have no objection to this request*

12. A waiver from Section 205-52.B(3)(a) which requires softening buffers shall be aligned adjacent and parallel to the entire property perimeter, including rights-of-way, but may be sited on any position of the property if permitted by the Board of Supervisors. Some of the softening buffer landscaping is located farther than 20' from the property lines due to the proposed sidewalk, grading, and other issues. *We have no objection to this request.*

Sincerely,



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

JSG/vll/kam

cc: Board of Supervisors  
Planning Commission  
Bruce Shoupe, Director of Planning and Zoning  
Marianne McConnell, Deputy Zoning Officer  
James P. Dougherty, P.E., Gilmore & Associates, Inc.  
Kevin Johnson, P.E., Traffic Planning & Design  
Ken Amey, AICP  
John and Mary Anne Antonucci, Higher Rock Partners, LP  
Jim Kahn, Higher Rock Partners, LP  
George J. Hartman III, P.E., Bohler Engineering PA, LLC

Motion was made by the Montgomery Township Planning Commission on December 7, 2017, that Preliminary/Final Subdivision and Land Development Application – LDS 694, regarding the Higher Rock Partners LP project in the Highway Limited Industrial II (HLI2) Overlay District, be recommended for approval to the Montgomery Township Board of Supervisors.

Moved: Steve Krumenacker

Seconded: Michael Lyon

Vote: 6-0

Date: December 7, 2017

**MONTGOMERY COUNTY  
BOARD OF COMMISSIONERS**  
VALERIE A. ARKOOSH, MD, MPH, CHAIR  
KENNETH E. LAWRENCE, JR., VICE CHAIR  
JOSEPH C. GALE, COMMISSIONER



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

JODY L. HOLTON, AICP  
EXECUTIVE DIRECTOR

November 20, 2017

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

Re: MCPC #17-0242-002  
Plan Name: Higher Rock Partners LP (LD/S #694)  
(4 lots comprising 18.25 acres)  
Situate: Bethlehem Pike (W)/Stump Road (S)  
Montgomery Township

Dear Mr. Shoupe:

We have reviewed the above-referenced conditional use application and **subdivision and land development plan** in accordance with Section 502 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on October 25, 2017. We forward this letter as a report of our review and recommendations.

## BACKGROUND

The applicants, John and Mary Antonucci, propose to construct a retail, office, and restaurant complex on 18.25 acres of land at the southwest corner of PA Route 309 (Bethlehem Pike) and Stump Road on behalf of Higher Rock Partners, LP. The current zoning for this area is Limited Industrial with a Highway Limited Industrial overlay; a set of zoning text amendments to permit this development were previously reviewed by the MCPC (Letter #17-0242-001, dated November 13, 2017). The applicants propose to continue Witchwood Drive across Stump Road (with the right-of-way to be deeded to the Township) to a new intersection with Bethlehem Pike, which will include a left turn lane for northbound Bethlehem Pike traffic to enter the complex at a partially signalized intersection. The proposed buildings for the complex include a 3-story office building, a 1-story general retail building, a



Citadel credit union, a Wawa convenience store with attached gas pumps, a Wendy's restaurant, and a garden center building and addition to the existing garden center building. Two additional southbound Bethlehem Pike entrances to portions of the site are proposed, in addition to the Bethlehem Pike and Stump Road connections to Witchwood Road. Sidewalks are proposed in certain areas.

## RECOMMENDATION

The Montgomery County Planning Commission (MCPC) generally supports the applicant's proposal, however, in the course of our review we have identified a number of key issues we believe should be resolved prior to final zoning amendment adoption. Our comments are as follows:

## REVIEW COMMENTS

### PEDESTRIAN ACCESS

1. Sidewalks are provided for this development, but only in certain locations, such as along part of the frontage of Bethlehem Pike and the south side of the Witchwood Road Extension. Installing sidewalk on only the south side would require pedestrians to cross Witchwood in the middle of the block in order to access the businesses in the proposed retail building. The MCPC strongly encourages the Township to require the applicant to install additional sidewalks in locations where they are technically feasible and compatible with the proposed retaining walls, especially along the remainder of the frontage of Bethlehem Pike (in front of the Wawa and Wendy's), along the north side of the Witchwood Road extension to permit access to the retail building, and along the rear access driveway from Witchwood Road to Wawa and Wendy's.
2. Pedestrian access should also be examined within the various proposed parking lots, including the installation of crosswalks, raised crossings, and/or pedestrian aisles. Especially on Lot 2, there will likely be a form of shared parking where patrons of one particular building may be parking closer to another, or where someone may park in one location to patronize more than one use.
3. The Witchwood Drive extension will replace what originally served as a low-traffic access driveway for the garden center. Since portions of the garden center will now be located on both sides of the extension, the Township should coordinate with the applicants, the current occupants, and the owner of the easement that includes the Stump Road and Witchwood Drive intersection (PECO Energy) to ensure that pedestrians will be able to move between the different areas of the garden center safely.

## BUILDING ORIENTATION AND DRIVEWAY ACCESS

1. The Wendy's restaurant is oriented in such a way that drive-through customers will need to make two complete trips around the building to enter, order, pick up their food, and exit the property, creating numerous opportunities for conflicts with pedestrians parking and entering the building. The MCPC requests that the Township work with the applicant to examine if another orientation of the building is possible.
  - a. One possible method would be to rework the parking availability for the Wawa from the currently provided 63 spaces. Some of the 14 spaces provided at the south end of the site along the right-in, right-out driveway could be relocated to the frontage along Bethlehem Pike, and the overall site space for Wendy's could be expanded by moving the driveway closer to the Wawa.
2. The Citadel bank was previously addressed for reducing the required car stacking length from eight cars to four in the zoning text amendments request and letter.
  - a. The MCPC is comfortable with the zoning amendment for reducing the car stacking queue length. However, it appears that the request was needed in order to fit the proposed building and driveways into the site.
  - b. There are three access points to the site off of Bethlehem Pike, all close to each other. The entrance-only driveway from southbound Bethlehem Pike between the Stump Road ramp and Witchwood Road (labeled as Site Drive B on Traffic, Planning and Design's roadway plans) should be eliminated, as it offers the least amount of access to the entire site (along with no egress back to Bethlehem Pike) and is too close to the Stump Road jughandle, which creates too much confusion for traffic in a short distance.
  - c. Removing the entrance-only driveway could allow the bank to be resituated to allow for an extended car stacking queue if the zoning amendments are not adopted, but as stated previously, the MCPC is amenable to the change.

## STUMP ROAD & WITCHWOOD ROAD

A portion of the garden center and widened intersection at Witchwood Road and Stump Road is located within lands of PECO Energy in an area that is shaded on the site plan. The MCPC would encourage the applicant to explicitly list the specific rights granted by the easement in the general notes section of the plan.

## COMPREHENSIVE PLAN COMPATIBILITY

This development proposal is located in Special Area C as defined by the Vision map of the 2008 Township Comprehensive Plan Update. The note included with Special Area C is as follows: "For most people, this is the 'entry driveway' into Montgomery Township. The older buildings in this area should be improved or replaced and the streetscape significantly improved." The older buildings located on this site are being replaced, and the MCPC believes that the streetscape can be improved with a complete sidewalk installation, especially along the frontage of Bethlehem Pike.

## CONCLUSION

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

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

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

Sincerely,



Matthew Popek, Transportation Planner II  
[mpopek@montcopa.org](mailto:mpopek@montcopa.org) – 610-278-3730

c: John S. and Mary Anne Antonucci, Applicants  
Bohler Engineering, Applicant's Engineer  
Lawrence Gregan, Twp. Manager  
Jay Glickman, Chrm., Twp. Planning Commission

Attachments: Aerial Photograph of Site  
Subdivision Record Plan

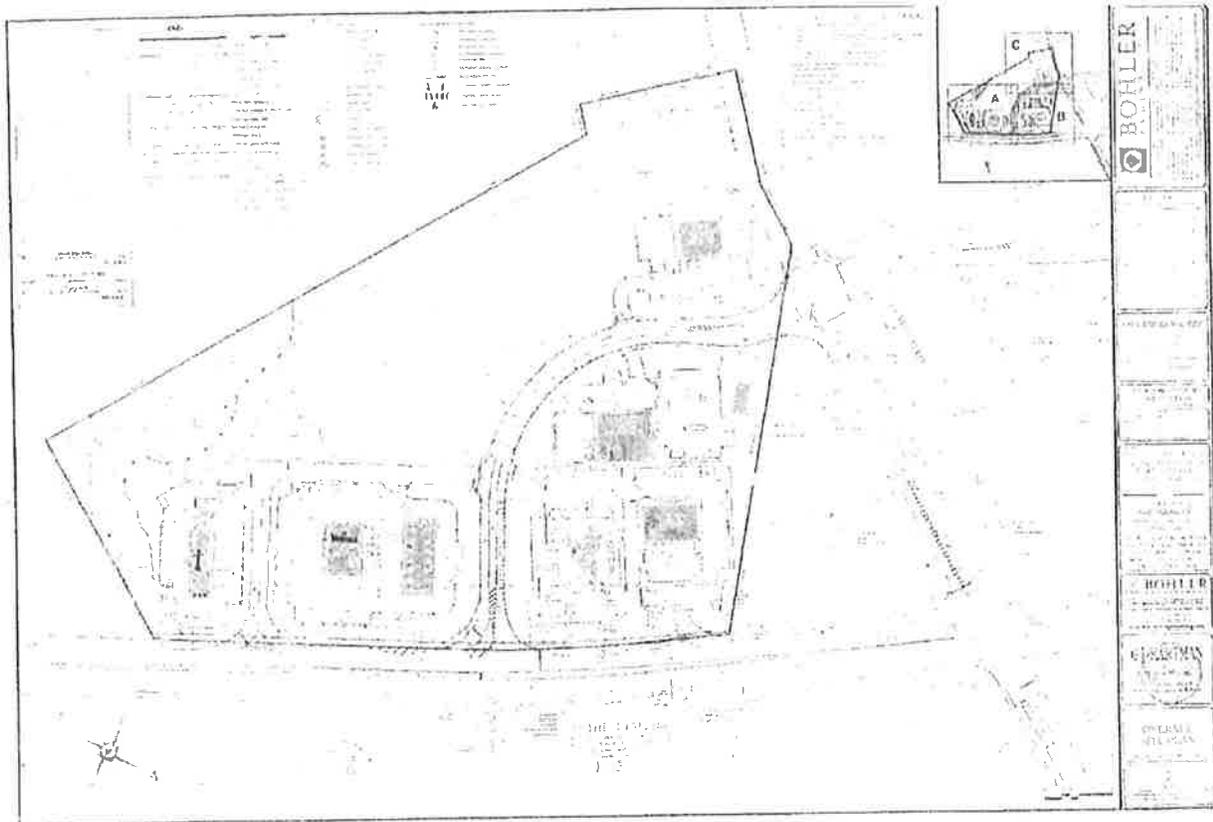
*Aerial – Higher Rock Partners LP, Montgomery Township*



Higher Rock Partner LP  
170242002

Montgomery  
County  
Planning  
Commission  
Montgomery County Planning Commission  
1000 Walnut Street, Suite 200  
P.O. Box 1000  
Pittsburgh, PA 15202  
www.montco.org/planning  
Tel: 412-351-1000  
Fax: 412-351-1001

**Overall Site Plan – Higher Rock Partners LP, Montgomery Township**





TRAFFIC PLANNING AND DESIGN, INC.

WWW.TRAFFICPD.COM

**December 4, 2017**

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

**RE: Retail and Mixed Use - Higher Rock Partners, LP**  
**Preliminary/Final Land Development Plan Review**  
*Montgomery Township, Montgomery County, PA*  
Montgomery Township LD/S# 694  
TPD No. MOTO-00054

Dear Bruce:

In our role as Township Traffic/Street Lighting Engineer, Traffic Planning and Design, Inc. (TPD) has reviewed the Preliminary/Final Land Development Plans prepared by Bohler Engineering, dated October 13, 2017.

TPD designed the Witchwood Drive Extension and the improvements to Stump Road and Bethlehem Pike. As such, TPD did not review the design of the Witchwood Drive Extension nor review the design for any of the improvements to the existing road network. PennDOT will continue its review of the design of the improvements to Stump Road and Bethlehem Pike as part of their review of the Highway Occupancy Permit plan and Traffic Signal Permit plan submissions. Gilmore Associates reviewed the design of the Witchwood Drive Extension to ensure compliance with the Township SALDO. Therefore, our review was limited to Plan Comments (on-site circulation and traffic control measures), the traffic impact study, and site lighting. Rather than repeating comments from our December 4, 2017 Conditional Use Plan Review Letter, all comments in that Review Letter apply to the Land Development Application as well. Based on our review, we offer the following comments:

#### **Plan Comments**

1. The stop bar on the southbound Witchwood Drive access driveway serving the Wawa and Wendy's at the intersection with the Bethlehem Pike right-in/right-out driveway needs to be located closer to the intersection because the retaining wall along the Wawa parking lot will block visibility to vehicles entering the site.
2. Sight distance triangles need to be shown on the landscape plans for the access driveways on

Witchwood Drive to ensure that proposed vegetation does not restrict sight distance. In addition, sight line profiles need to be provided for drivers exiting the proposed driveways onto Witchwood Drive to ensure that the proposed grading will provide sufficient sight distance.

3. Centerline profiles need to be provided for at least the first 50 feet of each proposed driveway to demonstrate that vehicles will not bottom out on the driveways when turning to/from Witchwood Drive. The profiles should include the following:
  - a. roadway centerline;
  - b. edge of existing roadway;
  - c. edge of proposed widening;
  - d. interior slope;
  - e. legal and required right-of-way lines;
  - f. existing and proposed elevations;
  - g. roadway cross-slopes.
4. Loading areas and the delivery truck circulation pattern need to be provided for the garden center buildings and for the Wendy's restaurant.
5. The dimensions of all corner radii need to be clearly labeled on the plans.
6. The following comments pertain to the truck circulation plans on Sheets 62 and 63:
  - a. TPD will defer to the Fire Marshal for review of the fire truck templates with respect to fire codes, required routes, clearance to parked vehicles, etc.
  - b. The plans need to show delivery vehicles entering/exiting the site from the right-in/right-out driveway on Bethlehem Pike and entering the site from the entrance only driveway on Bethlehem Pike to ensure that sufficient corner radii have been provided at the internal intersections or else trucks need to be prohibited from these two locations through either signage or adequate language included in the leases.
  - c. Truck templates need to be provided demonstrating how trash trucks will access the dumpster facilities.
7. The Fire Company access on Stump Road is located between the existing signalized intersection at Bethlehem Pike and the proposed signalized intersection at Witchwood Drive. During an emergency call, the fire company must be able to actuate the two traffic signals to clear out any queues on this section of Stump Road. The actuation method to be used will meet the requirements of the Fire Marshall and PennDOT.
8. "Stop" signs (R1-1), sized 30" x 30", should be provided at the following locations in the vicinity of the proposed bank:
  - a. A "Stop" sign and stop bar need to be provided on the westbound parking aisle

- approach to the intersection of the Witchwood Drive access driveway and the east-west drive aisle located on the southern side of the proposed bank.
- b. A "Stop" sign and stop bar need to be provided on the northbound parking aisle approach to the intersection with the Bethlehem Pike entrance-only driveway and the north-south parking aisle located on the eastern side of the proposed bank to ensure that traffic entering the site does not have to stop.
  - c. A "Stop" sign and stop bar need to be provided on the eastbound parking aisle approach to the intersection with the Bethlehem Pike entrance-only driveway and the east-west drive aisle located between the proposed bank and proposed retail building to ensure that traffic entering the site does not have to stop.
9. The pavement markings along Witchwood Drive need to be revised to be consistent with the PennDOT Highway Occupancy Permit plans (i.e. the center turn lane pavement markings should consist of one-way barrier lines in lieu of two-way barrier lines.)
10. The "Wooden Guiderail Detail" on Sheet 46 indicates that the guiderail used on the top of the retaining walls will consist of a 2" x 12" pressure treated wooden rail spliced at every post with bolts located approximately 2" from the ends of the rails. In our opinion, this design does not appear to be sufficient to stop an errant vehicle. A PennDOT and/or FHWA guiderail type must be used. As alternative, in our opinion, a guiderail design that has been tested for use in parking lots would be acceptable. For example, TPD is aware of at least one type of timber guiderail with heavier rails and steel splice plates which has been independently tested for use in parking lots. In addition, the designer must verify that the guiderail will not affect the integrity of the retaining walls.
11. The Type of each handicap ramp should be labeled and all applicable details should be provided in accordance with PennDOT Standards for Roadway Construction, Publication 72M, RC-67M. The following general notes should be included on the plan:
- a. "Traffic control signs must be posted on PennDOT approved breakaway posts in accordance with the most recent version of the TC-8700 series in PennDOT Publication 111M."
  - b. "All traffic control signs shall be posted in accordance with the 2009 MUTCD and the most recent version of PennDOT Publication 236M, "Handbook of Approved Signs".
  - c. "All proposed pedestrian facilities reflected on these plans shall be constructed to comply with the following:
    - i. PennDOT Design Manual 2, Chapter 6.
    - ii. PennDOT Standards for Roadway Construction, Publication 72M, RC-67M.
    - iii. U.S. Access Board, Public Right of Way Accessibility Guidelines (PROWAG) and ADA Accessibility Guidelines for Buildings and Facilities (ADAAG)."

- d. A note should be provided on the plans indicating that the off-site road improvements and construction of the Witchwood Drive extension must be in accordance with the TPD Highway Occupancy Permit plans for the Bethlehem Pike improvements and the plans for the construction of the Witchwood Drive Extension.
- e. The following sight distance note should be provided for each driveway on Witchwood Drive with information marked "\*\*\*" below calculated using the PennDOT safe stopping sight distance formula based on design speed and specific grades for each driveway:  
"All sight distance obstructions (including but not limited to embankments and vegetation) shall be removed by the permittee to provide a minimum of \*\* feet of continuous sight distance to left and \*\* feet of continuous sight distance to the right for a driver exiting the \*\* driveway onto Witchwood Drive. The driver must be considered to be positioned 10 feet from the curb line of the closest highway through travel lane at an eye height of three feet-six inches (3'6") above the pavement surface located in the center of the closest highway travel lane designated for use by approaching traffic. This sight distance shall be maintained by the Applicant and/or the Applicant's successors and assignors."

#### Traffic Impact Study Comments

1. The August 2017 Traffic Study recommends restriping the left turn lane on the northbound Witchwood Drive approach to the intersection with Knapp Road to extend the storage length. Therefore, revisions to the traffic signal permit plan will be required for this intersection.

#### Site Lighting Comments

1. Please verify the lighting design utilizing the applicable Light Loss Factors (LLF) for each luminaire. The usage of LLF = 1.00 in the Luminaire Schedule does not take into account real life conditions with degradation of the system over time.
2. Revise the lighting design and/or calculation areas to provide calculation results that are in-line with the Township and IES standards, to the maximum extent feasible. Specifically, the provided values for the "Calculation Summary" table indicates maximum and Uniformity Ratio values that exceeds the recommended values.
  - a. According to Section 230-218.A.4.b of the Montgomery Township Zoning Ordinance, "Illumination of all parking areas, around all buildings and along all pedestrian walkways, shall provide a minimum level of one-half footcandle and an average of one footcandle and a maximum level of four footcandles."
  - b. The "Recommended Maintained Illuminance Values for Parking Lots," according to IESNA RP-20-14 Lighting for Parking Facilities (Table 2), indicates a Uniformity (Max:Min) Ratio of 15:1.

- c. Verify that the Wawa Gas Canopy calculation area summary values and ratios are within IES recommended intensities for Service Station Pump Islands.
3. Revise the Lighting Plans to label and delineate the limits of each calculation area within the Calculation Summary.
4. Revise the Luminaire Schedule to include a column identifying luminaire legends matching those depicted in the plan views.
5. Confirm and revise the Luminaire Schedule to correctly identify the fixture quantities.
6. Catalog Cut Sheets for each luminaire variation shall be included on the submitted plans.
7. Per the Montgomery Township Street Lighting Specifications, poles supporting lighting fixtures for the illumination of parking areas and located directly behind parking spaces, shall be placed a minimum of five (5) feet outside paved area, curbing or tire stops, or on concrete pedestals at least thirty (30) inches high above the pavement, or suitably protected by other approved means. A note indicating such shall be added to the Lighting Plan.
  - a. Please revise the "Light Pole with Standard Anchoring Detail", and/or add additional details to address all installation variances.
  - b. If the bollard setup, as submitted, is to be accepted, additional bollard details and placement details shall be provided for review (i.e. number of bollards to place, spacing, etc.)
8. The following notes shall be added to the Lighting Plan.
  - a. All utilities and below grade structures shown for reference. See engineer's plans for location of all utilities. Contractor shall verify location of all underground utilities and below grade structures prior to commencement of work.
  - b. All lighting to be installed according to manufacturers' recommendations.
  - c. The Developer shall be responsible for contacting the Lighting Consultant/Inspector for Montgomery Township at least 48 hours prior to the start of any site electric work. The Township's Lighting Consultant/Inspector must be contacted during both "rough" and "final" stages of construction. The Township's Consultant/Inspector must be given the opportunity to observe open trench and conduit prior to backfill. The Township's Consultant/Inspector shall also be contacted again at completion of site electrical construction (i.e. Final). The Developer shall make arrangements for the necessary electrical inspections at both phases of construction and provide evidence of same to Township.
  - d. All proposed light pole and fixture finishes shall match.

- e. Lighting fixtures and equipment shall be maintained so as to continuously meet Township requirements.
  - f. The Township reserves the right to conduct post-installation daytime and nighttime inspections to verify compliance with the Township lighting standards. If the inspection reveals a non-conformance to Township standards, the Township shall direct corrective action, which shall be executed by the property owner at no expense to the Township. Remedial action must be completed within thirty (30) days of notification from the Township.
  - g. Prior to construction, the contractor and developer shall submit for review and approval to Montgomery Township any and all deviations from the approved lighting plans.
9. Provide the anticipated hours of operation on the Lighting Plans.
10. As stated in The Montgomery Township Street Lighting Specifications, lighting for commercial, industrial, public recreational, and institutional applications shall be controlled by automatic switching devices such as time clocks or combination motion detectors and photocells, to permit extinguishing outdoor lighting fixtures between 10 P.M. and dawn. For lighting proposed after 10 P.M., or after normal hours of operation, the lighting shall be reduced by at least 50% from then until dawn, unless supporting a specific purpose. A note indicating such shall be added to the Lighting Plans.
- a. In addition to the note, please indicate the manner in which the 50% minimum reduction will be achieved. The Township would prefer a dimming situation in lieu of an individual light extinguishment to achieve a minimum 50% reduction.
11. As stated in The Montgomery Township Street Lighting Specifications, all illumination for advertising signs, building, and/or surrounding landscapes for decorative, advertising, or esthetic purposes is prohibited between 10 P.M. and sunrise, except that such lighting situated on the premises of a commercial establishment may remain illuminated while the establishment is actually open for business, and until one hour after closing. A note indicating such shall be added to the Lighting Plans.
12. As stated in The Montgomery Township Street Lighting Specifications, all outdoor lighting fixtures that light the area under outdoor canopies shall be shielded in such a manner that no light is emitted above a horizontal plane. Please provide the BUG rating for each proposed luminaire.
13. All outside lighting, including sign lighting, shall be arranged, designed and shielded or directed so as to protect the abutting streets and highways and adjoining property from the glare of lights. Please verify that the proposed lighting is shielded from adjacent properties to prevent light spillover, or revise the lighting design as needed.

14. Verify that the proposed lighting locations are situated such that interference from the proposed landscaping does not result in an inefficient design. Adding a note indicating that all landscaping shall be trimmed as necessary to maintain required light levels will be sufficient.
15. Please confirm ownership and maintenance responsibility of the site lighting. Revise General Lighting Note No. 10 if multiple entities are expected to own portions of the site lighting in order to delegate ownership and maintenance responsibilities, as appropriate.
16. Street lighting along Witchwood Drive shall adhere to Montgomery Township Street Lighting Specifications (light standard details, placement, etc.). Any deviation from the specifications will require approval by the appropriate officers or agents of the Municipality.
17. Investigate relocating the proposed street lighting along Witchwood Drive to be adjacent to the proposed sidewalk.
18. Relocate the proposed street light along the egress radius of Witchwood Drive at the intersection with Bethlehem Pike to be in advance of the proposed crosswalk.

#### Requested Waivers and Variances

Based on our review, we offer the following comments for the waiver and variance requests pertaining to traffic and site lighting:

1. *A waiver is requested from Section of 205-10.C.2 of the Montgomery Township Subdivision and Land Development Ordinance (SALDO) which requires leveling areas on the approaches to intersections.*

In their November 30, 2017 Review Letter, Gilmore Associates stated they do not object to this waiver request.

If SALDO standards were required to be satisfied for the leveling area, then a waiver would instead have been needed for the grades on Witchwood Drive.

2. *A waiver is requested from Section 205-10.G.7 of the SALDO which requires a stopping area which grade does not exceed 6%.*

In their November 30, 2017 Review Letter, Gilmore Associates stated they do not object to this waiver request provided that adequate sight distance is provided at each location which is consistent with our previous comments.

If SALDO standards were satisfied for the grade of the stopping area, then a waiver would instead have been needed for the grades on Witchwood Drive.

Mr. Bruce S. Shoupe  
December 4, 2017  
Page 8

3. *A waiver is requested from Section 205-10.D.1(1) of the SALDO which requires a right-of-way of 60' for Witchwood Drive.*

In their November 30, 2017 Review Letter, Gilmore Associates stated they do not object to this waiver request.

4. *A waiver is requested from Section 205-10.H.7(B) of the SALDO which requires handicap spaces to be 12 feet wide by 20 feet long.*

TPD supports this waiver request because the proposed handicap spaces are compliant with the applicable federal ADA standard.

5. *A waiver is requested from Section 205-17.D.4 of the SALDO which requires a standard curb reveal of 8 inches.*

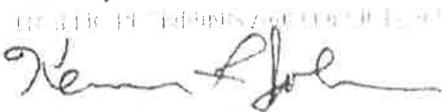
This waiver pertains to the on-site curb reveal since the curb along Witchwood Drive will be in accordance with the Ordinance requirement of 8 inches. TPD has no objections to the waiver request to provide curb with a 6 inch reveal within the site.

6. *A waiver is requested from Section 205-24 which requires street lighting to be installed along each street abutting a public street.*

Street lighting is proposed along the Witchwood Drive Extension. Also, the intersection of Bethlehem Pike and Witchwood Drive will be illuminated with luminaires attached to the shafts of the traffic signal mast arms on the northeast corner and the one on the west side of Bethlehem Pike in the right turn channelization island. The existing street light on the northwest corner of Stump Road and Witchwood Drive will be relocated to another point on the northwest corner to accommodate the widening at this corner. No luminaires are proposed on the shafts of the traffic signal mast arms at the intersection of Stump Road and Witchwood Drive because of the presence of the high tension lines. Additional street lighting has not been a requirement of the PennDOT Review Letters to date. TPD will defer to the Township Engineer for review of this waiver request since it pertains to the off-site road improvements being designed by TPD.

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

Sincerely,



Kevin L. Johnson, P.E.

President

[kjohnson@TrafficPD.com](mailto:kjohnson@TrafficPD.com)

Mr. Bruce S. Shoupe  
December 4, 2017  
Page 9

cc: Larry Gregan, Township Manager  
Mary Gambino, Township Project Coordinator  
Kevin Costello, Township Public Works Director  
Russ Dunlevy, P.E., Township Engineer  
Frank Falzone, P.E., TPD  
Jerry Baker, P.E., TPD  
Eric Hammond, TPD  
George Hartman, PE, Bohler Engineering  
John Antonucci, Applicant  
James Kahn, Applicant



TRAFFIC PLANNING AND DESIGN, INC.

[WWW.TRAFFICPD.COM](http://WWW.TRAFFICPD.COM)

**December 6, 2017**

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

**RE: Retail and Mixed Use - Higher Rock Partners, LP  
Waiver Requests and Board Action Item Requests Review**  
*Montgomery Township, Montgomery County, PA*  
Montgomery Township LD/S# 694  
TPD No. MOTO-00054

Dear Bruce:

In our role as Township Traffic/Street Lighting Engineer, Traffic Planning and Design, Inc. (TPD) has reviewed the waiver and board action item request letter prepared by Bohler Engineering, dated December 6, 2017.

#### Requested Waivers

Based on our review, we offer the following comments for the waiver and variance requests #21-23 and 27-28 pertaining to site lighting:

21. *Waiver from Montgomery Township Street Lighting Specification, Section 1: 3.f. which requires the extinguishing of illumination of signs after 10pm until sunrise.*

TPD does not support this waiver request because the Montgomery Township Street Lighting Specification allows for sign lighting to remain on during the hours of operation if they extend beyond 10:00 PM. Per the section stated above, "such lighting situated on the premises of a commercial establishment may remain illuminated while the establishment is actually open for business, and until one hour after closing."

22. *Waiver from Montgomery Township Street Lighting Specification, Section 4, which requires a specific High Pressure Sodium "American Revolution" luminaire (manufactured by American Electric) along Witchwood Drive. This waiver is being requested to permit the use of LED lighting to match other proposed fixtures on the project for consistency, energy compliance and to fit the overall design intent of the site.*

TPD supports this waiver request since the portion of Witchwood Drive across Stump Road provides a street light fixture different from the Montgomery Township Street Light Specification standard.

23. *Waiver from Montgomery Township Street Lighting Specification, Section 5, which requires the use of laminated wood poles for proposed street lighting. This waiver is being requested to permit the use of poles matching other proposed fixtures on the project for consistency and to fit the overall design intent of the site.*

TPD supports this waiver request as a matter of procedure in supporting waiver request no. 22. The street lights to be installed shall match, in physical characteristics, the other proposed fixtures on the project.

#### **Requested Board Action Items**

4. *Montgomery Township Street Lighting Specification, Section 1: 3.d. which requires commercial uses to extinguish their lighting between the hours of 10pm and dawn, unless otherwise permitted by the appropriate officers or agents of the Municipality, for the safety or security or businesses that operate all night. We are requesting permission to keep lighting on after 10pm as some of the tenants are expected to have hours beyond that time.*

TPD supports this waiver request for tenants to provide lighting beyond 10:00 PM at 50% light reduction after 10:00 PM. For those tenants that have business hours extending beyond 10:00 PM, TPD supports 100% light output for the duration of the hours of operation, at which time the light output shall be reduced by 50% until dawn.

5. *Montgomery Township Street Lighting Specification, Section 1: 3.e. which requires lighting used after 10 PM to be reduced to 50% until dawn, unless supporting a specific purpose and approved by the appropriate officers or agents of the Municipality. We are requesting permission to keep lighting at full-power for safety and security reasons for facilities that will be operating beyond 10 PM.*

TPD supports this waiver request for 100% light output after 10:00 PM only for those tenants that have extended business hours. For those tenants that have business hours extending beyond 10:00 PM, TPD supports 100% light output for the duration of the hours of operation, at which time the light output shall be reduced by 50% until dawn. All other tenants intending to require lighting after 10:00 PM shall reduce lighting output by 50% after 10:00 PM, as identified within the Montgomery Township Street Lighting Specification.

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

Mr. Bruce S. Shoupe  
December 6, 2017  
Page 3

Sincerely,



Kevin L. Johnson, P.E.

*President*

[kjohnson@TrafficPD.com](mailto:kjohnson@TrafficPD.com)

cc: Larry Gregan, Township Manager  
Mary Gambino, Township Project Coordinator  
Kevin Costello, Township Public Works Director  
Russ Dunlevy, P.E., Township Engineer  
Frank Falzone, P.E., TPD  
Jerry Baker, P.E., TPD  
Eric Hammond, TPD  
George Hartman, PE, Bohler Engineering  
John Antonucci, Applicant  
James Kahn, Applicant  
Robert Brant, Esq.



TRAFFIC PLANNING AND DESIGN, INC.

WWW.TRAFFICPD.COM

**December 13, 2017**

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

**RE: Retail and Mixed Use - Higher Rock Partners, LP**  
**Recommended Pavement Marking and Signing Plan**  
*Montgomery Township, Montgomery County, PA*  
Montgomery Township LD/S# 694  
TPD No. MOTO-00054

Dear Bruce:

Please find attached the Recommended Pavement Marking and Signing plan developed for the above referenced project. This plan is subject to review by PennDOT as part of the Highway Occupancy and Traffic Signal Permits required for this project. Standard signage at traffic signals related to street names, pedestrian movements, etc. are not shown on the attached plan because the standard is to show such signage on the Traffic Signal Permit plans.

Please call if you have any questions.

Sincerely,  
TRAFFIC PLANNING AND DESIGN, INC.

Kevin L. Johnson, P.E.

President

[kjohnson@TrafficPD.com](mailto:kjohnson@TrafficPD.com)

cc: Larry Gregan, Township Manager  
Mary Gambino, Township Project Coordinator  
Kevin Costello, Township Public Works Director  
James Dougherty, P.E., Township Engineer  
David Dunlap, Montgomery Township Police Department  
Tuan Duong, P.E., TPD  
Jerry Baker, P.E., TPD  
Eric Hammond, TPD



**ZONING ORDINANCE  
PLAN REVIEW  
High Rock Partners**

DATE: November 30, 2017 revised December 5, 2017

PLAN REVIEW – Higher Rock Partners LLC  
LD/S # 694 – Preliminary/Final Approval Requested

DEVELOPMENT NAME: High Rock Partners LP  
 LOCATION: Intersection of Stump Road and Bethlehem Pike LOT NUMBER & SUBDIVISION: 1  
 ZONING DISTRICT: HLI-Highway Limited Industrial  
 PROPOSED USE: Unified Development – Mixed Use  
 ZONING HEARING BOARD APPROVAL REQUIRED? YES  
 CONDITIONAL USE APPROVAL REQUIRED? YES

	Proposed	Required	Approved	Not Approved	WAIVER
USE	Unified Development – Mixed Use			Conditional Use Approval Required	
HEIGHT	Office Bldg 54 ft (setback 79.5)	Max 35 ft.	X		
LOT SIZE	Min 2AC – Max 20 Ac	Min 2Ac Max 20 Ac	X		
SETBACKS					
FRONT	60 ft	60 ft.	X		
SIDES	10 ft	10 ft.	X		
REAR	40 ft	40 ft.	X		
BUFFERS					
SOFTENING	Waivers Requested	25 ft. Perimeter			X
SCREENING	Waivers Requested	25 ft. Perimeter			X
BUILDING COVERAGE	Max 5.4%	Max 20%	X		
IMPERVIOUS COVERAGE	Max 75%	Max 43.2%	X		
GREEN AREA	Min 25%	Min 56.8%	X		

ADDITIONAL COMMENTS

- PADEP Act 537, Section 750.5(a) and Section 71.51(a) requires an approved sewage facilities planning module issued prior to recording of any subdivision plan.
- Demonstrate planting area around freestanding sign meets 230-127A.(8)(a)
- Meet requirements of Zoning Hearing Board decision #17090002 dated November 17, 2017.
- Please identify dumpster area at Garden Center 1. Garden Center 2 shares dumpster with office building?
- All dumpster areas must be capable of placement of a trash and recyclable material dumpster.
- Building permit(s) shall not be issued until all weather paved roadways and fire service protection systems have been installed to the satisfaction of the Township Engineer and Montgomery Township Department of Fire Services.
- Connect all roof drains to storm water management system on 6000 sf retail building.
- Plans do not match parking amount table. Please explain.

  
ZONING OFFICER

12.5.17  
DATE



## MONTGOMERY TOWNSHIP POLICE DEPARTMENT

---

J. Scott Bendig  
Chief of Police

1001 Stump Road • P.O. Box 68 • Montgomeryville, PA 18936  
215-362-2301 • Fax 215-362-6383

To: Bruce S. Schoupe  
Director of Planning and Code Enforcement

From: J. Scott Bendig, Chief of Police

Date: December 14, 2017

Re: LD/S #: 694  
Bethlehem Pike/Stump Road  
Date of Plan: December 13, 2017

---

A review of the above-referenced subdivision/land development was conducted on this date.  
Areas of concern to the police department have been addressed.

Thank you for the opportunity to review this subdivision/land development. Please contact me if you have any issues or concerns.

**KENNETH AMEY, AICP**  
professional land planner

December 1, 2017

(via e-mail)

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

Re: **Land Development Application**  
Higher Rock Development  
Bethlehem Pike & Stump Road - SW Corner

Dear Mr. Gregan:

As requested, I have reviewed the Land Development application for the above referenced project. We have previously reviewed a proposed text amendment to the HLI District and a Conditional Use application for the property. For the purposes of this review, we will assume that the text amendment has been adopted by the Board of Supervisors.

The subject tract is approximately 18.25 acres in area, is located within the LI-Limited Industrial District and is also within the HLI-Highway Limited Industrial Overlay District. The applicant proposes to improve the tract for a unified, commercial and mixed use, development. My comments follow:

1. The boundaries of Lot #1 are not shown clearly. It appears that a former lot line perpendicular to the extension of Witchwood Drive should be removed.
2. There are no improvements shown for Lot #3 or for the majority of Lot #1. When development is proposed for these lots, additional review and approval will be necessary.
3. Sidewalks are not shown along Stump Road, are shown on only one side of Witchwood Drive and only on a portion of the Bethlehem Pike frontage. The Board of Supervisors should consider the need for additional sidewalks.
4. Very few pedestrian connections are shown within the development. The applicant should provide additional walkways and crosswalks to encourage pedestrian access throughout the site.
5. If the land development is approved by the Board of Supervisors, the applicant will need to provide cross-easements and otherwise comply

1122 Old Bethlehem Pike  
Lower Gwynedd, PA 19002



phone: 215.283.9619  
fax: 215.646.3458  
kenamey@aol.com

with the unified development requirements of §230-219.F of the  
Montgomery Township Zoning Ordinance.

If you have any questions, please let me know.

Very truly yours,



Kenneth Aney

cc: Frank Bartle, Esq., Township Solicitor  
Bruce S. Shoupe, Township Director of Planning and Zoning  
Marlanna McConnell, Deputy Zoning Officer  
James Dougherty, PE  
Judy Stern Goldstein, ASLA  
Kevin Johnson, PE  
George Hartman, PE, Applicant's Engineer  
Robert Brant, Esq., Applicant's Attorney  
Wendy Feiss McKenna, Esq., Applicant's Attorney



**MONTGOMERY TOWNSHIP**  
**DEPARTMENT OF FIRE SERVICES**  
1001 STUMP ROAD  
MONTGOMERYVILLE, PA 1 18936-9605  
Telephone: 215-393-6935 • Fax: 215-699-1560  
email: rlesniak@montgomerytp.org  
www.montgomerytp.org

**RICHARD M. LESNIAK**  
DIRECTOR OF FIRE SERVICES  
FIRE MARSHAL  
EMERGENCY MANAGEMENT  
COORDINATOR  
**FIRE MARSHALS OFFICE:**  
215-393-6936

November 22, 2017

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

Re: Higher Rock Partners LP

Dear Bruce:

Thank you for allowing the Fire Marshal's Office to comment on the proposed land development plans of the: Higher Rock Partners Project.

Using the 2009 edition of the International Fire Code for guidance, the Fire Marshal's Office offers the following comments:

1. **503.1.1 Buildings and facilities.** *Approved* fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall extend to within 150 feet (45720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an *approved* route around the exterior of the building or facility.  
**Exception:** The *fire code official* is authorized to increase the dimensions of 150 feet (45720 mm) where:
  1. The building is equipped throughout with an *approved* automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
  2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an *approved* alternative means of fire protection is provided.
  3. There are not more than two Group R-3 or Group-U occupancies.
2. **503.2.1 Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm) exclusive of shoulders, except for *approved* security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).
3. **503.2.3 Surface.** Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all weather driving capabilities.  
**Comment: Please provide proper documentation that the proposed underground storm water basins is capable of supporting the weight of the Township's heaviest fire truck at 68,000 lbs. with outriggers in place. Once this information is received it will be reviewed and if satisfactory a recommendation for approval will be granted.**

4. **503.2.4 Turning radius.** The required turning radius of a fire apparatus access road shall be determined by the *fire code official*.

**Comment: Covered in item #10 below.**

5. **503.3 Marking.** Where required by the *fire code official*, *approved* signs or other *approved* notices or markings that include the words NO PARKING – FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility. “NO PARKING FIRE LANE” signage SHALL be provided at all fire lanes at intervals of not more than 50 ft. or as otherwise directed by the Fire Marshal’s Office.

- Fire apparatus roads 20 to 26 feet wide (6096 to 7925 mm) shall be posted on both sides as a *fire lane*.
- Fire apparatus access roads more than 26 feet wide (7925 mm) to 32 feet wide (9754 mm) shall be posted on one side of the road as a *fire lane*.

6. **505.1 Address identification.** New and existing buildings shall have *approved* address numbers, building numbers or *approved* building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the *public way*, a monument, pole or other sign or means shall be used to identify the structure.

7. **912.0 Fire Department Connection(s).** Fire department connections shall be installed in accordance with the NFPA standard applicable to the system design and shall comply with Sections 912.2 through 912.6. A fire hydrant shall be located within 100 feet of Fire Department connection.

**Comments - see attached marked up drawings for below:**

1. **The hydrant originally proposed for the Wendy’s shall be relocated to the outside island just south west of the building to provide better access when used.**
2. **A hydrant is requested to be added on the corner just west of the fuel island canopies to the entrance of the Wawa site.**
3. **The FDC for the Wawa shall be located at the southwest corner of the building.**
4. **A hydrant is requested to be added northwest of the Citadel bank at the corner for access to both FDC’s for the retail and office buildings.**
5. **The retail building FDC shall be located at the southwest corner of the building.**
6. **The FDC for the office building shall be located at the southeast corner of the building.**
7. **The proposed fire hydrant to the west side entrance along Witchwood Dr side of the office building shall be relocated to the other corner on the same island to the northeast side.**
8. **A hydrant is requested for the garden center to the east side on the opposite corner that is closest to the building.**
9. **All other hydrants are accepted as proposed.**

8. **B105.2 Buildings other than one-and two-family dwellings.** The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings shall be as specified in Table B105.1.

**Exception:** A reduction in required fire-flow of up to 75 percent, as *approved*, allowed when the building is provided with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1 or 903.1.2. The resulting fire-flow shall not be less than 1,500 gallons per minute (5678 L/min) for the prescribed duration as specified in Table B105.1.

9. **D105.1 Where required.** Buildings or portions of buildings or facilities exceeding 30 feet (9144 mm) in height above the lowest level of fire department vehicle access shall be provided with *approved* fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility power lines shall not be located within the aerial fire apparatus access roadway.

**Comment: Please identify the height of all buildings proposed.**

10. **D105.2 Width.** Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm), exclusive of shoulders, in the immediate vicinity of any building or portion of building more than 30 feet (9144 m) in height.

**Comment: Based upon the fire truck circulation submitted, the Witchwood Dr entrance to the front of the 3 story office building, it appears that the parking spaces in front of the building conflict with the fire apparatus to movement through the site. The Fire Marshal's office is requesting to open this entrance to 26ft. Also we are requesting the same for the Garden center and the northwest entrance to Wendy's.**

### GENERAL COMMENTS

11. Any gas services that are accessible/vulnerable to vehicular traffic SHALL have approved vehicle impact protection installed.
12. All buildings of Truss Construction SHALL comply with the Montgomery Township Truss Ordinance #04-188. Truss emblems can be obtained through the Fire Marshal's Office or Code Enforcement Office. The Fire Marshal's Office SHALL be contacted in regards to placement of truss placard.
13. Fire Department key boxes (Knox Box) SHALL be provided on buildings at an approved location. Knox Box forms are available through the Fire Marshals or Code Enforcement Office.
14. All applicants are to contact the Code Enforcement Office when underground piping is being hydrostatically tested on site. Applicants are also reminded that flushing of the underground piping SHALL be witnessed by a township official prior to final riser connections per NFPA 13.
15. All buildings that are 5,000 square feet or more shall be fully sprinklered and the Fire Department Connection shall be shown to indicate exact location.  
**Comments: The Wawa, Retail, and 3 story office buildings are over 5,000 sq. ft. and shall be sprinklered.**

The Fire Marshal's Office recommends that the proposed plans need to be revised and reviewed by the Fire Marshal prior to the development being approved.

Should you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

Richard M. Lesniak  
Director of Fire Services



John Scheiter, CFI  
Captain/Assistant Fire Marshal

PROP CONC CURB (TYP.)

PROP ASPHALT PAVING (TYP.)

PROP 6" WIDE PAINTED STOP BAR (TYP.)

PROP 2-22,000 GALLON & 1-20,000 GALLON COMPARTMENTALIZED UNDERGROUND FUEL STORAGE TANKS

PROP WHITE PAINTED TRAFFIC ARROWS (TYP.)

Hydiant

PROP SPANNER SIGN

PROP ASPHALT PAVING (TYP.)

PROP. 6" CONC. PAVING (LOADING)

PROP. CANOPY COLUMNS (16) (TYP.)

PROP BLUE PAINT STRIPING WITHIN ADA SPACES TYP

PROP BOLLARDS (32) (TYP.)

60' (FRONT YARD SETBACK)

**Wawa**

W50-FB-I  
(10/28/18)  
(5,585 SF)

PROP. BUILDING SIGN

PROP 3+1 MPD SIGN (16 TYP.)

PROP 13 ADA SPACES

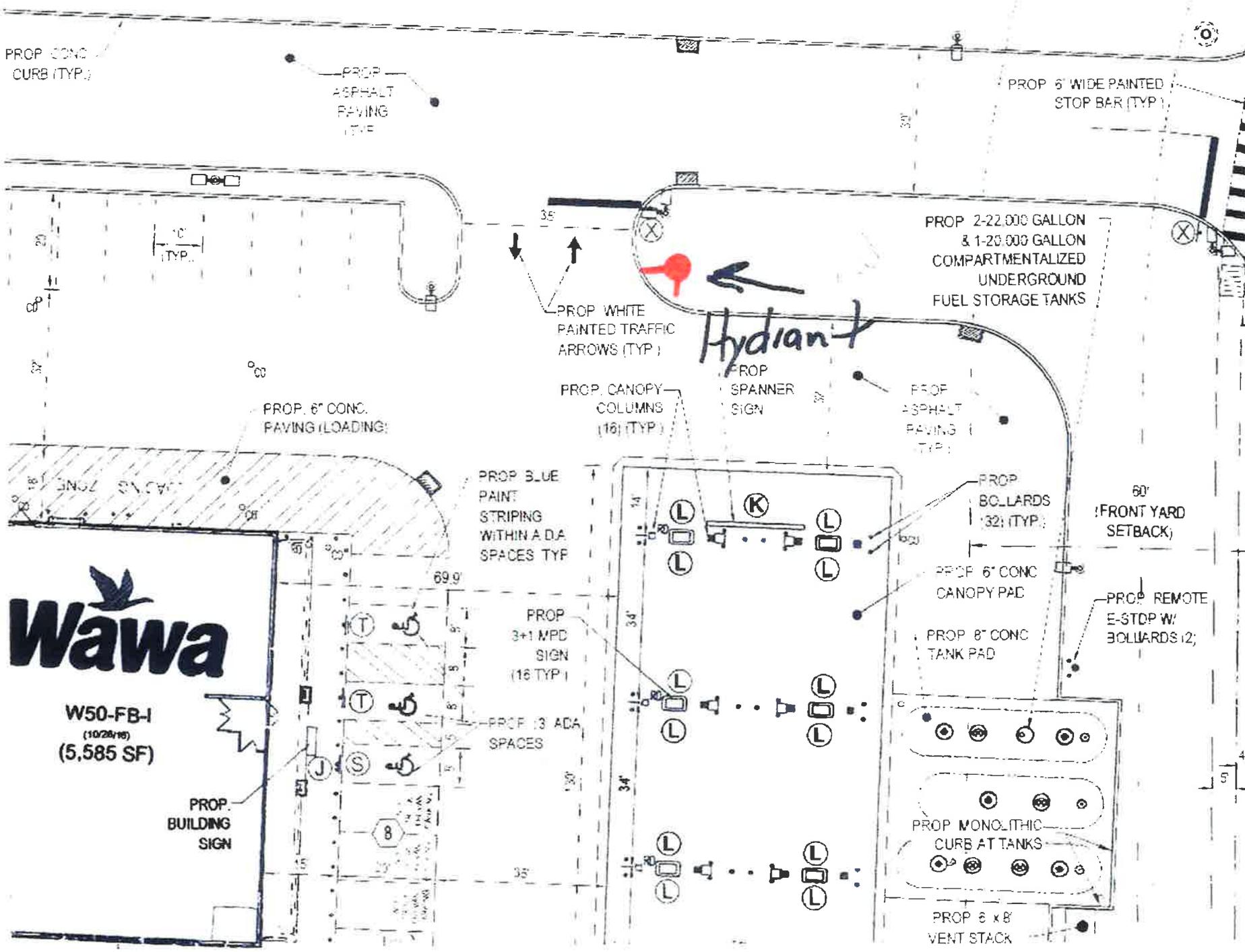
PROP 6" CONC CANOPY PAD

PROP 8" CONC TANK PAD

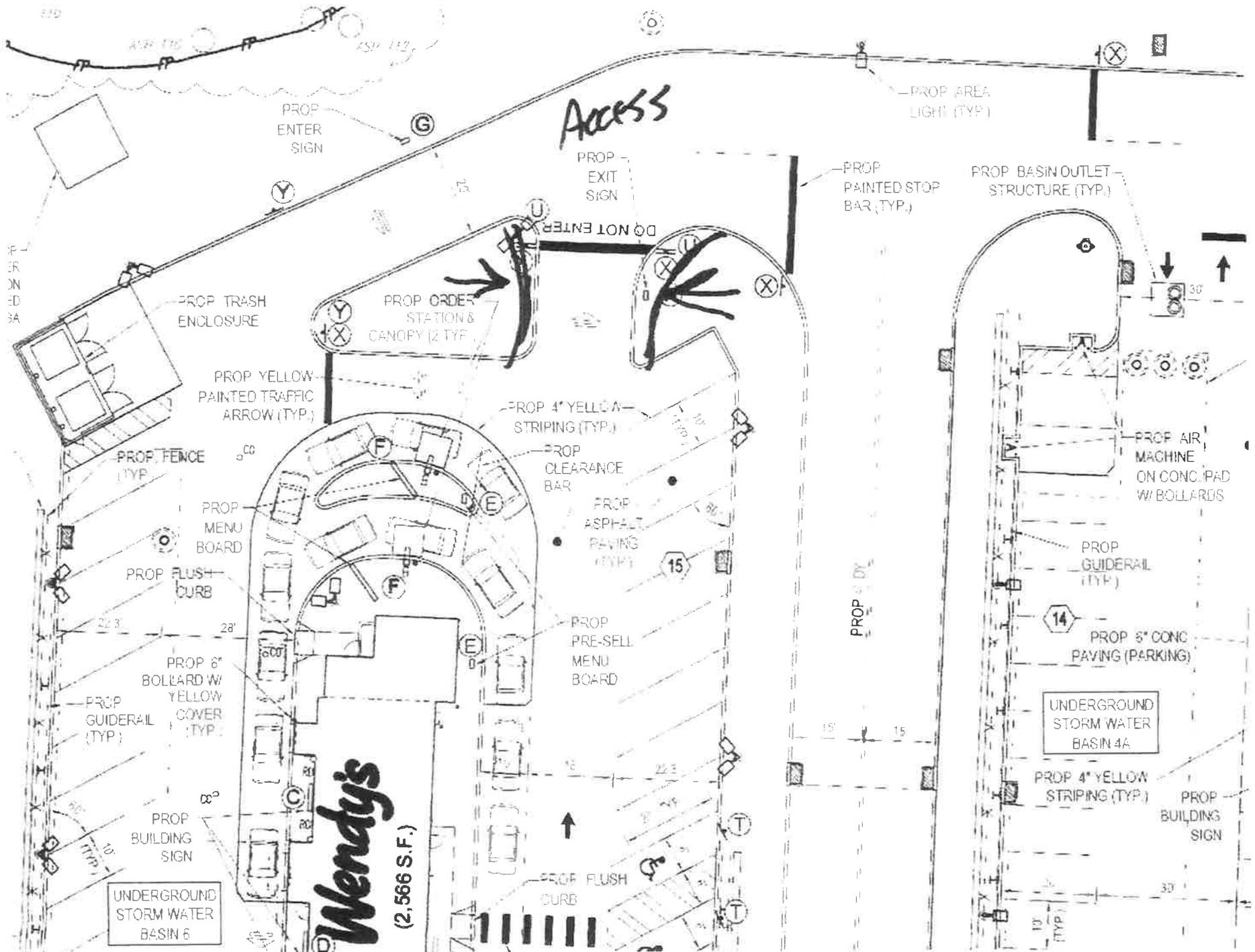
PROP. REMOTE E-STOP W/ BOLLARDS (2)

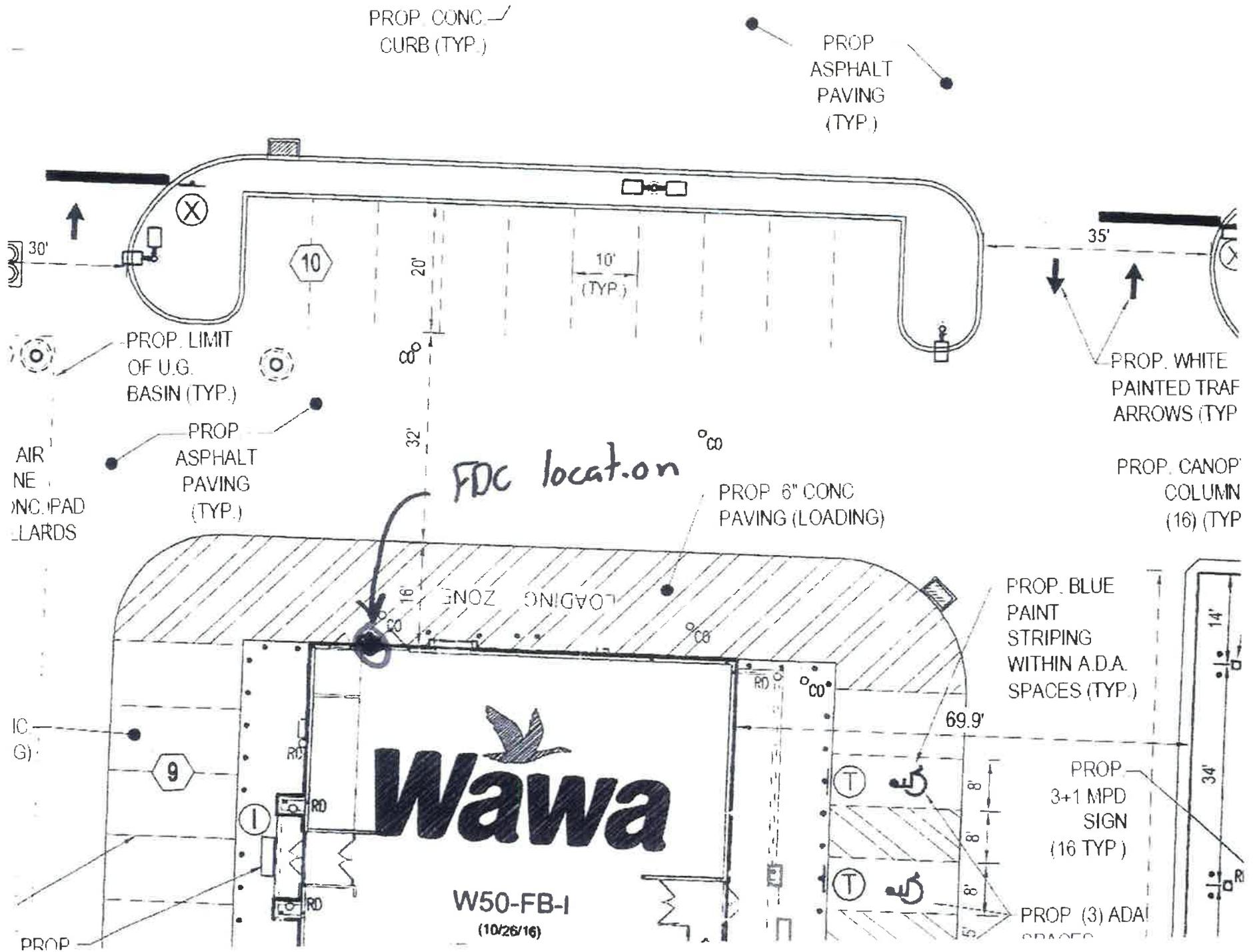
PROP MONOLITHIC CURB AT TANKS

PROP 6 x 8 VENT STACK









PROP. CONC. CURB (TYP.)

PROP. ASPHALT PAVING (TYP.)

PROP. LIMIT OF U.G. BASIN (TYP.)

PROP. ASPHALT PAVING (TYP.)

PROP. 6" CONC PAVING (LOADING)

PROP. WHITE PAINTED TRAF. ARROWS (TYP.)

PROP. CANOP COLUMN (16) (TYP.)

PROP. BLUE PAINT STRIPING WITHIN A.D.A. SPACES (TYP.)

PROP. 3+1 MPD SIGN (16 TYP.)

PROP. (3) ADA SPACES

W50-FB-1 (10/26/16)

Wawa

FDC locat.on

LOADING ZONE

9

10

10' (TYP.)

20'

32'

32'

16'

69.9'

14'

34'

8'

8'

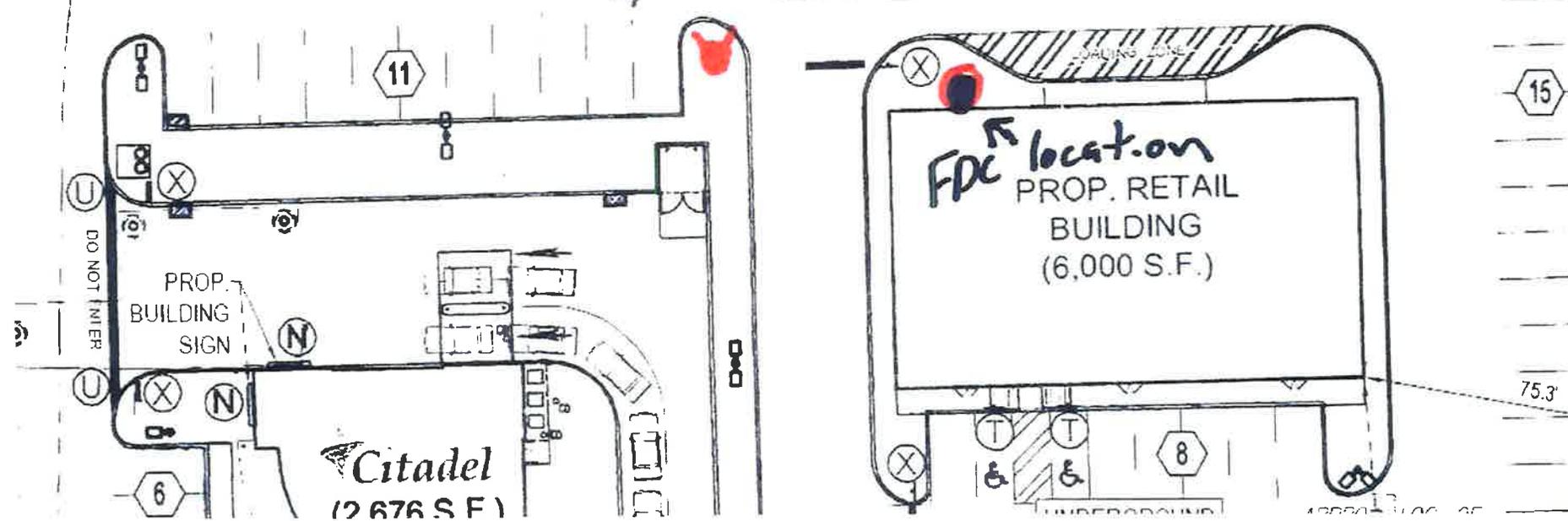
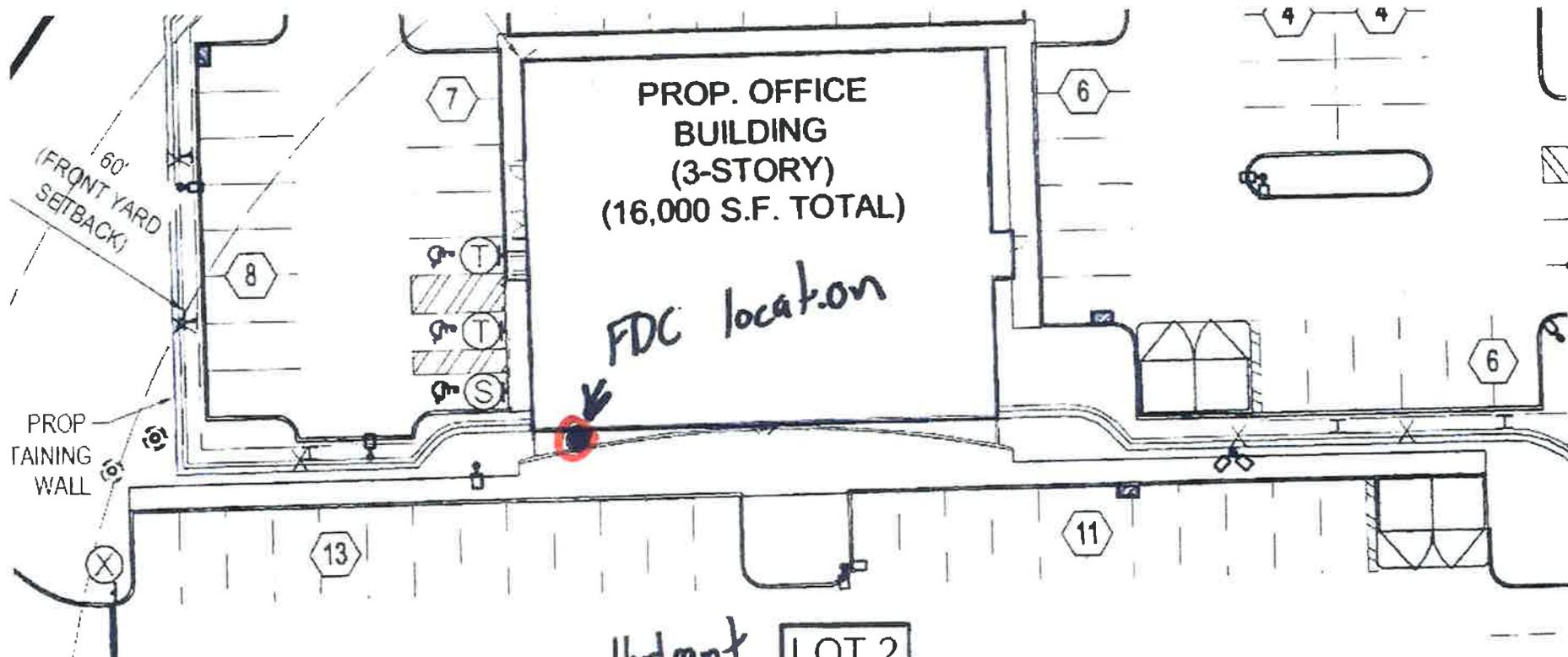
8'

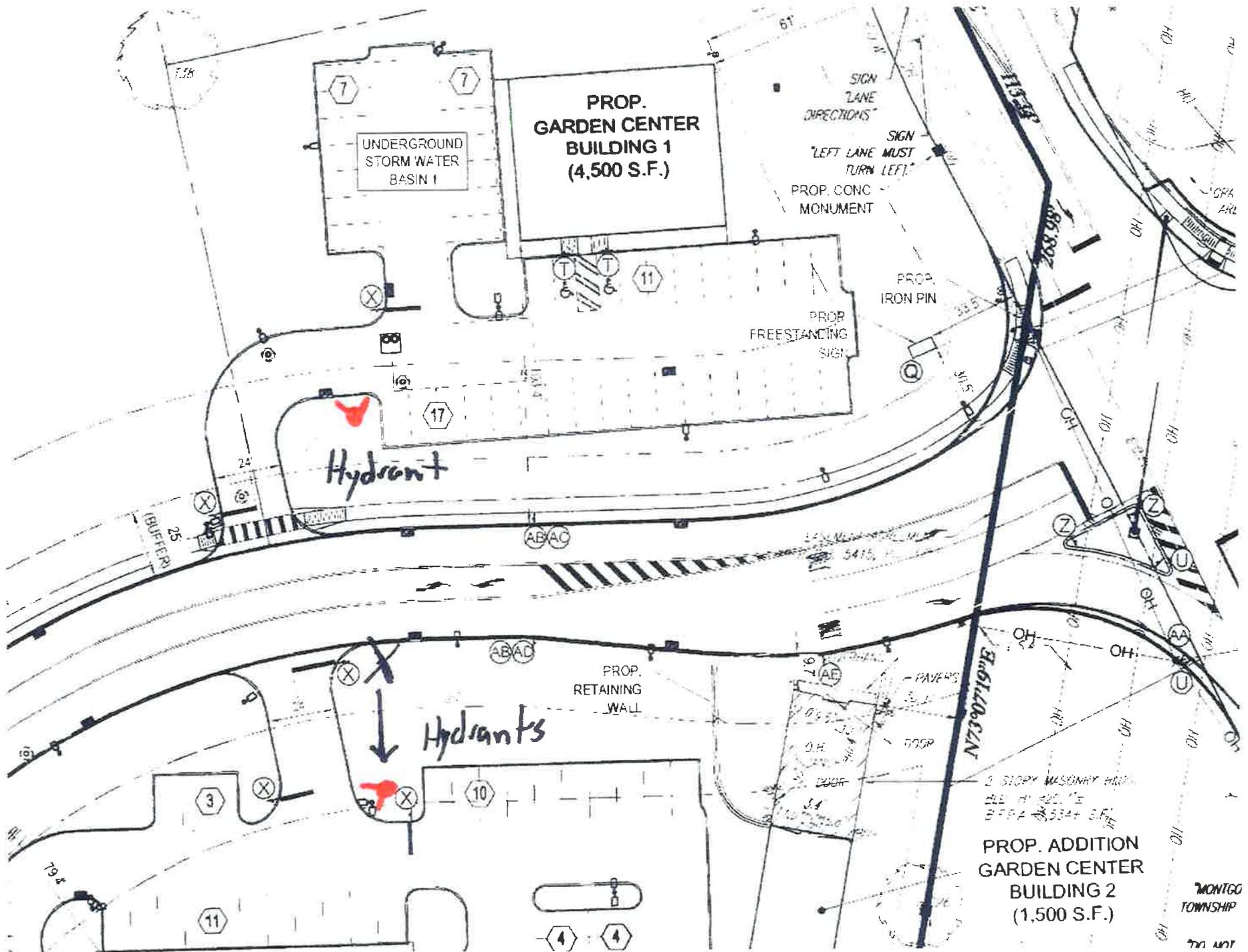
5'

AIR NE INC. PAD LARDS

IC (G)

PROP.





PROP.  
GARDEN CENTER  
BUILDING 1  
(4,500 S.F.)

UNDERGROUND  
STORM WATER  
BASIN 1

SIGN  
"LANE  
DIRECTIONS"  
SIGN  
"LEFT LANE MUST  
TURN LEFT."  
PROP. CONC  
MONUMENT

PROP.  
IRON PIN

PROP.  
FREESTANDING  
SIGN

Hydrant

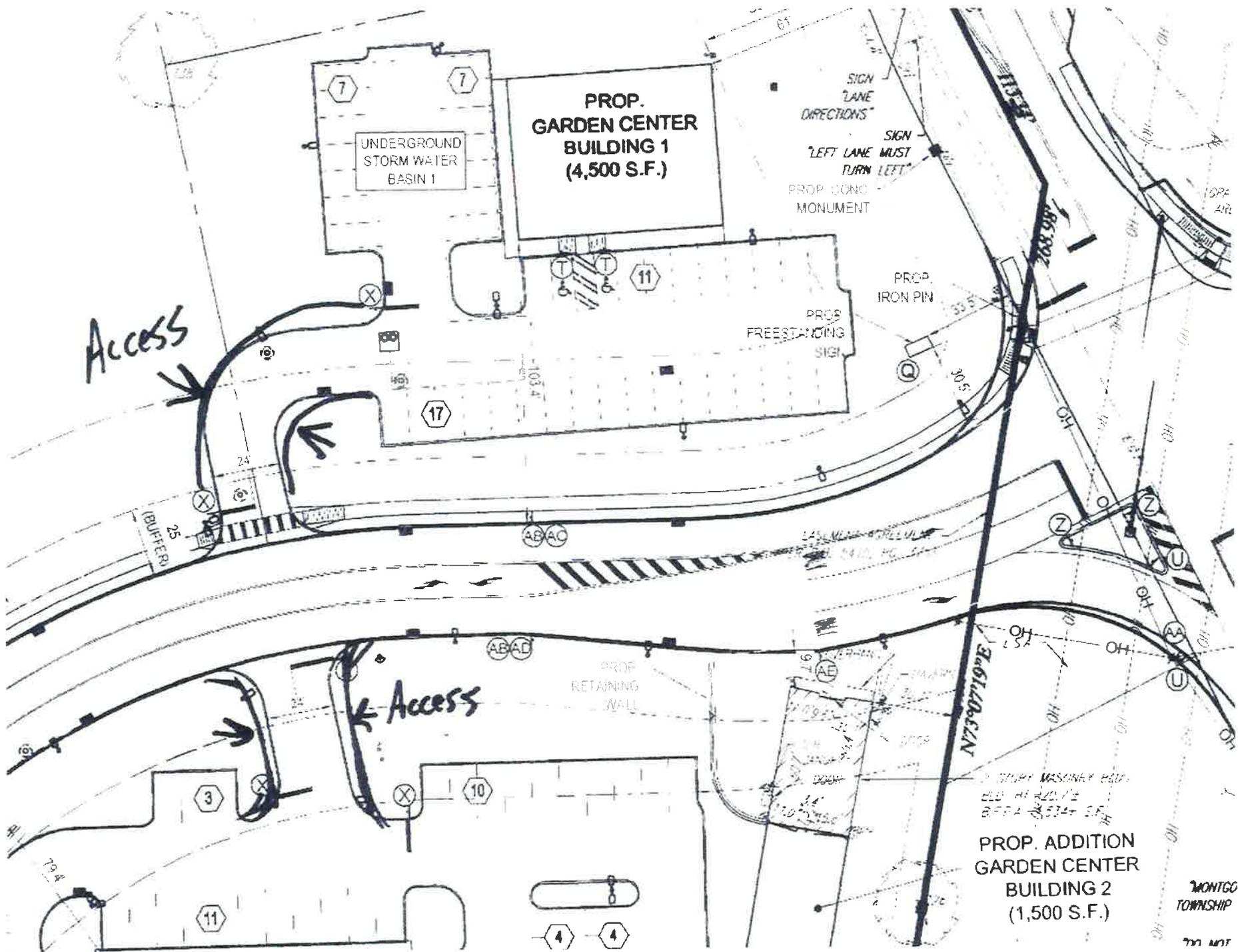
PROP.  
RETAINING  
WALL

Hydrants

PROP. ADDITION  
GARDEN CENTER  
BUILDING 2  
(1,500 S.F.)

2 STORY MASONRY BUILD  
211' x 200' x 12'  
3334 S.F.

MONTGO  
TOWNSHIP  
730' W



Access

UNDERGROUND  
STORM WATER  
BASIN 1

PROP.  
GARDEN CENTER  
BUILDING 1  
(4,500 S.F.)

SIGN  
"LANE  
DIRECTIONS"  
SIGN  
"LEFT LANE MUST  
TURN LEFT"  
PROP. CONC  
MONUMENT

PROP.  
IRON PIN

PROP.  
FREESTANDING  
SIGN

BUFFER

PROP.  
RETAINING  
WALL

N73°07'19"E

PROP. MASONRY WALL  
ELEV. AT 220.1'E  
8774 - 2534' S.F.

PROP. ADDITION  
GARDEN CENTER  
BUILDING 2  
(1,500 S.F.)

MONTGO  
TOWNSHIP

700 ANT



December 6, 2017  
Via e-mail

Montgomery Township  
1001 Stump Road  
Montgomeryville, PA 18936

Attention: Bruce Shoupe

Re: Proposed Commercial Development  
Route 309 & Stump Road  
Montgomery Township  
Montgomery County, PA  
PC161243

Dear Bruce:

Regarding the above referenced project, the following is the list of waivers requested from Montgomery Township Board of Commissioners with supporting justification:

1. A waiver from SALDO Section 205-10.C(2) which requires intersections shall be approached on all sides by leveling areas. Where grades exceeds 7%, such leveling areas shall have a minimum length of 50 feet within which no grade shall exceed a maximum of 4%. The grade of actual intersections shall not exceed 1% in any direction. Due to the nature of existing grades on site (in excess of 10% in several areas), it is infeasible to provide the required leveling areas for intersections along the proposed Witchwood Drive extension through the project site. A modification is requested to permit grading of intersections that is consistent with the existing grades of the site.
2. A waiver from SALDO Section 205-10.D(1)(a) which requires a right-of-way of 60' for a secondary street. A 40' right-of-way is proposed for Witchwood Drive. Per coordination with the Township, 40' is sufficient to be dedicated to the Township.
3. A waiver from SALDO Section 205-10.G(7) which requires a stopping area which grade does not exceed 6%. Due to the nature of existing grades on site (in excess of 10% in several areas), it is infeasible to provide the required grades in stopping areas for intersections along the proposed Witchwood Drive extension through the project site. A modification is requested to permit grading of intersections that is consistent with the existing grades of the site.
4. A waiver from SALDO Section 205-10.H(7)(b) which requires handicapped spaces to be 12 feet wide by 20 feet long. A minimum width of 8' is proposed for handicapped parking spaces for the development in accordance with the '2010 ADA Standards for Accessible Design.' A waiver is requested to provide handicapped parking spaces in compliance with the minimum design requirements of the Americans with Disabilities Act.
5. A waiver from SALDO Section 205-17.D(4) which requires a standard curb reveal of 8 inch. Due to the pedestrian traffic associated with the various uses, 6 inch curb is proposed instead of 8 inch curb as 8 inch curb can be a tripping hazard. Also, 6 inch curb is proposed throughout the entire development to keep uniformity between the different pad sites.
6. A waiver from SALDO Section 205-18.A(3)(b) which requires any closed conduit, when flowing full, shall have a minimum velocity of 3.5 feet per second and a maximum velocity of 15 feet per second. Due to the slope of Witchwood Drive the maximum velocity of 15 feet per second (fps) is exceeded.
7. A waiver from SALDO section 205-18.A(6) which requires 95% of gutter flow to be captured. Due to the slope of Witchwood Drive the inlets are unable to capture this flow in all instances. The gutter spread will be designed consistent with PennDOT standards for the 10-year storm event, which requires the spread to be less than 1/2 the travel lane width.

8. A waiver from SALDO Section 205-18.D(3)(f) which requires stormwater management facilities to be designed for either the total impervious coverage or the maximum impervious coverage ratio per the zoning district (75%), whichever is greater. The stormwater management has been designed consistent with the proposed impervious coverage based on the nature of the proposed use (commercial). Furthermore, any future development will manage Stormwater Management as necessary per the ordinance.
9. A waiver from SALDO Section 205-24 requiring streetlighting to be installed along each street front abutting a public street. Streetlighting for the development is proposed to be maintained privately and located outside of the right-of-way.
10. A waiver from SALDO Section 205-52.A(2)(a) to permit spacing of street trees to be less than 40 feet on center and greater than 50 feet on center. Including but not limited to conflicts with utilities, driveways and signage.
11. A Waiver from SALDO Section 205-52.A(3) which requires that street trees use species specifically selected from Section 205-56.A. and 205-56.B. This waiver is being requested to permit the planting of species that are not noted within the ordinance for the benefit of horticultural diversity.
12. A waiver from SALDO Section 205-52.B(2)(a) to permit not providing a softening buffer along Bethlehem Pike and Stump Road in order to preserve views of the existing billboard and into the site.
13. A waiver from SALDO Section 205-52.B(2)d to allow slopes greater than 25% within a softening buffer. Due to the existing grades on site (in excess of 10% in several areas), it is infeasible to provide slopes less than 25% in the buffers. Retaining walls have been proposed in several locations to limit steep slopes as possible.
14. A waiver from SALDO Section 205-52.C(2)(b) which requires all loading areas, trash receptacles and mechanical equipment to be screened from view. Loading areas are in the rear of the buildings and the property is surrounded by industrial users who will not be impacted.
15. A Waiver from SALDO Section 205-52.D(1)(c) which requires a maximum of 15 parking spaces in a row without a landscape island of 15 feet in width. This waiver is being requested for operational reasons, only for the proposed parking facility adjacent to the nursery.
16. A Waiver from SALDO Section 205-52.D(1)(d) which requires planter islands at the end of each row of parking spaces. This waiver is being requested for operational reasons, only for the proposed Convenience Store with fueling operation.
17. A Waiver from SALDO Section 205-52.H(2) & 205-52.H(3), which requires sod plantings on slopes greater than 15% and groundcover plantings for slopes greater than 33%. This waiver is being requested to permit the planting of seeded lawn areas, but in no way will relieve the applicant from providing complete stabilization for the entire site.
18. A waiver from SALDO Section 205-53.C(1) to permit removing greater than 40% of existing trees 23-48" caliper in order to permit development on the project site.
19. A waiver from SALDO Section 205-56 to permit deviating from the recommended plant list. Alternate native and adapted species have been selected under the direction of the client who has industry knowledge of the species in question. The goal is to develop a sustainable and long-lasting landscape.
20. A waiver from SALDO Section 205-78.B(1) which requires all existing features within 400 feet of the property. The plans show existing underground utility structures, utility rights-of-way, and other manmade features that are pertinent for the portion of the site to be developed and an Aerial Plan has been provided showing manmade features within 400 ft. of the subject property.

21. Waiver from Montgomery Township Street Lighting Specification, Section 1: 3.f. which requires the extinguishing of illumination of signs after 10pm until sunrise.
22. Waiver from Montgomery Township Street Lighting Specification, Section 4, which requires a specific High Pressure Sodium "American Revolution" luminaire (manufactured by American Electric) along Witchwood Drive. This waiver is being requested to permit the use of LED lighting to match other proposed fixtures on the project for consistency, energy compliance and to fit the overall design intent of the site.
23. Waiver from Montgomery Township Street Lighting Specification, Section 5, which requires the use of laminated wood poles for proposed street lighting. This waiver is being requested to permit the use of poles matching other proposed fixtures on the project for consistency and to fit the overall design intent of the site.

In addition to the requested waivers, we are requesting the Board take action on the following:

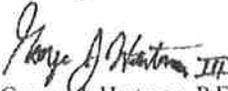
1. Section 230-231.A(1) which requires side and rear yard areas. An area 25 feet wide shall be landscaped with a softening or screening buffer. When authorized by the Board of Supervisors, this may be reduced to no less than 10 feet, but only where the yard abuts a commercial or industrial use or zoning district. The project provides a minimum of 10' buffer and our property is surrounded by industrial and commercial uses except in the northwest corner where the buffer is provided.
2. Section 205-22 which requires Sidewalks shall be required at any location where the Supervisors shall determine that sidewalks are necessary for public safety or convenience. Sidewalk is proposed in areas that are feasible for connection. As there is no sidewalk South of this development along Bethlehem Pike it is not provided, however, grading is shown that would accommodate a future sidewalk.
3. Section 205-52.B(3)(a) which requires softening buffers shall be aligned adjacent and parallel to the entire property perimeter, including rights-of-way, but may be sited on any position of the property if permitted by the Board of Supervisors. Some of the softening buffer landscaping is located farther than 20' from the property lines due to the proposed sidewalk, grading, and other issues.
4. Montgomery Township Street Lighting Specification, Section 1: 3.d. which requires commercial uses to extinguish their lighting between the hours of 10pm and dawn, unless otherwise permitted by the appropriate officers or agents of the Municipality, for the safety or security or businesses that operate all night. We are requesting permission to keep lighting on after 10pm as some of the tenants are expected to have hours beyond that time.
5. Montgomery Township Street Lighting Specification, Section 1: 3.e. which requires lighting used after 10 PM to be reduced to 50% until dawn, unless supporting a specific purpose and approved by the appropriate officers or agents of the Municipality. We are requesting permission to keep lighting at full-power for safety and security reasons for facilities that will be operating beyond 10 PM.

Bruce Shoupe  
1001 Stump Road  
Montgomery Township, Montgomery County  
PC161243  
December 6, 2017  
Page 4 of 4

Upon your review, should you have any questions or need any further information, please do not hesitate to contact our office.

Sincerely,

**BOHLER ENGINEERING PA, LLC**

  
George J. Hartman, P.E.

CC/af

cc: Jim Dougherty – Gilmore & Associates, Inc. (via e-mail)  
Kevin Johnson – Traffic Planning and Design, Inc. (via e-mail)  
Judith Goldstein (via e-mail)  
John Antonucci (via e-mail)  
Jim Kahn – Higher Rock Partners, LP (via e-mail)  
Robert L. Brant – Robert L. Brant & Associates (via e-mail)  
Wendy McKenna – Robert L. Brant & Associates (via e-mail))  
Tuan Duong, P.E. – Traffic Planning and Design, Inc. (via e-mail)

R:\16\PC161243\Correspondence\Township\PC161243\_2017-12-06 (waivers).doc

**IN AND BEFORE THE ZONING HEARING BOARD OF  
MONTGOMERY TOWNSHIP  
MONTGOMERY TOWNSHIP, PENNSYLVANIA**

**APPEAL NO. 17090002  
AN APPLICATION BY HIGHER ROCK PARTNERS, LP,  
JOHN ANTONUCCI & MARY ANNE ANTONUCCI  
FOR VARIANCES FROM 230-77.B, 230-78.A, 230-112.A, 230-127.A(1)(a)(1), 230-  
127.A(2)(a), 230-127.A(4), 230-127.A(4)(b)(3), 230-134.C.(13), 230-219.A(2), 230-219.B(2),  
AND SPECIAL EXCEPTIONS PURSUANT TO 230-75 & TABLE 230-A,  
AND 230-123.A(36)**

**OPINION AND ORDER**

Pursuant to proper legal advertisement in Montgomery Newspapers on September 19, 2017 and September 26, 2017, a public hearing was held on Wednesday, October 4, 2017 at the Montgomery Township Administration Building, 1001 Stump Road, Montgomeryville, Pennsylvania.

Present at the Hearing were the following members of the Zoning Hearing Board: Edward Diasio, Chairman; L. Vincent Roth, III, Vice Chairman, Deborah Grasso, Secretary; and John Frazzette, Alternate Member. Mary Kay Kelm, Esquire was present as the Solicitor for the Zoning Hearing Board. Robert Brant, Esquire represented the Applicants. Bruce Shoupe, Director of Planning and Zoning for Montgomery Township and Marianne McConnell, Deputy Zoning Officer were also in attendance. The Notes of Testimony were taken by Tim Kurek, Official Registered Court Reporter.

**EXHIBITS**

The following documents were marked for admission into evidence as follows:

A-1 - Curriculum Vitae of George Hartman

A-2 - Deeds

- A-3 Aerial photos
- A-4 Zoning plan
- A-5 Architectural plans
- A-6 Signage plan
- A-7 Parking Exhibit

B-1 - Proof of Publication on September 19, 2017 and September 26, 2017

B-2 - Posting of property dated September 22, 2017

B-3 - Notification of Nearby Residents dated September 22, 2017

#### **FINDINGS OF FACT**

1. The subject property is comprised of five separate parcels: 46-00-00301-004, 46-00-00295-001, and 46-00298-007 (“the Higher Rock Parcels”) as well as 46-00-03556-007 and 46-00-03562-001 (“the Antonucci parcels”). The Higher Rock parcels and the Antonucci parcels are collectively referred to as the “Property”. The Property contains the street addresses of 1004 Bethlehem Pike, 1010 Bethlehem Pike, 307 Stump Road and 316 Stump Road, all located in Montgomeryville, PA 18936. (*Application and Addendum*, N.T. p. 5).

2. The owners and applicants are Higher Rock Partners, LP, John Antonucci and Mary Anne Antonucci. Higher Rock Partners, LP is a partnership owned by Jim Kahn and John Antonucci. The remaining parcels are owned by John Antonucci and his mother, Mary Anne Antonucci. (N.T., p. 5).

3. The property is located at Bethlehem Pike (State Route 309) and Stump Road. It is in the Limited Industrial zoning district and is also subject to the Highway Limited Industrial Overlay District. (N.T., p. 6).

4. The property contains 18.78 acres total. The Antonucci parcels are currently developed as a nursery and retail garden center. The Higher Rock parcels are presently unimproved, but contain some unused structures. (N.T., p. 6).

5. The applicants propose to utilize the site for a retail and mixed use development, currently contemplated as containing a Wendy's drive through restaurant, a Wawa convenience store with gasoline, a Citadel bank, a garden center nursery, a three story office building, and a six thousand square foot retail building. (N.T., p. 6-7).

6. A significant traffic improvement is anticipated to occur on the property, extending Witchwood Drive through the property from Stump Road to Bethlehem Pike. Two traffic signals will be added where Witchwood Drive meets Bethlehem Pike and where it meets Stump Road. (N.T., p. 11, 12, 19).

7. The applicants propose a number of variances as well as two special exceptions to accomplish their project, and presented supporting testimony from George Hartman, professional engineer, who was accepted by the Board as an expert. (N.T., p. 7, 9).

8. The applicants propose a special exception for restaurant outdoor seating on the property to permit the Wendy's restaurant to have a twelve foot by twenty-four foot patio encompassing three outdoor tables. (N.T., p. 14).

9. A second special exception was proposed for the Wendy's restaurant to utilize two presell and two menu boards. (N.T., p. 21- 22).

10. The applicants next propose that the Wawa trash enclosure be permitted in the front of the building. Because the proposed Wawa building is a front-back building, it utilizes two customer entrances, and the trash receptacle is located outside of one of the entrances, which could be considered the front of the building. (N.T., p. 15).

11. Due to the layout of the site, the proposed location of the Wawa trash enclosure is necessary to ensure that it does not interfere with vehicular traffic patterns. *Id.*

12. The applicants next require a variance for the existing garden center, which will not meet setback requirements once Witchwood Drive is extended through the site. After the new road is built, the existing garden center will sit 9.7 feet from it, rather than the required sixty feet. (N.T., p. 16).

13. Based on the topography of the site, there is essentially only one way to extend Witchwood Drive through the property, which creates a hardship and makes the existing garden center outside of setback and planting buffer requirements. (N.T., p. 17, 18).

14. If the property is developed pursuant to the Highway Limited Industrial Overlay, a seventy foot softening buffer is required for the proposed Witchwood Drive extension. Portions of the parking and drive aisles for the property would meet the softening buffer requirement but for the proposed location of the new road. (N.T., p. 18-19).

15. Thus the location of the Witchwood Drive extension creates hardship for the property, but is necessary for the development of the property. (N.T., p. 19).

16. The applicants proposed a number of variances for signage, organized by user. (N.T., p. 20).

17. For the Wendy's restaurant, the applicants requested a 17.87 square foot changeable copy monument sign rather than the permitted sixteen square feet (N.T., p. 22), ninety-two square feet of parallel and awning signs rather than the permitted fifty square feet (N.T., p. 23, 52), and two directional signs that are four feet in height rather than the permitted three feet. (N.T., p. 23).

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18. For the Wawa signage, applicants requested 214.34 square feet of parallel and awning signs rather than the permitted 132 square feet for the gasoline pumps as well as the convenience store building. (N.T., p. 25-26).

19. For the Citadel bank, applicants proposed 140 square feet of signage rather than the 116 square feet permitted by the Ordinance. (N.T., p. 26).

20. The applicant's expert pointed out the existence of a fourteen foot by forty-eight foot billboard on the property which draws the attention of the travelling public away from the occupants, necessitating larger signs on ground level so that drivers can enter the site safely. (N.T., p. 28).

21. The applicants also requested a variance for parking as related to the existing garden center and proposed expansion. (N.T., p. 29).

22. The proposed garden center will contain two buildings and an outdoor area for a total of twenty-five thousand square feet. Building One will contain forty-two parking spaces and Building Two with the outdoor retail space will contain fourteen spaces. (N.T., p. 29-30).

23. The Ordinance requires 4.5 parking spaces per one thousand square feet of area, or one hundred thirteen spaces for the proposed square footage. (N.T., p. 29).

24. John Antonucci, one of the owners of the parcels, appeared and testified on behalf of applicants. (N.T., p. 41).

25. Mr. Antonucci testified that Sal's Nursery had been opened by his grandfather in 1956 and had been in Montgomery Township continuously. (N.T., p. 41).

26. Mr. Antonucci leases the PECO right of way adjacent to the property from PECO and grows plants on it. *Id.*

27. Mr. Antonucci testified that his existing garden center building is used primarily as a showroom by appointment only, but is intended to expand to accommodate a modest amount of walk in business. (N.T., p. 43-44).

28. There are presently eight parking spaces at the existing garden center now which have been sufficient to accommodate the existing operation. (N.T., p. 44).

29. Once the project has been completed, the existing fifteen acre nursery will shrink down to less than three acres, but parking will increase to a total of fifty-six parking spaces. (N.T., p. 45).

30. In the opinion of the expert witness, the relief requested will not be detrimental to the health, safety and welfare of Montgomery Township. (N.T., p. 31).

31. In the opinion of the expert witness, the relief requested for the property is in keeping with the essential character of the Limited Industrial and Highway Limited Industrial Overlay District. *Id.*

32. In the opinion of the expert witness, the granting of the requested relief would not impair or be detrimental to the use or development of adjacent properties. *Id.*

33. The relief requested is the minimum necessary to develop the property, in the opinion of the expert witness. *Id.*

34. In the opinion of the expert witness, the enumerated criteria necessary for special exceptions are met with regard to the restaurant outdoor seating as well as the menu and presell boards. (N.T., p. 32).

35. Mr. Allen Nappen, who owns neighboring properties including Montgomeryville Nissan and Acura dealerships, appeared and voiced support for the requested relief. (N.T., p. 49).

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### **CONCLUSIONS OF LAW**

36. The Zoning Hearing Board finds the applicant's expert testimony persuasive and that unnecessary hardship exists with regard to the topography of the site, and the pre-existing billboard interfering with sight lines from the major roadways.

37. The Zoning Hearing Board concludes that the variances proposed by the applicant for signage represent the minimal variances that will afford relief.

38. The Zoning Hearing Board finds the applicant's expert testimony persuasive with regard to the requests for special exception and that the criteria for special exceptions for the restaurant outdoor seating, presell and menu boards has been met.

39. The Zoning Hearing Board finds that the Witchwood Drive expansion supplies hardship to the existing garden center on the site, preventing development in strict conformity with the parking, buffering and softening requirements of the Ordinance, and finds Mr. Antonucci's testimony credible that the amount of parking proposed will be adequate.

40. The Zoning Hearing Board finds that the evidence produced by the Applicants has met the general standard by which variances may be granted as set forth in Section 910.2(a) of the Pennsylvania Municipalities Planning Code. 53 P.S. §10910.29(a).

41. The Zoning Hearing Board finds that the evidence produced by the Applicants has met the general standard by which special exceptions may be granted as set forth in Section 230-185 of the Montgomery Township Zoning Ordinance.

### **DETERMINATION**

The Zoning Hearing Board finds that the Applicants have met their burden of establishing entitlement to the requested variances and special exceptions. The Board bases its

decision upon the testimony presented and the Exhibits admitted into evidence, and the prior findings and decisions of this Board.

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## ORDER

AND NOW, this 17th day of November, 2017, the Zoning Hearing Board of Montgomery Township hereby grants variances and special exceptions to Higher Rock Partners, L.P., John S. Antonucci and Mary Anne Antonucci from the requirements of Montgomery Township Zoning Code as follows:

1. A special exception pursuant to Section 230-75, Table 230-A to permit outdoor dining as an accessory use to a restaurant use;
  2. A variance from Section 230-77.B related to front yard setback for the garden center;
  3. A variance from Section 230-70.A to permit the garden center building within the required planting area of the Witchwood Drive extension;
  4. A variance from Section 230-112.A to permit the Wawa trash enclosure in front of the building;
  5. A variance from 230-134.C(13) to permit forty-two parking spaces for Building One of the garden center and fourteen parking spaces for Building Two of the garden center;
  6. Variances from 230-219.A(2) & 230-219.B(2) to permit portions of parking and drive aisles within the required softening buffer;
  7. A special exception pursuant to Section 130-123.A(36) to permit a presell board;
  8. A variance from Section 230-127.A(1)(a)(1) to permit a 17.87 square foot changeable copy sign;
  9. A variance from Section 230-127.A(2)(a) to permit signage for the Wendy's restaurant not to exceed ninety-two square feet;
  10. A variance from Section 230-127.A(2)(a) to permit signage for the Wawa convenience store not to exceed 214.34 square feet;
  11. A variance from Section 230-127.A(2)(a) to permit signage for Citadel bank not to exceed one hundred forty square feet;
  12. A variance from Section 230-127.A(4) to permit freestanding signs along Bethlehem Pike as more fully set forth in the record; and
-

13. A variance from Section 230-127.A (4)(b)(3) to permit directional signs for the Wendy's restaurant  
four feet in height.

**MONTGOMERY TOWNSHIP  
ZONING HEARING BOARD**

By:   
Edward Diasio  
Chairman

By:   
L. Vincent Roth, III  
Vice Chairman

By:   
Deb Grasso  
Secretary



# Montgomery Township Municipal Sewer Authority Final Budget 2018

Revenue Summary	MTMSA Board Approved 2018 Budget
Sewer Rentals	5,668,000.00
Tapping Fees	75,000.00
Auxiliary Waste Income	325,000.00
Interest Income	75,000.00
Other Income	85,200.00
<b>TOTAL REVENUE</b>	6,228,200.00
<b>Expense Summary</b>	
Personnel Expenses	1,443,000.00
Consultant Fees	199,500.00
Operation Expenses	1,282,700.00
Treatment Fees	1,355,000.00
Administrative and Other	198,500.00
<b>TOTAL EXPENSES</b>	4,478,700.00
<b>NET OPERATING POSITION</b>	1,749,500.00
CAPITAL EXPENSES	2,010,500.00
Released from Reserve for Capital Exp	261,000.00
<b>Net Budget</b>	<b>0.00</b>

**MONTGOMERY TOWNSHIP MUNICIPAL SEWER AUTHORITY  
 SANITARY SEWERAGE FACILITIES  
 FIVE-YEAR CAPITAL IMPROVEMENT PLAN**

ITEM NO.	PROJECT	YEARS/ESTIMATED PROJECT COST (1) (2) (3)						
		2017 BUDGETED	2017 PROJECTED	2018	2019	2020	2021	2022
1	Basins A/B, C/D/G, and E Collection/Conveyance System Rehab (4)	\$350,000	----	\$215,000	\$400,000	\$425,000	\$450,000	\$475,000
	a. 8409-6E: 2017 Sanitary Sewer Rehab Project	----	\$105,000	----	----	----	----	----
	b. 8409-6F: Sanitary Sewer System Mainline Repairs and Service Lateral R/R	----	\$170,000	----	----	----	----	----
	c. Sassafras Drive Mainline Replacement	----	----	\$160,000	----	----	----	----
2	Potential HTMA WWTP Capital Improvements (5)	\$155,000	\$46,000	\$161,000	\$77,000	\$140,000	\$140,000	\$140,000
3	Flow Meter Replacements (6)	\$21,200	\$1,500	\$50,000	\$26,000	\$27,000	\$28,000	\$29,000
4	Eureka WWTP VFD Replacements/Upgrades (7)	\$48,000	\$4,000	\$50,000	\$51,500	\$53,000	\$55,000	\$57,000
5	Install Equipment Storage/Garage Facility (8)	\$10,000	\$8,000	----	----	----	----	----
6	Gwynedd Lea SPS Electrical/Instrumentation Equipment Upgrades (9)	\$142,500	\$135,000	----	----	----	----	----
7	Gwynedd Lea SPS Site Access Driveway Improvements (10)	\$5,000	\$5,000	----	----	----	----	----
8	Eureka WWTP Ferrous Sulfate Pump System Replacements (11)	\$7,000	\$7,000	----	----	----	----	----
9	Eureka WWTP Reactor Tanks "C" & "D" - Tanks "A" & "B" Interconnecting Bridge/Walkway (12)	\$175,000	\$15,000	\$165,000	----	----	----	----
10	Internal Pipeline Video Inspection System Camera Upgrade (13)	\$140,000	\$105,000	----	----	----	----	----
11	Eureka WWTP; Bio Solids - Renewable Solutions (14)	\$75,000	\$0	\$85,000	\$2,000,000	----	----	----
12	Purchase Trackhoe (15)	----	----	\$58,000	----	----	----	----
13	Knapp Road Pump Station Load Shaver Tank Floor Coating Removal (16)	\$10,000	\$0	\$10,000	----	----	----	----
14	Gwynedd lea SPS Emergency Generator Transfer Switch Upgrade (17)	\$5,500	\$10,000	----	----	----	----	----
15	Purchase 16,000 LB Capacity Deck Crane (18)	\$25,000	\$0	\$26,000	----	----	----	----
16	Eureka WWTP Tanks "A" & "B" Exterior Insulation Repairs and Repainting (19)	\$75,000	\$0	\$50,000	----	----	----	----
17	Vactor Tanker Truck Replacement (20)	----	----	\$250,000	----	----	----	----

**MONTGOMERY TOWNSHIP MUNICIPAL SEWER AUTHORITY  
 SANITARY SEWERAGE FACILITIES  
 FIVE-YEAR CAPITAL IMPROVEMENT PLAN**

ITEM NO.	PROJECT	YEARS/ESTIMATED PROJECT COST (1) (2) (3)						
		2017 BUDGETED	2017 PROJECTED	2018	2019	2020	2021	2022
18	Eureka WWTP Rector Tanks "C" & "D" Exterior Insulation Repairs and Repainting (21)	----	----	----	\$75,000	----	----	----
19	Misco Industrial Park Area Collection System Rehab (22)	----	----	\$431,000	----	----	----	----
20	Eureka WWTP; Influent SPS Valve Replacements (23)	----	----	\$15,000	----	----	----	----
21	Eureka WWTP; Tank C Anoxic Mixer Rehab (24)	\$0	\$23,200	\$18,000	----	----	----	----
22	Eureka WWTP; Tank C Utility Water Piping Replacement (25)	----	----	\$2,500	----	----	----	----
23	Eureka WWTP; Soda Ash Silo Exterior Painting (26)	----	----	\$20,000	----	----	----	----
24	Eureka WWTP; Masonary Buildings Roof Replacements (27)	----	----	\$40,000	----	----	----	----
25	Purchase Replacement Zero Turn Mower (28)	----	----	\$8,000	----	----	----	----
26	Purchase Utility Vehicle (18)	----	----	\$14,000	----	----	----	----
27	Eureka WWTP; Control Building Carpet Replacement (29)	----	----	\$30,000	----	----	----	----
28	Evans Road Meter Pit Electrical/Instrumentation Panel Replacement/Upgrades (30)	----	----	\$35,000	----	----	----	----
29	Purchase Man Hoist Equipment (31)	----	----	\$5,000	----	----	----	----
30	Eureka WWTP; Replace Air Valve Actuators - Tanks C & D (32)	----	----	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
31	ACT 537 Sewage Facilities Plan Update (33)	----	----	\$75,000	\$25,000	----	----	----
32	Eureka WWTP Grit Removal Facilities Modifications (34)	----	----	\$27,000	\$306,000	----	----	----
33	Eureka WWTP Primary Feeder Breaker Replacements/Upgrade (35)	----	----	----	\$141,000	----	----	----
34	Kenas Road Sewer Extension Project (36)	----	----	----	\$36,000	\$417,000	----	----
35	Eureka WWTP; Tank D Takedown for Maintenance / Repairs (37)	----	----	----	----	----	\$379,000	----
36	Eureka WWTP; Tank C Takedown for Maintenance / Repairs (37)	----	----	----	----	----	----	\$394,000
37	Eureka WWTP; Phosphorous Reduction Facilities (38)	----	----	----	----	----	----	\$3,750,000
TOTALS		\$1,244,200	\$634,700	\$2,010,500	\$3,147,500	\$1,072,000	\$1,062,000	\$4,855,000

**MONTGOMERY TOWNSHIP MUNICIPAL SEWER AUTHORITY  
 SANITARY SEWERAGE FACILITIES  
 FIVE-YEAR CAPITAL IMPROVEMENT PLAN**

ITEM NO.	PROJECT	YEARS/ESTIMATED PROJECT COST (1) (2) (3)					
		2017 BUDGETED	2017 PROJECTED	2018	2019	2020	2021
<b>NOTES</b>							
(1)	Budgetary project cost estimates include estimated contingencies/engineering/legal/inspection costs, based upon type/scope of each project unless otherwise noted.						
(2)	Budgetary project cost estimated do not include easement or property acquisition costs.						
(3)	Budgetary project cost estimates are based upon 2017 Construction Year (September 2017) data, or have been adjusted for future year construction costs.						
(4)	Project scope involves completion of various I/I Reduction Program Projects within existing collection/conveyance systems located in Basins A/B, C/D/G, and E based upon ongoing investigation work performed by MTMSA Staff. Work completed in 2017 was primarily focused on Basin "B".						
(5)	Potential HTMA WWTP Capital Improvement Projects to be based upon informational/costs provided by HTMA Executive Director via e-mail dated 10/06/17. Costs will be based on MTMSA's capital cost sharing percentage per current intermunicipal Sewer Service Agreement.						
(6)	Project scope involves replacement of existing flow meters at all MTMSA metering facilities incorporating updated equipment.						
(7)	Project scope involves the potential replacement of variable frequency drives located throughout the plant electrical systems as they are reaching the end of their useful life.						
(8)	Project scope involved construction of steel fabricated building on the Eureka WWTP site to house MTMSA equipment vehicles. Work performed in 2017 included installation of electrical service and lighting.						
(9)	Project scope involved the replacement of original electrical/instrumental equipment within the Gwynedd Lea SPS as it had reached the end of its useful life.						
(10)	Project scope involves improvements to the Gwynedd Lea SPS site access driveway to address drainage problems/defects.						
(11)	Project scope involved the replacement of the existing Ferrous Sulfate Pumps, piping and appurtenances at the Eureka WWTP as the equipment had reached the end of its useful life.						
(12)	Project scope involves the installation of Bridge/Walkway system to interconnect the existing Rector Tanks "C" / "D" and Tanks "A" / "B" walkway systems to increase efficiency and improve safety at plant site.						
(13)	Purchase of new camera system to incorporate into existing sanitary sewer internal pipeline inspection equipment to improve efficiency and quality of reports.						
(14)	Project scope involves the installation of sludge dewatering facilities at the Eureka WWTP which are expected to reduce sludge disposal costs.						
(15)	Proposed purchase of new Trackhoe to replace existing equipment that is nearing end of useful life. Cost noted reflects expected resale value of existing equipment.						
(16)	Project scope involves removal of delaminating floor coating within existing tank.						
(17)	Project scope involves the replacement of the existing automatic transfer switch at the Gwynedd Lea SPS to address outdated/obsolete equipment.						
(18)	Proposed purchase of construction/maintenance equipment for use by the MTMSA personnel.						
(19)	Project scope involves the repair of existing closed cell foam insulation and repainting of exterior of existing Tanks "A" and "B".						
(20)	Proposed purchase of new Vector Tanker Truck to replace 2003 vehicle. Cost noted reflects net cost based upon expected resale value of existing vehicle.						
(21)	Project scope involves the repair of existing closed-cell foam insulation and repainting of exterior of existing Reactor Tanks "C" and "D".						

**MONTGOMERY TOWNSHIP MUNICIPAL SEWER AUTHORITY  
 SANITARY SEWERAGE FACILITIES  
 FIVE-YEAR CAPITAL IMPROVEMENT PLAN**

ITEM NO.	PROJECT	YEARS/ESTIMATED PROJECT COST (1) (2) (3)					
		2017 BUDGETED	2017 PROJECTED	2018	2019	2020	2021
(22)	Project scope involves repair/replacement of defective sections of sanitary sewer collection system within Misco basin to address excessive root growth and I/I issues. Scope of project must be further refined by impending internal pipeline video investigation work. Cost for corrective work to be assessed to Misco Sewer District users upon completion.						
(23)	Proposed purchase of new valves to be installed by MTMSA Staff. Existing valves have reached end of useful life.						
(24)	Proposed purchase of Tank C Replacement Anoxic mixer to be installed by MTMSA Staff. Existing mixer has reached the end of useful life.						
(25)	Proposed purchase of piping, valves, and fittings to replace defective sections of Tank C Utility Water Piping. Installation to be performed by MTMSA Staff.						
(26)	Project scope involves the repainting of the exterior of the existing Soda Ash Silo at the Eureka WWTP Site.						
(27)	Project scope involves the replacement of the existing asphalt shingle roofing systems on the Control Building, Influent Pump Station Building, Equalization Pump Station Building and Grit Building at the Eureka WWTP Site, with metal roofing systems.						
(28)	Proposed purchase of lawn maintenance equipment to replace outdated equipment.						
(29)	Project scope includes replacement of worn carpeting throughout Control Building at Eureka WWTP Site.						
(30)	Project scope involves replacement of existing electrical/instrumentation equipment and construction of a protective shelter at Evans Road Meter Pit.						
(31)	Proposed purchase of safety equipment for use by MTMSA Personnel for Sanitary Sewer Manhole access.						
(32)	Proposed purchase of new Air Valve Actuators to be installed by MTMSA Staff. Existing valves have reached end of useful life.						
(33)	Project scope involves update of current Act 537 Sewage Facilities Plan. Current overall Act 537 plan was adopted in 1997.						
(34)	Project scope involves the expansion of existing Grit Building and Installation of a supplemental grit removal vessel to improve efficiency during low flow time periods.						
(35)	Project scope involves the replacement/upgrading of all circuit breakers 400 Amp and greater throughout the plant electrical systems to incorporate ground fault trip protection.						
(36)	Project scope involves the extension of public sewer service to four (4) residential properties located along the Westerly side of Kenas Road, immediately north of the Oxford Lane Intersection. Cost of project to be reimbursed to MTMSA through collection of Special Purpose Tapping Fees.						
(37)	Project scope involves the take down of Reactor Tank C & D for aeration system diffuser replacement of miscellaneous maintenance work.						
(38)	Project scope involves the installation of tertiary treatment process to reduce phosphorous concentration in plant effluent based upon anticipate standards to be established in conjunction with Neshaminy Creek TMDL. Study and update the plant's NPDES Permit. Project costs noted are preliminary, as detailed evaluation of available best technology alternatives cannot be completed until actual future effluent discharge limits have been establish.						

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Approval of Montgomery Township Municipal Sewer Authority 2017 Tapping Fees

MEETING DATE: December 18, 2017

ITEM NUMBER: # 10.

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

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

INITIATED BY: Ami Tarburton  
Finance Director

BOARD LIAISON: Richard E. Miniscalco, 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 2017.

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 18, 2017.

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

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

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Richard E. Miniscalco	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

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

MONTGOMERY



TOWNSHIP

MUNICIPAL SEWER AUTHORITY

1001 STUMP ROAD, MONTGOMERYVILLE, PA 18936-8103

December 11, 2017

To: Montgomery Township Board of Supervisors  
Lawrence Gregan, Township Manager

From: Shannon Q. Drosnock  
Manager, Montgomery Township Municipal Sewer Authority

Re: Tapping Fee and Development Agreements Approved in 2017

The following Tapping Fee and Development Agreements were approved by the Board of the Authority in 2017:

Residential Unit 1102 Horsham Road	1 EDU	Eureka Basin
Montgomery Retirement Residence 416-418 Doylestown Road	60 EDUs	Hatfield 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 2018 Final Budget

MEETING DATE: December 18, 2017

ITEM NUMBER: # 11.

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

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

INITIATED BY: Ami Tarburton  
Finance Director

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



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BACKGROUND:

The Proposed Budget for 2018 was presented to the Board of Supervisors in October 2017. The Board held four public workshop meetings to discuss the budget in October/November and approved the Preliminary Budget on November 13, 2017. The proposed budget was advertised on November 17, 2017 for consideration for final adoption at the Board Meeting on December 18, 2017. A brief presentation on the proposed Final Budget will be made at the December 18<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, 2017. 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 2018 and possible loss of authority to spend money in the new year until a budget is adopted. Also, during the month of January following any municipal election, the Board of Supervisors may amend the budget and tax rate. A period of ten days' public inspection of the proposed amended budget is required before consideration of adoption of the final amended budget. Any amended budget must be adopted by the Board of Supervisors on or before the fifteenth day of February.

BUDGET IMPACT:

Adopts entire budget for the 2018 fiscal year.

RECOMMENDATION:

Adoption of the final 2018 Montgomery Township Budget.

MOTION/RESOLUTION:

There are four (4) separate Resolutions to approve the 2018 Budget. Please see attached four (4) sheets for these Resolutions.

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

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

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Richard E. Miniscalco	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	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 2018 Montgomery Township Budget be adopted as presented on November 13, 2017 and as advertised on November 17, 2017 and as described in the attached summary.

MOTION BY:

SECOND BY:

VOTE:

DATE: December 18, 2017

cc: L. Gregan, A. Tarburton, Minute Book, Resolution File

Resolution #

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that the 2018 Tax Levy Resolution of Montgomery Township be adopted as follows:

General Fund	1.13 mills or 11.3 cents per every \$100 of assessed value
Debt Service	0 mills
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 2018 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 18, 2017

cc: L. Gregan, A. Tarburton, 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 2018:

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

MOTION BY:

SECOND BY:

VOTE:

DATE: December 18, 2017

cc: L. Gregan, A. Tarburton, P. Gallagher, Minute Book, Resolution File

## Montgomery Township - 2018 Final Budget

FUND-DEPT	DESCRIPTION	2017 AMENDED BUDGET	2018 FINAL BUDGET
<b>Fund 01 - General Fund</b>			
REVENUES			
	Totals for dept 301-REAL ESTATE TAXES	2,113,400	2,196,410
	Totals for dept 304-EARNED INCOME TAX	5,350,000	5,350,000
	Totals for dept 310-LOCAL ENABLING TAXES	4,270,500	4,410,500
	Totals for dept 320-PERMITS	550,500	570,500
	Totals for dept 321-LICENSES	693,000	703,000
	Totals for dept 331-FINES	175,000	175,000
	Totals for dept 341-INTEREST	40,000	32,410
	Totals for dept 355-GRANTS	572,000	572,000
	Totals for dept 360-DEPARTMENT SERVICES	81,900	81,900
	Totals for dept 390-OTHER FINANCING SOURCES	80,000	80,000
	Totals for dept 392-INTERFUND TRANSFERS	394,540	537,900
	<b>TOTAL REVENUES</b>	<b>14,320,840</b>	<b>14,709,620</b>
EXPENDITURES			
	Totals for dept 400-ADMINISTRATION	1,383,470	1,389,160
	Totals for dept 403-TAX COLLECTION	205,250	174,400
	Totals for dept 405-FINANCE	517,950	536,200
	Totals for dept 407-INFORMATION TECHNOLOGY	239,840	261,560
	Totals for dept 410-POLICE - GENERAL	6,642,260	6,735,740
	Totals for dept 411-POLICE - VEHICLES	283,440	238,830
	Totals for dept 413-FIRE PROTECTION	90,100	91,390
	Totals for dept 414-CODE ENFORCEMENT	791,260	768,030
	Totals for dept 415-EMERGENCY AND VMSC	17,500	13,290
	Totals for dept 430-PUBLIC WORKS - GENERAL	1,938,330	2,042,030
	Totals for dept 432-PUBLIC WORKS - SNOW	108,660	87,000
	Totals for dept 433-PUBLIC WORKS - TRAFFIC	91,250	84,480
	Totals for dept 434-PUBLIC WORKS - STREET L	20,200	20,200
	Totals for dept 438-PUBLIC WORKS - REPAIRS	30,000	30,000
	Totals for dept 492-INTERFUND TRANSFERS	1,960,130	2,192,380
	<b>TOTAL EXPENDITURES</b>	<b>14,319,640</b>	<b>14,664,690</b>
	<b>NET OF REVENUES/APPROPRIATIONS - FUND 01</b>	<b>1,200</b>	<b>44,930</b>

## Montgomery Township - 2018 Final Budget

FUND-DEPT	DESCRIPTION	2017 AMENDED BUDGET	2018 FINAL BUDGET
<b>Fund 04 - FIRE PROTECTION</b>			
	TOTAL ESTIMATED REVENUES	985,850	993,540
	TOTAL APPROPRIATIONS	987,090	980,140
	NET OF REVENUES/APPROPRIATIONS - FUND 04	(1,240)	13,400
<b>Fund 05 - PARK AND RECREATION</b>			
	TOTAL ESTIMATED REVENUES	436,920	542,040
	TOTAL APPROPRIATIONS	436,920	542,040
	NET OF REVENUES/APPROPRIATIONS - FUND 05	0	0
<b>Fund 06 - BASIN MAINTENANCE</b>			
	TOTAL ESTIMATED REVENUES	74,200	76,500
	TOTAL APPROPRIATIONS	74,200	76,500
	NET OF REVENUES/APPROPRIATIONS - FUND 06	0	0
<b>Fund 07 - STREET LIGHTS</b>			
	TOTAL ESTIMATED REVENUES	138,900	140,690
	TOTAL APPROPRIATIONS	152,100	140,690
	NET OF REVENUES/APPROPRIATIONS - FUND 07	(13,200)	0
<b>Fund 08 - RECREATION CENTER</b>			
	TOTAL ESTIMATED REVENUES	1,050,100	1,132,700
	TOTAL APPROPRIATIONS	1,047,410	1,129,350
	NET OF REVENUES/APPROPRIATIONS - FUND 08	2,690	3,350
<b>Fund 19 - CAPITAL PROJECTS</b>			
	TOTAL ESTIMATED REVENUES	107,270	107,270
	TOTAL APPROPRIATIONS	107,270	107,270
	NET OF REVENUES/APPROPRIATIONS - FUND 19	0	0
<b>Fund 23 - DEBT SERVICE</b>			
	TOTAL ESTIMATED REVENUES	6,400	7,520
	TOTAL APPROPRIATIONS	252,300	256,200
	NET OF REVENUES/APPROPRIATIONS - FUND 23	(245,900)	(248,680)

## Montgomery Township - 2018 Final Budget

FUND-DEPT	DESCRIPTION	2017 AMENDED BUDGET	2018 FINAL BUDGET
<b>Fund 30 - CAPITAL RESERVE</b>			
	TOTAL ESTIMATED REVENUES	1,132,970	1,351,920
	TOTAL APPROPRIATIONS	2,338,860	3,563,050
	NET OF REVENUES/APPROPRIATIONS - FUND 30	(1,205,890)	(2,211,130)
<b>Fund 31 - PARK DEVELOPMENT FUND</b>			
	TOTAL ESTIMATED REVENUES	115,020	77,570
	TOTAL APPROPRIATIONS	0	0
	NET OF REVENUES/APPROPRIATIONS - FUND 31	115,020	77,570
<b>Fund 35 - LIQUID FUELS</b>			
	TOTAL ESTIMATED REVENUES	674,020	710,650
	TOTAL APPROPRIATIONS	469,170	710,650
	NET OF REVENUES/APPROPRIATIONS - FUND 35	204,850	0
<b>Fund 50 - FIRE RELIEF</b>			
	TOTAL ESTIMATED REVENUES	250,000	226,000
	TOTAL APPROPRIATIONS	250,000	226,000
	NET OF REVENUES/APPROPRIATIONS - FUND 50	0	0
<b>Fund 93 - ENVIRONMENT</b>			
	TOTAL ESTIMATED REVENUES	46,400	47,390
	TOTAL APPROPRIATIONS	46,400	46,520
	NET OF REVENUES/APPROPRIATIONS - FUND 93		870
<b>Fund 94 - REPLACEMENT TREE</b>			
	TOTAL ESTIMATED REVENUES	51,600	52,700
	TOTAL APPROPRIATIONS	49,560	77,910
	NET OF REVENUES/APPROPRIATIONS - FUND 94	2,040	(25,210)
<b>Fund 95 - AUTUMN FESTIVAL</b>			
	TOTAL ESTIMATED REVENUES	28,500	28,060
	TOTAL APPROPRIATIONS	28,500	28,060
	NET OF REVENUES/APPROPRIATIONS - FUND 95	0	0

## *Montgomery Township - 2018 Final Budget*

FUND-DEPT	DESCRIPTION	2017 AMENDED BUDGET	2018 FINAL BUDGET
<b>Fund 96 - RESTORATION FUND</b>			
	TOTAL ESTIMATED REVENUES	0	10
	TOTAL APPROPRIATIONS	9,880	9,900
	NET OF REVENUES/APPROPRIATIONS - FUND 96	(9,880)	(9,890)
<b>2018 Budget - All Funds</b>			
	ESTIMATED REVENUES - ALL FUNDS	21,078,250	21,615,780
	APPROPRIATIONS - ALL FUNDS	22,228,560	23,970,550
	NET OF REVENUES/APPROPRIATIONS - ALL FUNDS	(1,150,310)	(2,354,770)

**AFFIDAVIT OF PUBLICATION**  
307 Derstine Avenue • Lansdale, PA 19446

**Montgomery Township - Legal Notices**  
**1001 STUMP ROAD**  
**MONTGOMERYVILLE, PA 18936**  
**Attention:**

**STATE OF PENNSYLVANIA,**  
**COUNTY OF MONTGOMERY**

The undersigned *Rina Khan*, being duly sworn the he/she is the principal clerk of The Reporter, The Reporter Digital, published in the English language for the dissemination of local or transmitted news and intelligence of a general character, which are duly qualified newspapers, and the annexed hereto is a copy of certain order, notice, publication or advertisement of:

NOTICE IS HEREBY GIVEN that the Board of Supervisors of Montgomery Township will hold a public meeting on Monday, December 18, 2017, after 8:00 p.m. at the Township building for the purpose of adopting the 2018 Budget. Copies of the adopted Preliminary Budget are available for viewing at the Township building and on the Township website at [www.montgomerytp.org](http://www.montgomerytp.org).  
Lan-Nov 17-1a

**Montgomery Township - Legal Notices**

**Published in the following edition(s):**

The Reporter	11/17/17
The Reporter Digital	11/17/17

Sworn to the subscribed before me this 11/20/17.

*Jacqueline A. Kelly*  
Notary Public, State of Pennsylvania  
Acting in County of Montgomery

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# Montgomery Township

## 2018 Final Budget

### BUDGET POLICY

- Balance expenditures with current year revenues.
- Fund Balance Policy – Maintain a minimum of 10% - 20% in reserve.
- Transfer surplus Fund Balance to Capital Reserve Fund for potential operating deficits and Future Projects.

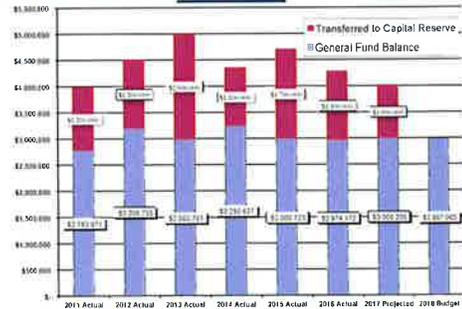
2018 Final Budget

### Overview Fund Balance

- Projecting an increase of over \$1M in General Fund Balance by end of 2017.
- Retain \$3M General Fund Balance – 20% of proposed 2018 General Fund Expenditures.

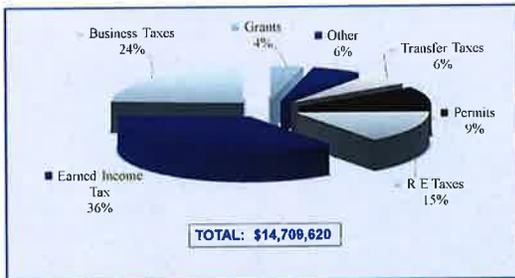
2018 Final Budget

### GENERAL FUND BALANCES 2011-2018



2018 Final Budget

### REVENUE COMPONENTS GENERAL FUND – 2018



2018 Final Budget

### GENERAL FUND REVENUE COMPARISON 2017-2018

	2017 Budget	2018 Budget	Percent Change
Tax Revenues	\$ 11,733,900	\$ 11,956,910	2%
Non-Tax Revenues	2,192,400	2,214,810	1%
Interfund Transfers	394,540	537,900	36%
<b>Total Revenues</b>	<b>\$ 14,320,840</b>	<b>\$ 14,709,620</b>	<b>2.7%</b>

2018 Final Budget

**2017 BUDGET PROJECTIONS  
GENERAL FUND REVENUES**

- Real-estate Tax Rate maintained at 1.49 mills
- Same rate since 2006
- Retain Homestead Exclusion of \$30,000
  - Over 75% of Residential Property Owners Participate
  - \$320,000 in Annual Tax Relief

7

2018 Final Budget

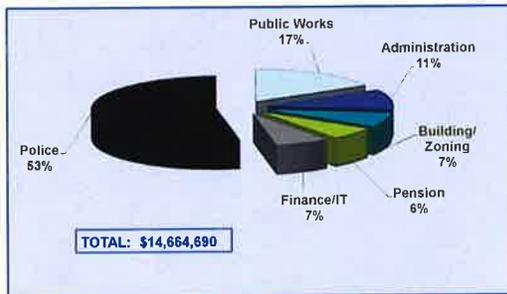
**GENERAL FUND REVENUES  
MAJOR COMPONENTS**

- **Earned Income Tax** – Budgeted flat, with no increase from 2017 budget. Historical trends show revenues leveling off.
  - EIT budgeted with an allocation of \$310K to Fire Protection Fund and \$140K to Recreation Fund.
- **Real Estate Tax Revenues** - Budgeted with a 3% increase stemming from an increase in total assessment value.
- **Interfund Transfer Revenues** – Budgeted with a 36% increase based on Capital Reserve reimbursement for replacement capital equipment items.

8

2018 Final Budget

**EXPENSE COMPONENTS  
GENERAL FUND – 2018**



2018 Final Budget

**GENERAL FUND EXPENSE COMPARISON  
2017-2018**

	2017 Budget	2018 Budget	Percent Change
<b>Personnel Expenditures</b> <small>* Includes per the MNO's</small>	\$10,461,470	\$10,490,220	.3%
<b>Non-Personnel Expenditures</b>	2,274,300	2,267,010	-.3%
<b>Interfund Transfers/Capital</b>	1,583,870	1,907,460	20%
<b>Total Expenditures</b>	\$14,319,640	\$14,664,690	2.4%

10

2018 Final Budget

**2017 GENERAL FUND EXPENDITURES  
MAJOR COMPONENTS**

- **Salaries/Wages**
  - Non-Uniformed Employees' increase to be determined by Board of Supervisors.
  - Career Firefighters' increase budgeted at 3% as specified by the collective bargaining agreement.
  - Uniformed Police increase to be determined by terms of pending arbitration decision.
  - No change in staffing levels.

11

2018 Final Budget

**2017 GENERAL FUND EXPENDITURES  
MAJOR COMPONENTS**

- **Medical, Rx, and Dental Premiums** – Net annual increase per DVHT Renewal Rates of 4.05%.
- **Workers Compensation Insurance** – Budgeted with no expense increase based on DVWCT rate projections.



12

### Transfers to Capital Reserves

- Road Replacement Plan - total annual transfer of \$241K included in the 2018 Budget.
- 10-Year Equipment Replacement Plan - total calculated transfer of \$407K included in 2018 Budget.
- HVAC Equipment Replacement - \$15,000/year included in 2018 Budget.
- Bond Refinancing Savings - savings from 2016 bond refinancing of \$500K included in 2018 Budget.

13

2018 Final Budget

### Major Capital Expenditures

- **Replacement Equipment**
  - Vehicles - 3 Police cars, 1 Dump Truck, 1 Fire Truck
  - Computer Equipment - 9 PC's, A/V upgrades
  - Equipment - 1 Truck Lift, 1 Tractor, Police In-car camera system with body cameras
- **New Capital Equipment/Projects**
  - County Radio Purchase Program- Year 3 of 5
  - Township building courtyard and security upgrades
  - Windlestrae Rose Twig Tennis Courts Rebuild
- **Curb/Sidewalk/Road Program**
  - Street Resurfacing - \$711K
  - Curb and Sidewalk - \$870K



14

2018 Final Budget

### OTHER FUNDS

- **Fire Protection (04)** - Slight surplus.
- **Parks (05)** - Balanced.
- **Basin Maintenance (06)** - Balanced through transfer from Designated Reserves.
- **Street Light (07)** - Balanced.
- **Recreation Center (08)** - Balanced through transfer General Fund.
- **Debt Service (23)** - \$249K deficit - Due to payment of annual debt payment from fund balance.
- **Capital Reserve (30)** - \$2.2M deficit - Offset by use of designated and undesignated capital reserve funds.

15

2018 Final Budget

### OTHER FUNDS

- **Park Development (31)** - \$78K Surplus based on projected developer contributions.
- **Liquid Fuels (35)** - Balanced.
- **Environmental Fund (93)** - Balanced.
- **Shade Tree (94)** - \$25K Deficit due to additional tree replacement project, offset by excess fund balance.

16

2018 Final Budget



THANK YOU!

17

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

---

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

MEETING DATE: December 18, 2017

ITEM NUMBER: # 12 .

MEETING/AGENDA: WORK SESSION

ACTION **xx** NONE

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

INITIATED BY: Ami Tarburton  
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 adopt 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
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Richard E. Miniscalco	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

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

Montgomery Township  
GASB 54

GOVERNMENT FUNDS	GASB 54 Designation	Explanation of designation and balance.
General (01)	Unassigned	General Fund unassigned fund balance used for contingency purposes, fluctuations in revenue and/or expenses, or 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 accommodate Board-authorized changes in the tax allocation from the General Fund.
Parks Fund (05)	Restricted	The Park Fund balance is the result of dedicated millage on real estate tax bills for the purpose of providing and maintaining Township Parks and is legally restricted.
Basin Maintenance Fund (06)	Restricted	This fund balance is a result of payments made by developers, as specified in the Land Development Agreement (LDA) with the Township, and is legally restricted to the purposes and uses stated in the LDA's.
Street Light (07)	Restricted	This fund balance is a result of a specific assessment on residential properties for the purpose of providing and maintaining street lights, and as such, is legally restricted.
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 is legally restricted.
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 developers as specified in the Land Development Agreement (LDA) with the Township and 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 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 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 developers 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 4th Quarter 2017 Budget Amendments

MEETING DATE: December 18, 2017

ITEM NUMBER: #13

MEETING/AGENDA:

ACTION

NONE

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

INITIATED BY: Ami Tarburton  
Finance Director



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

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BACKGROUND:

Several circumstances and adjustments, as detailed below, have occurred during the year that require amendments to the 2017 budget in order to accurately reflect these expenditures/revenues.

**Police and Fire Union Arbitration Proceedings**

Throughout the year, the township has experienced higher than expected legal fees due to the Act 111 Interest Arbitration Hearings for both the Montgomery Township Professional Firefighters' Association and the Montgomery Township Police Officers Collective Bargaining Unit. A 2017 budget amendment is necessary to accurately reflect the additional legal fees that were required to support these actions.

**Under-budgeted Police Post-Retirement Medical Expenses**

The budget for the Township's portion of Post-Retirement Medical expenses did not factor the higher number of officers who retired in 2017 (5 officers in total). A budget amendment is necessary to accurately reflect the annual cost of Post-Retirement Medical expenses for all eligible retirees.

**Real Estate Transfer Tax Revenue**

The Township has received higher than expected real estate transfer tax revenue, stemming from an unexpected number of commercial real estate sales. To offset the above increases in expenses, and to accurately reflect the Township's revenue stream, a budget amendment will be recorded.

The above described amendments are detailed in attached Exhibit A.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT: NONE

PREVIOUS BOARD ACTION:

Approval of 2017 Budget.

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 4<sup>th</sup> Quarter Budget Amendments to the 2017 General Fund Budget as per attached Exhibit A.

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
Richard E. Miniscalco	Aye	Opposed	Abstain	Absent

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

**Montgomery Township  
Proposed 2017 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>General Fund</b>					
01-400	4314	Legal Services Police and Fire Arbitration Expenses	\$ 130,000.00	\$ 100,000.00	\$ 230,000.00
01-410	4157	Post Retirement Medical Increase in police retirees	\$ 50,100.00	\$ 30,000.00	\$ 80,100.00
01-310	3110	Real Estate Transfer Taxes Unexpected commercial real estate sales	\$ (750,000.00)	\$ (130,000.00)	\$ (880,000.00)
<b>Net Total</b>			<b>\$ -</b>		

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Agreement with Constellation Energy to Supply Electrical Energy

MEETING DATE: December 18, 2017

ITEM NUMBER: # 14.

MEETING/AGENDA: WORK SESSION

ACTION **xx**

NONE

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

INITIATED BY: Ami Tarburton  
Finance Director



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

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BACKGROUND:

Electricity rate caps expired at the end of 2010 creating a competitive market environment for electric generation costs. At that time, the Board utilized the Pennsylvania Municipal League's "Municipal Utility Alliance Program" (MUA) and approved a 4-year contract with Constellation NewEnergy (now Constellation). The MUA Program procures electricity rates through a publicly advertised, competitive bid process in which the Township may participate.

In 2014, the Board authorized the Township to execute a contract with Constellation for electric energy for a three-year contract for both Township buildings and Township street lights. The current contracts will expire at the end of 2017. The two contracts combined have generated a reduction of over \$100K in Township energy bills from 2010 through 2017.

In preparation for the expiration of the contracts, staff has researched various electric generation companies and brokers to secure new pricing for the Township's electric accounts. Once again, Constellation, through the MUA Program, has resulted in the best option for the Township taking into consideration the bidding process, rate quotes and references.

Staff recommends that the Board enter into a 3-year agreement with Constellation to provide electric generation for the Township electric accounts for the Township Building, Public Works Garage, Fire Stations, and street lights; all of which are already under contract with Constellation.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

In July of 2014, the Board authorized the execution of a 3-year contract with Constellation to supply electric to the Township buildings and Township street lights.

ALTERNATIVES/OPTIONS:

The Board could allow the contracts to expire and the rate would then follow a month-to-month pricing schedule through Constellation; or the Board could notify Constellation of cancellation of the contract and the electric would default back to PECO and would fluctuate quarterly with the market. The PECO 'price to compare' as of December 1, 2017 is \$.0799/kwh, about \$.02/kwh higher than the 36-month quoted rate from Constellation.

BUDGET IMPACT:

Based on the most recent quote on November 28, 2017 from Constellation, the Township would save approximately \$26,000 per year across all accounts serviced by Constellation.

RECOMMENDATION:

It should be noted that electric rates are quoted daily and are based on the volatility of the market. Constellation can only hold a quote until 5:00 pm on the day it is provided. As a result, staff is requesting approval to accept a rate quote for a maximum rate of \$.07/kwh for the Township Buildings and a maximum rate of \$.045 for Township street lights, which would represent, in a worst case scenario, a savings of approximately \$14,000 per year and would secure the costs for the next 3 years.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors that we hereby authorize the Township to execute a contract with Constellation for electric energy for a three year contract at a maximum rate of up to \$.07/kwh for the Township building accounts and a maximum rate of \$.045/kwh for the Township street light accounts.

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

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Richard E. Miniscalco	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

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

## Larry Gregan

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**From:** Shortall, Matthew K:(Constellation) <Matthew.Shortall@constellation.com>  
**Sent:** Tuesday, November 28, 2017 10:52 AM  
**To:** Larry Gregan  
**Subject:** Constellation Energy Agreement - Extension Options Updated

Good morning Larry,

I know you were working with the finance director on this so please let me know if there is someone else I should reach out to with these updates. Please see the most current extension options on the agreements for your review.

### General Service Accounts Current Rate - \$0.08208/kWh

Months	12	24	36	48
Offer Number	1-1G0XKPS	1-1G0XKPS	1-1G0XKPS	1-1G0XKPS
Start Date	11/29/2017	11/29/2017	11/29/2017	11/29/2017
End Date	10/31/2018	11/3/2019	11/2/2020	11/2/2021
<b>Fixed Price</b>	<b>0.06497</b>	<b>0.06437</b>	<b>0.06273</b>	<b>0.06241</b>
Covered Bandwidth %	100	100	100	100
Green Energy %	0	0	0	0
Number of Accounts	5	5	5	5

**Fixed in Price:** Energy, Energy Losses, AEPS, Ancillary, Capacity, Transmission, Transmission Enhancement, ARR, TLC, RMR, FERC745, BCC

### Street Lights Current Rate - \$0.05126/kWh

Months	12	24	36	48
Offer Number	1-1G0XBAA	1-1G0XBAA	1-1G0XBAA	1-1G0XBAA
Start Date	11/29/2017	11/29/2017	11/29/2017	11/29/2017
End Date	11/28/2018	11/26/2019	11/29/2020	11/29/2021
<b>Fixed Price</b>	<b>0.03753</b>	<b>0.03732</b>	<b>0.03699</b>	<b>0.03676</b>
Covered Bandwidth %	100	100	100	100
Green Energy %	0	0	0	0
Number of Accounts	60	60	60	60

**Fixed in Price:** Energy, Energy Losses, AEPS, Ancillary, Capacity, Transmission, Transmission Enhancement, ARR, TLC, RMR, FERC745, BCC

Please let me know how I can be of assistance to assist you to continue to manage your energy costs moving forward.

Regards  
Matt

Matt Shortall  
P: 443-602-5755

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**From:** Larry Gregan [mailto:LGregan@montgomerytwp.org]  
**Sent:** Tuesday, October 17, 2017 12:17 PM  
**To:** Shortall, Matthew K:(Constellation)  
**Subject:** [EXTERNAL] RE: Constellation Energy Agreement - Extension Options

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

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SUBJECT: Consider Approval of PA Unemployment Compensation Reimbursable Employer Election for Political Subdivisions

MEETING DATE: December 18, 2017

ITEM NUMBER: #15.

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

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

INITIATED BY: Ami Tarburton  
Finance Director

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



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BACKGROUND:

As a political subdivision of the Commonwealth, Montgomery Township has a choice of two methods through the state to finance Unemployment Compensation (UC) coverage for its employees. The first is a premium based Contributory Method by which the Township pays contributions based on a specified rate and taxable wage base paid to each employee each year. The second is a Reimbursable Method by which qualified government employers may elect to reimburse the UC Fund for the amount of UC benefits charged to their account and billed to the employer dollar-for-dollar on a quarterly basis.

Since 1982, the Township has elected to be a member of the Pennsylvania State Association of Township Supervisors (PSATS) UC Group Trust, wherein the Township filed quarterly returns with the Trust at a contribution rate lower than that specified by the state. In return, the Trust was responsible for paying any UC benefits charged to the Township. Since 2010, the Township has paid \$277,400 to the Trust for its quarterly UC Contributions. During that same time period, the Township had UC Benefits paid in the amount of \$51,400, a difference of \$226,000.

The Township could save almost \$30K per year by electing the Reimbursable Method through the state's Office of UC, rather than maintaining membership in the PSATS UC Group Trust.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

The Township could maintain its membership in the UC Group Trust for a higher level of insurance.

BUDGET IMPACT:

The Township would realize savings of nearly \$30K annually by converting to the Reimbursable Method.

RECOMMENDATION:

Staff recommends that the board elect the Reimbursable Method of UC coverage through the PA Office of UC. In addition, staff recommends that when considering the 2017 surplus funds, the board designate

funding in the Capital Reserve Fund for UC benefits so that when unemployment claims arise, there will be funding in place.

**MOTION/RESOLUTION:**

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby approve the election of the Reimbursable Method of UC coverage through the Pennsylvania Office of Unemployment Compensation.

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

**ROLL CALL:**

Robert J. Birch	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Richard E. Miniscalco	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

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



## ELECTION OF REIMBURSEMENT

### NONPROFIT ORGANIZATION

Section 1104(a) of the Pennsylvania Unemployment Compensation (PA UC) Law states in part that:

"Any nonprofit organization which," in accordance with the PA UC Law, "is or becomes liable to the contribution provisions of this act may, in lieu of payment of such contributions, elect to pay to the department for the Unemployment Compensation Fund an amount equal to the amount of regular benefits and of one-half of the extended benefits paid, that is attributable to service in the employ of such nonprofit organization. Such employer shall continue to be liable for reimbursement of benefit payments based on wages paid prior to the termination date of such election."

**BOND OR DEPOSIT REQUIREMENT** - The organization shall either file with the department a surety bond or deposit with the department money or securities of equal present monetary value. The amount of the bond or deposit shall be one percent of the organization's taxable wages for the most recent four calendar quarters prior to such election.

#### ACCEPTABLE FORMS OF COLLATERAL DEPOSIT -

1. The surety bond must be on the PA Department of Labor and Industry Form UC-1681 and must have all four (4) signatures affixed.
2. A collateral deposit must be made in the form of an electronic payment, check or money order. The Department will liquefy your payment, which will be held in an interest bearing account.

### POLITICAL SUBDIVISION

Section 1202.2(a) of the PA UC Law states in part that:

"Any political subdivision of the commonwealth or any instrumentality of one or more thereof, which" in accordance with the PA UC Law, "becomes liable to the contribution provisions of the act may, in lieu of payment of such contributions, elect to pay to the department for the Unemployment Compensation Fund, an amount equal to the amount of regular benefits and of one-half of the extended benefits paid, ...that is attributable to service in the employ of such political subdivision of the commonwealth or any instrumentality of one or more thereof. Such employer shall continue to be liable for reimbursement of benefit payments based on wages paid prior to the termination date of such election."

### NONPROFIT ORGANIZATION OR POLITICAL SUBDIVISION

**PERIOD COVERED BY ELECTION** - Such election shall be for a period of not less than two taxable years, unless sooner terminated by the department.

**REIMBURSEMENT PAYMENTS** - At the end of each calendar month, the department will bill the organization for the amount of benefits charged to its account during such month or will bill the political entity for the amount of benefits charged to its account during such quarter. Payment shall be made not later than 30 days after such bill was issued.

#### TERMINATION OF ELECTION

**BY THE EMPLOYER** - Any nonprofit organization, any political subdivision of the commonwealth, or any instrumentality of one or more thereof which has made an election may terminate such election by filing with the department a written notice thereof. This must be done not later than 30 days prior to the beginning of the taxable year for which such termination notice is to be effective. Such action may be approved by the department only if all payments and wage reports have been made by the terminating organization or political entity, as required by the provisions of the act.

**BY THE DEPARTMENT** - If any nonprofit organization, any political subdivision of the commonwealth, or any instrumentality of one or more thereof, is delinquent in making payments in lieu of contributions or if any nonprofit organization is remiss in providing proper collateral, as required under the act, the department may terminate such organization's or political entity's election to make payments in lieu of contributions as of the beginning of the next taxable year, and such termination shall be effective for that and the next taxable year.

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Department of Labor & Industry | Office of UC Tax Services | 651 Boas Street | Harrisburg, PA 17121-0750 | [www.uc.pa.gov](http://www.uc.pa.gov)

*Auxiliary aids and services are available upon request to individuals with disabilities.*

# Unemployment Compensation (UC) Insurance

As a “political sub-division, a municipality has two options for financing its Unemployment Compensation coverage:



## 1 Contributory Method

Pay contributions based on a taxable wage base per employee at a certain rate. The rate ranges from 3%-11% depending on experience. For 2018, the wage base is \$10,000.

## 2 Reimbursable Method

reimburse the PAUC fund on a quarterly basis for UC benefits charged.



**Montgomery Township**

# Unemployment Compensation (UC) Insurance

*(continued)*

The Township is a member of PSATS UC Group Trust.

- We pay contributions to the Trust at a lower rate – 1.9% for 2018.
- The Trust then pays the state for any UC charges incurred.

	<b>From 2010 - 2017</b>	<b>Average per year</b>
Amount Paid to Trust	277,000	35,000
Actual UC Charges	51,000	6,000
Difference	226,000	29,000

For 2018, the Finance Department is proposing to *cancel* our membership in the PSATS UC Trust, which requires a 30-day notice. This will essentially save the Township nearly **\$30K** per year.

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

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**SUBJECT:** Consider Awarding of Bid for Ash Tree Removal Program - Spring Valley Park Area

**MEETING DATE:** December 18, 2017      **ITEM NUMBER:** #16.

**MEETING/AGENDA:** EXECUTIVE SESSION

**REASON FOR CONSIDERATION:**

Operational:                      Policy:                      Discussion: XX                      Information:

**INITIATED BY:** Bruce Shoupe                      **BOARD LIAISON:** Michael J. Fox, Township Supervisor  
Director of Planning and Zoning                      Liaison to Shade Tree Commission

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**BACKGROUND:**

The Ash Tree Removal Program – Spring Valley Park Area went out to bid as previously authorized by the Board of Supervisors on November 13, 2017. A pre-bid meeting was held on December 7, 2017 and the bids received were opened on December 13, 2017. Seven bids were submitted to the Township for review. The bids received ranged in price from \$29,600 to \$91,245. See attached spreadsheet.

The work under this contract includes the furnishing of all labor, materials and equipment necessary and incidental for the felling of 237 +/- trees to within 12 inches or less of the ground level. Additional requirements and procedures are outlined within the bid documents.

**PREVIOUS BOARD ACTION:**

The Board of Supervisors authorized the Township Manager to obtain bids for the Ash Tree Removal Project in Spring Valley Park at their September 11, 2017 and November 13, 2017 meeting.

**ALTERNATIVES/OPTIONS:**

None

**BUDGET IMPACT:** \$29,600

**RECOMMENDATION:**

It is recommended that the Board of Supervisors authorize the Township Manager to award the bid for the Dead & Diseased Tree Removal Program – Spring Valley Park Area as submitted by ProMark Tree Service in the amount of \$29,600.

**MOTION/RESOLUTION:**

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby authorize the Township Manager to award the bid for the Dead & Diseased Tree Removal Program – Spring Valley Park Area as submitted by ProMark Tree Service in the amount of \$29,600.

**MOTION** \_\_\_\_\_ **SECOND** \_\_\_\_\_ **VOTE:** \_\_\_\_\_

**ROLL CALL:**

Robert J. Birch	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Richard E. Miniscalco	Aye	Opposed	Abstain	Absent
Candyce Chimera	Aye	Opposed	Abstain	Absent

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



MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

SUBJECT: Consider Construction Escrow Release #11 - LDS#630 – Firefox Phase I

MEETING DATE: December 18, 2017

ITEM NUMBER: #17a.

MEETING/AGENDA:        WORK SESSION        ACTION XX        NONE

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

INITIATED BY: Bruce Shoupe  
Director of Planning and Zoning

BOARD LIAISON: Candyce Fluehr Chimera  
Chairman

BACKGROUND:

Attached is a construction escrow release requested by Brian Grant for Firefox Phase I, as recommended by the Township Engineer. The original amount of the escrow was \$2,618,503.16, held as a Loan with Univest Bank. This is the eleventh escrow release for this project. The current release is in the amount of \$148,514.30. The new balance would be \$606,688.22.

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 \$606,688.22, as recommended by the Township Engineer for the Firefox project.

MOTION \_\_\_\_\_

SECOND \_\_\_\_\_

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Richard E. Miniscalco	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

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



**GILMORE & ASSOCIATES, INC.**

ENGINEERING & CONSULTING SERVICES

**VIA EMAIL**

December 6, 2017

File No. 2012-10074

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

Reference: Maple Dr / Crystal Rd Townhouse Project – LD/S #639  
Financial Security Release 8

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 \$232,084.74 have been completed. We note the requested street lights have not been recommended for release per the TPD letter dated November 15, 2017. The requested curb ramps have not been recommended for release at this time. Compliance with the design details is outstanding (e.g. submission of CS-4401 forms documenting compliance). 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.  
Senior Project Manager  
Gilmore & Associates, Inc.

JPD/SW

Enclosures: Release of Escrow Form, Escrow Status Report, Boucher & James letter dated 12/1/17, TPD letter dated 11/15/17, Developer's escrow release request date 11/14/17.

cc: Bruce S. Shoupe, Director of Planning and Zoning  
Kevin Johnson, P.E. - Traffic Planning & Design, Inc.  
Judith Stern Goldstein, ASLA, R.L.A. - Boucher & James, Inc.  
Brian C. Grant - Select Properties

BUILDING ON A FOUNDATION OF EXCELLENCE

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

**RELEASE OF ESCROW FORM**

Russell S. Dunlevy, P.E.  
Senior Executive Vice President  
Gilmore & Associates, Inc.  
65 East Butler Avenue, Suite 100  
New Britain, PA 18901  
215-345-4330

Date: 11/27/2017

Development: Maple Dr / Crystal Rd Townhouse Project - LD/S #639  
Release #: 8

G&A Project #: 2012-10074

Dear Mr. Dunlevy:

This is an escrow release request in the amount of \$249,554.74. Enclosed is a copy of our escrow spreadsheet with the quantities noted.

**ESCROW RELEASE REQUESTS ARE LIMITED TO ONE PER MONTH.**

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

Date: 12/06/2017

Dear Mr. Gregan:

We have reviewed the developer's request for an escrow release. We therefore, recommend that \$232,084.74 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.

*Russell S. Dunlevy* For ISSO

Russell S. Dunlevy, P.E., Senior Executive VP, Gilmore & Associates, Inc.

Resolution # \_\_\_\_\_

WHEREAS, a request for release of escrow was received from Crystal Road Enterprises, LLC for Maple Dr / Crystal Rd Townhouse Project - LD/S #639, in the amount of \$249,554.74, 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 \$232,084.74; NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we do hereby authorize release of \$232,084.74; 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 Letter of Credit with Montgomery Township in total sum of \$876,309.28 pursuant to a signed Land Development Agreement and that \$507,776.13 has previously been released from escrow. Therefore, the action of the Board releasing said sum leaves a new balance of \$136,448.41 in escrow.

MOTION BY \_\_\_\_\_

VOTE: \_\_\_\_\_

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

DATED: \_\_\_\_\_

RELEASED BY: \_\_\_\_\_

Department Director



**ESCROW STATUS REPORT**

**SUMMARY OF ESCROW ACCOUNT**

RELEASE NO.: 8  
RELEASE DATE: 6-Dec-2017

PROJECT NAME:	Maple Dr / Crystal Rd Townhouse Project	TOTAL CONSTRUCTION:	\$ 796,644.80	ORIGINAL CONSTRUCTION AMOUNT:	\$ 876,309.28
PROJECT NO.:	2012-10074	TOTAL CONSTRUCTION CONTINGENCY (10%):	\$ 79,664.48	<b>AMOUNT OF THIS RELEASE:</b>	<b>\$ 232,084.74</b>
TOWNSHIP NO.:	LD/S #639	TOTAL CONSTRUCTION ESCROW POSTED:	\$ 876,309.28	PRIOR CONSTRUCTION RELEASED:	\$ 507,776.13
PROJECT OWNER:	Crystal Road Enterprises, LLC			TOTAL CONSTRUCTION RELEASED TO DATE:	\$ 739,860.87
MUNICIPALITY:	Montgomery Township	TOTAL ENG/INSP/LEGAL (CASH ACCOUNT):	\$ 39,900.00	BALANCE AFTER CURRENT RELEASE:	\$ 136,448.41
ESCROW AGENT:	Univest National Bank	TOTAL ADMINISTRATION (CASH ACCOUNT):	\$ 5,000.00		
TYPE OF SECURITY:	Letter of Credit				
AGREEMENT DATE:	10-Oct-2014	MAINTENANCE BOND AMOUNT (15%):	\$ 119,496.72		

ESCROW TABULATION					CURRENT RELEASE		RELEASED TO DATE		AVAILABLE FOR RELEASE		RELEASE REQ # 9
CONSTRUCTION ITEMS	UNITS	QUANTITY	UNIT PRICE	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY
<b>I. EARTHWORK</b>											
1. Clearing & Grubbing	LS	1	\$ 40,331.00	\$ 40,331.00			1.00	\$ 40,331.00			
2. Strip Topsoil	CY	5,163	\$ 2.93	\$ 15,127.59			5,163.00	\$ 15,127.59			
3. Cut Fill & Compact	CY	7,954	\$ 3.22	\$ 25,611.88			7,954.00	\$ 25,611.88			
4. Grade	SY	6,150	\$ 0.23	\$ 1,414.50			6,150.00	\$ 1,414.50			
<b>II. EROSION CONTROL</b>											
<i>Erosion &amp; Sediment Controls</i>											
1. Construction Entrance	EA	1	\$ 3,392.00	\$ 3,392.00			1.00	\$ 3,392.00			
2. 18" Silt Fence	LF	620	\$ 1.56	\$ 967.20			620.00	\$ 967.20			
3. Super Silt Fence	LF	798	\$ 6.45	\$ 5,147.10			798.00	\$ 5,147.10			
4. Tree Protection Fence	LF	1,420	\$ 1.54	\$ 2,186.80			1,420.00	\$ 2,186.80			
5. Temporary Vegetation - Excess Fill Piles	SY	4,850	\$ 0.29	\$ 1,406.50	4,850.00	\$ 1,406.50	4,850.00	\$ 1,406.50			
6. Grade Swales #A,B,C,D,E,F	SY	1,230	\$ 0.55	\$ 676.50			1,230.00	\$ 676.50			
7. Swale Matting #A,B,C,D,E,F (North American Green S-150br)	SY	1,230	\$ 1.65	\$ 2,029.50	1,230.00	\$ 2,029.50	1,230.00	\$ 2,029.50			
8. Rock Filters	EA	2	\$ 132.00	\$ 264.00			2.00	\$ 264.00			
9. Permanent Rake & Vegetation (Lawn Area)	LS	1	\$ 4,000.00	\$ 4,000.00	1.00	\$ 4,000.00	1.00	\$ 4,000.00			
<i>Sediment Trap C</i>											
1. Strip Topsoil	CY	240	\$ 3.32	\$ 796.80			240.00	\$ 796.80			
2. Cut Fill & Compact	CY	771	\$ 3.68	\$ 2,837.28			771.00	\$ 2,837.28			
3. Grade	SY	1,072	\$ 0.28	\$ 300.16			1,072.00	\$ 300.16			
4. Core Cut & Fill Keyway	LF	250	\$ 10.08	\$ 2,520.00			250.00	\$ 2,520.00			
5. Respread Topsoil	CY	240	\$ 4.24	\$ 1,017.60			240.00	\$ 1,017.60			
6. Grade Spillway	SY	202	\$ 0.48	\$ 96.96			202.00	\$ 96.96			
7. Spillway Matting (North American Green C-125)	SY	202	\$ 6.00	\$ 1,212.00			202.00	\$ 1,212.00			
8. Permanent Rake & Vegetation (Meadow Mix)	SF	9,800	\$ 0.15	\$ 1,470.00					9,800.00	\$ 1,470.00	
9. 15" CMP Temporary Riser	EA	1	\$ 1,554.00	\$ 1,554.00			1.00	\$ 1,554.00			
10. 18" RCP	LF	30	\$ 39.23	\$ 1,176.90			30.00	\$ 1,176.90			
11. Outlet Structure w/Wier Wall and Precast Footer with Trash Rack #23	EA	1	\$ 3,081.00	\$ 3,081.00			1.00	\$ 3,081.00			



**ESCROW STATUS REPORT**

**SUMMARY OF ESCROW ACCOUNT**

RELEASE NO.: 8  
RELEASE DATE: 6-Dec-2017

PROJECT NAME: Maple Dr / Crystal Rd Townhouse Project  
PROJECT NO.: 2012-10074  
TOWNSHIP NO.: LD/S #639  
PROJECT OWNER: Crystal Road Enterprises, LLC

TOTAL CONSTRUCTION: \$ 796,644.80  
TOTAL CONSTRUCTION CONTINGENCY (10%): \$ 79,664.48  
TOTAL CONSTRUCTION ESCROW POSTED: \$ 876,309.28

ORIGINAL CONSTRUCTION AMOUNT: \$ 876,309.28

AMOUNT OF THIS RELEASE: \$ 232,084.74

MUNICIPALITY: Montgomery Township  
ESCROW AGENT: Univest National Bank  
TYPE OF SECURITY: Letter of Credit  
AGREEMENT DATE: 10-Oct-2014

TOTAL ENG/INSP/LEGAL (CASH ACCOUNT): \$ 39,900.00  
TOTAL ADMINISTRATION (CASH ACCOUNT): \$ 5,000.00

PRIOR CONSTRUCTION RELEASED: \$ 507,776.13  
TOTAL CONSTRUCTION RELEASED TO DATE: \$ 739,860.87

MAINTENANCE BOND AMOUNT (15%): \$ 119,498.72

BALANCE AFTER CURRENT RELEASE: \$ 136,448.41

ESCROW TABULATION					CURRENT RELEASE	RELEASED TO DATE	AVAILABLE FOR RELEASE	RELEASE REQ # 9	
CONSTRUCTION ITEMS	UNITS	QUANTITY	UNIT	TOTAL	QUANTITY	TOTAL	QUANTITY	TOTAL	QUANTITY
			PRICE	AMOUNT		AMOUNT		AMOUNT	
12. Antiseep Collars	EA	2	\$ 1,306.00	\$ 2,612.00		\$ -	2.00	\$ 2,612.00	
13. 18" DW Endwalls, #24	EA	1	\$ 1,500.00	\$ 1,500.00		\$ -	1.00	\$ 1,500.00	
14. R-4 Rip Rap Dissipator	TON	8	\$ 77.20	\$ 617.60		\$ -	8.00	\$ 617.60	
15. Sediment Trap As-Built Plan	LS	1	\$ 500.00	\$ 500.00		\$ -		\$ -	1.00
<b>Rain Gardens #1,2,B1,C1</b>									
1. Strip Topsoil - Rain Garden #1,2,B1,C1	CY	450	\$ 3.32	\$ 1,494.00		\$ -	450.00	\$ 1,494.00	
2. Cut Fill & Compact - Rain Garden #1,2,B1,C1	CY	4,976	\$ 3.68	\$ 18,311.68	996.00	\$ 3,665.28	4,976.00	\$ 18,311.68	
3. Grade - Rain Garden #1,2,B1,C1	SY	1,825	\$ 0.28	\$ 511.00	364.50	\$ 102.06	1,825.00	\$ 511.00	
4. Respread Topsoil - Rain Garden #1,2,B1,C1	CY	450	\$ 4.24	\$ 1,908.00	90.00	\$ 381.60	450.00	\$ 1,908.00	
5. Permanent Rake & Vegetation (Meadow Mix) - RG #1,2,B1,C1	SF	1,800	\$ 0.15	\$ 270.00		\$ -		\$ -	1,800.00
6. Rain Gardens # 1, 2, B1, B2 As-Built Plans	EA	4	\$ 250.00	\$ 1,000.00		\$ -		\$ -	4.00
<b>III. STORM SEWER</b>									
1. 15" RCP	LF	76	\$ 30.89	\$ 2,347.64		\$ -	76.00	\$ 2,347.64	
2. 18" RCP	LF	751	\$ 30.13	\$ 22,627.63		\$ -	751.00	\$ 22,627.63	
3. 36" HDPE (Dual Runs) w/2a Mod 6" Under Pipe to 12" Over	LF	224	\$ 110.00	\$ 24,640.00		\$ -	224.00	\$ 24,640.00	
4. 48" HDPE Pipe w/2a Mod 6" Under Pipe to 12" Over	LF	80	\$ 88.91	\$ 7,112.80		\$ -	80.00	\$ 7,112.80	
5. Type C Inlet (Average Depth 3.84) #5,8,9,11,16	EA	4	\$ 1,705.00	\$ 6,820.00		\$ -	4.00	\$ 6,820.00	
6. Type C Inlet Mod (Average Depth 4.13) 42"x48" #15	EA	1	\$ 1,820.00	\$ 1,820.00		\$ -	1.00	\$ 1,820.00	
7. Type M Inlet Mod w/Weir Wall (Average Depth 4.48) 42"x48" #12	EA	1	\$ 2,075.00	\$ 2,075.00		\$ -	1.00	\$ 2,075.00	
8. Type M Inlet (Average Depth 4.23) #1,2,3,4,6,14,17-17-2,17a,21	EA	11	\$ 1,683.00	\$ 18,513.00		\$ -	11.00	\$ 18,513.00	
9. Type M Inlet (Average Depth 4.33) #7,10	EA	2	\$ 1,618.00	\$ 3,236.00		\$ -	2.00	\$ 3,236.00	
10. Type C Inlet Mod 24"x72" (Average Depth 7.18) #18-1,18-2	EA	2	\$ 3,029.00	\$ 6,058.00		\$ -	2.00	\$ 6,058.00	
11. Type C Inlet Mod (Average Depth 7.38) 2'x12" #19	EA	1	\$ 3,571.00	\$ 3,571.00		\$ -	1.00	\$ 3,571.00	
12. 18" DW Endwalls #13,22	EA	2	\$ 1,500.00	\$ 3,000.00		\$ -	2.00	\$ 3,000.00	
13. 48" DW Endwalls #20	EA	1	\$ 4,000.00	\$ 4,000.00		\$ -	1.00	\$ 4,000.00	
14. R-4 Rip Rap Dissipator	TON	51	\$ 55.43	\$ 2,826.93		\$ -	51.00	\$ 2,826.93	



**ESCROW STATUS REPORT**

**SUMMARY OF ESCROW ACCOUNT**

RELEASE NO.: 8  
RELEASE DATE: 6-Dec-2017

PROJECT NAME: Maple Dr / Crystal Rd Townhouse Project	TOTAL CONSTRUCTION: \$ 796,644.80	ORIGINAL CONSTRUCTION AMOUNT: \$ 876,309.28
PROJECT NO.: 2012-10074	TOTAL CONSTRUCTION CONTINGENCY (10%): \$ 79,664.48	
TOWNSHIP NO.: LD/S #639	TOTAL CONSTRUCTION ESCROW POSTED: \$ 876,309.28	AMOUNT OF THIS RELEASE: \$ 232,084.74
PROJECT OWNER: Crystal Road Enterprises, LLC		
MUNICIPALITY: Montgomery Township	TOTAL ENG/INSP/LEGAL (CASH ACCOUNT): \$ 39,900.00	PRIOR CONSTRUCTION RELEASED: \$ 507,776.13
ESCROW AGENT: Univest National Bank	TOTAL ADMINISTRATION (CASH ACCOUNT): \$ 5,000.00	TOTAL CONSTRUCTION RELEASED TO DATE: \$ 739,860.87
TYPE OF SECURITY: Letter of Credit		BALANCE AFTER CURRENT RELEASE: \$ 136,448.41
AGREEMENT DATE: 10-Oct-2014	MAINTENANCE BOND AMOUNT (15%): \$ 119,496.72	

ESCROW TABULATION					CURRENT RELEASE		RELEASED TO DATE		AVAILABLE FOR RELEASE		RELEASE REQ # 9
CONSTRUCTION ITEMS	UNITS	QUANTITY	UNIT PRICE	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY
<b>IV. DETENTION FACILITY #B2</b>											
1. Infiltration Bed #B2 w/36" Storm Tank	LS	1	\$ 90,000.00	\$ 90,000.00			1.00	\$ 90,000.00		\$ -	
2. As-Built Plan	EA	1	\$ 500.00	\$ 500.00				\$ -	1.00	\$ 500.00	
<b>V. ROADWAY SITE</b>											
1. Excavate & Backfill, Curb - Roadway Site	LF	1,721	\$ 3.19	\$ 5,489.99			1,721.00	\$ 5,489.99		\$ -	
2. 18" Belgian Block Curb - Roadway Site	LF	1,721	\$ 14.00	\$ 24,094.00			1,721.00	\$ 24,094.00		\$ -	
3. Fine Grade Paving - Roadway Site	SY	3,790	\$ 1.12	\$ 4,244.80			3,790.00	\$ 4,244.80		\$ -	
4. 3" 2a Modified - Roadway Site	SY	3,790	\$ 3.01	\$ 11,407.90			3,790.00	\$ 11,407.90		\$ -	
5. 5" BCBC Paving - Roadway Site	SY	3,790	\$ 19.00	\$ 72,010.00			3,790.00	\$ 72,010.00		\$ -	
6. 1.5" Wearing Paving	SY	3,790	\$ 7.12	\$ 26,984.80				\$ -	3,790.00	\$ 26,984.80	
7. Street Sweeping	SY	3,790	\$ 0.12	\$ 454.80				\$ -	3,790.00	\$ 454.80	
8. Tack Coat	SY	3,790	\$ 0.19	\$ 720.10				\$ -	3,790.00	\$ 720.10	
9. Curb & Joint Seal	LF	1,721	\$ 0.63	\$ 1,084.23				\$ -	1,721.00	\$ 1,084.23	
10. Striping	LS	1	\$ 500.00	\$ 500.00				\$ -	1.00	\$ 500.00	
<b>Roadway - Emergency Access</b>											
11. Excavate for Widening	SY	93	\$ 8.34	\$ 775.62			93.00	\$ 775.62		\$ -	
12. Permanent Paving Repairs (5" BCBC, 1.5" Wearing)	SY	93	\$ 99.00	\$ 9,207.00			93.00	\$ 9,207.00		\$ -	
<b>Emergency Access</b>											
13. Fine Grade & Compact	SY	983	\$ 1.31	\$ 1,287.73			983.00	\$ 1,287.73		\$ -	
14. Pave (6" 3A Modified Stone, 5" BCBC Asphalt Paving)	SF	8,838	\$ 2.76	\$ 24,392.88			8,838.00	\$ 24,392.88		\$ -	
15. Posts (2), Chain (1), Knox Box (1), Pad Lock (1)	EA	2	\$ 550.00	\$ 1,100.00			2.00	\$ 1,100.00		\$ -	
<b>VI. ONSITE SIDEWALKS</b>											
1. Excavate and Place 4" 2a Modified for Sidewalks and Driveway Aprons	SF	8,610	\$ 1.55	\$ 13,431.60	8,610.00	\$ 13,431.60	8,610.00	\$ 13,431.60		\$ -	
2. Sidewalks (4")	SF	2,690	\$ 5.72	\$ 15,386.80	2,690.00	\$ 15,386.80	2,690.00	\$ 15,386.80		\$ -	
3. Driveway Aprons (6" and wire)	SF	5,920	\$ 10.00	\$ 59,200.00	5,920.00	\$ 59,200.00	5,920.00	\$ 59,200.00		\$ -	
4. Handicap Ramps (incl DWS)	EA	8	\$ 500.00	\$ 4,000.00				\$ -	8.00	\$ 4,000.00	



**ESCROW STATUS REPORT**

**SUMMARY OF ESCROW ACCOUNT**

RELEASE NO.: 8  
RELEASE DATE: 6-Dec-2017

PROJECT NAME: Maple Dr / Crystal Rd Townhouse Project	TOTAL CONSTRUCTION: \$ 796,644.80	ORIGINAL CONSTRUCTION AMOUNT: \$ 876,309.28
PROJECT NO.: 2012-10074	TOTAL CONSTRUCTION CONTINGENCY (10%): \$ 79,664.48	
TOWNSHIP NO.: LD/S #639	TOTAL CONSTRUCTION ESCROW POSTED: \$ 876,309.28	<b>AMOUNT OF THIS RELEASE: \$ 232,084.74</b>
PROJECT OWNER: Crystal Road Enterprises, LLC		PRIOR CONSTRUCTION RELEASED: \$ 507,776.13
MUNICIPALITY: Montgomery Township	TOTAL ENG/INSP/LEGAL (CASH ACCOUNT): \$ 39,900.00	TOTAL CONSTRUCTION RELEASED TO DATE: \$ 739,860.87
ESCROW AGENT: Unvest National Bank	TOTAL ADMINISTRATION (CASH ACCOUNT): \$ 5,000.00	
TYPE OF SECURITY: Letter of Credit		BALANCE AFTER CURRENT RELEASE: \$ 136,448.41
AGREEMENT DATE: 10-Oct-2014	MAINTENANCE BOND AMOUNT (15%): \$ 119,496.72	

ESCROW TABULATION					CURRENT RELEASE		RELEASED TO DATE		AVAILABLE FOR RELEASE		RELEASE REQ # 0
CONSTRUCTION ITEMS	UNITS	QUANTITY	UNIT PRICE	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY
<b>VII. RAIN GARDEN CONVERSION</b>											
1. Excavate Rain Garden Areas for Compost and Underdrain #1,2,B1,C1	EA	4	\$ 13,357.00	\$ 53,428.00	4.00	\$ 53,428.00	4.00	\$ 53,428.00		\$ -	
2. As-Built Plan	EA	4	\$ 250.00	\$ 1,000.00		\$ -		\$ -	4.00	\$ 1,000.00	
<b>VIII. STREET LIGHTS</b>											
1. Street Lights	EA	4	\$ 3,000.00	\$ 12,000.00		\$ -		\$ -	4.00	\$ 12,000.00	
<b>IX. LANDSCAPING</b>											
<b>Shade Trees</b>											
1. Acer rubrum - Red Maple (3" Cal.)	EA	27	\$ 350.00	\$ 9,450.00	27.00	\$ 9,450.00	27.00	\$ 9,450.00		\$ -	
2. Acer saccharum - Sugar Maple (3" Cal.)	EA	16	\$ 350.00	\$ 5,600.00	16.00	\$ 5,600.00	16.00	\$ 5,600.00		\$ -	
3. Glodtsia triancanthos var. inermis - Thornless Honeylocust (3" Cal.)	EA	16	\$ 350.00	\$ 5,600.00	16.00	\$ 5,600.00	16.00	\$ 5,600.00		\$ -	
4. Liquidambar styraciflua - Sweetgum (3" Cal.)	EA	21	\$ 350.00	\$ 7,350.00	21.00	\$ 7,350.00	21.00	\$ 7,350.00		\$ -	
5. Liriodendron tulipifera - Tulip Poplar (3" Cal.)	EA	15	\$ 350.00	\$ 5,250.00	15.00	\$ 5,250.00	15.00	\$ 5,250.00		\$ -	
6. Platanus x acerifolia - London Plain Tree (3" Cal.)	EA	21	\$ 350.00	\$ 7,350.00	21.00	\$ 7,350.00	21.00	\$ 7,350.00		\$ -	
7. Quercus palustris - Pin Oak (3" Cal.)	EA	24	\$ 350.00	\$ 8,400.00	24.00	\$ 8,400.00	24.00	\$ 8,400.00		\$ -	
<b>Evergreen Trees</b>											
8. Pinus strobus - Eastern White Pine (8" Ht.)	EA	11	\$ 250.00	\$ 2,750.00	11.00	\$ 2,750.00	11.00	\$ 2,750.00		\$ -	
9. Pseudotsuga menziesii - Douglas Fir (8" Ht.)	EA	14	\$ 250.00	\$ 3,500.00	14.00	\$ 3,500.00	14.00	\$ 3,500.00		\$ -	
10. Picea abies - Norway Spruce (8" Ht.)	EA	14	\$ 250.00	\$ 3,500.00	14.00	\$ 3,500.00	14.00	\$ 3,500.00		\$ -	
<b>Ornamental/ Flowering Trees</b>											
11. Amelanchier canadensis - Shadbloow (8" Ht.)	EA	17	\$ 325.00	\$ 5,525.00	17.00	\$ 5,525.00	17.00	\$ 5,525.00		\$ -	
12. Magnolia virginiana - Sweetbay Magnolia (8" Ht.)	EA	15	\$ 325.00	\$ 4,875.00	15.00	\$ 4,875.00	15.00	\$ 4,875.00		\$ -	
<b>Deciduous Shrubs</b>											
13. Aronia arbutifolia - Red Chokeberry (30" Ht.)	EA	19	\$ 65.00	\$ 1,235.00	19.00	\$ 1,235.00	19.00	\$ 1,235.00		\$ -	
14. Clethra alnifolia - Summersweet (30" Ht.)	EA	19	\$ 65.00	\$ 1,235.00	19.00	\$ 1,235.00	19.00	\$ 1,235.00		\$ -	
15. Cornus stolonifera - Red Twig Dogwood (30" Ht.)	EA	23	\$ 65.00	\$ 1,495.00	23.00	\$ 1,495.00	23.00	\$ 1,495.00		\$ -	
16. Forsythia x intermedia - Forsythia (30" Ht.)	EA	15	\$ 65.00	\$ 975.00	15.00	\$ 975.00	15.00	\$ 975.00		\$ -	
17. Ilex verticillata - Winterberry Holly (30" Ht.)	EA	9	\$ 65.00	\$ 585.00	9.00	\$ 585.00	9.00	\$ 585.00		\$ -	
18. Itea virginia 'Henry's Garnet' - Itea (30" Ht.)	EA	19	\$ 65.00	\$ 1,235.00	19.00	\$ 1,235.00	19.00	\$ 1,235.00		\$ -	
19. Viburnum dentatum - Arrowwood Viburnum (30" Ht.)	EA	8	\$ 65.00	\$ 520.00	8.00	\$ 520.00	8.00	\$ 520.00		\$ -	



**ESCROW STATUS REPORT**

**SUMMARY OF ESCROW ACCOUNT**

RELEASE NO.: 8  
RELEASE DATE: 6-Dec-2017

PROJECT NAME: Maple Dr / Crystal Rd Townhouse Project  
PROJECT NO.: 2012-10074  
TOWNSHIP NO.: LD/S #639  
PROJECT OWNER: Crystal Road Enterprises, LLC

TOTAL CONSTRUCTION: \$ 796,644.80  
TOTAL CONSTRUCTION CONTINGENCY (10%): \$ 79,664.48  
TOTAL CONSTRUCTION ESCROW POSTED: \$ 876,309.28

ORIGINAL CONSTRUCTION AMOUNT: \$ 876,309.28

**AMOUNT OF THIS RELEASE: \$ 232,084.74**

MUNICIPALITY: Montgomery Township  
ESCROW AGENT: Univest National Bank  
TYPE OF SECURITY: Letter of Credit  
AGREEMENT DATE: 10-Oct-2014

TOTAL ENG/INSP/LEGAL (CASH ACCOUNT): \$ 39,900.00  
TOTAL ADMINISTRATION (CASH ACCOUNT): \$ 5,000.00  
MAINTENANCE BOND AMOUNT (15%): \$ 119,496.72

PRIOR CONSTRUCTION RELEASED: \$ 507,776.13  
TOTAL CONSTRUCTION RELEASED TO DATE: \$ 739,860.87

BALANCE AFTER CURRENT RELEASE: \$ 136,448.41

ESCROW TABULATION					CURRENT RELEASE		RELEASED TO DATE		AVAILABLE FOR RELEASE		RELEASE REQ # 9
CONSTRUCTION ITEMS	UNITS	QUANTITY	UNIT PRICE	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY
<b>X. OTHER</b>											
1. Construction Stakeout	LS	1	\$ 25,225.00	\$ 25,225.00	0.10	\$ 2,623.40	1.00	\$ 25,225.00		\$ -	
2. Pins and Monuments	EA	1	\$ 1,800.00	\$ 1,800.00		\$ -		\$ -	1.00	\$ 1,800.00	
3. As-Builts (Final Site)	EA	1	\$ 4,500.00	\$ 4,500.00		\$ -		\$ -	1.00	\$ 4,500.00	
<b>XI. CONTINGENCY</b>											
1. 10% Contingency	LS	1		\$ 79,664.48		\$ -		\$ -	1.00	\$ 79,664.48	
<i>(Released upon certification of completion and receipt of Maintenance Bond)</i>											



**Boucher & James, Inc.**  
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Doylestown, PA 18901  
215-345-9400  
Fax 215-345-9401

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

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

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December 1, 2017

Mr. James P. Dougherty, P.E.  
Gilmore & Associates, Inc.  
65 East Butler Avenue Suite 100  
New Britain, PA 18901

**SUBJECT: TOWNHOUSES AT MAPLE DRIVE AND CRYSTAL ROAD  
ESCROW RELEASE INSPECTION 01  
TOWNSHIP LD/S NO. 639  
PROJECT NO.0755238R**

Dear Mr. Dougherty:

Please be advised that on November 30, 2017, I conducted an escrow release inspection of landscape material installed at the Townhouses at Maple Drive and Crystal Road, in response to a November 15, 2017 request for inspection from Brian Grant of Select Properties. The landscape material was inspected in accordance with the approved Landscape Plan prepared by Schlosser & Clauss Consulting Engineers, Inc., dated July 20, 2007, last revised September 15, 2014.

We offer the following comments for your consideration:

**A. Shade Trees**

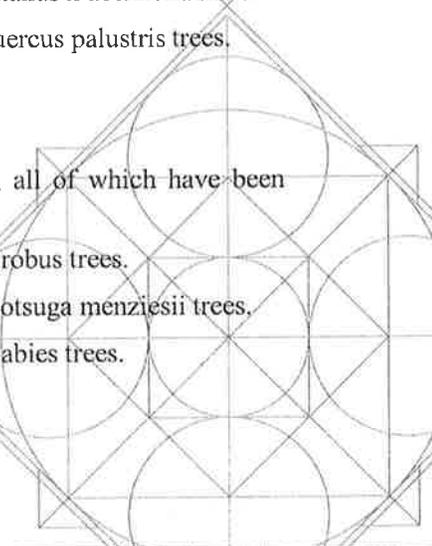
Escrow release has been requested for the following shade trees, all of which have been found in an **acceptable** condition to release the associated escrow:

- 1) We recommend the release of **\$9,450.00** for twenty-seven (27) *Acer rubrum* trees.
- 2) We recommend the release of **\$5,600.00** for sixteen (16) *Acer saccharum* trees.
- 3) We recommend the release of **\$5,600.00** for sixteen (16) *Gleditsia triacanthos* 'Shademaster' trees.
- 4) We recommend the release of **\$7,350.00** for twenty-one (21) *Liquidambar styraciflua*.
- 5) We recommend the release of **\$5,250.00** for fifteen (15) *Liriodendron tulipifera* trees.
- 6) We recommend the release of **\$7,350.00** for twenty-one (21) *Platanus x acerifolia* trees.
- 7) We recommend the release of **\$8,400.00** for twenty-four (24) *Quercus palustris* trees.

**B. Evergreen Trees**

Escrow release has been requested for the following evergreen trees, all of which have been found in an **acceptable** condition to release the associated escrow:

- 1) We recommend the release of **\$2,750.00** for eleven (11) *Pinus strobus* trees.
- 2) We recommend the release of **\$3,500.00** for fourteen (14) *Pseudotsuga menziesii* trees.
- 3) We recommend the release of **\$3,500.00** for fourteen (14) *Picea abies* trees.



Mr. James P. Dougherty, P.E.  
Townhouses at Maple Drive & Crystal Road  
December 1, 2017  
Page 2

**C. Ornamental Trees**

Escrow release has been requested for the following ornamental trees, all of which have been found in an **acceptable** condition to release the associated escrow:

- 1) We recommend the release of **\$5,525.00** for seventeen (17) Amelanchier canadensis trees.
- 2) We recommend the release of **\$4,875.00** for fifteen (15) Magnolia virginiana trees.

**D. Shrubs**

Escrow release has been requested for the following shrubs, all of which have been found in an **acceptable** condition to release the associated escrow:

- 1) We recommend the release of **\$1,235.00** for nineteen (19) Aronia arbutifolia shrubs.
- 2) We recommend the release of **\$1,235.00** for nineteen (19) Clethra alnifolia shrubs.
- 3) We recommend the release of **\$1,495.00** for twenty-three (23) Cornus stolonifera shrubs.
- 4) We recommend the release of **\$975.00** for fifteen (15) Forsythia x intermedia shrubs.
- 5) We recommend the release of **\$585.00** for nine (9) Ilex verticillata shrubs.
- 6) We recommend the release of **\$1,235.00** for nineteen (19) Itea virginica 'Henry's Garnet' shrubs.
- 7) We recommend the release of **\$520.00** for eight (8) Viburnum dentatum shrubs.

Based on our review of this escrow release request, we recommend an escrow release amount of **Seventy-Six Thousand, Four Hundred Thirty Dollars and No Cents (\$76,430.00)**. Please find attached an updated escrow tabulation for your reference.

Please note, authorization of this release should not be construed as Final Approval or Acceptance of the improvements installed to date

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

Sincerely,



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

VLL/kam

Enclosure

cc: Lawrence Gregan, Township Manager  
Bruce Shoupe, Director of Planning and Zoning  
Marianne McConnell, Shade Tree Commission  
Brian Grant, Select Properties

**TOWNHOUSES AT MAPLE DRIVE AND CRYSTAL ROAD  
MONTGOMERY TOWNSHIP (5/20/14 REVISED 12/1/17)**

PROJECT #07 55 238R LD/S # 639

ITEM DESCRIPTION	SIZE	UNIT PRICE	QTY.	TOTAL	PREVIOUS ESCROW RELEASED		CURRENT ESCROW RECOMMENDED FOR RELEASE		REMAINING ESCROW TO BE RELEASED	
					QTY.	AMOUNT	QTY.	AMOUNT	QTY.	AMOUNT
<b>1.0 <u>Shade Trees</u></b>										
Acer rubrum	3" min.	\$ 350.00	27	\$ 9,450.00	0	\$ -	27	\$ 9,450.00	0	\$ -
Acer saccharum	3" min.	\$ 350.00	16	\$ 5,600.00	0	\$ -	16	\$ 5,600.00	0	\$ -
Gleditsia triacanthos var. inermis	3" min.	\$ 350.00	16	\$ 5,600.00	0	\$ -	16	\$ 5,600.00	0	\$ -
Liquidambar styraciflua	3" min.	\$ 350.00	21	\$ 7,350.00	0	\$ -	21	\$ 7,350.00	0	\$ -
Liriodendron tulipifera	3" min.	\$ 350.00	15	\$ 5,250.00	0	\$ -	15	\$ 5,250.00	0	\$ -
Platanus x acerifolia	3" min.	\$ 350.00	21	\$ 7,350.00	0	\$ -	21	\$ 7,350.00	0	\$ -
Quercus palustris	3" min.	\$ 350.00	24	\$ 8,400.00	0	\$ -	24	\$ 8,400.00	0	\$ -
<b>SUBTOTAL</b>			<b>140</b>	<b>\$ 49,000.00</b>	<b>0</b>	<b>\$ -</b>	<b>140</b>	<b>\$ 49,000.00</b>	<b>0</b>	<b>\$ -</b>
<b>2.0 <u>Evergreen Trees</u></b>										
Pinus strobus	8' Ht.	\$ 250.00	11	\$ 2,750.00	0	\$ -	11	\$ 2,750.00	0	\$ -
Pseudotsuga menziesii	8' Ht.	\$ 250.00	14	\$ 3,500.00	0	\$ -	14	\$ 3,500.00	0	\$ -
Picea abies	8' Ht.	\$ 250.00	14	\$ 3,500.00	0	\$ -	14	\$ 3,500.00	0	\$ -
<b>SUBTOTAL</b>			<b>39</b>	<b>\$ 9,750.00</b>	<b>0</b>	<b>\$ -</b>	<b>39</b>	<b>\$ 9,750.00</b>	<b>0</b>	<b>\$ -</b>
<b>3.0 <u>Ornamental/Flowering Trees</u></b>										
Amelanchier canadensis	8' Ht.	\$ 325.00	17	\$ 5,525.00	0	\$ -	17	\$ 5,525.00	0	\$ -
Magnolia virginiana	8' Ht.	\$ 325.00	15	\$ 4,875.00	0	\$ -	15	\$ 4,875.00	0	\$ -
<b>SUBTOTAL</b>			<b>32</b>	<b>\$ 10,400.00</b>	<b>0</b>	<b>\$ -</b>	<b>32</b>	<b>\$ 10,400.00</b>	<b>0</b>	<b>\$ -</b>
<b>4.0 <u>Deciduous Shrubs</u></b>										
Aronia arbutifolia	30" Ht.	\$ 65.00	19	\$ 1,235.00	0	\$ -	19	\$ 1,235.00	0	\$ -
Clethra alnifolia	30" Ht.	\$ 65.00	19	\$ 1,235.00	0	\$ -	19	\$ 1,235.00	0	\$ -
Cornus stolonifera	30" Ht.	\$ 65.00	23	\$ 1,495.00	0	\$ -	23	\$ 1,495.00	0	\$ -
Forsythia x intermedia	30" Ht.	\$ 65.00	15	\$ 975.00	0	\$ -	15	\$ 975.00	0	\$ -
Ilex verticillata	30" Ht.	\$ 65.00	9	\$ 585.00	0	\$ -	9	\$ 585.00	0	\$ -
Itea virginica 'Henry's Garnet'	30" Ht.	\$ 65.00	19	\$ 1,235.00	0	\$ -	19	\$ 1,235.00	0	\$ -
Viburnum dentatum	30" Ht.	\$ 65.00	8	\$ 520.00	0	\$ -	8	\$ 520.00	0	\$ -
<b>SUBTOTAL</b>			<b>112</b>	<b>\$ 7,280.00</b>	<b>0</b>	<b>\$ -</b>	<b>112</b>	<b>\$ 7,280.00</b>	<b>0</b>	<b>\$ -</b>
<b>5.0 <u>TOTAL OF ALL PLANTINGS</u></b>				<b>\$ 76,430.00</b>	<b>\$ -</b>			<b>\$ 76,430.00</b>	<b>\$ -</b>	



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Fax 570-629-0306

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Fax 610-419-9408

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December 1, 2017

Mr. James P. Dougherty, P.E.  
Gilmore & Associates, Inc.  
65 E. Butler Ave. Suite 100  
New Britain, PA 18901

**SUBJECT: TOWNHOUSES AT MAPLE DRIVE AND CRYSTAL ROAD  
START OF MAINTENANCE INSPECTION 01  
TOWNSHIP LD/S NO. 639  
PROJECT NO.0755238R**

Dear Mr. Dougherty:

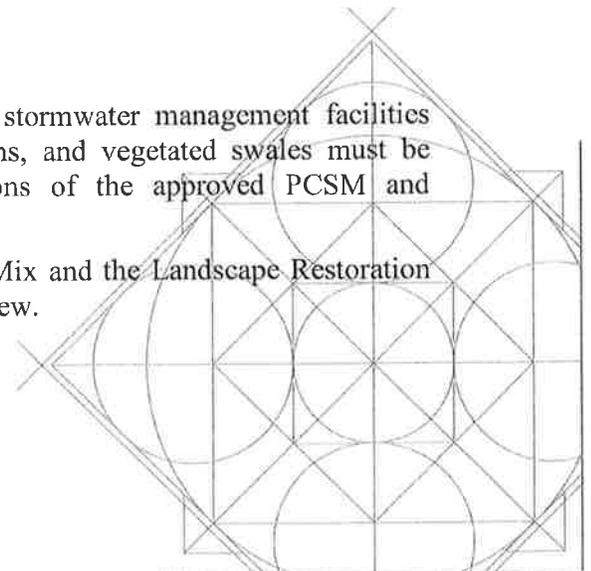
Please be advised that on November 30, 2017, I conducted an inspection of plant material installed at the Townhouses at Maple Drive and Crystal Road in response to a November 15, 2017 request for inspection from Brian Grant of Select Properties. The landscape material was inspected in accordance with the approved Landscape Plan prepared by Schlosser & Clauss Consulting Engineers, Inc., dated July 20, 2007, last revised September 15, 2014.

In order for the landscape improvements to be acceptable to enter into the maintenance period, all plant material required by the approved landscape plans must be of the correct size, species, in the correct location, be alive (as defined by Section 205-49.G of the SLDO), be in acceptable health, and provided, installed and maintained in accordance with the approved plan details and specifications. The Start of the Maintenance Period begins only upon approval by the Board of Supervisors.

The following landscape material has been found to be **UNACCEPTABLE** to begin the maintenance period, and should be removed and/or replaced in accordance with the approved landscape plans.

**A. Basin/Rain Garden/Vegetated Swale Seeding**

1. Seeding and permanent stabilization of the stormwater management facilities must be completed. All basins, rain gardens, and vegetated swales must be seeded in accordance with the specifications of the approved PCSM and Monitoring Plan.
2. Seed tags for the Basin Wetland Area Seed Mix and the Landscape Restoration and Swale Seed Mix must be provided for review.



Mr. James P. Dougherty, P.E.  
Townhouses at Maple Drive & Crystal Road  
December 1, 2017  
Page 2

The issues presented in this letter should be addressed and an additional inspection scheduled. Please do not hesitate to contact me if you have any questions or require further information.

Sincerely,



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

VLL/kam

cc: Board of Supervisors  
Lawrence Gregan, Township Manager  
Bruce Shoupe, Director of Planning and Zoning  
Marianne McConnell, Shade Tree Commission  
Brian Grant, Select Properties



TRAFFIC PLANNING AND DESIGN, INC.

WWW.TRAFFICPD.COM

**November 15, 2017**

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

**RE: Crystal Townhomes Lighting Inspection**

Crystal Townhomes - LD/S #639

*Montgomery Township, Montgomery County, PA*

TPD No. MOTO.00012

Dear Bruce:

In our role as Township Traffic/Street Lighting Engineer, Traffic Planning and Design, Inc. (TPD) has completed visual lighting observations of the Crystal Townhomes street lighting. TPD conducted daytime and nighttime visual street lighting observations on November 13, 2017. The purpose of these observations was to develop a project close-out punch-list. TPD referenced Land Development Plans prepared by Schlosser & Clauss Consulting Engineers, Inc., last revised September 15, 2014 for the above mentioned observations. Based on TPD's visual observations, we offer the following comments:

1. Street Light No. 1 - located closest to the intersection of Briarwood Lane and Road "F".
  - a. Street lighting junction box was observed to be 9" to the left of the foundation. The Montgomery Township Street Lighting Specification (page 20 of 32) identifies that the street lighting junction box shall be placed to the right of the street light foundation (looking from the street).
    - i. See Picture No. 1 enclosed with this letter.
  - b. Street light foundation is offset a distance of 7" from the back of curb to front of foundation. As a result, this fixture is overhanging the roadway. The Montgomery Township Street Lighting Specification (Page 20 and 32 of 32) identifies a minimum offset distance of 20" to provide 6" minimum offset from front of curb to front of street light fixture.
    - i. See Pictures No. 1 and 2 enclosed with this letter.
  - c. Street light pole base cover was observed to be missing.
    - i. See Picture No. 1 enclosed with this letter.

Mr. Bruce S. Shoupe  
November 15, 2017

2. Street Light No. 2 – located along Briarwood Lane west of the internal intersection near Lot No. 36.
  - a. Street light foundation is offset a distance of 12” from the back of curb to front of foundation. As a result, this fixture is overhanging the roadway. The Montgomery Township Street Lighting Specification (Page 20 and 32 of 32) identifies a minimum offset distance of 20” to provide 6” minimum offset from front of curb to front of street light fixture.
    - i. See Pictures No. 3 and 4 enclosed with this letter.
  - b. Street light pole base cover was observed to be dark brown in color. The Montgomery Township Street Lighting Specification (Page 15 of 32) identifies that the pole base cover shall be black in color.
3. Street Light No. 3 – located along Briarwood Lane east of the internal intersection between Lot Nos. 25 and 26.
  - a. Street light foundation is offset a distance of 7” from the back of curb to front of foundation. As a result, this fixture is overhanging the roadway. The Montgomery Township Street Lighting Specification (Page 20 and 32 of 32) identifies a minimum offset distance of 20” to provide 6” minimum offset from front of curb to front of street light fixture.
    - i. See Pictures No. 5 and 6 enclosed with this letter.
  - b. Street light pole base cover was observed to be dark brown in color. The Montgomery Township Street Lighting Specification (Page 15 of 32) identifies that the pole base cover shall be black in color.
  - c. Street light junction box was observed to be damaged as the junction box lid was not secured onto the junction box.
    - i. See Picture No. 7 enclosed with this letter.
4. Street Light No. 4 – located within the Briarwood Lane cul-de-sac.
  - a. Street lighting junction box was observed to be behind the installed foundation. The Montgomery Township Street Lighting Specification (page 20 of 32) identifies that the street lighting junction box shall be placed to the right of the street light foundation (looking from the street).
    - i. See Picture No. 8 enclosed with this letter.
  - b. Street light pole base cover was observed to be dark brown in color. The Montgomery Township Street Lighting Specification (Page 15 of 32) identifies that the pole base cover shall be black in color.
  - c. Street light foundation was observed to have no reveal above finish grade. The Montgomery Township Street Lighting Specification (Page 18 and 19 of 32) identifies that the foundation reveal shall be 3” minimum/5” maximum.
    - i. See Picture No. 9 enclosed with this letter.
5. All street lights were observed to operate as expected during nighttime observations.

Mr. Bruce S. Shoupe  
November 15, 2017

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

Sincerely,



Frank G. Falzone Jr., P.E.  
Project Manager  
FFalzone@TrafficPD.com

Enclosures: TPD Observation Pictures

CC: Larry Gregan, Township Manager  
Kevin Costello, Township Public Works Director  
Russ Dunlevy, P.E., Township Engineer  
Jim Dougherty, P.E., Township Engineer  
Judith Stern Goldstein, ASLA, R.L.A. – Boucher & James, Inc.  
Brian C. Grant – Select Properties, Inc.  
Kevin L. Johnson, P.E., TPD  
Joseph Platt, P.E., TPD  
Eric Hammond, TPD

Mr. Bruce S. Shoupe  
November 15, 2017

Picture No. 1



Mr. Bruce S. Shoupe  
November 15, 2017

Picture No. 2



Mr. Bruce S. Shoupe  
November 15, 2017

Picture No. 3



Mr. Bruce S. Shoupe  
November 15, 2017

Picture No. 4



Mr. Bruce S. Shoupe  
November 15, 2017

Picture No. 5



Mr. Bruce S. Shoupe  
November 15, 2017

Picture No. 6



Mr. Bruce S. Shoupe  
November 15, 2017

Picture No. 7



Mr. Bruce S. Shoupe  
November 15, 2017

Picture No. 8



Mr. Bruce S. Shoupe  
November 15, 2017

Picture No. 9



# CRYSTAL RD



**Gilmore & Associates, Inc.**  
Engineering and Consulting Services

## ESCROW STATUS REPORT

### SUMMARY OF ESCROW ACCOUNT

PROJECT NAME: Maple Dr / Crystal Rd Townhouse Project  
 PROJECT NO.: 2012-10074  
 TOWNSHIP NO.: LD/S #639  
 PROJECT OWNER: Crystal Road Enterprises, LLC  
 MUNICIPALITY: Montgomery Township  
 ESCROW AGENT: Univest National Bank  
 TYPE OF SECURITY: Letter of Credit  
 AGREEMENT DATE: 10-Oct-2014

TOTAL CONSTRUCTION: \$ 796,644.80  
 TOTAL CONSTRUCTION CONTINGENCY (10%): \$ 79,664.48  
 TOTAL CONSTRUCTION ESCROW POSTED: \$ 876,309.28  
 TOTAL ENG/INSP/LEGAL (CASH ACCOUNT): \$ 39,900.00  
 TOTAL ADMINISTRATION (CASH ACCOUNT): \$ 5,000.00  
 MAINTENANCE BOND AMOUNT (15%): \$ 119,496.72

RELEASE NO.: 7  
 RELEASE DATE: 17-Mar-2016  
 ORIGINAL CONSTRUCTION AMOUNT: \$ 876,309.28  
 AMOUNT OF THIS RELEASE: \$ 127,815.39  
 PRIOR CONSTRUCTION RELEASED: \$ 360,160.74  
 TOTAL CONSTRUCTION RELEASED TO DATE: \$ 507,776.13  
 BALANCE AFTER CURRENT RELEASE: \$ 368,533.15

11-14-17

ESCROW TABULATION					CURRENT RELEASE	RELEASED TO DATE	AVAILABLE FOR RELEASE	RELEASE REQ #8	
CONSTRUCTION ITEMS	UNITS	QUANTITY	UNIT	TOTAL	TOTAL		TOTAL		QUANTITY
			PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT	
<b>I. EARTHWORK</b>									
1. Clearing & Grubbing	LS	1	\$ 40,331.00	\$ 40,331.00		1.00	\$ 40,331.00	\$ -	
2. Strip Topsoil	CY	5,163	\$ 2.93	\$ 15,127.59		5,163.00	\$ 15,127.59	\$ -	
3. Cut Fill & Compact	CY	7,954	\$ 3.22	\$ 25,611.88		7,954.00	\$ 25,611.88	\$ -	
4. Grade	SY	6,150	\$ 0.23	\$ 1,414.50		6,150.00	\$ 1,414.50	\$ -	
<b>II. EROSION CONTROL</b>									
<i>Erosion &amp; Sediment Controls</i>									
1. Construction Entrance	EA	1	\$ 3,392.00	\$ 3,392.00		1.00	\$ 3,392.00	\$ -	
2. 18" Silt Fence	LF	620	\$ 1.56	\$ 967.20		620.00	\$ 967.20	\$ -	
3. Super Silt Fence	LF	798	\$ 6.45	\$ 5,147.10		798.00	\$ 5,147.10	\$ -	
4. Tree Protection Fence	LF	1,420	\$ 1.54	\$ 2,186.80		1,420.00	\$ 2,186.80	\$ -	
5. Temporary Vegetation - Excess Fill Piles	SY	4,850	\$ 0.29	\$ 1,406.50			\$ -	\$ 1,406.50	4,850
6. Grade Swales #A,B,C,D,E,F	SY	1,230	\$ 0.55	\$ 676.50		1,230.00	\$ 676.50	\$ -	
7. Swale Matting #A,B,C,D,E,F (North American Green S-150br)	SY	1,230	\$ 1.65	\$ 2,029.50			\$ -	\$ 2,029.50	1,230
8. Rock Filters	EA	2	\$ 132.00	\$ 264.00	2.00	2.00	\$ 264.00	\$ -	
9. Permanent Rake & Vegetation (Lawn Area)	LS	1	\$ 4,000.00	\$ 4,000.00			\$ -	\$ 4,000.00	1
<i>Sediment Trap C</i>									
1. Strip Topsoil	CY	240	\$ 3.32	\$ 796.80		240.00	\$ 796.80	\$ -	
2. Cut Fill & Compact	CY	771	\$ 3.68	\$ 2,837.28		771.00	\$ 2,837.28	\$ -	
3. Grade	SY	1,072	\$ 0.28	\$ 300.16		1,072.00	\$ 300.16	\$ -	
4. Core Cut & Fill Keyway	LF	250	\$ 10.08	\$ 2,520.00		250.00	\$ 2,520.00	\$ -	
5. Respread Topsoil	CY	240	\$ 4.24	\$ 1,017.60		240.00	\$ 1,017.60	\$ -	
6. Grade Spillway	SY	202	\$ 0.48	\$ 96.96		202.00	\$ 96.96	\$ -	
7. Spillway Matting (North American Green C-125)	SY	202	\$ 6.00	\$ 1,212.00		202.00	\$ 1,212.00	\$ -	
8. Permanent Rake & Vegetation (Meadow Mix)	SF	9,800	\$ 0.15	\$ 1,470.00			\$ -	\$ 1,470.00	9,800
9. 15" CMP Temporary Riser	EA	1	\$ 1,554.00	\$ 1,554.00		1.00	\$ 1,554.00	\$ -	
10. 18" RCP	LF	30	\$ 39.23	\$ 1,176.90		30.00	\$ 1,176.90	\$ -	
11. Outlet Structure w/Wier Wall and Precast Footer with Trash Rack, #23	EA	1	\$ 3,081.00	\$ 3,081.00		1.00	\$ 3,081.00	\$ -	



**ESCROW STATUS REPORT**

**SUMMARY OF ESCROW ACCOUNT**

RELEASE NO.: 7  
RELEASE DATE: 17-Mar-2016

PROJECT NAME: Maple Dr / Crystal Rd Townhouse Project  
 PROJECT NO.: 2012-10074  
 TOWNSHIP NO.: LD/S #839  
 PROJECT OWNER: Crystal Road Enterprises, LLC  
 MUNICIPALITY: Montgomery Township  
 ESCROW AGENT: Univest National Bank  
 TYPE OF SECURITY: Letter of Credit  
 AGREEMENT DATE: 10-Oct-2014

TOTAL CONSTRUCTION: \$ 796,644.80  
 TOTAL CONSTRUCTION CONTINGENCY (10%): \$ 79,664.48  
 TOTAL CONSTRUCTION ESCROW POSTED: \$ 876,309.28  
 TOTAL ENG/NSP/LEGAL (CASH ACCOUNT): \$ 39,900.00  
 TOTAL ADMINISTRATION (CASH ACCOUNT): \$ 5,000.00  
 MAINTENANCE BOND AMOUNT (15%): \$ 119,496.72

ORIGINAL CONSTRUCTION AMOUNT: \$ 876,309.28  
 AMOUNT OF THIS RELEASE: \$ 127,615.39  
 PRIOR CONSTRUCTION RELEASED: \$ 380,160.74  
 TOTAL CONSTRUCTION RELEASED TO DATE: \$ 507,776.13  
 BALANCE AFTER CURRENT RELEASE: \$ 368,533.15

ESCROW TABULATION					CURRENT RELEASE		RELEASED TO DATE		AVAILABLE FOR RELEASE		RELEASE REQ #8
CONSTRUCTION ITEMS	UNITS	QUANTITY	UNIT PRICE	TOTAL AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT	QUANTITY
12. Antiseep Collars	EA	2	\$ 1,306.00	\$ 2,612.00		\$ -	2.00	\$ 2,612.00		\$ -	
13. 18" DW Endwalls, #24	EA	1	\$ 1,500.00	\$ 1,500.00		\$ -	1.00	\$ 1,500.00		\$ -	
14. R-4 Rip Rap Dissipator	TON	8	\$ 77.20	\$ 617.60		\$ -	8.00	\$ 617.60		\$ -	
15. Sediment Trap As-Built Plan	LS	1	\$ 500.00	\$ 500.00		\$ -		\$ -	1.00	\$ 500.00	0
<b>Rain Gardens #1,2,B1,C1</b>											
1. Strip Topsoil - Rain Garden #1,2,B1,C1	CY	450	\$ 3.32	\$ 1,494.00		\$ -	450.00	\$ 1,494.00		\$ -	
2. Cut Fill & Compact - Rain Garden #1,2,B1,C1	CY	4,976	\$ 3.68	\$ 18,311.68	1,492.00	\$ 5,490.56	3,980.00	\$ 14,646.40	996.00	\$ 3,665.28	996
3. Grade - Rain Garden #1,2,B1,C1	SY	1,825	\$ 0.28	\$ 511.00	547.50	\$ 153.30	1,460.50	\$ 408.94	364.50	\$ 102.06	364.5
4. Respread Topsoil - Rain Garden #1,2,B1,C1	CY	450	\$ 4.24	\$ 1,908.00	360.00	\$ 1,526.40	360.00	\$ 1,526.40	90.00	\$ 381.60	90
5. Permanent Rake & Vegetation (Meadow Mix) - RG #1,2,B1,C	SF	1,800	\$ 0.15	\$ 270.00		\$ -		\$ -	1,800.00	\$ 270.00	0
6. Rain Gardens # 1, 2, B1, B2 As-Built Plans	EA	4	\$ 250.00	\$ 1,000.00		\$ -		\$ -	4.00	\$ 1,000.00	0
<b>III. STORM SEWER</b>											
1. 15" RCP	LF	76	\$ 30.89	\$ 2,347.64		\$ -	76.00	\$ 2,347.64		\$ -	
2. 18" RCP	LF	751	\$ 30.13	\$ 22,627.63		\$ -	751.00	\$ 22,627.63		\$ -	
3. 36" HDPE (Dual Runs) w/2a Mod 6" Under Pipe to 12" Over	LF	224	\$ 110.00	\$ 24,640.00		\$ -	224.00	\$ 24,640.00		\$ -	
4. 48" HDPE Pipe w/2a Mod 6" Under Pipe to 12" Over	LF	80	\$ 88.91	\$ 7,112.80		\$ -	80.00	\$ 7,112.80		\$ -	
5. Type C Inlet (Average Depth 3.84') #5,8,9,11,16	EA	4	\$ 1,705.00	\$ 6,820.00		\$ -	4.00	\$ 6,820.00		\$ -	
6. Type C Inlet Mod (Average Depth 4.13') 42"x48"#15	EA	1	\$ 1,820.00	\$ 1,820.00		\$ -	1.00	\$ 1,820.00		\$ -	
7. Type M Inlet Mod w/Wet'r Wall (Average Depth 4.48') 42"x48" #12	EA	1	\$ 2,075.00	\$ 2,075.00		\$ -	1.00	\$ 2,075.00		\$ -	
8. Type M Inlet (Average Depth 4.23') #1,2,3,4,6,14,17-1 17-2,17a,21	EA	11	\$ 1,683.00	\$ 18,513.00		\$ -	11.00	\$ 18,513.00		\$ -	
9. Type M Inlet (Average Depth 4.33') #7,10	EA	2	\$ 1,618.00	\$ 3,236.00		\$ -	2.00	\$ 3,236.00		\$ -	
10. Type C Inlet Mod 24"x72" (Average Depth 7.18') #18-1,18-2	EA	2	\$ 3,029.00	\$ 6,058.00		\$ -	2.00	\$ 6,058.00		\$ -	
11. Type C Inlet Mod (Average Depth 7.38') 2"x12" #19	EA	1	\$ 3,571.00	\$ 3,571.00		\$ -	1.00	\$ 3,571.00		\$ -	
12. 18" DW Endwalls #13,22	EA	2	\$ 1,500.00	\$ 3,000.00		\$ -	2.00	\$ 3,000.00		\$ -	
13. 48" DW Endwalls #20	EA	1	\$ 4,000.00	\$ 4,000.00		\$ -	1.00	\$ 4,000.00		\$ -	
14. R-4 Rip Rap Dissipator	TON	51	\$ 55.43	\$ 2,826.93		\$ -	51.00	\$ 2,826.93		\$ -	

**ESCROW STATUS REPORT**
**SUMMARY OF ESCROW ACCOUNT**

 RELEASE NO.: 7  
 RELEASE DATE: 17-Mar-2016

PROJECT NAME:	Maple Dr / Crystal Rd Townhouse Project	TOTAL CONSTRUCTION:	\$ 796,644.80	ORIGINAL CONSTRUCTION AMOUNT:	\$ 876,309.28
PROJECT NO.:	2012-10074	TOTAL CONSTRUCTION CONTINGENCY (10%):	\$ 79,664.48	<b>AMOUNT OF THIS RELEASE:</b>	<b>\$ 127,615.39</b>
TOWNSHIP NO.:	LD/S #639	TOTAL CONSTRUCTION ESCROW POSTED:	\$ 876,309.28	PRIOR CONSTRUCTION RELEASED:	\$ 380,160.74
PROJECT OWNER:	Crystal Road Enterprises, LLC			TOTAL CONSTRUCTION RELEASED TO DATE:	\$ 507,776.13
MUNICIPALITY:	Montgomery Township	TOTAL ENG/INSF/LEGAL (CASH ACCOUNT):	\$ 39,900.00	BALANCE AFTER CURRENT RELEASE:	\$ 368,533.15
ESCROW AGENT:	Univest National Bank	TOTAL ADMINISTRATION (CASH ACCOUNT):	\$ 5,000.00		
TYPE OF SECURITY:	Letter of Credit				
AGREEMENT DATE:	10-Oct-2014	MAINTENANCE BOND AMOUNT (15%):	\$ 119,496.72		

ESCROW TABULATION					CURRENT RELEASE	RELEASED TO DATE	AVAILABLE FOR RELEASE	RELEASE REQ #	
CONSTRUCTION ITEMS					QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY
<b>IV. DETENTION FACILITY #B2</b>									
1.	Infiltration Bed #B2 w/36" Storm Tank	LS	1	\$ 90,000.00	\$ 90,000.00	1.00	\$ 90,000.00	\$ -	
2.	As-Built Plan	EA	1	\$ 500.00	\$ 500.00		\$ -	1.00	\$ 500.00
<b>V. ROADWAY SITE</b>									
1.	Excavate & Backfill, Curb - Roadway Site	LF	1,721	\$ 3.19	\$ 5,489.99		1,721.00	\$ 5,489.99	\$ -
2.	18" Belgian Block Curb - Roadway Site	LF	1,721	\$ 14.00	\$ 24,094.00		1,721.00	\$ 24,094.00	\$ -
3.	Fine Grade Paving - Roadway Site	SY	3,790	\$ 1.12	\$ 4,244.80		3,790.00	\$ 4,244.80	\$ -
4.	3" 2a Modified - Roadway Site	SY	3,790	\$ 3.01	\$ 11,407.90	3,790.00	\$ 11,407.90	\$ 11,407.90	\$ -
5.	5" BCBC Paving - Roadway Site	SY	3,790	\$ 19.00	\$ 72,010.00	3,790.00	\$ 72,010.00	\$ 72,010.00	\$ -
6.	1.5" Wearing Paving	SY	3,790	\$ 7.12	\$ 26,984.80		\$ -	3,790.00	\$ 26,984.80
7.	Street Sweeping	SY	3,790	\$ 0.12	\$ 454.80		\$ -	3,790.00	\$ 454.80
8.	Tack Coat	SY	3,790	\$ 0.19	\$ 720.10		\$ -	3,790.00	\$ 720.10
9.	Curb & Joint Seal	LF	1,721	\$ 0.63	\$ 1,084.23		\$ -	1,721.00	\$ 1,084.23
10.	Striping	LS	1	\$ 500.00	\$ 500.00		\$ -	1.00	\$ 500.00
<b>Roadway - Emergency Access</b>									
11.	Excavate for Widening	SY	93	\$ 8.34	\$ 775.62	93.00	\$ 775.62	93.00	\$ 775.62
12.	Permanent Paving Repairs (5" BCBC, 1.5" Wearing)	SY	93	\$ 99.00	\$ 9,207.00	93.00	\$ 9,207.00	93.00	\$ 9,207.00
<b>Emergency Access</b>									
13.	Fine Grade & Compact	SY	983	\$ 1.31	\$ 1,287.73	983.00	\$ 1,287.73	983.00	\$ 1,287.73
14.	Pave (8" 3A Modified Stone, 5" BCBC Asphalt Paving)	SF	8,838	\$ 2.76	\$ 24,392.88	8,838.00	\$ 24,392.88	8,838.00	\$ 24,392.88
15.	Posts (2), Chain (1), Knox Box (1), Pad Lock (1)	EA	2	\$ 550.00	\$ 1,100.00	2.00	\$ 1,100.00	2.00	\$ 1,100.00
<b>VI. ONSITE SIDEWALKS</b>									
1.	Excavate and Place 4" 2a Modified for Sidewalks and Driveway Aprons	SF	8,610	\$ 1.56	\$ 13,431.60		\$ -	8,610.00	\$ 13,431.60
2.	Sidewalks (4")	SF	2,690	\$ 5.72	\$ 15,386.80		\$ -	2,690.00	\$ 15,386.80
3.	Driveway Aprons (6" and wire)	SF	5,920	\$ 10.00	\$ 59,200.00		\$ -	5,920.00	\$ 59,200.00
4.	Handicap Ramps (incl. DWS)	EA	8	\$ 500.00	\$ 4,000.00		\$ -	8.00	\$ 4,000.00

*less 10000*

 7,210  
 1,950  
 3,768  
 6



**ESCROW STATUS REPORT**

**SUMMARY OF ESCROW ACCOUNT**

RELEASE NO.: 7  
RELEASE DATE: 17-Mar-2016

PROJECT NAME: Maple Dr / Crystal Rd Townhouse Project	TOTAL CONSTRUCTION: \$ 796,644.80	ORIGINAL CONSTRUCTION AMOUNT: \$ 876,309.28
PROJECT NO.: 2012-10074	TOTAL CONSTRUCTION CONTINGENCY (10%): \$ 79,664.48	
TOWNSHIP NO.: LD/S #639	TOTAL CONSTRUCTION ESCROW POSTED: \$ 876,309.28	<b>AMOUNT OF THIS RELEASE: \$ 127,615.39</b>
PROJECT OWNER: Crystal Road Enterprises, LLC		
MUNICIPALITY: Montgomery Township	TOTAL ENG/NSP/LEGAL (CASH ACCOUNT): \$ 39,900.00	PRIOR CONSTRUCTION RELEASED: \$ 380,160.74
ESCROW AGENT: Univest National Bank	TOTAL ADMINISTRATION (CASH ACCOUNT): \$ 5,000.00	TOTAL CONSTRUCTION RELEASED TO DATE: \$ 507,776.13
TYPE OF SECURITY: Letter of Credit		BALANCE AFTER CURRENT RELEASE: \$ 368,533.15
AGREEMENT DATE: 10-Oct-2014	MAINTENANCE BOND AMOUNT (15%): \$ 119,496.72	

ESCROW TABULATION					CURRENT RELEASE		RELEASED TO DATE		AVAILABLE FOR RELEASE		RELEASE REQ #18
CONSTRUCTION ITEMS					QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY
<b>VII. RAIN GARDEN CONVERSION</b>											
1. Excavate Rain Garden Areas for Compost and Underdrain #1,2,B1.C1	EA	4	\$ 13,357.00	\$ 53,428.00		\$ -	\$ -	4.00	\$ 53,428.00	4	
2. As-Built Plan	EA	4	\$ 250.00	\$ 1,000.00		\$ -	\$ -	4.00	\$ 1,000.00		
<b>VIII. STREET LIGHTS</b>											
1. Street Lights	EA	4	\$ 3,000.00	\$ 12,000.00		\$ -	\$ -	4.00	\$ 12,000.00	4	
<b>IX. LANDSCAPING</b>											
<i>Shade Trees</i>											
1. <i>Acer rubrum</i> - Red Maple (3" Cal.)	EA	27	\$ 350.00	\$ 9,450.00		\$ -	\$ -	27.00	\$ 9,450.00	27	
2. <i>Acer saccharum</i> - Sugar Maple (3" Cal.)	EA	16	\$ 350.00	\$ 5,600.00		\$ -	\$ -	16.00	\$ 5,600.00	16	
3. <i>Gleditsia triacanthos var. inermis</i> - Thornless Honeylocust (3" Cal.)	EA	16	\$ 350.00	\$ 5,600.00		\$ -	\$ -	16.00	\$ 5,600.00	16	
4. <i>Liquidambar styraciflua</i> - Sweetgum (3" Cal.)	EA	21	\$ 350.00	\$ 7,350.00		\$ -	\$ -	21.00	\$ 7,350.00	21	
5. <i>Liriodendron tulipifera</i> - Tulip Poplar (3" Cal.)	EA	15	\$ 350.00	\$ 5,250.00		\$ -	\$ -	15.00	\$ 5,250.00	15	
6. <i>Platanus x acerifolia</i> - London Plain Tree (3" Cal.)	EA	21	\$ 350.00	\$ 7,350.00		\$ -	\$ -	21.00	\$ 7,350.00	21	
7. <i>Quercus palustris</i> - Pin Oak (3" Cal.)	EA	24	\$ 350.00	\$ 8,400.00		\$ -	\$ -	24.00	\$ 8,400.00	24	
<i>Evergreen Trees</i>											
8. <i>Pinus strobus</i> - Eastern White Pine (8' Ht.)	EA	11	\$ 250.00	\$ 2,750.00		\$ -	\$ -	11.00	\$ 2,750.00	11	
9. <i>Pseudotsuga menziesii</i> - Douglas Fir (8' Ht.)	EA	14	\$ 250.00	\$ 3,500.00		\$ -	\$ -	14.00	\$ 3,500.00	14	
10. <i>Picea abies</i> - Norway Spruce (8' Ht.)	EA	14	\$ 250.00	\$ 3,500.00		\$ -	\$ -	14.00	\$ 3,500.00	14	
<i>Ornamental/ Flowering Trees</i>											
11. <i>Amelanchier canadensis</i> - Shadblow (8' Ht.)	EA	17	\$ 325.00	\$ 5,525.00		\$ -	\$ -	17.00	\$ 5,525.00	17	
12. <i>Magnolia virginiana</i> - Sweetbay Magnolia (8' Ht.)	EA	15	\$ 325.00	\$ 4,875.00		\$ -	\$ -	15.00	\$ 4,875.00	15	
<i>Deciduous Shrubs</i>											
13. <i>Aronia arbutifolia</i> - Red Chokeberry (30" Ht.)	EA	19	\$ 65.00	\$ 1,235.00		\$ -	\$ -	19.00	\$ 1,235.00	19	
14. <i>Clethra alnifolia</i> - Summersweet (30" Ht.)	EA	19	\$ 65.00	\$ 1,235.00		\$ -	\$ -	19.00	\$ 1,235.00	19	
15. <i>Cornus stolonifera</i> - Red Twig Dogwood (30" Ht.)	EA	23	\$ 65.00	\$ 1,495.00		\$ -	\$ -	23.00	\$ 1,495.00	23	
16. <i>Forsythia x intermedia</i> - Forsythia (30" Ht.)	EA	15	\$ 65.00	\$ 975.00		\$ -	\$ -	15.00	\$ 975.00	15	
17. <i>Ilex verticillata</i> - Winterberry Holly (30" Ht.)	EA	9	\$ 65.00	\$ 585.00		\$ -	\$ -	9.00	\$ 585.00	9	
18. <i>Itea virginica</i> 'Henry's Garnet' - Itea (30" Ht.)	EA	19	\$ 65.00	\$ 1,235.00		\$ -	\$ -	19.00	\$ 1,235.00	19	
19. <i>Viburnum dentatum</i> - Arrowwood Viburnum (30" Ht.)	EA	8	\$ 65.00	\$ 520.00		\$ -	\$ -	8.00	\$ 520.00	8	



**ESCROW STATUS REPORT**

SUMMARY OF ESCROW ACCOUNT

PROJECT NAME: Maple Dr / Crystal Rd Townhouse Project  
 PROJECT NO.: 2012-10074  
 TOWNSHIP NO.: LD/S #639  
 PROJECT OWNER: Crystal Road Enterprises, LLC  
 MUNICIPALITY: Montgomery Township  
 ESCROW AGENT: Univest National Bank  
 TYPE OF SECURITY: Letter of Credit  
 AGREEMENT DATE: 10-Oct-2014

TOTAL CONSTRUCTION: \$ 796,644.80  
 TOTAL CONSTRUCTION CONTINGENCY (10%): \$ 79,664.48  
 TOTAL CONSTRUCTION ESCROW POSTED: \$ 876,309.28  
 TOTAL ENG/INSP/LEGAL (CASH ACCOUNT): \$ 39,900.00  
 TOTAL ADMINISTRATION (CASH ACCOUNT): \$ 5,000.00  
 MAINTENANCE BOND AMOUNT (15%): \$ 119,496.72

RELEASE NO.: 7  
 RELEASE DATE: 17-Mar-2016  
 ORIGINAL CONSTRUCTION AMOUNT: \$ 876,309.28  
 AMOUNT OF THIS RELEASE: \$ 127,615.39  
 PRIOR CONSTRUCTION RELEASED: \$ 380,160.74  
 TOTAL CONSTRUCTION RELEASED TO DATE: \$ 507,776.13  
 BALANCE AFTER CURRENT RELEASE: \$ 368,533.15

ESCROW TABULATION					CURRENT RELEASE	RELEASED TO DATE	AVAILABLE FOR RELEASE	RELEASE REQ #8	
CONSTRUCTION ITEMS	UNITS	QUANTITY	UNIT PRICE	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY
<b>X. OTHER</b>									
1. Construction Stakeout	LS	1	\$ 25,225.00	\$ 25,225.00			0.10	\$ 2,623.40	.10
2. Pins and Monuments	EA	1	\$ 1,800.00	\$ 1,800.00			1.00	\$ 1,800.00	
3. As-Builts (Final Site)	EA	1	\$ 4,500.00	\$ 4,500.00			1.00	\$ 4,500.00	
<b>XI. CONTINGENCY</b>									
1. 10% Contingency (Released upon certification of completion and receipt of Maintenance Bond)	LS	1		\$ 79,664.48			1.00	\$ 79,664.48	0

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

SUBJECT: Consider Construction Escrow Release #8 - LDS#639 – Maple Dr/Crystal Rd

MEETING DATE: December 18, 2017

ITEM NUMBER: #17b.

MEETING/AGENDA: WORK SESSION ACTION XX NONE

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

INITIATED BY: Bruce Shoupe  
Director of Planning and Zoning

BOARD LIAISON: Candyce Fluehr Chimera  
Chairman

BACKGROUND:

Attached is a construction escrow release requested by Brian Grant for Firefox Phase I, as recommended by the Township Engineer. The original amount of the escrow was \$876,309.28 held as a Letter of Credit with Univest Bank. This is the eleventh escrow release for this project. The current release is in the amount of \$232,084.74. The new balance would be \$136,448.41.

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 \$232,084.74, as recommended by the Township Engineer for the Maple Dr/Crystal Rd project.

MOTION \_\_\_\_\_

SECOND \_\_\_\_\_

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Richard E. Miniscalco	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

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



**GILMORE & ASSOCIATES, INC.**

ENGINEERING & CONSULTING SERVICES

**VIA EMAIL**

December 6, 2017

File No. 2012-09009

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

Reference: Firefox Phase 1 (Southern Village) – LD/S #630  
Financial Security Release 11

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 \$148,514.30 have been completed. We note the requested street lights have not been recommended for release per the TPD letter dated November 30, 2017. The requested curb ramps have not be recommended for release at this time. Compliance with the design details is outstanding (e.g. submission of CS-4401 forms documenting compliance). 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.  
Senior Project Manager  
Gilmore & Associates, Inc.

JPD/SW

Enclosures: Release of Escrow Form, Escrow Status Report, Boucher & James letter dated 12/1/17, TPD letter dated 11/30/17, Developer's escrow release request date 11/14/17.

cc: Bruce S. Shoupe, Director of Planning and Zoning  
Kevin Johnson, P.E. - Traffic Planning & Design, Inc.  
Judith Stern Goldstein, ASLA, R.L.A. - Boucher & James, Inc.  
Brian C. Grant - Select Properties

BUILDING ON A FOUNDATION OF EXCELLENCE

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

**RELEASE OF ESCROW FORM**

Russell S. Dunlevy, P.E.  
Senior Executive Vice President  
Gilmore & Associates, Inc.  
65 East Butler Avenue, Suite 100  
New Britain, PA 18901  
215-345-4330

Date: 11/15/2017

Development: Firefox - Ph. 1 (Southern) - LD/S #630  
Release #: 11

G&A Project #: 2012-09009

Dear Mr. Dunlevy:

This is an escrow release request in the amount of \$196,714.30. Enclosed is a copy of our escrow spreadsheet with the quantities noted.

**ESCROW RELEASE REQUESTS ARE LIMITED TO ONE PER MONTH.**

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

Date: 12/06/2017

Dear Mr. Gregan:

We have reviewed the developer's request for an escrow release. We therefore, recommend that \$148,514.30 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.

Jan P Dougherty For RSD  
Russell S. Dunlevy, P.E., Senior Executive VP, Gilmore & Associates, Inc.

Resolution # \_\_\_\_\_

WHEREAS, a request for release of escrow was received from Crystal Road Enterprises, LLC for Firefox - Ph. 1 (Southern) - LD/S #630, in the amount of \$196,714.30, 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 \$148,514.30; NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we do hereby authorize release of \$148,514.30; 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 Loan with Montgomery Township in total sum of \$2,618,503.16 pursuant to a signed Land Development Agreement and that \$1,863,300.64 has previously been released from escrow. Therefore, the action of the Board releasing said sum leaves a new balance of \$606,688.22 in escrow.

MOTION BY \_\_\_\_\_  
SECOND BY: \_\_\_\_\_  
DATED: \_\_\_\_\_  
RELEASED BY: \_\_\_\_\_  
Department Director

VOTE: \_\_\_\_\_



**ESCROW STATUS REPORT**

**SUMMARY OF ESCROW ACCOUNT**

RELEASE NO 11  
RELEASE DATE 6-Dec-2017

PROJECT NAME	Firefox - Ph 1 (Southern)	PHASE I	PHASE II	TOTAL	
PROJECT NO	2012-09009	CONSTRUCTION	\$ 2,360,457.42	\$ 1,573,052.37	\$ 3,953,509.79
TOWNSHIP NO.	LD/S #630	CONTINGENCY (10%)	\$ 238,045.74	\$ 157,305.24	\$ 395,350.98
DEVELOPER	Crystal Road Enterprises, LLC	ESCROW POSTED:	\$ 2,618,503.16	\$ 1,730,357.61	\$ 4,348,860.77
OWNER	Firefox I, L.P.	TOTAL ENGIN/SP/LEGAL (CASH ACCOUNT)	\$ 45,000.00		
MUNICIPALITY	Montgomery Township	TOTAL ADMINISTRATION (CASH ACCOUNT)	\$ 5,000.00		
ESCROW AGENT	Unvest	PHASE I MAINTENANCE BOND AMOUNT (15%)	\$ 357,068.61		
TYPE OF SECURITY	Loan	PHASE II MAINTENANCE BOND AMOUNT (15%)	\$ 235,957.86		
AGREEMENT DATE	10-Oct-2014				

	PHASE I	PHASE II	TOTAL
TOTAL ESCROW:	\$ 2,618,503.16	\$ 1,730,357.61	\$ 4,348,860.77
AMOUNT OF THIS RELEASE:	\$ 148,514.30	\$ -	\$ 148,514.30
PRIOR ESCROW RELEASED:	\$ 1,863,300.64	\$ -	\$ 1,863,300.64
TOTAL RELEASED TO DATE:	\$ 2,011,814.94	\$ -	\$ 2,011,814.94
BALANCE AFTER CURRENT RELEASE:	\$ 606,688.22	\$ 1,730,357.61	\$ 2,337,045.83

ESCROW TABULATION					CURRENT RELEASE		RELEASED TO DATE		AVAILABLE FOR RELEASE		RELEASE REQ # 12
CONSTRUCTION ITEMS	UNITS	QUANTITY	UNIT PRICE	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY
<b>PHASE I (SOUTHERN VILLAGE)</b>											
<b>1.A. MOBILIZATION</b>											
	LS	1	\$ 73,227.00	\$ 73,227.00			1.00	\$ 73,227.00			
<b>1.B. EARTHWORK</b>											
1	Clearing & Grubbing	LS	1	\$ 52,482.00	\$ 52,482.00			1.00	\$ 52,482.00		
2	Strip Topsoil	CY	11,338	\$ 2.47	\$ 28,004.86			11,338.00	\$ 28,004.86		
3	Cut Fill & Compact	CY	16,335	\$ 2.50	\$ 40,837.50			16,335.00	\$ 40,837.50		
4	Grade	SY	35,597	\$ 0.28	\$ 9,967.16	3,560.00	\$ 996.80	35,597.00	\$ 9,967.16		
<b>1.C. RETAINING WALL</b>											
1	Excavate Retaining Wall	LF	321	\$ 6.40	\$ 2,054.40			321.00	\$ 2,054.40		
2	Retaining Wall	SF	1,250	\$ 40.00	\$ 50,000.00			1,250.00	\$ 50,000.00		
3	Sleeves for Guard Rail behind Wall #1	LS	1	\$ 1,785.00	\$ 1,785.00			1.00	\$ 1,785.00		
<b>1.D. EROSION CONTROL</b>											
<i>Erosion &amp; Sediment Controls</i>											
1	Construction Entrance	EA	1	\$ 3,392.00	\$ 3,392.00			1.00	\$ 3,392.00		
2	12" Weighted Sediment Tube	LF	31	\$ 10.35	\$ 320.85			31.00	\$ 320.85		
3	12" Filtrex Sock	LF	138	\$ 3.81	\$ 525.78			138.00	\$ 525.78		
4	16" Silt Fence - Stockpiles	LF	350	\$ 1.56	\$ 546.00			350.00	\$ 546.00		
5	30" Silt Fence	LF	646	\$ 1.91	\$ 1,233.86			646.00	\$ 1,233.86		
6	Super Silt Fence	LF	687	\$ 6.45	\$ 4,431.15			687.00	\$ 4,431.15		
7	Super Silt Fence w/ Tree Protection Fence	LF	3,000	\$ 6.45	\$ 19,350.00			3,000.00	\$ 19,350.00		
8	Orange Construction Fence	LF	1,520	\$ 1.54	\$ 2,340.80			1,520.00	\$ 2,340.80		
9	Tree Protection Fence	LF	3,753	\$ 1.54	\$ 5,779.62			3,753.00	\$ 5,779.62		
10	Temporary Vegetation - Excess Fill Piles	SY	19,360	\$ 0.29	\$ 5,614.40			19,360.00	\$ 5,614.40		
11	Slope Matting (North American Green S-75)	SY	3,059	\$ 1.50	\$ 4,588.50			3,059.00	\$ 4,588.50		
12	Grade Swales #A,A1 5,B12,2,B6,B13	SY	2,471	\$ 0.55	\$ 1,359.05			2,471.00	\$ 1,359.05		
13	Swale Matting (North American Green S-75)	SY	2,471	\$ 1.50	\$ 3,706.50			2,471.00	\$ 3,706.50		
14	Rock Filters	EA	6	\$ 132.00	\$ 792.00			6.00	\$ 792.00		
15	Inlet Protection Silt Sack	EA	29	\$ 134.00	\$ 3,886.00			29.00	\$ 3,886.00		
16	Pumped Water Filter Bag, Pump, Clean Water Pump Bypass, Sandbag Cofferdam	LS	1	\$ 12,000.00	\$ 12,000.00			1.00	\$ 12,000.00		



**ESCROW STATUS REPORT**

**SUMMARY OF ESCROW ACCOUNT**

RELEASE NO.: 11  
RELEASE DATE: 6-Dec-2017

PROJECT NAME	Firefox - Ph 1 (Southern)			
PROJECT NO	2012.09009			
TOWNSHIP NO	LD/S #630			
DEVELOPER	Crystal Road Enterprises, LLC			
OWNER	Firefox I, L.P			
MUNICIPALITY	Montgomery Township			
ESCROW AGENT	Unvest			
TYPE OF SECURITY	Loan			
AGREEMENT DATE	10-Oct-2014			
		TOTAL ENGI/INSP/LEGAL (CASH ACCOUNT)	\$	45,000.00
		TOTAL ADMINISTRATION (CASH ACCOUNT)	\$	5,000.00
		PHASE I MAINTENANCE BOND AMOUNT (15%)	\$	357,068.61
		PHASE II MAINTENANCE BOND AMOUNT (15%)	\$	235,957.86

	PHASE I	PHASE II	TOTAL
TOTAL ESCROW	\$ 2,618,503.16	\$ 1,730,357.61	\$ 4,348,860.77
AMOUNT OF THIS RELEASE:	\$ 148,514.30	\$ -	\$ 148,514.30
PRIOR ESCROW RELEASED	\$ 1,863,300.64	\$ -	\$ 1,863,300.64
TOTAL RELEASED TO DATE	\$ 2,011,814.94	\$ -	\$ 2,011,814.94
BALANCE AFTER CURRENT RELEASE	\$ 606,688.22	\$ 1,730,357.61	\$ 2,337,045.83

ESCROW TABULATION					CURRENT RELEASE		RELEASED TO DATE		AVAILABLE FOR RELEASE		RELEASE REQ # 12
CONSTRUCTION ITEMS	UNITS	QUANTITY	UNIT PRICE	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY
<b>Sediment Basin B</b>											
20 Strip Topsoil	CY	1,058	\$ 2.47	\$ 2,613.26			1,058	\$ 2,613.26			
21 Cut Fill & Compact	CY	3,683	\$ 2.50	\$ 9,207.50			3,683	\$ 9,207.50			
22 Grade	CY	4,737	\$ 0.28	\$ 1,326.36			4,737	\$ 1,326.36			
23 Care Cut & Fill Keyway	LF	275	\$ 10.08	\$ 2,772.00			275	\$ 2,772.00			
24 Respread Topsoil	CY	1,058	\$ 2.97	\$ 3,142.26			1,058	\$ 3,142.26			
25 Grade Spillway	SY	132	\$ 0.48	\$ 63.36			132	\$ 63.36			
26 Spillway Matting (North American Green P-300)	SY	132	\$ 5.66	\$ 747.12			132	\$ 747.12			
27 Permanent Rake & Vegetation	SF	42,675	\$ 0.29	\$ 12,375.75			42,675	\$ 12,375.75			
28 Super Silt Fence Baffle Wall, 3.05' hgt	LF	255	\$ 6.45	\$ 1,644.75			255	\$ 1,644.75			
29 24" x 38" Elliptical RCP (Dual Runs)	LF	88	\$ 143.00	\$ 12,584.00			88	\$ 12,584.00			
30 Outlet Structure (#B3 3) w/Wingwalls and Trash Rack	EA	1	\$ 10,505.00	\$ 10,505.00			1	\$ 10,505.00			
31 30" x 120" Modified Type C Inlets (#B02, B03)	EA	2	\$ 5,087.00	\$ 10,174.00			2	\$ 10,174.00			
32 Antiseep Collars	EA	2	\$ 1,809.00	\$ 3,618.00			2	\$ 3,618.00			
33 24" x 38" Elliptical Endwall (#B1) w/Concrete Apron	EA	1	\$ 11,715.00	\$ 11,715.00			1	\$ 11,715.00			
34 36" CMP Temporary Riser	EA	1	\$ 1,900.00	\$ 1,900.00			1	\$ 1,900.00			
35 R-5 Rip Rap Dissipator	TON	80	\$ 54.00	\$ 4,320.00			80	\$ 4,320.00			
<b>1.E. STORM SEWER</b>											
1 18" RCP	LF	762	\$ 35.00	\$ 26,670.00			762	\$ 26,670.00			
2 24" RCP	LF	410	\$ 45.00	\$ 18,450.00			410	\$ 18,450.00			
3 36" RCP	LF	112	\$ 80.00	\$ 8,960.00	112	\$ 8,960.00	112	\$ 8,960.00			
4 34" x 53" Elliptical RCP	LF	73	\$ 162.00	\$ 11,826.00			73	\$ 11,826.00			
5 Type C Inlet (#A01 3, A01 4, A03, A04, A05, A06, B02 1)	EA	26	\$ 2,700.00	\$ 70,200.00			26	\$ 70,200.00			
6 Type C Inlet Mod. 42"x48", (#B03 4, B04)	EA	2	\$ 3,400.00	\$ 6,800.00			2	\$ 6,800.00			
7 Type C Inlet Mod 8' x 8' (Outlet Structure #A02)	EA	1	\$ 12,608.00	\$ 12,608.00			1	\$ 12,608.00			
8 16" DW Endwalls (#A01 2, A01 5)	EA	2	\$ 1,200.00	\$ 2,400.00			2	\$ 2,400.00			
9 36" DW Endwalls (#B10)	EA	1	\$ 1,850.00	\$ 1,850.00			1	\$ 1,850.00			
10 R-5 Rip Rap Dissipator	TON	191	\$ 54.00	\$ 10,314.00			191	\$ 10,314.00			



**ESCROW STATUS REPORT**

SUMMARY OF ESCROW ACCOUNT

RELEASE NO 11  
RELEASE DATE 6-Dec-2017

PROJECT NAME:	Firefox - Ph 1 (Southern)			
PROJECT NO:	2012-09009			
TOWNSHIP NO:	LD/S #630			
DEVELOPER:	Crystal Road Enterprises, LLC			
OWNER:	Firefox I, L.P.			
MUNICIPALITY:	Montgomery Township	TOTAL ENGIN/INS/LEGAL (CASH ACCOUNT)	\$	45,000.00
ESCROW AGENT:	Univest	TOTAL ADMINISTRATION (CASH ACCOUNT)	\$	5,000.00
TYPE OF SECURITY:	Loan	PHASE I MAINTENANCE BOND AMOUNT (15%)	\$	357,068.61
AGREEMENT DATE:	10-Oct-2014	PHASE II MAINTENANCE BOND AMOUNT (15%)	\$	235,957.86

	PHASE I	PHASE II	TOTAL
TOTAL ESCROW	\$ 2,618,503.16	\$ 1,730,357.61	\$ 4,348,860.77
AMOUNT OF THIS RELEASE:	\$ 148,514.30	\$ -	\$ 148,514.30
PRIOR ESCROW RELEASED:	\$ 1,863,300.64	\$ -	\$ 1,863,300.64
TOTAL RELEASED TO DATE:	\$ 2,011,814.94	\$ -	\$ 2,011,814.94
BALANCE AFTER CURRENT RELEASE:	\$ 606,688.22	\$ 1,730,357.61	\$ 2,337,045.83

ESCROW TABULATION					CURRENT RELEASE		RELEASED TO DATE		AVAILABLE FOR RELEASE		RELEASE REQ # 12
CONSTRUCTION ITEMS	UNITS	QUANTITY	UNIT PRICE	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY
<b>1.F. DETENTION FACILITIES #A, B1, B2</b>											
1	Facility A, Systems #1 and 2, w/ Structure #A7, w/ #57 Stone to Springline of Pipe and On-site Backfill (No Fabric)	LS	1	\$ 48,161.00	\$ 48,161.00			1.00	\$ 48,161.00	\$ -	
2	Facility B1, Systems #1,2 and 3, w/ Structures #B5, B6, and B7, w/ #57 Stone to Springline of Pipe and On-Site Backfill (No Fabric)	LS	1	\$ 117,195.00	\$ 117,195.00	0.30	\$ 35,158.50	1.00	\$ 117,195.00	\$ -	
3	Facility B2, Systems #1 through 8, w/ Structures #B10 1, B11, B12, B12.1, B12.2, B14, B15, and B16, w/ #57 Stone to Springline of Pipe and On-Site Backfill (No Fabric)	LS	1	\$ 313,500.00	\$ 313,500.00			1.00	\$ 313,500.00	\$ -	
<b>1.G. ROADWAY (Interior)</b>											
1	Excavate & Backfill Curb	LF	6,117	\$ 3.19	\$ 19,513.23			6,117.00	\$ 19,513.23	\$ -	
2	Belgian Block Curb	LF	6,117	\$ 14.00	\$ 85,638.00			6,117.00	\$ 85,638.00	\$ -	
3	Fine Grade and Compact Subgrade	SY	9,489	\$ 1.12	\$ 10,627.68			9,489.00	\$ 10,627.68	\$ -	
4	3" 2a Modified	SY	9,489	\$ 3.01	\$ 28,561.89			9,489.00	\$ 28,561.89	\$ -	
5	5" (25MM) Base Course	SY	9,489	\$ 19.00	\$ 180,291.00			9,489.00	\$ 180,291.00	\$ -	
6	1 5" (9.5MM) Wearing Paving	SY	9,489	\$ 7.12	\$ 67,561.68					9,489.00	\$ 67,561.68
7	Speed Bump	LS	1	\$ 1,200.00	\$ 1,200.00					1.00	\$ 1,200.00
8	Street Sweeping	SY	9,489	\$ 0.12	\$ 1,138.68					9,489.00	\$ 1,138.68
9	Tack Coat	SY	9,489	\$ 0.19	\$ 1,802.91					9,489.00	\$ 1,802.91
10	Curb & Joint Seal	LF	6,117	\$ 0.63	\$ 3,853.71					6,117.00	\$ 3,853.71
11	Line Painting	LS	1	\$ 1,750.00	\$ 1,750.00					1.00	\$ 1,750.00
12	Site Signage	LS	1	\$ 2,307.00	\$ 2,307.00			0.50	\$ 1,153.50	0.50	\$ 1,153.50
13	Type 2S Guide Rail (Includes 3 Terminal Sections)	LF	760	\$ 20.71	\$ 15,739.60			760.00	\$ 15,739.60	\$ -	



**ESCROW STATUS REPORT**

**SUMMARY OF ESCROW ACCOUNT**

RELEASE NO 11  
RELEASE DATE 6-Dec-2017

PROJECT NAME:	Firefox - Ph. 1 (Southern)			
PROJECT NO.	2012-09009			
TOWNSHIP NO	LD/S #630			
DEVELOPER:	Crystal Road Enterprises, LLC			
OWNER:	Firefox I, L.P.			
		TOTAL ENGINEERING/LEGAL (CASH ACCOUNT)	\$	45,000.00
MUNICIPALITY:	Montgomery Township	TOTAL ADMINISTRATION (CASH ACCOUNT)	\$	5,000.00
ESCROW AGENT	Univest			
TYPE OF SECURITY	Loan	PHASE I MAINTENANCE BOND AMOUNT (15%)	\$	357,068.61
AGREEMENT DATE:	10-Oct-2014	PHASE II MAINTENANCE BOND AMOUNT (15%)	\$	235,957.86

	PHASE I	PHASE II	TOTAL
TOTAL ESCROW	\$ 2,618,503.16	\$ 1,730,357.61	\$ 4,348,860.77
AMOUNT OF THIS RELEASE:	\$ 148,514.30	\$ -	\$ 148,514.30
PRIOR ESCROW RELEASED	\$ 1,863,300.64	\$ -	\$ 1,863,300.64
TOTAL RELEASED TO DATE:	\$ 2,011,814.94	\$ -	\$ 2,011,814.94
BALANCE AFTER CURRENT RELEASE:	\$ 606,688.22	\$ 1,730,357.61	\$ 2,337,045.83

ESCROW TABULATION					CURRENT RELEASE		RELEASED TO DATE		AVAILABLE FOR RELEASE		RELEASE REQ # 12
CONSTRUCTION ITEMS	UNITS	QUANTITY	UNIT PRICE	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY
<b>1.H. ROADWAY (Bethlehem Pike)</b>											
1 Excavate & Backfill, Concrete Curb	LF	360	\$ 5.29	\$ 1,904.40			360	\$ 1,904.40			
2 18" Concrete Curb	LF	360	\$ 13.35	\$ 4,806.00			360	\$ 4,806.00			
3 Saw Cut	LF	450	\$ 3.17	\$ 1,426.50			450	\$ 1,426.50			
4 Excavate for Widening	SY	500	\$ 8.44	\$ 4,220.00			500	\$ 4,220.00			
5 6" Pavement Base Drain	LF	261	\$ 18.93	\$ 4,940.73			261	\$ 4,940.73			
6 18" RCP	LF	65	\$ 55.38	\$ 3,599.70			65	\$ 3,599.70			
7 Tie-In to Existing Inlets	EA	2	\$ 1,725.00	\$ 3,450.00			2	\$ 3,450.00			
8 Type C Inlets (#B1, B2)	EA	2	\$ 3,187.00	\$ 6,374.00			2	\$ 6,374.00			
9 Fine Grade and Compact Subgrade	SY	520	\$ 1.12	\$ 582.40			520	\$ 582.40			
10 8" 2a Modified	SY	500	\$ 11.93	\$ 5,965.00			500	\$ 5,965.00			
11 8" (25MM) Base Course	SY	500	\$ 35.38	\$ 17,690.00			500	\$ 17,690.00			
12 2.5" (19MM) Base Course	SY	500	\$ 14.58	\$ 7,290.00			500	\$ 7,290.00			
13 1.5" (12MM) Wearing Paving	SY	1,133	\$ 9.59	\$ 10,865.47			1,133	\$ 10,865.47			
14 Street Sweeping	SY	1,133	\$ 0.16	\$ 181.28			1,133	\$ 181.28			
15 Curb & Joint Seal	LF	1,200	\$ 0.63	\$ 756.00			1,200	\$ 756.00			
16 Tack Coat	SY	1,133	\$ 0.19	\$ 215.27			1,133	\$ 215.27			
17 Milling for Overlay	LS	1	\$ 7,645.00	\$ 7,645.00			1	\$ 7,645.00			
18 Line Painting	LS	1	\$ 6,540.00	\$ 6,540.00			1	\$ 6,540.00			
19 Signalization	LS	1	\$ 215,889.00	\$ 215,889.00			1	\$ 215,889.00			
20 Type 2S Guide Rail, Remove & Replace	LS	1	\$ 8,350.00	\$ 8,350.00			1	\$ 8,350.00			
21 Figure 24 Signage	LS	1	\$ 2,725.00	\$ 2,725.00			1	\$ 2,725.00			
22 Traffic Control	DY	8	\$ 900.00	\$ 7,200.00			8	\$ 7,200.00			
23 Excavate & Backfill, Place 4" 2A Mod Stone for Sidewalk	SF	1,400	\$ 1.56	\$ 2,184.00			1,400	\$ 2,184.00			
24 Sidewalk (4")	SF	1,400	\$ 8.00	\$ 11,200.00			1,400	\$ 11,200.00			
25 Handicap Ramps (incl DWS)	EA	4	\$ 500.00	\$ 2,000.00			4	\$ 2,000.00			
<b>1.I. ONSITE SIDEWALKS</b>											
1 Sidewalk (4")	SF	8,700	\$ 8.00	\$ 69,600.00	3,648	\$ 29,184.00	3,648	\$ 29,184.00	5,052	\$ 40,416.00	
2 Driveway Apron (6" w/ wire mesh)	EA	57	\$ 1,100.00	\$ 62,700.00	17	\$ 18,700.00	20	\$ 22,000.00	37	\$ 40,700.00	
3 Handicap Ramps (incl DWS)	EA	12	\$ 500.00	\$ 6,000.00					12	\$ 6,000.00	
<b>1.J. BIOSWALE CONVERSION</b>											
1 Convert bioswales A1 5 and B12 2 to permanent infiltration	LS	1	\$ 23,202.00	\$ 23,202.00			1	\$ 23,202.00			



**ESCROW STATUS REPORT**

**SUMMARY OF ESCROW ACCOUNT**

RELEASE NO 11  
RELEASE DATE 6-Dec-2017

PROJECT NAME	Firefox - Ph 1 (Southern)			
PROJECT NO	2012-09009			
TOWNSHIP NO	LDYS #630			
DEVELOPER	Crystal Road Enterprises, LLC			
OWNER	Firefox I, LP			
MUNICIPALITY	Montgomery Township			
ESCROW AGENT	Univest			
TYPE OF SECURITY	Loan			
AGREEMENT DATE	10-Oct-2014			

	PHASE I	PHASE II	TOTAL
CONSTRUCTION	\$ 2,380,457.42	\$ 1,573,052.37	\$ 3,953,509.79
CONTINGENCY (10%)	\$ 238,045.74	\$ 157,305.24	\$ 395,350.98
<b>ESCROW POSTED:</b>	<b>\$ 2,618,503.16</b>	<b>\$ 1,730,357.61</b>	<b>\$ 4,348,860.77</b>
TOTAL ENGINSP/LEGAL (CASH ACCOUNT)			\$ 45,000.00
TOTAL ADMINISTRATION (CASH ACCOUNT)			\$ 5,000.00
PHASE I MAINTENANCE BOND AMOUNT (15%)			\$ 357,068.61
PHASE II MAINTENANCE BOND AMOUNT (15%)			\$ 235,957.86

	PHASE I	PHASE II	TOTAL
TOTAL ESCROW	\$ 2,618,503.16	\$ 1,730,357.61	\$ 4,348,860.77
<b>AMOUNT OF THIS RELEASE:</b>	<b>\$ 148,514.30</b>	<b>\$ -</b>	<b>\$ 148,514.30</b>
PRIOR ESCROW RELEASED	\$ 1,863,300.64	\$ -	\$ 1,863,300.64
TOTAL RELEASED TO DATE	\$ 2,011,814.94	\$ -	\$ 2,011,814.94
<b>BALANCE AFTER CURRENT RELEASE:</b>	<b>\$ 606,688.22</b>	<b>\$ 1,730,357.61</b>	<b>\$ 2,337,045.83</b>

ESCROW TABULATION					CURRENT RELEASE	RELEASED TO DATE	AVAILABLE FOR RELEASE	RELEASE REQ # 12		
CONSTRUCTION ITEMS	UNITS	QUANTITY	UNIT PRICE	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	
<b>1.K. <u>SEDIMENT BASIN B CONVERSION</u></b>										
1 Earthwork	LS	1	\$ 43,918.00	\$ 43,918.00			1.00	\$ 43,918.00		
2 Post and rail fencing	LF	462	\$ 15.00	\$ 6,930.00			462.00	\$ 6,930.00		
<b>1.L. <u>STREET LIGHTS</u></b>										
1 Street Lights	EA	16	\$ 2,700.00	\$ 43,200.00			16.00	\$ 43,200.00		
<b>1.M. <u>LANDSCAPING</u></b>										
<i>Shade Trees</i>										
1 Acer rubrum	EA	31	\$ 350.00	\$ 10,850.00	28.00	\$ 9,800.00	28.00	\$ 9,800.00	3.00	\$ 1,050.00
2 Acer saccharum	EA	19	\$ 350.00	\$ 6,650.00	14.00	\$ 4,900.00	14.00	\$ 4,900.00	5.00	\$ 1,750.00
3 Cercidiphyllum Japonica	EA	16	\$ 380.00	\$ 6,080.00	6.00	\$ 2,280.00	6.00	\$ 2,280.00	10.00	\$ 3,800.00
4 Gleditsia T Shademaster	EA	27	\$ 350.00	\$ 9,450.00	12.00	\$ 4,200.00	12.00	\$ 4,200.00	15.00	\$ 5,250.00
5 Liquidambar styraciflua	EA	23	\$ 350.00	\$ 8,050.00	14.00	\$ 4,900.00	14.00	\$ 4,900.00	9.00	\$ 3,150.00
6 Liriodendron tulipifera	EA	21	\$ 350.00	\$ 7,350.00	11.00	\$ 3,850.00	11.00	\$ 3,850.00	10.00	\$ 3,500.00
7 Platanus x acerifolia	EA	13	\$ 350.00	\$ 4,550.00	4.00	\$ 1,400.00	4.00	\$ 1,400.00	9.00	\$ 3,150.00
8 Pyrus C Chanticleer	EA	16	\$ 350.00	\$ 5,600.00	9.00	\$ 3,150.00	9.00	\$ 3,150.00	7.00	\$ 2,450.00
9 Quercus borealis	EA	13	\$ 360.00	\$ 4,680.00	5.00	\$ 1,800.00	13.00	\$ 4,680.00		
10 Quercus palustris	EA	9	\$ 350.00	\$ 3,150.00					9.00	\$ 3,150.00
11 Quercus phellos	EA	22	\$ 360.00	\$ 7,920.00	17.00	\$ 6,120.00	18.00	\$ 6,480.00	4.00	\$ 1,440.00
12 Tilia cordata	EA	18	\$ 350.00	\$ 6,300.00	7.00	\$ 2,450.00	7.00	\$ 2,450.00	11.00	\$ 3,850.00
13 Zalkova serrata	EA	26	\$ 350.00	\$ 9,100.00	13.00	\$ 4,550.00	13.00	\$ 4,550.00	13.00	\$ 4,550.00
<i>Evergreen Trees</i>										
17 Juniperus virginiana	EA	26	\$ 250.00	\$ 6,500.00					26.00	\$ 6,500.00
16 Picea abies	EA	34	\$ 250.00	\$ 8,500.00			21.00	\$ 5,250.00	13.00	\$ 3,250.00
14 Pinus strobus	EA	43	\$ 250.00	\$ 10,750.00	1.00	\$ 250.00	31.00	\$ 7,750.00	12.00	\$ 3,000.00
15 Pseudotsuga menziesii	EA	29	\$ 250.00	\$ 7,250.00					29.00	\$ 7,250.00



**ESCROW STATUS REPORT**

**SUMMARY OF ESCROW ACCOUNT**

RELEASE NO 11  
RELEASE DATE 6-Dec-2017

	PHASE I	PHASE II	TOTAL
CONSTRUCTION	\$ 2,360,457.42	\$ 1,573,052.37	\$ 3,933,509.79
CONTINGENCY (10%)	\$ 238,045.74	\$ 157,305.24	\$ 395,350.98
<b>ESCROW POSTED:</b>	<b>\$ 2,618,503.16</b>	<b>\$ 1,730,357.61</b>	<b>\$ 4,348,860.77</b>
TOTAL ENG/INSPI/LEGAL (CASH ACCOUNT)			\$ 45,000.00
TOTAL ADMINISTRATION (CASH ACCOUNT)			\$ 5,000.00
PHASE I MAINTENANCE BOND AMOUNT (15%)			\$ 357,068.61
PHASE II MAINTENANCE BOND AMOUNT (15%)			\$ 235,957.66

	PHASE I	PHASE II	TOTAL
TOTAL ESCROW	\$ 2,618,503.16	\$ 1,730,357.61	\$ 4,348,860.77
AMOUNT OF THIS RELEASE:	\$ 148,514.30	\$ -	\$ 148,514.30
PRIOR ESCROW RELEASED	\$ 1,863,300.64	\$ -	\$ 1,863,300.64
TOTAL RELEASED TO DATE	\$ 2,011,814.94	\$ -	\$ 2,011,814.94
BALANCE AFTER CURRENT RELEASE	\$ 606,688.22	\$ 1,730,357.61	\$ 2,337,045.83

PROJECT NAME: Firefox - Ph 1 (Southern)  
 PROJECT NO.: 2012-09009  
 TOWNSHIP NO.: LD/S #630  
 DEVELOPER: Crystal Road Enterprises, LLC  
 OWNER: Firefox I, L P  
 MUNICIPALITY: Montgomery Township  
 ESCROW AGENT: Univesl  
 TYPE OF SECURITY: Loan  
 AGREEMENT DATE: 10-Oct-2014

ESCROW TABULATION					CURRENT RELEASE		RELEASED TO DATE		AVAILABLE FOR RELEASE		RELEASE REQ # 12
CONSTRUCTION ITEMS	UNITS	QUANTITY	UNIT PRICE	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY
<i>Shrubs</i>											
18 <i>Euonymus A Compacta</i>	EA	10	\$ 65.00	\$ 650.00	10	\$ 650.00	10	\$ 650.00		\$ -	
19 <i>Forsythia Lynwood Gold</i>	EA	10	\$ 65.00	\$ 650.00		\$ -		\$ -	10	\$ 650.00	
20 <i>Ilex verticillata</i>	EA	17	\$ 65.00	\$ 1,105.00		\$ -		\$ -	17	\$ 1,105.00	
22 <i>Taxus Densiflora</i>	EA	11	\$ 65.00	\$ 715.00	11	\$ 715.00	11	\$ 715.00		\$ -	
21 <i>Virburnum Plicatum</i>	EA	9	\$ 65.00	\$ 585.00		\$ -		\$ -	9	\$ 585.00	
<i>Miscellaneous</i>											
23 Seed Mix "A" for Basin (ERNMX 126)	SF	14,190	\$ 0.12	\$ 1,702.80		\$ -		\$ -	14,190	\$ 1,702.80	
24 Seed Mix "B" for Basin (ERNMX 127)	SF	12,960	\$ 0.12	\$ 1,555.20		\$ -		\$ -	12,960	\$ 1,555.20	
1.N. BITUMINOUS PATHWAYS	SY	1,645	\$ 35.00	\$ 57,575.00		\$ -	1,612	\$ 56,420.00	33	\$ 1,155.00	
1.O. 6-FT-HIGH OPAQUE (BUFFER) FENCING	LS	1	\$ 10,000.00	\$ 10,000.00		\$ -		\$ -	1	\$ 10,000.00	
1.P. RESPREAD TOPSOIL (8")	LS	1	\$ 30,000.00	\$ 30,000.00	0.15	\$ 4,500.00	0.35	\$ 10,500.00	0.65	\$ 19,500.00	
1.Q. MONOSLAB PAVERS (access to sanitary easement)	SF	1,310	\$ 8.65	\$ 11,331.50		\$ -	1,310	\$ 11,331.50		\$ -	
<i>1.R. OTHER</i>											
1 Construction Stakeout	LS	1	\$ 46,781.00	\$ 46,781.00		\$ -	1	\$ 46,781.00		\$ -	
2 Pins and Monuments and As-Builts	LS	1	\$ 15,675.00	\$ 15,675.00		\$ -		\$ -	1	\$ 15,675.00	
1.S. 10% CONTINGENCY (Phase II) (Released upon certification of final completion and receipt of Maintenance Bond)		1	\$ 238,045.74	\$ 238,045.74		\$ -		\$ -	1	\$ 238,045.74	



**ESCROW STATUS REPORT**

**SUMMARY OF ESCROW ACCOUNT**

RELEASE NO. 11  
RELEASE DATE: 6-Dec-2017

PROJECT NAME:	Firefox - Ph 1 (Southern)		
PROJECT NO.	2012-09009		
TOWNSHIP NO.	LD/S #630		
DEVELOPER	Crystal Road Enterprises, LLC		
OWNER	Firefox I, L P		
MUNICIPALITY	Montgomery Township	TOTAL ENG/INSP/LEGAL (CASH ACCOUNT)	\$ 45,000 00
ESCROW AGENT	Unvest	TOTAL ADMINISTRATION (CASH ACCOUNT)	\$ 5,000 00
TYPE OF SECURITY	Loan	PHASE I MAINTENANCE BOND AMOUNT (15%)	\$ 357,068 61
AGREEMENT DATE	10-Oct-2014	PHASE II MAINTENANCE BOND AMOUNT (15%)	\$ 235,957 86

	PHASE I	PHASE II	TOTAL
TOTAL ESCROW:	\$ 2,618,503 16	\$ 1,730,357 61	\$ 4,348,860 77
AMOUNT OF THIS RELEASE:	\$ 148,514 30	\$ -	\$ 148,514 30
PRIOR ESCROW RELEASED:	\$ 1,863,300 64	\$ -	\$ 1,863,300 64
TOTAL RELEASED TO DATE:	\$ 2,011,814 94	\$ -	\$ 2,011,814 94
BALANCE AFTER CURRENT RELEASE:	\$ 606,688 22	\$ 1,730,357 61	\$ 2,337,045 83

ESCROW TABULATION					CURRENT RELEASE		RELEASED TO DATE		AVAILABLE FOR RELEASE		RELEASE REQ # 12
CONSTRUCTION ITEMS	UNITS	QUANTITY	UNIT PRICE	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY
<b>PHASE II (NORTHERN VILLAGE)</b>											
<b>2.A. MOBILIZATION</b>											
	LS	1	\$ 46,672 15	\$ 46,672 15				1 00		\$ 46,672 15	
<b>2.B. EARTHWORK</b>											
1	Cleaning & Grubbing	LS	1	\$ 49,706 00	\$ 49,706 00			1 00		\$ 49,706 00	
2	Strip Topsoil	CY	8,228	\$ 2 47	\$ 20,323 16			8,228 00		\$ 20,323 16	
3	Cut Fill & Compact	CY	12,998	\$ 2 50	\$ 32,495 00			12,998 00		\$ 32,495 00	
4	Grade	SY	26,957	\$ 0 28	\$ 7,547 96			26,957 00		\$ 7,547 96	
5	Cut from Stockpile from Phase I	CY	7,648	\$ 2 50	\$ 19,120 00			7,648 00		\$ 19,120 00	
<b>2.C. RETAINING WALL</b>											
1	Excavate Retaining Wall	LF	565	\$ 6 40	\$ 3,616 00			565 00		\$ 3,616 00	
2	Retaining Wall	SF	3,600	\$ 40 00	\$ 144,000 00			3,600 00		\$ 144,000 00	
3	Sleeves for Guide Rail behind Wall #3	LS	1	\$ 5,300 00	\$ 5,300 00			1 00		\$ 5,300 00	
<b>2.D. EROSION CONTROL</b>											
<b>Erosion &amp; Sediment Controls</b>											
1	Construction Entrance	EA	1	\$ 3,392 00	\$ 3,392 00			1 00		\$ 3,392 00	
2	20" Weighted Sediment Tube	LF	112	\$ 23 98	\$ 2,685 76			112 00		\$ 2,685 76	
3	18" Silt Fence - Stockpiles	LF	1,062	\$ 1 56	\$ 1,656 72			1,062 00		\$ 1,656 72	
4	30" Silt Fence	LF	369	\$ 1 91	\$ 704 79			369 00		\$ 704 79	
5	Super Silt Fence	LF	1,022	\$ 6 45	\$ 6,591 90			1,022 00		\$ 6,591 90	
6	Super Silt Fence w/ Tree Protection Fence	LF	1,423	\$ 6 45	\$ 9,178 35			1,423 00		\$ 9,178 35	
7	Orange Construction Fence	LF	1,754	\$ 1 54	\$ 2,701 16			1,754 00		\$ 2,701 16	
8	Tree Protection Fence-Shown on Grading Plan	LF	1,892	\$ 1 54	\$ 2,913 68			1,892 00		\$ 2,913 68	
9	Temporary Seeding - Excess Fill Piles	SY	19,360	\$ 0 29	\$ 5,614 40			19,360 00		\$ 5,614 40	
10	Slope Matting (North American Green S-75)	SY	4,235	\$ 1 50	\$ 6,352 50			4,235 00		\$ 6,352 50	
11	Grade Swales #D1, D2, D7 3A, D7 3B, D17, D24 2	SY	2,685	\$ 0 55	\$ 1,476 75			2,685 00		\$ 1,476 75	
12	Swale Matting (North American Green S-75)	SY	2,685	\$ 1 50	\$ 4,027 50			2,685 00		\$ 4,027 50	
13	Inlet Protection Silt Sack	EA	8	\$ 134 00	\$ 1,072 00			8 00		\$ 1,072 00	
14	Clean Water Pump Bypass, Sandbag Cofferdam	LS	1	\$ 12,000 00	\$ 12,000 00			1 00		\$ 12,000 00	



**ESCROW STATUS REPORT**

**SUMMARY OF ESCROW ACCOUNT**

RELEASE NO. 11  
RELEASE DATE 6-Dec-2017

PROJECT NAME	Firefox - Ph 1 (Southern)	PHASE I	PHASE II	TOTAL	
PROJECT NO.	2012-09009	CONSTRUCTION	\$ 2,380,457.42	\$ 1,573,052.37	\$ 3,953,509.79
TOWNSHIP NO.	LD/S #630	CONTINGENCY (10%)	\$ 238,045.74	\$ 157,305.24	\$ 395,350.98
DEVELOPER	Crystal Road Enterprises, LLC	ESCROW POSTED	\$ 2,618,503.16	\$ 1,730,357.61	\$ 4,348,860.77
OWNER	Firefox I, L.P.	TOTAL ENG/INSP/LEGAL (CASH ACCOUNT)			\$ 45,000.00
MUNICIPALITY	Montgomery Township	TOTAL ADMINISTRATION (CASH ACCOUNT)			\$ 5,000.00
ESCROW AGENT	Unvest	PHASE I MAINTENANCE BOND AMOUNT (15%)			\$ 357,068.61
TYPE OF SECURITY	Loan	PHASE II MAINTENANCE BOND AMOUNT (15%)			\$ 235,957.86
AGREEMENT DATE	10-Oct-2014				

	PHASE I	PHASE II	TOTAL
TOTAL ESCROW	\$ 2,618,503.16	\$ 1,730,357.61	\$ 4,348,860.77
AMOUNT OF THIS RELEASE	\$ 148,514.30	\$ -	\$ 148,514.30
PRIOR ESCROW RELEASED	\$ 1,863,300.64	\$ -	\$ 1,863,300.64
TOTAL RELEASED TO DATE	\$ 2,011,814.94	\$ -	\$ 2,011,814.94
BALANCE AFTER CURRENT RELEASE	\$ 606,688.22	\$ 1,730,357.61	\$ 2,337,045.83

ESCROW TABULATION					CURRENT RELEASE	RELEASED TO DATE	AVAILABLE FOR RELEASE	RELEASE REQ # 12
CONSTRUCTION ITEMS	UNITS	QUANTITY	UNIT PRICE	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT
<b>2.E. BOX CULVERT</b>								
1 Box Culvert (incl steel casing)	LS	1	\$ 151,965.00	\$ 151,965.00			1.00	\$ 151,965.00
<b>2.F. STORM SEWER</b>								
1 18" RCP	LF	1,136	\$ 35.00	\$ 39,760.00			1,136.00	\$ 39,760.00
2 24" RCP	LF	610	\$ 45.00	\$ 27,450.00			610.00	\$ 27,450.00
6 Type M Inlets (#D17, D24.2)	EA	2	\$ 2,700.00	\$ 5,400.00			2.00	\$ 5,400.00
7 Type C Inlets (#B2.2, B2.4, B3.2, C03, C04, D12.1, D12.2)	EA	16	\$ 2,700.00	\$ 43,200.00			16.00	\$ 43,200.00
8 Type C Inlet Mod, 42"x48" (#B2.3, D13, D14.1, D16)	EA	4	\$ 3,400.00	\$ 13,600.00			4.00	\$ 13,600.00
9 Type C Inlet Mod, 48" x 54" (#D24)	EA	1	\$ 3,600.00	\$ 3,600.00			1.00	\$ 3,600.00
10 Storm Manhole 48" x 48" (#D12)	EA	1	\$ 3,400.00	\$ 3,400.00			1.00	\$ 3,400.00
13 Infiltration Areas D1, D2 & D3 - Convert temp swales D17 & D24.2 to trenches #1, 2, and 3 (incl inlets and piping)	LS	1	\$ 69,287.00	\$ 69,287.00			1.00	\$ 69,287.00
<b>2.G. ROADWAY SITE</b>								
1 Excavate & Backfill, Curb	LF	3,931	\$ 3.19	\$ 12,539.89			3,931.00	\$ 12,539.89
2 Belgian Block Curb	LF	3,931	\$ 14.00	\$ 55,034.00			3,931.00	\$ 55,034.00
3 Fine Grade and Compact Subgrade	SY	6,129	\$ 1.12	\$ 6,864.48			6,129.00	\$ 6,864.48
4 3" 2a Modified	SY	6,129	\$ 3.01	\$ 18,448.29			6,129.00	\$ 18,448.29
5 5" (25MM) Base Course	SY	6,129	\$ 19.00	\$ 116,451.00			6,129.00	\$ 116,451.00
6 1.5" (9.5MM) Wearing Paving	SY	6,129	\$ 7.12	\$ 43,638.48			6,129.00	\$ 43,638.48
7 Speed Bump	LS	1	\$ 1,200.00	\$ 1,200.00			1.00	\$ 1,200.00
8 Street Sweeping	SY	6,129	\$ 0.12	\$ 735.48			6,129.00	\$ 735.48
9 Tack Coat	SY	6,129	\$ 0.19	\$ 1,164.51			6,129.00	\$ 1,164.51
10 Curb & Joint Seal	LF	3,931	\$ 0.63	\$ 2,476.53			3,931.00	\$ 2,476.53
11 Lane Painting	LS	1	\$ 1,537.00	\$ 1,537.00			1.00	\$ 1,537.00
12 Site Signage	LS	1	\$ 2,307.00	\$ 2,307.00			1.00	\$ 2,307.00
13 Type 2S Guide Rail (Includes 1 Terminal Section)	LF	413	\$ 20.71	\$ 8,542.88			412.50	\$ 8,542.88
14 Type 2S Guide Rail - Over Culvert	LF	38	\$ 164.00	\$ 6,150.00			37.50	\$ 6,150.00
<b>Driveway Relocation (NPWA)</b>								
15 Fine Grade and Compact Subgrade	SY	178	\$ 1.12	\$ 199.36			178.00	\$ 199.36
16 3" 2a Modified	SY	178	\$ 3.01	\$ 535.78			178.00	\$ 535.78
17 5" (25MM) Base Course	SY	178	\$ 19.00	\$ 3,382.00			178.00	\$ 3,382.00
18 1.5" (9.5MM) Wearing Paving	SY	178	\$ 7.12	\$ 1,267.36			178.00	\$ 1,267.36



**ESCROW STATUS REPORT**

**SUMMARY OF ESCROW ACCOUNT**

RELEASE NO. 11  
RELEASE DATE 6-Dec-2017

PROJECT NAME	Firefox - Ph 1 (Southern)			
PROJECT NO.	2012-09009			
TOWNSHIP NO	LDVS #630			
DEVELOPER	Crystal Road Enterprises, LLC			
OWNER	Firefox I, L P			
MUNICIPALITY	Montgomery Township			
ESCROW AGENT	Unvest			
TYPE OF SECURITY	Loan			
AGREEMENT DATE	10-Oct-2014			
		TOTAL ENG/INSP/LEGAL (CASH ACCOUNT)	\$	45,000.00
		TOTAL ADMINISTRATION (CASH ACCOUNT)	\$	5,000.00
		PHASE I MAINTENANCE BOND AMOUNT (15%)	\$	357,068.61
		PHASE II MAINTENANCE BOND AMOUNT (15%)	\$	235,957.86

	PHASE I	PHASE II	TOTAL
TOTAL ESCROW	\$ 2,618,503.16	\$ 1,730,357.61	\$ 4,348,860.77
AMOUNT OF THIS RELEASE:	\$ 148,514.30	\$ -	\$ 148,514.30
PRIOR ESCROW RELEASED	\$ 1,863,300.64	\$ -	\$ 1,863,300.64
TOTAL RELEASED TO DATE:	\$ 2,011,814.94	\$ -	\$ 2,011,814.94
BALANCE AFTER CURRENT RELEASE:	\$ 606,688.22	\$ 1,730,357.61	\$ 2,337,045.83

ESCROW TABULATION					CURRENT RELEASE		RELEASED TO DATE		AVAILABLE FOR RELEASE		RELEASE REQ # 12
CONSTRUCTION ITEMS	UNITS	QUANTITY	UNIT PRICE	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY
<b>2.H. ONSITE SIDEWALKS</b>											
1 Sidewalk (4")	SF	11,158	\$ 8.00	\$ 89,264.00					11,158	\$ 89,264.00	
2 Driveway Apron (6" w/ wire mesh)	EA	58	\$ 1,100.00	\$ 63,800.00					58	\$ 63,800.00	
3 Handicap Ramps (incl DWS)	EA	8	\$ 500.00	\$ 4,000.00					8	\$ 4,000.00	
<b>2.I. BITUMINOUS PATHWAYS</b>	SY	2,094	\$ 35.00	\$ 73,290.00					2,094	\$ 73,290.00	
<b>2.J. SWALE CONVERSION</b>											
1 Convert temp swales D17 & D24 2 to trenches #1, 2, and 3	LS	1	\$ 69,287.00	\$ 69,287.00					1	\$ 69,287.00	
<b>2.K. STREET LIGHTS</b>											
1 Street Lights	EA	8	\$ 2,700.00	\$ 21,600.00					8	\$ 21,600.00	
<b>2.L. RESPREAD TOPSOIL (pads: 2", landscaped areas: 8")</b>	LS	1	\$ 16,877.00	\$ 16,877.00					1	\$ 16,877.00	
<b>2.M. PEDESTRIAN BRIDGE (Parallel to Crystal Road)</b>	LS	1	\$ 31,476.00	\$ 31,476.00					1	\$ 31,476.00	
<b>2.N. LANDSCAPING</b>											
<b>Shade Trees</b>											
8 Acer rubrum	EA	37	\$ 350.00	\$ 12,950.00					37	\$ 12,950.00	
1 Acer saccharum	EA	6	\$ 350.00	\$ 2,100.00					6	\$ 2,100.00	
2 Betula nigra	EA	10	\$ 350.00	\$ 3,500.00					10	\$ 3,500.00	
9 Ginkgo biloba sentry	EA	3	\$ 355.00	\$ 1,065.00					3	\$ 1,065.00	
3 Gleditsia T Shademaster	EA	30	\$ 350.00	\$ 10,500.00					30	\$ 10,500.00	
4 Liquidambar styraciflua	EA	26	\$ 350.00	\$ 9,100.00					26	\$ 9,100.00	
5 Liriodendron tulipifera	EA	28	\$ 350.00	\$ 9,800.00					28	\$ 9,800.00	
10 Pyrus C Chanticleer	EA	22	\$ 350.00	\$ 7,700.00					22	\$ 7,700.00	
6 Quercus borealis	EA	14	\$ 360.00	\$ 5,040.00					14	\$ 5,040.00	
11 Tilia cordata	EA	25	\$ 350.00	\$ 8,750.00					25	\$ 8,750.00	
7 Zelkova serrata	EA	19	\$ 355.00	\$ 6,745.00					19	\$ 6,745.00	



**ESCROW STATUS REPORT**

**SUMMARY OF ESCROW ACCOUNT**

RELEASE NO. 11  
RELEASE DATE 6-Dec-2017

PROJECT NAME Firefox - Ph 1 (Southern)  
PROJECT NO. 2012-09009  
TOWNSHIP NO. LD/S #630  
DEVELOPER Crystal Road Enterprises, LLC  
OWNER Firefox I, L.P.  
MUNICIPALITY Montgomery Township  
ESCROW AGENT Unvest  
TYPE OF SECURITY Loan  
AGREEMENT DATE 10-Oct-2014

	PHASE I	PHASE II	TOTAL
CONSTRUCTION	\$ 2,380,457.42	\$ 1,573,052.37	\$ 3,953,509.79
CONTINGENCY (10%)	\$ 238,045.74	\$ 157,305.24	\$ 395,350.98
<b>ESCROW POSTED:</b>	<b>\$ 2,618,503.16</b>	<b>\$ 1,730,357.61</b>	<b>\$ 4,348,860.77</b>
TOTAL ENG/INSP/LEGAL (CASH ACCOUNT)			\$ 45,000.00
TOTAL ADMINISTRATION (CASH ACCOUNT)			\$ 5,000.00
PHASE I MAINTENANCE BOND AMOUNT (15%)			\$ 357,068.61
PHASE II MAINTENANCE BOND AMOUNT (15%)			\$ 235,957.66

	PHASE I	PHASE II	TOTAL
TOTAL ESCROW	\$ 2,618,503.16	\$ 1,730,357.61	\$ 4,348,860.77
AMOUNT OF THIS RELEASE:	\$ 148,514.30	\$ -	\$ 148,514.30
PRIOR ESCROW RELEASED:	\$ 1,863,300.64	\$ -	\$ 1,863,300.64
TOTAL RELEASED TO DATE	\$ 2,011,814.94	\$ -	\$ 2,011,814.94
BALANCE AFTER CURRENT RELEASE	\$ 806,688.22	\$ 1,730,357.61	\$ 2,337,045.83

ESCROW TABULATION					CURRENT RELEASE		RELEASED TO DATE		AVAILABLE FOR RELEASE		RELEASE REQ # 12
CONSTRUCTION ITEMS	UNITS	QUANTITY	UNIT PRICE	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY
<b>Evergreen Trees</b>											
15 <i>Juniperus virginiana</i>	EA	31	\$ 250.00	\$ 7,750.00				31.00		\$ 7,750.00	
14 <i>Picea abies</i>	EA	29	\$ 250.00	\$ 7,250.00				29.00		\$ 7,250.00	
12 <i>Pinus strobus</i>	EA	32	\$ 250.00	\$ 8,000.00				32.00		\$ 8,000.00	
13 <i>Pseudotsuga menziesii</i>	EA	29	\$ 250.00	\$ 7,250.00				29.00		\$ 7,250.00	
<b>Shrubs</b>											
19 <i>Chamaecyparis F. Aurea</i>	EA	1	\$ 55.00	\$ 55.00				1.00		\$ 55.00	
17 <i>Cornus amomum</i>	EA	14	\$ 65.00	\$ 910.00				14.00		\$ 910.00	
16 <i>Euclymious A Compacta</i>	EA	4	\$ 65.00	\$ 260.00				4.00		\$ 260.00	
20 <i>Ilex crenata hetzi</i>	EA	2	\$ 65.00	\$ 130.00				2.00		\$ 130.00	
21 <i>Thuja O. Emerald Green</i>	EA	2	\$ 80.00	\$ 160.00				2.00		\$ 160.00	
18 <i>Viburnum Plicatum</i>	EA	14	\$ 65.00	\$ 910.00				14.00		\$ 910.00	
<b>2.0. RESPREAD TOPSOIL (6")</b>	LS	1	\$ 30,000.00	\$ 30,000.00				1.00		\$ 30,000.00	
<b>2.P. OTHER</b>											
1 Construction Stakeout	LS	1	\$ 25,406.55	\$ 25,406.55				1.00		\$ 25,406.55	
2 Pins and Monuments and As-Builts	LS	1	\$ 8,843.00	\$ 8,843.00				1.00		\$ 8,843.00	
<b>2.Q. 10% CONTINGENCY (Phase II)</b> (Released upon certification of final completion and receipt of Maintenance Bond)		1	\$ 157,305.24	\$ 157,305.24				1.00		\$ 157,305.24	



**Boucher & James, Inc.**  
CONSULTING ENGINEERS

AN EMPLOYEE OWNED COMPANY

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Fountainville Professional Building  
1456 Ferry Road, Building 500  
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570-629-0300  
Fax 570-629-0306

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

[www.bjengineers.com](http://www.bjengineers.com)

December 1, 2017

Mr. James P. Dougherty, P.E.  
Gilmore & Associates, Inc.  
65 East Butler Avenue Suite 100  
New Britain, PA 18901

**SUBJECT: FIREFOX LAND DEVELOPMENT PHASE I  
ESCROW RELEASE INSPECTION 02  
TOWNSHIP LD/S NO. 630  
PROJECT NO. 0655227R**

Dear Mr. Dougherty:

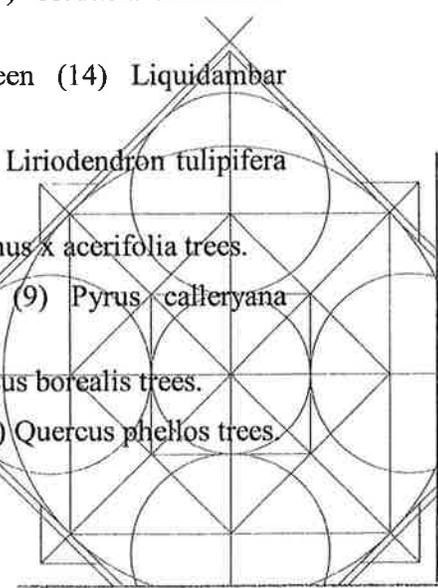
Please be advised that on November 30, 2017, I conducted an escrow release inspection of landscape material installed at Phase 1 of the Firefox Land Development, in response to a November 15, 2017 request for inspection from Brian Grant of Select Properties. The landscape material was inspected in accordance with the approved Landscape Plan prepared by S.T.A. Engineering, Inc., dated March 30, 2006 and last revised June 26, 2014.

We offer the following comments for your consideration:

**A. Shade Trees**

Escrow release has been requested for the following shade trees, all of which have been found in an **acceptable** condition to release the associated escrow:

- 1) We recommend the release of **\$9,800.00** for twenty-eight (28) *Acer rubrum* trees.
- 2) We recommend the release of **\$4,900.00** for fourteen (14) *Acer saccharum* trees.
- 3) We recommend the release of **\$2,280.00** for six (6) *Cercidiphyllum japonica* trees.
- 4) We recommend the release of **\$4,200.00** for twelve (12) *Gleditsia triacanthos* 'Shademaster' trees.
- 5) We recommend the release of **\$4,900.00** for fourteen (14) *Liquidambar styraciflua*.
- 6) We recommend the release of **\$3,850.00** for eleven (11) *Liriodendron tulipifera* trees.
- 7) We recommend the release of **\$1,400.00** for four (4) *Platanus x acerifolia* trees.
- 8) We recommend the release of **\$3,150.00** for nine (9) *Pyrus calleryana* 'Chanticleer' trees.
- 9) We recommend the release of **\$1,800.00** for five (5) *Quercus borealis* trees.
- 10) We recommend the release of **\$6,120.00** for seventeen (17) *Quercus phellos* trees.



Mr. James P. Dougherty, P.E.  
Firefox I, L.P. Phase I  
December 1, 2017  
Page 2

- 11) We recommend the release of **\$2,450.00** for seven (7) *Tilia cordata* trees.
- 12) We recommend the release of **\$4,450.00** for thirteen (13) *Zelkova serrata* trees.

**B. Evergreen Trees**

- 1) Escrow release has been requested for one (1) *Pinus strobus*. One (1) *Pinus strobus* of **acceptable** size and condition to release the associated escrow has been found. Therefore, we recommend the release of **\$250.00** for this tree.

**C. Shrubs**

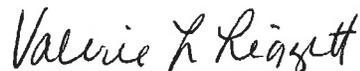
- 1) Escrow release has been requested for eleven (11) *Taxus densiformis*. Eleven (11) *Taxus densiformis* of **acceptable** size and condition to release the associated escrow have been found. Therefore, we recommend the release of **\$715.00** for these shrubs.
- 2) Escrow release has been requested for ten (10) *Euonymus alatus* 'Compacta.' Ten (10) *Euonymus alatus* 'Compacta.' of **acceptable** size and condition to release the associated escrow have been found. Therefore, we recommend the release of **\$650.00** for these shrubs.

Based on our review of this escrow release request, we recommend an escrow release amount of **Fifty-one Thousand, Fifteen Dollars and No Cents (\$51,015.00)**. Please find attached an updated escrow tabulation for your reference.

Please note, authorization of this release should not be construed as Final Approval or Acceptance of the improvements installed to date

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

Sincerely,



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

VLL/kam

Enclosure(s)

cc: Lawrence Gregan, Township Manager  
Bruce Shoupe, Director of Planning and Zoning  
Marianne McConnell, Shade Tree Commission  
Brian Grant, Select Properties

**FIREFOX 1, L.P. PHASE I  
MONTGOMERY TOWNSHIP (3/16/16 REVISED 12/1/17)**

PROJECT #06 55 227R LD/S # 630

ITEM DESCRIPTION	SIZE	UNIT PRICE	QTY.	TOTAL	PREVIOUS ESCROW RELEASED		CURRENT ESCROW RECOMMENDED FOR RELEASE		REMAINING ESCROW TO BE RELEASED	
					QTY.	AMOUNT	QTY.	AMOUNT	QTY.	AMOUNT
<b>1.0 Shade Trees</b>										
Acer rubrum	3" cal.	\$ 350.00	31	\$ 10,850.00	0	\$ -	28	\$ 9,800.00	3	\$ 1,050.00
Acer saccharum	3" cal.	\$ 350.00	19	\$ 6,650.00	0	\$ -	14	\$ 4,900.00	5	\$ 1,750.00
Cercidiphyllum japonica	3" cal.	\$ 380.00	16	\$ 6,080.00	0	\$ -	6	\$ 2,280.00	10	\$ 3,800.00
Gleditsia triacanthos 'Shademaster'	3" cal.	\$ 350.00	27	\$ 9,450.00	0	\$ -	12	\$ 4,200.00	15	\$ 5,250.00
Liquidambar styraciflua	3" cal.	\$ 350.00	23	\$ 8,050.00	0	\$ -	14	\$ 4,900.00	9	\$ 3,150.00
Liriodendron tulipifera	3" cal.	\$ 350.00	21	\$ 7,350.00	0	\$ -	11	\$ 3,850.00	10	\$ 3,500.00
Platanus x acerifolia	3" cal.	\$ 350.00	13	\$ 4,550.00	0	\$ -	4	\$ 1,400.00	9	\$ 3,150.00
Pyrus calleryana 'Chanticleer'	3" cal.	\$ 350.00	16	\$ 5,600.00	0	\$ -	9	\$ 3,150.00	7	\$ 2,450.00
Quercus borealis	3" cal.	\$ 360.00	13	\$ 4,680.00	8	\$ 2,880.00	5	\$ 1,800.00	0	\$ -
Quercus phellos	3" cal.	\$ 360.00	22	\$ 7,920.00	1	\$ 360.00	17	\$ 6,120.00	4	\$ 1,440.00
Quercus palustris	3" cal.	\$ 350.00	9	\$ 3,150.00	0	\$ -	0	\$ -	9	\$ 3,150.00
Tilia cordata	3" cal.	\$ 350.00	18	\$ 6,300.00	0	\$ -	7	\$ 2,450.00	11	\$ 3,850.00
Zelkova serrata	3" cal.	\$ 350.00	26	\$ 9,100.00	0	\$ -	13	\$ 4,550.00	13	\$ 4,550.00
<b>SUBTOTAL</b>			<b>254</b>	<b>\$ 89,730.00</b>	<b>9</b>	<b>\$ 3,240.00</b>	<b>140</b>	<b>\$ 49,400.00</b>	<b>105</b>	<b>\$ 37,090.00</b>
<b>2.0 Evergreen Trees</b>										
Juniperus virginiana	8-9' ht.	\$ 250.00	26	\$ 6,500.00	0	\$ -	0	\$ -	26	\$ 6,500.00
Pseudotsuga menziesii	8-9' ht.	\$ 250.00	29	\$ 7,250.00	0	\$ -	0	\$ -	29	\$ 7,250.00
Picea abies	8-9' ht.	\$ 250.00	34	\$ 8,500.00	21	\$ 5,250.00	0	\$ -	13	\$ 3,250.00
Pinus strobus	8-9' ht.	\$ 250.00	43	\$ 10,750.00	30	\$ 7,500.00	1	\$ 250.00	12	\$ 3,000.00
<b>SUBTOTAL</b>			<b>132</b>	<b>\$ 33,000.00</b>	<b>51</b>	<b>\$ 12,750.00</b>	<b>1</b>	<b>\$ 250.00</b>	<b>80</b>	<b>\$ 20,000.00</b>
<b>3.0 Shrubs</b>										
Taxus densiformis	30" ht.	\$ 65.00	11	\$ 715.00	0	\$ -	11	\$ 715.00	0	\$ -
Euonymus alatus 'Compacta'	30" ht.	\$ 65.00	10	\$ 650.00	0	\$ -	10	\$ 650.00	0	\$ -
Forsythia 'Lynwood Gold'	30" ht.	\$ 65.00	10	\$ 650.00	0	\$ -	0	\$ -	10	\$ 650.00
Ilex verticillata	30" ht.	\$ 65.00	17	\$ 1,105.00	0	\$ -	0	\$ -	17	\$ 1,105.00
Viburnum plicatum	30" ht.	\$ 65.00	9	\$ 585.00	0	\$ -	0	\$ -	9	\$ 585.00
<b>SUBTOTAL</b>			<b>57</b>	<b>\$ 3,705.00</b>	<b>0</b>	<b>\$ -</b>	<b>21</b>	<b>\$ 1,365.00</b>	<b>36</b>	<b>\$ 2,340.00</b>
<b>4.0 Seed Mix</b>										
Seed Mix A (ERNMX 126)	SF	\$ 0.12	14,190	\$ 1,702.80	0	\$ -	0	\$ -	14,190	\$ 1,702.80
Seed Mix B (ERNMX 127)	SF	\$ 0.12	12,960	\$ 1,555.20	0	\$ -	0	\$ -	12,960	\$ 1,555.20
<b>SUBTOTAL</b>			<b>27150</b>	<b>\$ 3,258.00</b>	<b>0</b>	<b>\$ -</b>	<b>0</b>	<b>\$ -</b>	<b>27150</b>	<b>\$ 3,258.00</b>
<b>5.0 TOTAL OF ALL PLANTINGS</b>				<b>\$ 129,693.00</b>		<b>\$ 15,990.00</b>		<b>\$ 51,015.00</b>		<b>\$ 62,688.00</b>





TRAFFIC PLANNING AND DESIGN, INC.

WWW.TRAFFICPD.COM

**November 30, 2017**

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

**RE: Firefox Phase 1 Lighting Inspection**

Firefox I, L.P. - LD/S #630

*Montgomery Township, Montgomery County, PA*

TPD No. MOTO.00017

Dear Bruce:

In our role as Township Traffic/Street Lighting Engineer, Traffic Planning and Design, Inc. (TPD) has completed visual lighting observations of the Firefox Phase 1 street lighting. TPD conducted daytime and nighttime visual street lighting observations on November 27, 2017. The purpose of these observations was to develop a project close-out punch-list in response to Escrow Release Request No. 11. TPD referenced Land Development Plans prepared by S.T.A. Engineering, Inc., last revised February 18, 2013 and April 2016 coordination with Harry G. Hey & Sons for the above mentioned observations. Please note that TPD was not contacted during construction to complete intermediate street light inspections as outlined in the Montgomery Township Street Lighting Specification.

Based on TPD's visual observations, we offer the following comments:

1. The November 14, 2017 Escrow Release Request indicates 16 street lights requested, during TPD's observations, only 13 street light fixtures were observed to have been installed.
  - a. Poles 14, 15, and 16 are positioned beyond the current limits of constructed work.
2. All street lights were observed to operate as expected during nighttime observations.
3. Street Light No. 1 – located closest to the intersection of Fox Meadow Lane and Bethlehem Pike.
  - a. Street light foundation is offset a distance of 12" from the back of curb to front of foundation. As a result, this fixture is overhanging the roadway. The Montgomery Township Street Lighting Specification (Page 20 and 32 of 32) identifies a minimum offset distance of 20" to provide 6" minimum offset from front of curb to front of street light fixture.
    - i. See Picture No. 1 enclosed with this letter.

Mr. Bruce S. Shoupe  
November 30, 2017

4. Street Light No. 2 – located in front of Lot No. 1.
  - a. Street light foundation is offset a distance of 11” from the back of curb to front of foundation. As a result, this fixture is overhanging the roadway.
    - i. See Picture No. 2 enclosed with this letter.
  - b. Street light junction box was unable to be located.
5. Street Light No. 3 – located in front of Lot No. 3.
  - a. Street light foundation is offset a distance of 12” from the back of curb to front of foundation. As a result, this fixture is overhanging the roadway.
    - i. See Picture No. 3 enclosed with this letter.
  - b. Street lighting junction box was observed to be 24” to the left of the foundation. The Montgomery Township Street Lighting Specification (page 20 of 32) identifies that the street lighting junction box shall be placed to the right of the street light foundation (looking from the street).
    - i. See Picture No. 4 enclosed with this letter.
    - ii. TPD is OK with this deviation from the Township Specification due to the proximity of the street light to adjacent parking facility.
6. Street Light No. 4 – located in front of Lot No. 6.
  - a. Street light foundation is offset a distance of 5” from the back of curb to front of foundation. As a result, this fixture is overhanging the roadway.
    - i. See Picture No. 5 enclosed with this letter.
7. Street Light No. 5 – located along Fox Meadow Drive adjacent to Lot No. 13.
  - a. Street lighting junction box was observed to be 20” to the left of the foundation. The Montgomery Township Street Lighting Specification (page 20 of 32) identifies that the street lighting junction box shall be placed to the right of the street light foundation (looking from the street).
    - i. TPD is OK with this deviation from the Township Specification due to the street light being located behind the asphalt trail.
  - b. Street light pole base cover was observed to be dark brown in color. The Montgomery Township Street Lighting Specification (Page 15 of 32) identifies that the pole base cover shall be black in color.
8. Street Light No. 6 – located along Fox Meadow Drive adjacent to Lot No. 57.
  - a. Street light foundation is offset a distance of 10.5” from the back of curb to front of foundation. As a result, this fixture is overhanging the roadway.
    - i. See Picture No. 6 enclosed with this letter.
  - b. Street lighting junction box was observed to be 5’-8” to the left of the foundation. The Montgomery Township Street Lighting Specification (page 20 of 32) identifies that the street lighting junction box shall be placed to the right of the street light foundation (looking from the street).

Mr. Bruce S. Shoupe  
November 30, 2017

- i. See Picture No. 7 enclosed with this letter.
    - ii. TPD is OK with this deviation from the Township Specification.
  - c. Street light pole base cover was observed to be dark brown in color. The Montgomery Township Street Lighting Specification (Page 15 of 32) identifies that the pole base cover shall be black in color.
9. Street Light No. 7 – located between Lot Nos. 52 & 53.
  - a. Street lighting junction box was observed to be 4'-9" to the right of the foundation. The Montgomery Township Street Lighting Specification (page 20 of 32) identifies that the street lighting junction box shall be placed 24" (maximum) to the right of the street light foundation (looking from the street).
    - i. TPD is OK with this deviation from the Township Specification.
  - b. Street light pole base cover was observed to be dark brown in color. The Montgomery Township Street Lighting Specification (Page 15 of 32) identifies that the pole base cover shall be black in color.
  - c. TPD observed a significant drop off in grade behind the sidewalk and in front of the street light foundation. This area shall be adequately filled in.
    - i. See Picture No. 8 enclosed with this letter.
10. Street Light No. 8 – located in front of Lot No. 24.
  - a. Street light foundation is offset a distance of 6" from the back of curb to front of foundation. As a result, this fixture is overhanging the roadway.
    - i. See Picture No. 9 enclosed with this letter.
  - b. Street light pole base cover was observed to be dark brown in color. The Montgomery Township Street Lighting Specification (Page 15 of 32) identifies that the pole base cover shall be black in color.
11. Street Light No. 9 – located in front of Lot No. 28.
  - a. Street light foundation is offset a distance of 12.5" from the back of curb to front of foundation. As a result, this fixture is overhanging the roadway.
    - i. See Picture No. 10 enclosed with this letter.
  - b. Street lighting junction box was observed to be 39.5" to the left of the foundation. The Montgomery Township Street Lighting Specification (page 20 of 32) identifies that the street lighting junction box shall be placed to the right of the street light foundation (looking from the street).
    - i. TPD is OK with this deviation from the Township Specification.
  - c. Street light pole base cover was observed to be dark brown in color. The Montgomery Township Street Lighting Specification (Page 15 of 32) identifies that the pole base cover shall be black in color.
12. Street Light No. 10 – located in front of Lot No. 31.
  - a. Street light foundation is offset a distance of 7.5" from the back of curb to front of foundation. As a result, this fixture is overhanging the roadway.

Mr. Bruce S. Shoupe  
November 30, 2017

- i. See Picture No. 11 enclosed with this letter.
  - b. Street light junction box was not observed at this street light location.
    - i. Developer and/or Contractor shall confirm if the larger electrical box behind sidewalk serves as junction box for this street light location.
  - c. Street light pole base cover was observed to be dark brown in color. The Montgomery Township Street Lighting Specification (Page 15 of 32) identifies that the pole base cover shall be black in color.
  - d. Street light foundation was observed to have 1" reveal above finish grade. The Montgomery Township Street Lighting Specification (Page 18 and 19 of 32) identifies that the foundation reveal shall be 3" minimum/5" maximum.
- 13. Street Light No. 11 – located between Lot Nos. 48 & 49.
  - a. Street light foundation is offset a distance of 10" from the back of curb to front of foundation. As a result, this fixture is overhanging the roadway.
    - i. See Picture No. 12 enclosed with this letter.
  - b. Street lighting junction box was observed to be 21.5" to the left of the foundation. The Montgomery Township Street Lighting Specification (page 20 of 32) identifies that the street lighting junction box shall be placed to the right of the street light foundation (looking from the street).
    - i. TPD is OK with this deviation from the Township Specification.
  - c. Street light pole base cover was observed to be dark brown in color. The Montgomery Township Street Lighting Specification (Page 15 of 32) identifies that the pole base cover shall be black in color.
- 14. Street Light No. 12 – located between Lot Nos. 39 & 40.
  - a. Street lighting junction box was observed to be 19" to the left of the foundation. The Montgomery Township Street Lighting Specification (page 20 of 32) identifies that the street lighting junction box shall be placed to the right of the street light foundation (looking from the street).
    - i. TPD is OK with this deviation from the Township Specification.
  - b. Street light foundation was observed to have 10" reveal above finish grade. The Montgomery Township Street Lighting Specification (Page 18 and 19 of 32) identifies that the foundation reveal shall be 3" minimum/5" maximum.
    - i. Developer and/or contractor shall confirm finish grading at this street light location addresses excessive reveal.
    - ii. See Picture No. 13 enclosed with this letter.
  - c. Street light pole base cover was observed to be dark brown in color. The Montgomery Township Street Lighting Specification (Page 15 of 32) identifies that the pole base cover shall be black in color.
- 15. Street Light No. 13 – located adjacent to Lot No. 43.
  - a. Street light observed to be installed leaning and not at vertical.

Mr. Bruce S. Shoupe  
November 30, 2017

- i. See Picture No. 14 enclosed with this letter.
- b. Street light foundation is offset a distance of 15.5" from the back of curb to front of foundation. As a result, this fixture is overhanging the roadway.
  - i. See Picture No. 14 enclosed with this letter.
- c. Street lighting junction box was observed to be 3" diagonally behind and to the left of the foundation. The Montgomery Township Street Lighting Specification (page 20 of 32) identifies that the street lighting junction box shall be placed to the right of the street light foundation (looking from the street).
  - i. TPD is OK with this deviation from the Township Specification.
- d. Street light foundation was observed to have 16" reveal above finish grade. The Montgomery Township Street Lighting Specification (Page 18 and 19 of 32) identifies that the foundation reveal shall be 3" minimum/5" maximum.
  - i. Developer and/or contractor shall confirm finish grading at this street light location addresses excessive reveal.
- e. Street light pole base cover was observed to be dark brown in color. The Montgomery Township Street Lighting Specification (Page 15 of 32) identifies that the pole base cover shall be black in color.

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

Sincerely,



Frank G. Falzone Jr., P.E.  
Project Manager  
FFalzone@TrafficPD.com

Enclosures: TPD Observation Pictures

CC: Larry Gregan, Township Manager  
Kevin Costello, Township Public Works Director  
Russ Dunlevy, P.E., Township Engineer  
Jim Dougherty, P.E., Township Engineer  
Judith Stern Goldstein, ASLA, R.L.A. – Boucher & James, Inc.  
Brian C. Grant – Select Properties, Inc.  
Kevin L. Johnson, P.E., TPD  
Joseph Platt, P.E., TPD  
Eric Hammond, TPD

Mr. Bruce S. Shoupe  
November 30, 2017

Picture No. 1



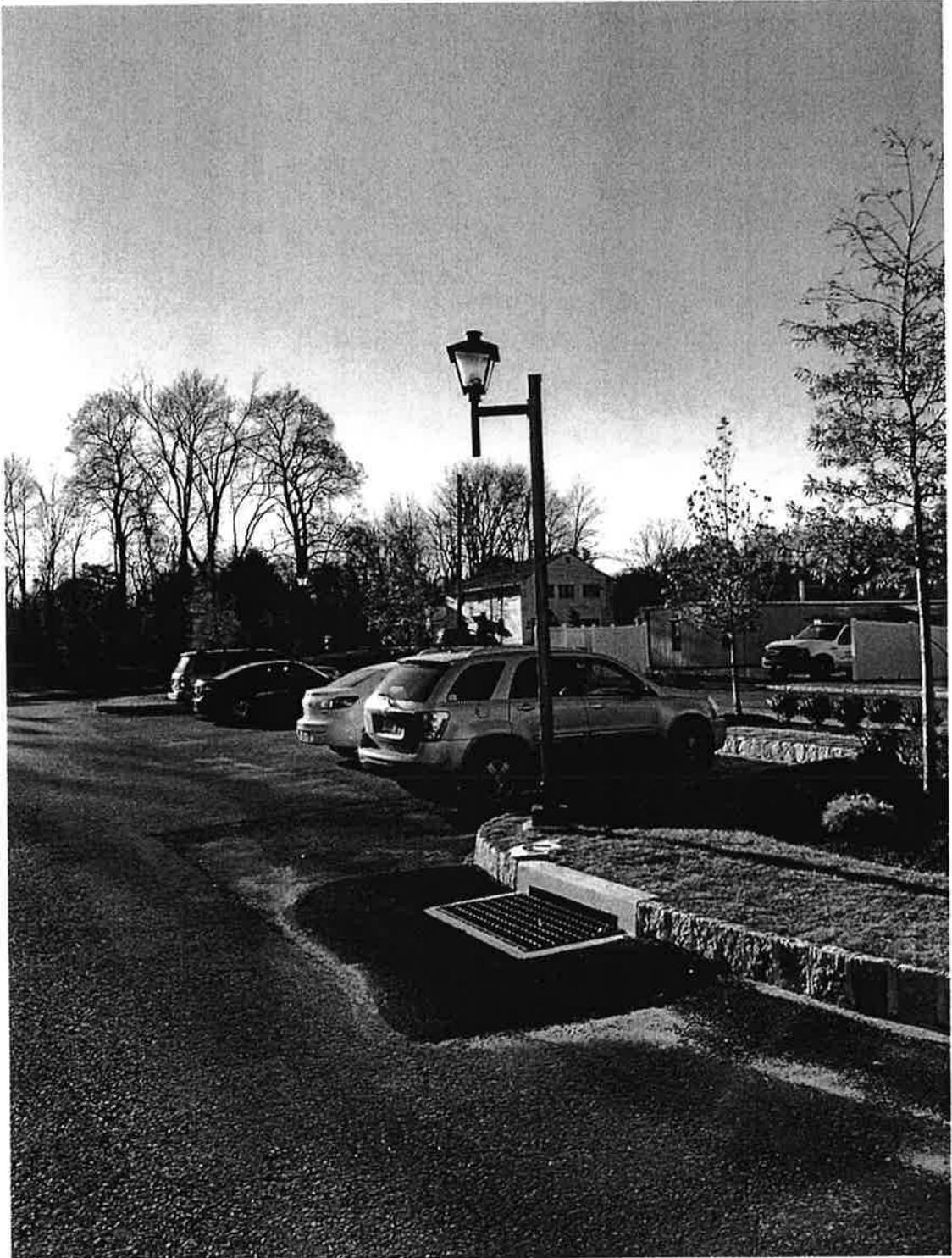
Mr. Bruce S. Shoupe  
November 30, 2017

Picture No. 2



Mr. Bruce S. Shoupe  
November 30, 2017

Picture No. 3



Mr. Bruce S. Shoupe  
November 30, 2017

Picture No. 4



Mr. Bruce S. Shoupe  
November 30, 2017

Picture No. 5



Mr. Bruce S. Shoupe  
November 30, 2017

Picture No. 6



Mr. Bruce S. Shoupe  
November 30, 2017

Picture No. 7



Mr. Bruce S. Shoupe  
November 30, 2017

Picture No. 8



Mr. Bruce S. Shoupe  
November 30, 2017

Picture No. 9



Mr. Bruce S. Shoupe  
November 30, 2017

Picture No. 10



Mr. Bruce S. Shoupe  
November 30, 2017

Picture No. 11



Mr. Bruce S. Shoupe  
November 30, 2017

Picture No. 12



Mr. Bruce S. Shoupe  
November 30, 2017

Picture No. 13



Mr. Bruce S. Shoupe  
November 30, 2017

Picture No. 14



# FIREFOX PHASE I



Gilmore & Associates, Inc.  
Engineering and Consulting Services

## ESCROW STATUS REPORT

### SUMMARY OF ESCROW ACCOUNT

RELEASE NO.: 10  
RELEASE DATE: 17-Mar-2015

PROJECT NAME:	Firefox - Ph. 1 (Southern)	PHASE I	PHASE II	TOTAL
PROJECT NO.:	2012-09009	CONSTRUCTION: \$ 2,380,457.42	\$ 1,573,052.37	\$ 3,953,509.79
TOWNSHIP NO.:	LD/S #630	CONTINGENCY (10%): \$ 238,045.74	\$ 157,305.24	\$ 395,350.98
DEVELOPER:	Crystal Road Enterprises, LLC	ESCROW POSTED: \$ 2,618,503.16	\$ 1,730,357.61	\$ 4,348,860.77
OWNER:	Firefox I, L.P.			
		TOTAL ENGIN/SP/LEGAL (CASH ACCOUNT):	\$ 45,000.00	
		TOTAL ADMINISTRATION (CASH ACCOUNT):	\$ 6,000.00	
MUNICIPALITY:	Montgomery Township			
ESCROW AGENT:	Univest			
TYPE OF SECURITY:	Loan	PHASE I MAINTENANCE BOND AMOUNT (15%):	\$ 357,068.61	
AGREEMENT DATE:	10-Oct-2014	PHASE II MAINTENANCE BOND AMOUNT (15%):	\$ 235,967.86	

	PHASE I	PHASE II	TOTAL
TOTAL ESCROW:	\$ 2,618,503.16	\$ 1,730,357.61	\$ 4,348,860.77
AMOUNT OF THIS RELEASE:	\$ 123,882.94	\$ -	\$ 123,882.94
PRIOR ESCROW RELEASED:	\$ 1,739,417.70	\$ -	\$ 1,739,417.70
TOTAL RELEASED TO DATE:	\$ 1,863,300.64	\$ -	\$ 1,863,300.64
BALANCE AFTER CURRENT RELEASE:	\$ 755,202.62	\$ 1,730,357.61	\$ 2,485,560.13

11.14.17

ESCROW TABULATION					CURRENT RELEASE	RELEASED TO DATE	AVAILABLE FOR RELEASE	RELEASE REQ # 11
CONSTRUCTION ITEMS	UNITS	QUANTITY	UNIT PRICE	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT
<b>PHASE I (SOUTHERN VILLAGE)</b>								
1.A. MOBILIZATION	LS	1	\$ 73,227.00	\$ 73,227.00		1.00 \$ 73,227.00		\$ -
1.B. EARTHWORK								
1. Clearing & Grubbing	LS	1	\$ 52,482.00	\$ 52,482.00		1.00 \$ 52,482.00		\$ -
2. Strip Topsoil	CY	11,338	\$ 2.47	\$ 28,004.86		11,338.00 \$ 28,004.86		\$ -
3. Cut Fill & Compact	CY	16,335	\$ 2.50	\$ 40,837.50		16,335.00 \$ 40,837.50		\$ -
4. Grade	SY	35,597	\$ 0.28	\$ 9,967.16		32,037.00 \$ 8,970.36	3,560.00	\$ 996.80
1.C. RETAINING WALL								
1. Excavate Retaining Wall	LF	321	\$ 6.40	\$ 2,054.40		321.00 \$ 2,054.40		\$ -
2. Retaining Wall	SF	1,250	\$ 40.00	\$ 50,000.00		1,250.00 \$ 50,000.00		\$ -
3. Sleeves for Guide Rail behind Wall #1	LS	1	\$ 1,785.00	\$ 1,785.00		1.00 \$ 1,785.00		\$ -
1.D. EROSION CONTROL								
<i>Erosion &amp; Sediment Controls</i>								
1. Construction Entrance	EA	1	\$ 3,392.00	\$ 3,392.00		1.00 \$ 3,392.00		\$ -
2. 12" Weighted Sediment Tube	LF	31	\$ 10.35	\$ 320.85		31.00 \$ 320.85		\$ -
3. 12" Filtrex Sock	LF	138	\$ 3.81	\$ 525.78		138.00 \$ 525.78		\$ -
4. 18" Silt Fence - Stockpiles	LF	350	\$ 1.56	\$ 546.00		350.00 \$ 546.00		\$ -
5. 30" Silt Fence	LF	646	\$ 1.91	\$ 1,233.86		646.00 \$ 1,233.86		\$ -
6. Super Silt Fence	LF	687	\$ 6.45	\$ 4,431.15		687.00 \$ 4,431.15		\$ -
7. Super Silt Fence w/ Tree Protection Fence	LF	3,000	\$ 6.45	\$ 19,350.00	304.00	1,960.80 \$ 12,589.20		\$ -
8. Orange Construction Fence	LF	1,520	\$ 1.54	\$ 2,340.80		1,520.00 \$ 2,340.80		\$ -
9. Tree Protection Fence	LF	3,753	\$ 1.54	\$ 5,779.62	251.00	386.54 \$ 592.51		\$ -
10. Temporary Vegetation - Excess Fill Piles	SY	19,360	\$ 0.29	\$ 5,614.40		19,360.00 \$ 5,614.40		\$ -
11. Slope Matting (North American Green S-75)	SY	3,059	\$ 1.50	\$ 4,588.50		3,059.00 \$ 4,588.50		\$ -
12. Grade Swales #A,A1,5,B12,2,B6,B13	SY	2,471	\$ 0.56	\$ 1,359.05		2,471.00 \$ 1,359.05		\$ -
13. Swale Matting (North American Green S-75)	SY	2,471	\$ 1.50	\$ 3,706.50		2,471.00 \$ 3,706.50		\$ -
14. Rock Filters	EA	6	\$ 132.00	\$ 792.00		6.00 \$ 792.00		\$ -
15. Inlet Protection Silt Sack	EA	29	\$ 134.00	\$ 3,886.00		29.00 \$ 3,886.00		\$ -
16. Pumped Water Filter Bag, Pump, Clean Water Pump Bypass, Sandbag Cofferdam	LS	1	\$ 12,000.00	\$ 12,000.00		1.00 \$ 12,000.00		\$ -



**ESCROW STATUS REPORT**

**SUMMARY OF ESCROW ACCOUNT**

RELEASE NO.: 10  
RELEASE DATE: 17-Mar-2015

PROJECT NAME: Firefox - Ph. 1 (Southern)  
PROJECT NO.: 2012-09009  
TOWNSHIP NO.: LD/S #630  
DEVELOPER: Crystal Road Enterprises, LLC  
OWNER: Firefox I, L.P.

	PHASE I	PHASE II	TOTAL
CONSTRUCTION:	\$ 2,380,457.42	\$ 1,573,052.37	\$ 3,953,509.79
CONTINGENCY (10%):	\$ 238,045.74	\$ 157,305.24	\$ 395,350.98
ESCROW POSTED:	\$ 2,618,503.16	\$ 1,730,357.61	\$ 4,348,860.77

	PHASE I	PHASE II	TOTAL
TOTAL ESCROW:	\$ 2,618,503.16	\$ 1,730,357.61	\$ 4,348,860.77
AMOUNT OF THIS RELEASE:	\$ 123,882.94	\$ -	\$ 123,882.94
PRIOR ESCROW RELEASED:	\$ 1,739,417.70	\$ -	\$ 1,739,417.70
TOTAL RELEASED TO DATE:	\$ 1,863,300.64	\$ -	\$ 1,863,300.64
BALANCE AFTER CURRENT RELEASE:	\$ 755,202.52	\$ 1,730,357.61	\$ 2,485,560.13

MUNICIPALITY: Montgomery Township  
ESCROW AGENT: Univest  
TYPE OF SECURITY: Loan  
AGREEMENT DATE: 10-Oct-2014

TOTAL ENG/INSP/LEGAL (CASH ACCOUNT): \$ 45,000.00  
TOTAL ADMINISTRATION (CASH ACCOUNT): \$ 5,000.00  
PHASE I MAINTENANCE BOND AMOUNT (15%): \$ 357,068.61  
PHASE II MAINTENANCE BOND AMOUNT (15%): \$ 235,957.85

ESCROW TABULATION					CURRENT RELEASE		RELEASED TO DATE		AVAILABLE FOR RELEASE		RELEASE REQ # 11
CONSTRUCTION ITEMS	UNITS	QUANTITY	UNIT PRICE	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY
<b>Sediment Basin B</b>											
20. Strip Topsoil	CY	1,058	\$ 2.47	\$ 2,613.26	\$ -	1,058.00	\$ 2,613.26	\$ -	\$ -	\$ -	
21. Cut Fill & Compact	CY	3,683	\$ 2.50	\$ 9,207.50	\$ -	3,683.00	\$ 9,207.50	\$ -	\$ -	\$ -	
22. Grade	CY	4,737	\$ 0.28	\$ 1,326.36	\$ -	4,737.00	\$ 1,326.36	\$ -	\$ -	\$ -	
23. Core Cut & Fill Keyway	LF	275	\$ 10.08	\$ 2,772.00	\$ -	275.00	\$ 2,772.00	\$ -	\$ -	\$ -	
24. Respread Topsoil	CY	1,058	\$ 2.97	\$ 3,142.26	\$ -	1,058.00	\$ 3,142.26	\$ -	\$ -	\$ -	
25. Grade Spillway	SY	132	\$ 0.48	\$ 63.36	\$ -	132.00	\$ 63.36	\$ -	\$ -	\$ -	
26. Spillway Matting (North American Green P-300)	SY	132	\$ 5.66	\$ 747.12	\$ -	132.00	\$ 747.12	\$ -	\$ -	\$ -	
27. Permanent Rake & Vegetation	SF	42,675	\$ 0.29	\$ 12,375.75	\$ -	42,675.00	\$ 12,375.75	\$ -	\$ -	\$ -	
28. Super Silt Fence Baffle Wall, 3.05' hgt	LF	285	\$ 6.45	\$ 1,844.75	\$ -	285.00	\$ 1,844.75	\$ -	\$ -	\$ -	
29. 24" x 36" Elliptical RCP (Dual Runs)	LF	88	\$ 143.00	\$ 12,584.00	\$ -	88.00	\$ 12,584.00	\$ -	\$ -	\$ -	
30. Outlet Structure (#B3.3) w/Wingwalls and Trash Rack	EA	1	\$ 10,505.00	\$ 10,505.00	\$ -	1.00	\$ 10,505.00	\$ -	\$ -	\$ -	
31. 30" x 120" Modified Type C Inlets (#B02, B03)	EA	2	\$ 5,087.00	\$ 10,174.00	\$ -	2.00	\$ 10,174.00	\$ -	\$ -	\$ -	
32. Antiseep Collars	EA	2	\$ 1,809.00	\$ 3,618.00	\$ -	2.00	\$ 3,618.00	\$ -	\$ -	\$ -	
33. 24" x 36" Elliptical Endwall (#B1) w/Concrete Apron	EA	1	\$ 11,715.00	\$ 11,715.00	\$ -	1.00	\$ 11,715.00	\$ -	\$ -	\$ -	
34. 36" CMP Temporary Riser	EA	1	\$ 1,900.00	\$ 1,900.00	\$ -	1.00	\$ 1,900.00	\$ -	\$ -	\$ -	
35. R-5 Rip Rap Dissipator	TON	80	\$ 54.00	\$ 4,320.00	\$ -	80.00	\$ 4,320.00	\$ -	\$ -	\$ -	
<b>1.E. STORM SEWER</b>											
1. 18" RCP	LF	762	\$ 35.00	\$ 26,670.00	\$ -	762.00	\$ 26,670.00	\$ -	\$ -	\$ -	
2. 24" RCP	LF	410	\$ 45.00	\$ 18,450.00	\$ -	410.00	\$ 18,450.00	\$ -	\$ -	\$ -	
3. 36" RCP	LF	112	\$ 80.00	\$ 8,960.00	\$ -	\$ -	\$ -	\$ 112.00	\$ 8,960.00	\$ -	112
4. 34" x 53" Elliptical RCP	LF	73	\$ 162.00	\$ 11,826.00	\$ -	73.00	\$ 11,826.00	\$ -	\$ -	\$ -	
5. Typc C Inlet (#A01.3, A01.4, A03, A04, A05, A06, B02.1)	EA	26	\$ 2,700.00	\$ 70,200.00	\$ -	26.00	\$ 70,200.00	\$ -	\$ -	\$ -	
6. Type C Inlet Mod, 42"x48", (#B03.4, B04)	EA	2	\$ 3,400.00	\$ 6,800.00	\$ -	2.00	\$ 6,800.00	\$ -	\$ -	\$ -	
7. Type C Inlet Mod 8' x 8' (Outlet Structure #A02)	EA	1	\$ 12,608.00	\$ 12,608.00	\$ -	1.00	\$ 12,608.00	\$ -	\$ -	\$ -	
8. 18" DW Endwalls (#A01.2, A01.5)	EA	2	\$ 1,200.00	\$ 2,400.00	\$ -	2.00	\$ 2,400.00	\$ -	\$ -	\$ -	
9. 36" DW Endwalls (#B10)	EA	1	\$ 1,850.00	\$ 1,850.00	\$ -	1.00	\$ 1,850.00	\$ -	\$ -	\$ -	
10. R-5 Rip Rap Dissipator	TON	191	\$ 54.00	\$ 10,314.00	\$ -	191.00	\$ 10,314.00	\$ -	\$ -	\$ -	



**ESCROW STATUS REPORT**

**SUMMARY OF ESCROW ACCOUNT**

RELEASE NO.: 10  
RELEASE DATE: 17-Mar-2015

PROJECT NAME: Firefax - Ph. 1 (Southern)  
PROJECT NO.: 2012-09009  
TOWNSHIP NO.: LD/S #630  
DEVELOPER: Crystal Road Enterprises, LLC  
OWNER: Firefax I, L.P.

	PHASE I	PHASE II	TOTAL
CONSTRUCTION:	\$ 2,380,457.42	\$ 1,573,052.37	\$ 3,953,509.79
CONTINGENCY (10%):	\$ 238,045.74	\$ 157,305.24	\$ 395,350.98
ESCROW POSTED:	\$ 2,618,503.16	\$ 1,730,357.61	\$ 4,348,860.77

	PHASE I	PHASE II	TOTAL
TOTAL ESCROW:	\$ 2,618,503.16	\$ 1,730,357.61	\$ 4,348,860.77
AMOUNT OF THIS RELEASE:	\$ 123,882.94	\$ -	\$ 123,882.94
PRIOR ESCROW RELEASED:	\$ 1,739,417.70	\$ -	\$ 1,739,417.70
TOTAL RELEASED TO DATE:	\$ 1,863,300.64	\$ -	\$ 1,863,300.64
BALANCE AFTER CURRENT RELEASE:	\$ 756,202.52	\$ 1,730,357.61	\$ 2,486,560.13

TOTAL ENG/INSP/LEGAL (CASH ACCOUNT): \$ 45,000.00  
TOTAL ADMINISTRATION (CASH ACCOUNT): \$ 5,000.00  
MUNICIPALITY: Montgomery Township  
ESCROW AGENT: Univest  
TYPE OF SECURITY: Loan  
AGREEMENT DATE: 10-Oct-2014  
PHASE I MAINTENANCE BOND AMOUNT (15%): \$ 357,068.61  
PHASE II MAINTENANCE BOND AMOUNT (15%): \$ 235,957.86

ESCROW TABULATION					CURRENT RELEASE		RELEASED TO DATE		AVAILABLE FOR RELEASE		RELEASE REQ # 11
CONSTRUCTION ITEMS	UNITS	QUANTITY	UNIT PRICE	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY
<b>1.F. DETENTION FACILITIES #A, B1, B2</b>											
1. Facility A, Systems #1 and 2, w/ Structure #A7, w/ #57 Stone to Springline of Pipe and On-site Backfill (No Fabric)	LS	1	\$ 48,161.00	\$ 48,161.00	\$ -	-	1.00	\$ 48,161.00	\$ -	-	
2. Facility B1, Systems #1.2 and 3, w/ Structures #B5, B6, and B7, w/ #57 Stone to Springline of Pipe and On-Site Backfill (No Fabric)	LS	1	\$ 117,195.00	\$ 117,195.00	\$ -	-	0.70	\$ 82,036.50	0.30	\$ 35,158.50	30
3. Facility B2, Systems #1 through 8, w/ Structures #B10.1, B11, B12, B12.1, B12.2, B14, B15, and B16, w/ #57 Stone to Springline of Pipe and On-Site Backfill (No Fabric)	LS	1	\$ 313,500.00	\$ 313,500.00	\$ -	-	1.00	\$ 313,500.00	\$ -	-	
<b>1.G. ROADWAY (Interior)</b>											
1. Excavate & Backfill Curb	LF	6,117	\$ 3.19	\$ 19,513.23	\$ -	-	6,117.00	\$ 19,513.23	\$ -	-	
2. Belgian Block Curb	LF	6,117	\$ 14.00	\$ 85,638.00	\$ -	-	6,117.00	\$ 85,638.00	\$ -	-	
3. Fine Grade and Compact Subgrade	SY	9,489	\$ 1.12	\$ 10,627.68	\$ -	-	9,489.00	\$ 10,627.68	\$ -	-	
4. 3" 2a Modified	SY	9,489	\$ 3.01	\$ 28,561.89	\$ -	-	9,489.00	\$ 28,561.89	\$ -	-	
5. 5" (25MM) Base Course	SY	9,489	\$ 19.00	\$ 180,291.00	\$ -	-	9,489.00	\$ 180,291.00	\$ -	-	
6. 1.5" (9.5MM) Wearing Paving	SY	9,489	\$ 7.12	\$ 67,561.68	\$ -	-	\$ -	\$ -	9,489.00	\$ 67,561.68	
7. Speed Bump	LS	1	\$ 1,200.00	\$ 1,200.00	\$ -	-	\$ -	\$ -	1.00	\$ 1,200.00	
8. Street Sweeping	SY	9,489	\$ 0.12	\$ 1,138.68	\$ -	-	\$ -	\$ -	9,489.00	\$ 1,138.68	
9. Tack Coat	SY	9,489	\$ 0.19	\$ 1,802.91	\$ -	-	\$ -	\$ -	9,489.00	\$ 1,802.91	
10. Curb & Joint Seal	LF	6,117	\$ 0.63	\$ 3,853.71	\$ -	-	\$ -	\$ -	6,117.00	\$ 3,853.71	
11. Line Painting	LS	1	\$ 1,750.00	\$ 1,750.00	\$ -	-	\$ -	\$ -	1.00	\$ 1,750.00	
12. Site Signage	LS	1	\$ 2,307.00	\$ 2,307.00	\$ -	-	\$ -	\$ -	0.50	\$ 1,153.50	
13. Type 2S Guide Rail (Includes 3 Terminal Sections)	LF	760	\$ 20.71	\$ 15,739.60	0.50	\$ 1,153.50	760.00	\$ 15,739.60	0.50	\$ 1,153.50	



**ESCROW STATUS REPORT**

**SUMMARY OF ESCROW ACCOUNT**

RELEASE NO.: 10  
RELEASE DATE: 17-Mar-2015

PROJECT NAME: Firefox - Ph. 1 (Southern)  
PROJECT NO.: 2012-09009  
TOWNSHIP NO.: LD/S #630  
DEVELOPER: Crystal Road Enterprises, LLC  
OWNER: Firefox I, L.P.

	PHASE I	PHASE II	TOTAL
CONSTRUCTION:	\$ 2,380,457.42	\$ 1,573,052.37	\$ 3,953,509.79
CONTINGENCY (10%):	\$ 238,045.74	\$ 157,305.24	\$ 395,350.98
ESCROW POSTED:	\$ 2,618,503.16	\$ 1,730,357.61	\$ 4,348,860.77

	PHASE I	PHASE II	TOTAL
TOTAL ESCROW:	\$ 2,618,503.16	\$ 1,730,357.61	\$ 4,348,860.77
AMOUNT OF THIS RELEASE:	\$ 123,882.94	\$ -	\$ 123,882.94
PRIOR ESCROW RELEASED:	\$ 1,739,417.70	\$ -	\$ 1,739,417.70
TOTAL RELEASED TO DATE:	\$ 1,863,300.64	\$ -	\$ 1,863,300.64
BALANCE AFTER CURRENT RELEASE:	\$ 755,202.52	\$ 1,730,357.61	\$ 2,485,560.13

TOTAL ENG/INSP/LEGAL (CASH ACCOUNT): \$ 45,000.00  
TOTAL ADMINISTRATION (CASH ACCOUNT): \$ 5,000.00  
MUNICIPALITY: Montgomery Township  
ESCROW AGENT: Uninvest  
TYPE OF SECURITY: Loan  
AGREEMENT DATE: 10-Oct-2014  
PHASE I MAINTENANCE BOND AMOUNT (15%): \$ 357,088.61  
PHASE II MAINTENANCE BOND AMOUNT (15%): \$ 235,957.86

ESCROW TABULATION					CURRENT RELEASE	RELEASED TO DATE	AVAILABLE FOR RELEASE	RELEASE REQ # 11	
CONSTRUCTION ITEMS	UNITS	QUANTITY	UNIT PRICE	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY
<b>1.H. ROADWAY (Bethlehem Pike)</b>									
1. Excavate & Backfill, Concrete Curb	LF	360	\$ 5.29	\$ 1,904.40		\$ 360.00	\$ 1,904.40		
2. 18" Concrete Curb	LF	360	\$ 13.35	\$ 4,806.00		\$ 360.00	\$ 4,806.00		
3. Saw Cut	LF	450	\$ 3.17	\$ 1,426.50		\$ 450.00	\$ 1,426.50		
4. Excavate for Widening	SY	500	\$ 8.44	\$ 4,220.00		\$ 500.00	\$ 4,220.00		
5. 6" Pavement Base Drain	LF	261	\$ 18.93	\$ 4,940.73		\$ 261.00	\$ 4,940.73		
6. 18" RCP	LF	65	\$ 55.38	\$ 3,599.70		\$ 65.00	\$ 3,599.70		
7. Tie-In to Existing Inlets	EA	2	\$ 1,725.00	\$ 3,450.00		\$ 2.00	\$ 3,450.00		
8. Type C inlets (#B1, B2)	EA	2	\$ 3,187.00	\$ 6,374.00		\$ 2.00	\$ 6,374.00		
9. Fine Grade and Compact Subgrade	SY	520	\$ 1.12	\$ 582.40		\$ 520.00	\$ 582.40		
10. 8" 2a Modified	SY	500	\$ 11.93	\$ 5,965.00		\$ 500.00	\$ 5,965.00		
11. 8" (25MM) Base Course	SY	500	\$ 35.38	\$ 17,690.00		\$ 500.00	\$ 17,690.00		
12. 2.5" (19MM) Base Course	SY	500	\$ 14.58	\$ 7,290.00		\$ 500.00	\$ 7,290.00		
13. 1.5" (12MM) Wearing Paving	SY	1,133	\$ 9.59	\$ 10,865.47		\$ 1,133.00	\$ 10,865.47		
14. Street Sweeping	SY	1,133	\$ 0.16	\$ 181.28		\$ 1,133.00	\$ 181.28		
15. Curb & Joint Seal	LF	1,200	\$ 0.63	\$ 756.00		\$ 1,200.00	\$ 756.00		
16. Tack Coat	SY	1,133	\$ 0.19	\$ 215.27		\$ 1,133.00	\$ 215.27		
17. Milling for Overlay	LS	1	\$ 7,645.00	\$ 7,645.00		\$ 1.00	\$ 7,645.00		
18. Line Painting	LS	1	\$ 6,540.00	\$ 6,540.00		\$ 1.00	\$ 6,540.00		
19. Signalization	LS	1	\$ 215,889.00	\$ 215,889.00		\$ 1.00	\$ 215,889.00		
20. Type 2S Guide Rail, Remove & Replace	LS	1	\$ 8,350.00	\$ 8,350.00		\$ 1.00	\$ 8,350.00		
21. Figure 24 Signage	LS	1	\$ 2,725.00	\$ 2,725.00		\$ 1.00	\$ 2,725.00		
22. Traffic Control	DY	8	\$ 900.00	\$ 7,200.00		\$ 8.00	\$ 7,200.00		
23. Excavate & Backfill, Place 4" 2A Mod. Stone for Sidewalk	SF	1,400	\$ 1.56	\$ 2,184.00		\$ 1,400.00	\$ 2,184.00		
24. Sidewalk (4")	SF	1,400	\$ 8.00	\$ 11,200.00		\$ 1,400.00	\$ 11,200.00		
25. Handicap Ramps (incl. DWS)	EA	4	\$ 500.00	\$ 2,000.00		\$ 4.00	\$ 2,000.00		
<b>1.I. ONSITE SIDEWALKS</b>									
1. Sidewalk (4")	SF	6,700	\$ 8.00	\$ 69,600.00		\$ -	\$ -	\$ 69,600.00	3648
2. Driveway Apron (6" w/ wire mesh)	EA	57	\$ 1,100.00	\$ 62,700.00	3.00	\$ 3,300.00	\$ 3,300.00	\$ 59,400.00	17
3. Handicap Ramps (incl. DWS)	EA	12	\$ 500.00	\$ 6,000.00		\$ -	\$ -	\$ 6,000.00	18
<b>1.J. BIOSWALE CONVERSION</b>									
1. Convert bioswales A1.5 and B12.2 to permanent infiltration	LS	1	\$ 23,202.00	\$ 23,202.00	0.50	\$ 11,601.00	\$ 11,601.00	\$ 11,601.00	



**ESCROW STATUS REPORT**

**SUMMARY OF ESCROW ACCOUNT**

RELEASE NO.: 10  
RELEASE DATE: 17-Mar-2015

PROJECT NAME: Firefox - Ph. 1 (Southern)  
PROJECT NO.: 2012-09009  
TOWNSHIP NO.: LD/S #630  
DEVELOPER: Crystal Road Enterprises, LLC  
OWNER: Firefox I, L.P.

	PHASE I	PHASE II	TOTAL
CONSTRUCTION:	\$ 2,380,457.42	\$ 1,573,052.37	\$ 3,953,509.79
CONTINGENCY (10%):	\$ 238,045.74	\$ 157,305.24	\$ 395,350.98
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TOTAL ENG/INSP/LEGAL (CASH ACCOUNT): \$ 45,000.00  
TOTAL ADMINISTRATION (CASH ACCOUNT): \$ 5,000.00  
MUNICIPALITY: Montgomery Township  
ESCROW AGENT: Unlvest  
TYPE OF SECURITY: Loan  
AGREEMENT DATE: 10-Oct-2014  
PHASE I MAINTENANCE BOND AMOUNT (15%): \$ 357,068.61  
PHASE II MAINTENANCE BOND AMOUNT (15%): \$ 235,957.86

ESCROW TABULATION					CURRENT RELEASE		RELEASED TO DATE		AVAILABLE FOR RELEASE		RELEASE REQ # 11
CONSTRUCTION ITEMS	UNITS	QUANTITY	UNIT PRICE	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY
<b>1.K. SEDIMENT BASIN B CONVERSION</b>											
1. Earthwork	LS	1	\$ 43,918.00	\$ 43,918.00					1.00	\$ 43,918.00	8
2. Post and rail fencing	LF	462	\$ 15.00	\$ 6,930.00					462.00	\$ 6,930.00	8
<b>1.L. STREET LIGHTS</b>											
1. Street Lights	EA	16	\$ 2,700.00	\$ 43,200.00					16.00	\$ 43,200.00	16
<b>1.M. LANDSCAPING</b>											
<i>Shade Trees</i>											
1. <i>Acer rubrum</i>	EA	31	\$ 350.00	\$ 10,850.00					31.00	\$ 10,850.00	23
2. <i>Acer saccharum</i>	EA	19	\$ 350.00	\$ 6,650.00					19.00	\$ 6,650.00	14
3. <i>Cercidiphyllum Japonica</i>	EA	16	\$ 380.00	\$ 6,080.00					16.00	\$ 6,080.00	6
4. <i>Gleditsia T. Shademaster</i>	EA	27	\$ 350.00	\$ 9,450.00					27.00	\$ 9,450.00	12
5. <i>Liquidambar styraciflua</i>	EA	23	\$ 350.00	\$ 8,050.00					23.00	\$ 8,050.00	14
6. <i>Liriodendron tulipifera</i>	EA	21	\$ 350.00	\$ 7,350.00					21.00	\$ 7,350.00	7
7. <i>Platanus x acerifolia</i>	EA	13	\$ 350.00	\$ 4,550.00					13.00	\$ 4,550.00	4
8. <i>Pyrus C. Chanticleer</i>	EA	18	\$ 350.00	\$ 6,300.00					18.00	\$ 6,300.00	9
9. <i>Quercus borealis</i>	EA	13	\$ 360.00	\$ 4,680.00	8.00	\$ 2,880.00	8.00	\$ 2,880.00	5.00	\$ 1,800.00	5
10. <i>Quercus palustris</i>	EA	9	\$ 350.00	\$ 3,150.00					9.00	\$ 3,150.00	0
11. <i>Quercus phellos</i>	EA	22	\$ 360.00	\$ 7,920.00	1.00	\$ 360.00	1.00	\$ 360.00	21.00	\$ 7,560.00	17
12. <i>Tilia cordata</i>	EA	18	\$ 350.00	\$ 6,300.00					18.00	\$ 6,300.00	7
13. <i>Zalkova serrata</i>	EA	26	\$ 350.00	\$ 9,100.00					26.00	\$ 9,100.00	13
<i>Evergreen Trees</i>											
17. <i>Juniperus virginiana</i>	EA	26	\$ 250.00	\$ 6,500.00					26.00	\$ 6,500.00	0
16. <i>Picea abies</i>	EA	34	\$ 250.00	\$ 8,500.00	21.00	\$ 5,250.00	21.00	\$ 5,250.00	13.00	\$ 3,250.00	0
14. <i>Pinus strobus</i>	EA	43	\$ 250.00	\$ 10,750.00	30.00	\$ 7,500.00	30.00	\$ 7,500.00	13.00	\$ 3,250.00	1
15. <i>Pseudotsuga menziesii</i>	EA	29	\$ 250.00	\$ 7,250.00					29.00	\$ 7,250.00	0



# ESCROW STATUS REPORT

## SUMMARY OF ESCROW ACCOUNT

RELEASE NO.: 10  
RELEASE DATE: 17-Mar-2015

	PHASE I	PHASE II	TOTAL
PROJECT NAME: Firefox - Ph. 1 (Southern)			
PROJECT NO.: 2012-09009	CONSTRUCTION: \$ 2,380,457.42	\$ 1,573,052.37	\$ 3,953,509.79
TOWNSHIP NO.: LD/S #830	CONTINGENCY (10%): \$ 238,045.74	\$ 157,305.24	\$ 395,350.98
DEVELOPER: Crystal Road Enterprises, LLC	ESCROW POSTED: \$ 2,618,503.16	\$ 1,730,357.61	\$ 4,348,860.77
OWNER: Firefox I, L.P.			
	TOTAL ENG/INSP/LEGAL (CASH ACCOUNT):	\$	45,000.00
	TOTAL ADMINISTRATION (CASH ACCOUNT):	\$	5,000.00
MUNICIPALITY: Montgomery Township	PHASE I MAINTENANCE BOND AMOUNT (15%):	\$	357,068.61
ESCROW AGENT: Uninvest	PHASE II MAINTENANCE BOND AMOUNT (15%):	\$	235,957.86
TYPE OF SECURITY: Loan			
AGREEMENT DATE: 10-Oct-2014			

	PHASE I	PHASE II	TOTAL
TOTAL ESCROW:	\$ 2,618,503.16	\$ 1,730,357.61	\$ 4,348,860.77
AMOUNT OF THIS RELEASE:	\$ 123,882.94	\$ -	\$ 123,882.94
PRIOR ESCROW RELEASED:	\$ 1,739,417.70	\$ -	\$ 1,739,417.70
TOTAL RELEASED TO DATE:	\$ 1,863,300.64	\$ -	\$ 1,863,300.64
BALANCE AFTER CURRENT RELEASE:	\$ 755,202.52	\$ 1,730,357.61	\$ 2,485,560.13

ESCROW TABULATION					CURRENT RELEASE		RELEASED TO DATE		AVAILABLE FOR RELEASE		RELEASE REQ # 11
CONSTRUCTION ITEMS	UNITS	QUANTITY	UNIT PRICE	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY
<b>Shrubs</b>											
18. <i>Euonymus A. Compacta</i>	EA	10	\$ 65.00	\$ 650.00		\$ -		\$ -	10.00	\$ 650.00	10
19. <i>Forsythia Lynwood Gold</i>	EA	10	\$ 65.00	\$ 650.00		\$ -		\$ -	10.00	\$ 650.00	0
20. <i>Ilex verticillata</i>	EA	17	\$ 65.00	\$ 1,105.00		\$ -		\$ -	17.00	\$ 1,105.00	0
22. <i>Taxus Denseiformis</i>	EA	11	\$ 65.00	\$ 715.00		\$ -		\$ -	11.00	\$ 715.00	11
21. <i>Virburnum Plicatum</i>	EA	9	\$ 65.00	\$ 585.00		\$ -		\$ -	9.00	\$ 585.00	0
<b>Miscellaneous</b>											
23. Seed Mix "A" for Basin (ERNMX 126)	SF	14,190	\$ 0.12	\$ 1,702.80		\$ -		\$ -	14,190.00	\$ 1,702.80	0
24. Seed Mix "B" for Basin (ERNMX 127)	SF	12,960	\$ 0.12	\$ 1,555.20		\$ -		\$ -	12,960.00	\$ 1,555.20	0
<b>1.N. BITUMINOUS PATHWAYS</b>	SY	1,645	\$ 35.00	\$ 57,575.00	1,612.00	\$ 56,420.00	1,612.00	\$ 56,420.00	33.00	\$ 1,155.00	0
<b>1.O. 6-FT-HIGH OPAQUE (BUFFER) FENCING</b>	LS	1	\$ 10,000.00	\$ 10,000.00		\$ -		\$ -	1.00	\$ 10,000.00	0
<b>1.P. RESPREAD TOPSOIL (8")</b>	LS	1	\$ 30,000.00	\$ 30,000.00	15/3	\$ 6,000.00	0.20	\$ 6,000.00	0.80	\$ 24,000.00	.15
<b>1.Q. MONOSLAB PAVERS (access to sanitary easement)</b>	SF	1,310	\$ 8.65	\$ 11,331.50	1,310.00	\$ 11,331.50	1,310.00	\$ 11,331.50		\$ -	
<b>1.R. OTHER</b>											
1. Construction Stakeout	LS	1	\$ 46,781.00	\$ 46,781.00		\$ -	1.00	\$ 46,781.00		\$ -	0
2. Pins and Monuments and As-Builts	LS	1	\$ 15,675.00	\$ 15,675.00		\$ -		\$ -	1.00	\$ 15,675.00	0
<b>1.S. 10% CONTINGENCY (Phase II)</b>		1	\$ 238,045.74	\$ 238,045.74		\$ -		\$ -	1.00	\$ 238,045.74	0
(Released upon certification of final completion and receipt of Maintenance Bond)											

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

SUBJECT: Consider Release of Maintenance Period Escrow – End of Maintenance Period –  
Flynn/Derck Minor Subdivision – LDS 656

MEETING DATE: December 18, 2017

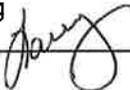
ITEM NUMBER: #17c.

MEETING/AGENDA: WORK SESSION                      ACTION XX                      NONE

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

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

BACKGROUND:



Attached is a release of Maintenance Period Escrow for the Flynn/Derck Minor Subdivision, as recommended by the Township Consultants. This will end the 18-maintenance period for this development. The current amount of the escrow is \$4,134.00, held as a cash.

The release of this escrow will close this account, as all public improvements have been satisfactorily completed.

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 the construction escrow be released and the maintenance period be ended.

MOTION/RESOLUTION:

The Resolution is attached.

MOTION \_\_\_\_\_

SECOND \_\_\_\_\_

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Richard E. Miniscalco	Aye	Opposed	Abstain	Absent
Candyce Chimera	Aye	Opposed	Abstain	Absent

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

Resolution #

WHEREAS, a request for final release of the 18-month Maintenance Period escrow was received from Kris Flynn for the Minor Subdivision at 1407 Upper State Road, LDS 656, in the amount of \$4,134.00 (held as cash) on the representation that work setforth in the Land Development Agreement to that extent has been completed; and

WHEREAS, said request has been reviewed by the Landscape Architect who recommend that the escrow be released, as all public improvements by letter dated October 30, 2017 have been satisfactorily completed at the end of the Maintenance Period.

NOW, THEREFORE, BE IT RESOLVED BY the Board of Supervisors of Montgomery Township that we do hereby authorize the above noted release, and the officers of the Township are authorized to take the necessary action to obtain release of these funds. This will end the maintenance period for this project.

BE IT FURTHER RESOLVED that this release is contingent upon all Township fees being paid. The action of the Board in releasing these funds will close this maintenance period escrow account.

MOTION BY:

SECOND BY:

VOTE:

DATE: December 18, 2017

xc: Applicant, J. Dougherty, B. Shoupe, Finance Department, M. Gambino, Minute Book, Resolution File, File

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Bruce S. Shoupe, Director of  
Planning and Zoning



**Boucher & James, Inc.**  
CONSULTING ENGINEERS

AN EMPLOYEE OWNED COMPANY  
INNOVATIVE ENGINEERING

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

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

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

[www.hjengineers.com](http://www.hjengineers.com)

October 30, 2017

Mr. Ed Slaw  
Chambers & Associates, Inc.  
2962 Skippack Pike  
P.O. Box 678  
Worcester, PA 19490

**SUBJECT: FLYNN/DERCK MINOR SUBDIVISION  
END OF MAINTENANCE INSPECTION 001  
TOWNSHIP LD/S NO. 656  
PROJECT NO. 10-55-255R**

Dear Mr. Slaw:

Please be advised that on October 26, 2017, I conducted an inspection of the plant material installed at the Flynn/Derck Minor Subdivision as requested by Bruce Shoupe on October 22, 2017, in order to end the maintenance period. The inspection was conducted in accordance with the approved plan set prepared by Eastern/Chadrow Associates, Inc., dated September 27, 2010.

All landscaping has been provided in accordance with the approved landscape plan and is acceptable to end the maintenance period. Please do not hesitate to contact me if you have any questions or require further information.

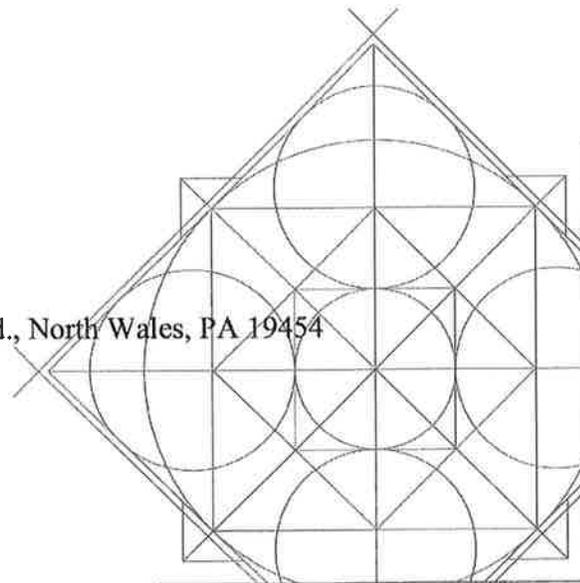
Sincerely,

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

VLL/kam

cc: Board of Supervisors  
Lawrence Gregan, Township Manager  
Bruce Shoupe, Director of Planning and Zoning  
Marianne McConnell, Deputy Zoning Officer  
Kristofer Flynn & Heather Derck, 1407 Upper State Rd., North Wales, PA 19454

P:\2010\1055255R\Documents\Correspondence\Letter.To.JDougherty.EOM01.doc



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

**SUBJECT:** Consider Release of Maintenance Period Escrow – End of Maintenance Period –  
Indian Lake Farms Subdivision – LDS 593

**MEETING DATE:** December 18, 2017

**ITEM NUMBER:** #17d.

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

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

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



**BACKGROUND:**

Attached is a release of Maintenance Period Escrow for the Indian Lake Farms Subdivision, as recommended by the Township Consultants. This will end the maintenance period for this development. The current amount of the escrow is \$11,090.00, held as a cash.

The release of this escrow will close this account, as all public improvements have been satisfactorily completed.

**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 the construction escrow be released and the maintenance period be ended.

**MOTION/RESOLUTION:**

The Resolution is attached.

**MOTION** \_\_\_\_\_    **SECOND** \_\_\_\_\_

**ROLL CALL:**

Robert J. Birch	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Richard E. Miniscalco	Aye	Opposed	Abstain	Absent
Candyce Chimera	Aye	Opposed	Abstain	Absent

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

Resolution #

WHEREAS, a request for final release of the 18-month Maintenance Period escrow was received from Ed Moser for the Indian Lake Farms Subdivision off Richardson Road, LDS 593, in the amount of \$11,090.00 (held as cash) on the representation that work setforth in the Land Development Agreement to that extent has been completed; and

WHEREAS, said request has been reviewed by the Landscape Architect who recommend that the escrow be released, as all public improvements by letter dated December 7, 2017 have been satisfactorily completed at the end of the Maintenance Period.

NOW, THEREFORE, BE IT RESOLVED BY the Board of Supervisors of Montgomery Township that we do hereby authorize the above noted release, and the officers of the Township are authorized to take the necessary action to obtain release of these funds. This will end the maintenance period for this project.

BE IT FURTHER RESOLVED that this release is contingent upon all Township fees being paid. The action of the Board in releasing these funds will close this maintenance period escrow account.

MOTION BY:

SECOND BY:

VOTE:

DATE: December 18, 2017

xc: Applicant, J. Dougherty, B. Shoupe, Finance Department, M. Gambino, Minute Book, Resolution File, File

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Bruce S. Shoupe, Director of  
Planning and Zoning



**Boucher & James, Inc.**  
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Fax 215-345-9401

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

559 Main Street, Suite 230  
Bethlehem, PA 18018  
610-419-9407  
Fax 610-419-9408  
[www.bjengineers.com](http://www.bjengineers.com)

December 7, 2017

Mr. James P. Dougherty, P.E.  
Gilmore & Associates, Inc.  
65 E. Butler Ave. Suite 100  
New Britain, PA 18901

**SUBJECT: INDIAN LAKE FARMS  
END OF MAINTENANCE INSPECTION 001  
TOWNSHIP LD/S NO. 593  
PROJECT NO. 0355182R**

Dear Mr. Dougherty:

Please be advised that on December 5, 2017 I conducted an inspection of the landscaping installed at the Indian Lake Farms site in accordance with the approved plan set, prepared by ForeSite Landscape Services, Inc. and McCloskey & Faber, P.C., dated November 5, 2001 and last revised June 15, 2004.

In order to end the maintenance period, all plant material must be alive (as defined by Section 205-49. G of the SLDO), be in acceptable health, and provided, installed and maintained in accordance with the approved plan details and specifications.

Landscaping has been provided in accordance with the approved landscape plan and is acceptable to end the maintenance period. Please do not hesitate to contact me if you have any questions or require further information.

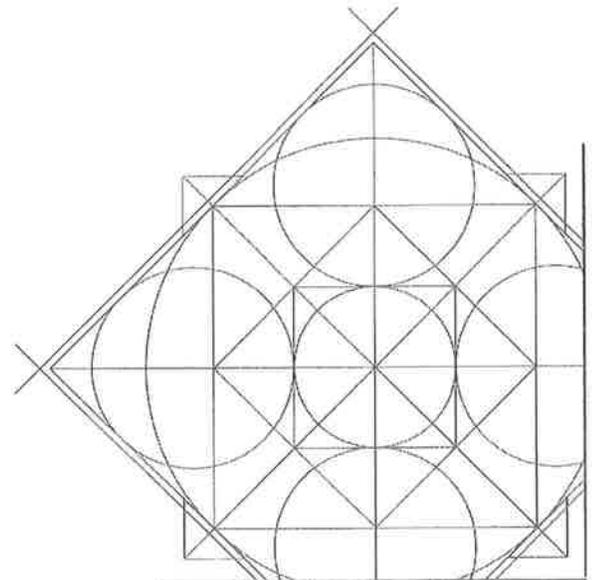
Sincerely,

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

VLL/kam

Enclosure(s)

cc: Board of Supervisors  
Lawrence Gregan, Township Manager  
Bruce Shoupe, Director of Planning and Zoning  
Marianne McConnell, Deputy Zoning Officer  
Edward Moser, The Moser Group



## Bruce S. Shoupe

---

**From:** Ed Moser <efmoser@mosergroup.com>  
**Sent:** Wednesday, December 6, 2017 2:17 PM  
**To:** Bruce S. Shoupe  
**Cc:** Lori Ferris  
**Subject:** Indian Lake Farm

Bruce,

Well we are finally done with tree's.

Can you start the process of releasing the cash escrow of \$11,090.00 we placed with the Township for the trees?

If you remember landscaping was never in the escrow so the trees where not covered by the letter of credit.

Thanks,

Ed



**Edward Moser**

215.997.4404

215.651.2447 cell

[www.mosergroup.com](http://www.mosergroup.com)

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

SUBJECT: Consider End of Maintenance Period – Wegmans Supermarket - LDS 660

MEETING DATE: December 18, 2017

ITEM NUMBER: #17e.

MEETING/AGENDA: WORK SESSION                      ACTION XX                      NONE

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

INITIATED BY: Bruce Shoupe  
Director of Planning and Zoning

BOARD LIAISON: Candyce F. Chimera  
Chairman

BACKGROUND:

At the November 10, 2014 meeting, the Board acknowledged the start of the maintenance period and acceptance of the surety bond for Wegmans Supermarket for the off-site traffic improvements. The off-site traffic improvements have been completed and deficiencies noted have been corrected to the satisfaction of the Township Public Works Director.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

PREVIOUS BOARD ACTION:

Approved the start maintenance period for the Wegmans Supermarket project.

ALTERNATIVES/OPTIONS:

The Board could approve the corrected Resolution.

BUDGET IMPACT:

None.

RECOMMENDATION:

This matter is on the agenda for your consideration.

MOTION/RESOLUTION:

The Resolution is attached.

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

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Richard E. Miniscalco	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

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

Resolution #

WHEREAS, on October 23, 2017, the Montgomery Township Board of Supervisors acknowledged the end of the 18 month maintenance period for the Mall at Montgomeryville, LP, for Wegmans Supermarket; and

WHEREAS, that all public improvements have been completed, including the off-site traffic improvements. The Surety Bond in the amount of \$23,250.00 was posted to serve as a maintenance bond for a period of 18 months for the off-site traffic improvements.

NOW, THEREFORE, the Board of Supervisors of Montgomery Township wish to confirm that all of the public improvements, including the off-site traffic improvements for this project have been completed and the Surety Bond may be released upon receipt of the fee in-lieu for landscaping replacement.

MOTION BY:

SECOND BY:

VOTE:

DATE:

xc: Applicant, F. Bartle, J. Dougherty, B. Shoupe, M. Gambino, Minute Book, Resolution File. File

# SERVICE INVOICE

**MONTGOMERY TOWNSHIP**

1001 Stump Road  
 Montgomeryville, PA 18936  
 Telephone: 215-393-6900  
 Fax: 215-855-6656

**SERVICE FOR:**  
 Montgomery Township  
 Escrow Account LDS-660  
 Replacement Trees and  
 Shrubs per Resolution

<b>INVOICE NUMBER</b>	17-12
<b>ORDER NUMBER</b>	
<b>TAX NUMBER</b>	23-6005687
<b>JOB DESCRIPTION</b>	
<b>DATE</b>	11/16/2017

**BILL TO:**  
 Simon  
 Attn: Scott A. Richardson  
 225 West Washington Street  
 Indianapolis, IN 46204-3438

DATE	SERVICE DESCRIPTION	AMOUNT
11/16/2017	Fee in-lieu of Replacement Trees and Shrubs per Conditional Final Approval Resolution for Wegman Project 250 replacement trees @ \$275/tree 135 shrubs @ \$35/shrub	\$73,475.00
		<b>\$73,475.00</b>
		<b>TOTAL DUE</b>

**MAKE CHECKS PAYABLE TO:**  
 Montgomery Township within 30 days of date of invoice  
 or 1 1/2% interest charges will be applied each month  
 invoice is delinquent.

## Bruce S. Shoupe

---

**From:** srichard@simon.com  
**Sent:** Monday, December 4, 2017 1:37 PM  
**To:** Bruce S. Shoupe  
**Cc:** gkreegar@simon.com; Robert Iannozzi  
**Subject:** Re: FW: Wegmans Project - LDS 660

I would expect the check to be cut and sent sometime this month...prior to year end.

**Scott A. Richardson**  
Vice President  
Development

  
**SIMON**  
225 West Washington Street  
Indianapolis, IN 46204-3438 USA  
T 317.685.7284 M 317.626.3221 F 317.685.7299  
srichard@simon.com

[SIMON.COM](http://SIMON.COM)

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From: "Bruce S. Shoupe" <bshoupe@montgomerytp.org>  
To: "srichard@simon.com" <srichard@simon.com>,  
Cc: "gkreegar@simon.com" <gkreegar@simon.com>, Robert Iannozzi <Rlannozzi@dischellbartle.com>  
Date: 12/01/2017 04:10 PM  
Subject: Re: FW: Wegmans Project - LDS 660

---

Scott

Thanks for the update. When do you think it will be sent.

Thanks

Bruce

Bruce S. Shoupe  
Montgomery Township  
Sent from my Verizon, Samsung Galaxy smartphone



Resolution #

WHEREAS, a request for final release of the Construction Escrow was received from Kin Properties for the Sprint Store at 770 Bethlehem Pike, LDS 676, in the amount of **\$6,924.34** (held as cash) on the representation that work setforth in the Land Development Agreement to that extent has been completed; and

WHEREAS, said request has been reviewed by the Landscape Architect who recommend that the 18-month Maintenance Period begin effective August 14, 2017 and authorized by the Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED BY the Board of Supervisors of Montgomery Township that we do hereby authorize the above noted construction escrow release, and the officers of the Township are authorized to take the necessary action to obtain release of these funds.

BE IT FURTHER RESOLVED that this release is contingent upon all Township fees being paid. The action of the Board in releasing these funds will close this construction escrow account.

MOTION BY:

SECOND BY:

VOTE:

DATE: December 18, 2017

xc: Applicant, J. Dougherty, B. Shoupe, Finance Department, M. Gambino, Minute Book, Resolution File, File

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Bruce S. Shoupe, Director of  
Planning and Zoning

## Bruce S. Shoupe

---

**From:** Robert Brand <rbrand@kinproperties.com>  
**Sent:** Friday, December 8, 2017 10:16 AM  
**To:** Bruce S. Shoupe  
**Subject:** Sprint Store - 770 Bethlehem Pike  
**Attachments:** image0434.pdf

Bruce,  
I hope all is well. Attached is the most current statement received from Montgomery Township noting a \$6,869.77 balance to our construction escrow account. This value is in addition to the landscaping bond that the City has withheld at a value of \$18,229.20. I have been asked to address this immediately from our senior management team and get these funds dispersed. Would it be helpful to have our general counsel review a solution with yours?

Regards,

Robert Brand  
Vice President of Construction and Property Management



**KIN PROPERTIES**

**ROBERT C. BRAND**  
*Vice President*  
*Construction and Property Management*  
rbrand@kinproperties.com

(561) 620-9200 ext. 125  
(561) 988-4425 direct fax  
185 NW Spanish River Blvd.  
Suite 100  
Boca Raton, FL 33431

WWW.KINPROPERTIES.COM

ExchangeDefender Message Security: [Check Authenticity](#)



RECOMMENDATION:

It is recommended that the Board authorize the sale of the following equipment via public auction through J.J. Kane Auctioneers in accordance with the terms of the attached agreement.

2011 Ford Crown Victoria Police Interceptor VIN/2FABP7BV4BX161287: Mileage: 91537  
2011 Ford Crown Victoria Police Interceptor VIN/2FABP7BV0BX162940: Mileage: 108282  
2006 Chrysler 300 VIN/2C3KA43R76H412500; Mileage: 75932

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby authorize the sale at auction of the following Township equipment through J.J. Kane Auctioneers, Conshohocken, Pennsylvania.

2011 Ford Crown Victoria Police Interceptor VIN/2FABP7BV4BX161287: Mileage: 91537  
2011 Ford Crown Victoria Police Interceptor VIN/2FABP7BV0BX162940: Mileage: 108282  
2006 Chrysler 300 VIN/2C3KA43R76H412500; Mileage: 75932

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

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Richard E. Miniscalco	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

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



Contact: Lawrence J. Gregan, Township Manager  
Company Name: Montgomery Township  
Express Mail Address (No P.O. Boxes): 1001 Stump Rd., Montgomeryville  
State: PA  
Zip: 18936  
Phone: 215-362-2301  
Fax:  
Email: lgregan@montgomerytpw.org

**E-Mailed To Client Date: 4/7/15**

This agreement made the 7th day of April, 2015, between Montgomery Township (hereinafter called "Seller") and J.J. Kane Associates Inc / trade name J.J. Kane Auctioneers (hereinafter called "Auctioneer", acting as agent for "Seller"). It is agreed as follows:

- 1) The term of this agreement shall cover any auction sale the Seller chooses to participate starting on April 7th, 2015 and ending on December 31st, 2019.
- 2) Time Frame
  - a) The Seller hereby engages the Auctioneer to sell at public absolute auction sale, the property identified by the seller excluding chemicals, hazardous and/or environmentally unsafe equipment/material unless mutually written upon between Seller and Auctioneer.
    - i) The Seller shall be responsible for clean-up/disposal of petroleum products/chemical spills coming from Seller property/auction items that are offered for sale during this agreement. The prompt and proper clean-up of any spills, leaks or other releases of petroleum or chemical substances and materials will be performed following Federal, State and Provincial regulations. Auctioneer on certain occasions where a spill has occurred, notification to certain Federal, State and Provincial agencies may be required. Seller shall be responsible for all costs resulting in the clean-up of any spills/leaks or other releases of petroleum or chemical spills in accordance with any Applicable Laws. All clean-up/proper disposal costs will be billed back to the Seller and deducted from Seller sale proceeds. If said proceeds shall not cover the cost of spill cleanup/disposal, Seller will be billed the difference and Auctioneer shall be paid within 10 business days of dated invoice. The obligations set forth in this Article shall survive termination or expiration of this Agreement.
- 3) Auction Company Personnel
  - a) Auctioneer shall provide all necessary auctioneers, accountants, clerks and office staff required to achieve the efficient and orderly performance of the auction sale. The Auctioneer shall employ qualified personnel to perform these jobs and shall perform this engagement in a professional and skilled manner in accordance with all applicable, federal, state and local laws and regulations.
- 4) As-Is & Where-Is Auction Sales
  - a) The property/auction items will be offered for sale individually, or in the case of small miscellaneous items sold in lots as determined by the Auctioneer. The property/auction items will be sold on an "As-Is Where-Is" basis without any warranties of any kind expressed or implied.

- b) Seller agrees to disclose to Auctioneer any known defects or faults with property/auction items prior to the auction sale.

5) Marketable Title

- a) The Seller specifically warrants they are the owner of and have marketable title to all of the property, free and clear from any liens, debts or encumbrances except as noted. The Seller further warrants that there are no judgments or liens against it and that there are no pending legal actions, claims or proceedings whatsoever which in any way would hinder, prevent or otherwise affect its right or ability to sell the property at auction sale.
- b) Seller agrees to deliver on request any documents, certificates, proof of ownership or titles, which would be required to deliver title to the property.
- c) In the case that there is a delay in the new purchaser receiving a clear title for any vehicle or trailer sold for the Seller, the net proceeds from the sale will be held, until a free and clear title is received by the purchaser, or at the discretion of the Auctioneer, that item would be pulled from the auction sale and remain the Sellers property.
- d) If Seller is a motor vehicle dealer,
  - i) list dealer state & dealer number: \_\_\_\_\_

6) Titles On-Site

- a) The Seller agrees to have all signed titles, a letter of authorization to sell your vehicles and any other related paperwork (seller specific bills of sale), either in my hands by the time designated by JJ Kane Auctioneers.
- b) To comply with motor vehicle rules and so new purchasers may transfer ownership with minimal problems, a letter of authorization needs to be on your company letterhead and must accompany all titles. Below is a sample letter:

To Whom It May Concern:

ABC Company gives J.J. Kane Auctioneers authorization to sell vehicles and/or equipment owned by \_\_\_\_\_ at your auction sale conducted on Saturday, \_\_\_\_\_ in \_\_\_\_\_, \_\_\_\_.

Sincerely

XXXXXXXXXX  
01/01/2015

7) Delivery Of Auction Items

- a) The Seller agrees to have said property/auction items delivered to the sale site starting \_\_\_\_\_, 2015 and no later than \_\_\_\_\_, 2015. Items must be delivered in running condition (except when noted) with adequate fuel levels and a duplicate set of keys.

8) Insurance Coverage

- a) The Seller agrees to maintain proper insurance coverage on the property/auction items being sold until the day of the auction sale.
- b) The Auctioneer and owner of the sale site property will not be responsible for any damages to property/auction items resulting from acts of nature, theft, accident and/or vandalism while Sellers property is on the sale site.

- c) Auctioneer shall be responsible for loss or damage to Sellers property/auction items due to Auctioneers willful or negligent acts or omissions.

9) Commission

- a) The Seller agrees that Auctioneer will charge a 10 percent fee to the buyer for each item sold.
- b) The Seller agrees to pay the Auctioneer a seller's fee of **4%**.
- c) The Seller agrees when applicable, that the Auctioneer may deduct its commission from the proceeds of the auction sale.

10) No Sales

- a) In the event that a successful bidder attending the auction sale or bidding live (Proxibid; Auctioneers Internet Agent) over the internet fails to pay for an item for which he is designated to be the high bidder, that property/auction item would be considered a "No Sale" and no commission would be charged on that item and the Seller would retain ownership of said item.

11) Reimbursed Expenses

- a) If applicable and pre-approved, the Seller agrees that the Auctioneer may deduct the exact cost for any additional services that Auctioneer provides Seller from the proceeds of the auction sale.

- (1) Advertising: \$   N/A
- (2) Decommissioning & Washing: \$   N/A
- (3) Repairs: \$   N/A
- (4) Transportation To Sale Site: \$   N/A
- (5) Other: \$   N/A

12) Payout

- a) Auctioneer will charge and collect from the purchaser, the purchase price together with all applicable taxes. Auctioneer will collect payment in full from the purchaser, prior to any property being removed. Seller shall be responsible for the payment of all income taxes accruing to Seller for revenue received from the sale of property.
- b) The Auctioneer agrees to pay the Seller the net proceeds from the auction sale 14 business days following the auction sale. Auctioneer shall express mail a written report to Seller listing items sold and an amount equal to **96 percent** of the gross selling price of the property sold at auction, as outlined under section (8) and less any approved expenses as outlined under section (10), in the form of a check made payable or electronic transfer to the Seller. Proof of all approved expenses will be provided with the payout.
  - (1) Proceeds check will be made payable and mailed to the same name and address as it appears on page 1 of this contract unless otherwise listed.

13) Absolute Unreserved Auction Sales

- a) The Seller understands that the Auctioneer conducts absolute unreserved public auction sales where each item is sold to the highest bidder regardless of price.
- b) Furthermore, the Seller understands/agrees that it is illegal for the Seller or an agent of the Seller to bid on and/or buy-back any items owned by the Seller.
- c) If the Seller or agent for the Seller attempts to bid on and/or buy back any of the consigned property/auction items, the Auctioneer will at his discretion choose one of the following actions:
  - (1) Pass the item currently being offered for sale along with all the other Seller's property/auction items.

- (2) Sell the item to the last "Good Faith" bidder before the Seller or agent for the Seller began bidding on the property/auction item.
- d) The Seller agrees that it will reimburse Auctioneer for any lost revenue, including seller's commission, buyer's fee and/or any pre-approved reimbursed expenses if a "Buy Back" takes place.

14) Advertised Items

- a) At the Auctioneers discretion, in the event that the Seller removes any advertised property/auction item from the auction sale, Seller agrees to pay the Auctioneer a handling fee of \$500.00 for each item removed from the sale.

15) Breach Of Contract

- a) In the event that Seller breaches any of the above warranties or makes any misrepresentation herein, Seller agrees to indemnify and hold the Auctioneer harmless from any and all liabilities or damages arising out of or relating to such breach or misrepresentation, including attorneys fees and other costs expended by Auctioneer in any action or proceeding arising out of or relating to the breach or misrepresentation.

16) Entire Agreement

- a) This Agreement contains the entire agreement between the parties and there are no other terms, obligations or representations, written or oral, other than contained in this agreement. This agreement may be modified only by a further writing that is duly executed by both parties.
- b) Headings used in this agreement are provided for convenience only and shall not be used to construe meaning or intent.

Seller hereby accepts all of the terms and conditions set forth above.

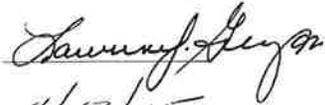
J.J. Kane Auctioneers

Company Name: Montgomery Township

Contact: John Kane

Contact: Lawrence J. Gregan

Signature: \_\_\_\_\_

Signature: 

Date: \_\_\_\_\_

Date: 4/12/15

**MONTGOMERY TOWNSHIP  
BOARD OF SUPERVISORS**

Telephone: 215-393-6900 • Fax: 215-855-6656

**ROBERT J. BIRCH  
CANDYCE FLUEHR CHIMERA  
MICHAEL J. FOX  
JEFFREY W. McDONNELL  
JOSEPH P. WALSH**

**LAWRENCE J. GREGAN  
TOWNSHIP MANAGER**

April 13, 2015

J.J. Kane Auctioneers  
1000 Lenola Road  
Building 1, Suite 203  
Maple Shade, NJ 08052

RE: Authorization for the Sale of Vehicles/Equipment

To Whom It May Concern:

Township Manager Lawrence J. Gregan gives J.J. Kane Auctioneers the authorization to sell vehicles and/or equipment owned by Montgomery Township at your auction sales conducted during the calendar years 2015 to 2019 in the United States of America.

Sincerely,

  
Lawrence J. Gregan  
Township Manager  
Montgomery Township

LJG/dar

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Approval of Amendments to 401(a) Money Purchase Pension Plan and Summary Plan Description Documents

MEETING DATE: December 18, 2017

ITEM NUMBER: #19

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

REASON FOR CONSIDERATION: Operational: XX

Policy: Discussion:

Information:

INITIATED BY: Ann Shade, Director of Admin & HR  
Ami Tarburton, Director of Finance

BOARD LIAISON: Candyce Chimera, Chairman

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BACKGROUND:

Article 5 of the American Arbitration Association Award between Montgomery Township and Montgomery Township Professional Firefighters' IAFF Local 4890 provides that, to the extent permitted by state and federal law, the Township would amend the Pension Plan to allow qualified firefighters to retire at age fifty (50) and not be subject to the 10% Penalty provision of the IRS Code 72(t).

Enacted in 2016, Section 828 of the Pension Protection Act waives the 10% penalty for early distributions made to "qualified public safety employees" who separate from service after attaining age 50 (instead of age 55, as was the case prior to the Act). A "qualified public safety employee would include our Township career firefighters.

In order to comply with this provision of the Arbitration Award, it is proposed that the Montgomery Township 401(a) Money Purchase Pension Plan Document and 401(a) Summary of Plan document be amended to add language to permit qualified firefighters to separate employment at or after age 50 and not be subject to the 10% early withdrawal penalty. These changes are highlighted in the attached red-lined sections of the 401(a) Pension Plan documents.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

It is recommended that the Board of Supervisors approve the amendments to the Montgomery Township 401(a) Money Purchase Pension Plan Document and 401(a) Summary of Plan Provisions document in accordance with language awarded in 2016 Act 111 Arbitration award. These changes provide that qualified firefighters who separate employment at or after age 50 will not be subject to the 10% early withdrawal penalty imposed by Internal Revenue Service Code 72(t).

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby approve the amendment to the Montgomery Township 401(a) Money Purchase Pension Plan Document and 401(a) Summary of Plan Description document to provide that qualified firefighters who separate employment at or after age 50 will not be subject to the 10% early withdrawal penalty.

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

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Richard E. Minisclaco	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

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

MONTGOMERY TOWNSHIP 401(A) MONEY PURCHASE PENSION PLAN  
AND ALL SUPPORTING FORMS HAVE BEEN PRODUCED FOR  
BENEFIT CONSULTANTS GROUP

401(a) Money Purchase Pension Plan  
Plan Document – Restated (prior restatement April 25, 2016)  
Approved by Board of Supervisors, December 18, 2017 (pending)  
Resolution

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1.45 "Matching Contribution Account" means the separate account established and maintained by the Administrator for each Participant with respect to the Participant's total interest in the Plan resulting from matching Contributions made pursuant to Section 4.3.

1.46 "Military Differential Pay" means, for any Plan or Limitation Year beginning after June 30, 2007, any differential wage payments made to an individual that represents an amount which, when added to the individual's military pay, approximates the amount of compensation that was paid to the individual while working for the Employer. Notwithstanding the preceding sentence, for years beginning after December 31, 2008, an individual receiving a differential wage payment, as defined by Code §3401(h)(2), is treated as an Employee of the Employer making the payment.

The Plan is not treated as failing to meet the requirements of any provision described in Code §414(u)(1)(C) (or corresponding plan provisions, including, but not limited to, Plan provisions related to the ACP test) by reason of any contribution or benefit which is based on the differential wage payment. The preceding sentence applies only if all Employees of the Employer performing service in the uniformed services described in Code §3401(h)(2)(A) are entitled to receive differential wage payments (as defined in Code §3401(h)(2)) on reasonably equivalent terms and, if eligible to participate in a retirement plan maintained by the Employer, to make contributions based on the payments on reasonably equivalent terms (taking into account Code §§410(b)(3), (4), and (5)).

The Administrator operationally may determine, for purposes of the provisions described in Code §414(u)(1)(C), whether to take into account any Matching Contributions attributable to differential wages.

1.47 "Nonelective Contribution" means the annual Employer contribution described by Section (f).

1.48 "Nonelective Contribution Account" means the separate account established and maintained by the Administrator for each Participant with respect to the Participant's total interest in the Plan resulting from Nonelective Contributions.

1.49 "Nonhighly Compensated Employee" means any Employee who is not a Highly Compensated Employee.

1.50 "Nonhighly Compensated Participant" means a Participant who is not a Highly Compensated Employee.

1.51 "Normal Retirement Age" means the Participant's 55 birthday. ~~After December 31, 2015, qualified firefighters/public safety employees who separate employment at or after age 50 will not be subject to the 10% early withdrawal penalty imposed by Code §72(t).~~

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1.52 "Normal Retirement Date" means the first day of the month coinciding with or next following the Participant's Normal Retirement Age.

1.53 "1-Year Break in Service" means the applicable computation period during which an Employee has not completed more than 500 Hours of Service with the Employer. However, the Employer may amend the Plan to provide a lesser number of Hours of Service in a Plan amendment for eligibility purposes, vesting purposes, or accrual purposes without adversely affecting the Plan's reliance on the IRS advisory letter. Further, solely for the purpose of determining whether a Participant has incurred a 1-Year Break in Service, Hours of Service shall be recognized for "authorized leaves of absence" and "maternity and paternity leaves of absence." Years of Service and 1-Year Breaks in Service shall be measured on the same computation period.

For purposes of this definition, "authorized leave of absence" means an unpaid, temporary cessation from active employment with the Employer pursuant to an established nondiscriminatory policy, whether occasioned by illness, military service, or any other reason.

Furthermore, for purposes of this definition, "maternity and paternity leave of absence" means an absence from work for any period by reason of the Employee's pregnancy, birth of the Employee's child, placement of a child with the Employee in connection with the adoption of such child, or any absence for the purpose of caring for such child for a period immediately following such birth or placement. For this purpose, Hours of Service shall be credited for the computation period in which the absence from work begins, only if credit therefore is necessary to prevent the Employee from incurring a 1-Year Break in Service, or, in any other case, in the immediately following computation period. The Hours of Service credited for "maternity and paternity leaves of absence" shall be those which would normally have been credited but for such absence, or, in any case in which the Administrator is unable to determine such hours normally credited, eight (8) Hours of Service per day. The total Hours of Service required to be credited for "maternity and paternity leaves of absence" shall not exceed the number of Hours of Service needed to prevent the Employee from incurring a 1-Year Break in Service.

1.54 "Participant" means any Employee or Former Employee who has satisfied the requirements of Sections 3.1 and 3.2 and entered the Plan and is eligible to accrue benefits under the Plan. In addition, the term "Participant" also includes any individual who was a Participant (as defined in the preceding sentence) and who must continue to be taken into account under a particular provision of the Plan (e.g., because the individual has an Account Balance in the Plan).

1.55 "Participant Direction Procedures" means such instructions, guidelines or policies, the terms of which are incorporated herein, as shall be established pursuant to Section 4.8 and observed by the Administrator and applied to Participants who have Participant Directed Accounts.

1.56 "Plan" means this instrument, including all amendments thereto.

1.57 "Plan Year" means the Plan's accounting year of twelve (12) months commencing on January 1st of each year and ending the following December 31st.

**MONTGOMERY TOWNSHIP 401(A) MONEY PURCHASE PENSION PLAN**

**SUMMARY OF PLAN PROVISIONS**

**When may I withdraw my mandatory contributions?**

You may withdraw the balance of your mandatory contributions and any gains from your mandatory contribution account at the same time you are entitled to a distribution of the Employer contributions to your account.

Generally, you must include any Plan distribution in your taxable income in the year in which you receive the distribution. The tax treatment may also depend on your age when you receive the distribution.

**Military Service.** If you are a veteran and are reemployed under the Uniformed Services Employment and Reemployment Rights Act of 1994, your qualified military service may be considered service with the Employer. There may also be benefits for employees who die or become disabled while on active duty. Employees who receive wage continuation payments while in the military may benefit from recent changes in the law. Ask the Administrator for further details.

**What happens if I terminate employment before death, disability or retirement?**

You may elect to have your vested account balance distributed to you as soon as administratively feasible following your termination of employment. (See the question entitled "How will my benefits be paid to me?" for additional information.)

**What happens if I terminate employment at Normal Retirement Date?**

**Normal Retirement Date.** You will attain your Normal Retirement Age when you reach your 55 birthday. After December 31, 2015, qualified public safety firefighters employees who separate employment at or after age 50 will not be subject to the 10% early withdrawal penalty. Your Normal Retirement Date is the first day of the month coinciding with or next following your Normal Retirement Age.

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**Payment of benefits.** You will become 100% vested in all of your accounts under the Plan once you reach your Normal Retirement Age. However, the actual payment of benefits generally will not begin until you have terminated employment and reached your Normal Retirement Date. In such event, a distribution will be made, at your election, as soon as administratively feasible. If you remain employed past your Normal Retirement Date, you may generally defer the receipt of benefits until you actually terminate employment. In such event, benefit payments will begin as soon as feasible at your request, but not later than age 70 1/2. (See the question entitled "How will my benefits be paid to me?" for an explanation of how these benefits will be paid.)

**What happens if I terminate employment due to disability?**

**Definition of disability.** Under the Plan, disability is defined as a physical or mental condition resulting from bodily injury, disease, or mental disorder which renders you incapable of continuing any gainful occupation and which constitutes total disability under the federal Social Security Act.

**Payment of benefits.** If you become disabled while a Participant, you will become entitled to receive 100% of your account balance. Payment of your disability benefits will be made to you as if you had retired. (See the question entitled "How will my benefits be paid to me?" for an explanation of how these benefits will be paid.)

**How will my benefits be paid to me?**

**Annuity Distribution.** If you are married on the date your benefits are to begin, you will automatically receive a joint and 50% survivor annuity, unless you elect an alternative form of payment. This means that you will receive payments for your life, and after your death, your surviving spouse will receive a monthly benefit for the remainder of his or her life equal to 50% of the benefit you were receiving at the time of your death. You may elect a joint and 75%, or 100% survivor annuity instead of the standard joint and 50% survivor annuity. You should consult an advisor before making such election.

If you are not married on the date your benefits are to begin, you will automatically receive a life annuity, unless you elect an alternative form of payment. This means you will receive payments for as long as you live. However, if your vested account balance does not exceed \$5,000, then your vested account balance may only be distributed to you in a single lump-sum payment. In determining whether your vested account balance exceeds the \$5,000 dollar threshold, "rollovers" (and any earnings allocable to "rollover" contributions) will be taken into account.

**Consent requirements.** You must consent to receive any distribution of your vested account balance before it may be made. In addition, if your vested account balance exceeds \$5,000 and you want the distribution to be in a form other than an annuity, you (and your spouse, if

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Announcement of Reorganization Meeting Date and Consideration of Authorization to Advertise for Reorganization meeting on January 2, 2018

MEETING DATE: December 18, 2017 ITEM NUMBER: #20.

MEETING/AGENDA: WORK SESSION ACTION XX NONE

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

INITIATED BY: Lawrence J. Gregan Township Manager  BOARD LIAISON: Candyce Fluehr Chimera, Vice Chairman

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BACKGROUND:

The Second Class Township Code requires municipalities to reorganize on the first Monday in January of each year. If the first Monday is a legal holiday, the meeting shall be held the following day. This year, the New Year holiday falls on Monday, January 1, 2018, therefore the Board of Supervisors will hold its Reorganization meeting on Tuesday, January 2, 2018 at 7:00p.m. 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 Tuesday, January 2, 2018.

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 Tuesday, January 2, 2018 at 7:00 p.m. at the Township building.

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

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Richard E. Miniscalco	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

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

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Payment of Bills

MEETING DATE: December 18, 2017

ITEM NUMBER: #21.

MEETING/AGENDA: WORK SESSION      ACTION XX      NONE

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

INITIATED BY: Lawrence J. Gregan  
Township Manager



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

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BACKGROUND:

Please find attached a list of bills for your review.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Approval all bills as presented.

MOTION/RESOLUTION:

None.

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

Check Date	Bank	Check	Vendor	Vendor Name	Amount
Bank 01 UNIVEST CHECKING					
11/30/2017	01	70138	03214568	FULTON CARDMEMBER SERVICES	2,417.30
12/07/2017	01	70139	00000072	CANON FINANCIAL SERVICES, INC	1,622.00
12/07/2017	01	70140	00000363	COMCAST	303.62
12/07/2017	01	70141	00000740	K.J. DOOR SERVICES INC.	35.00
12/07/2017	01	70142	100000265	ONCE UPON A DREAM	338.00
12/07/2017	01	70143	00001783	THE HOMER GROUP	4,560.00
12/07/2017	01	70144	99999999	UNITED STATES POSTAL SERVICE	2,507.52
12/07/2017	01	70145	03214643	UNWINED & PAINT	130.00
12/12/2017	01	70146	00000009	PETTY CASH	286.79
12/15/2017	01	70147	00000496	21ST CENTURY MEDIA NEWSPAPERS LLC	1,294.05
12/15/2017	01	70148	00000621	A & A SALES ASSOCIATES, LLC	4,326.35
12/15/2017	01	70149	100000337	AAA CATERING	220.00
12/15/2017	01	70150	00000006	ACME UNIFORMS FOR INDUSTRY	693.73
12/15/2017	01	70151	100000575	ADA DENNIS-WOOD	60.00
12/15/2017	01	70152	MISC-FIRE	ADAM MORROW	120.00
12/15/2017	01	70153	MISC-FIRE	ADAM WEBSTER	80.00
12/15/2017	01	70154	100000282	ADVANCED DISPOSAL	13,512.00
12/15/2017	01	70155	00000340	ADVENT SECURITY CORPORATION	114.00
12/15/2017	01	70156	LST00029	AIRGAS SPECIALTY GASES	199.41
12/15/2017	01	70157	MISC-FIRE	ALEXANDER J DEANGELIS	30.00
12/15/2017	01	70158	00001291	ANCHOR FIRE PROTECTION CO., INC.	525.00
12/15/2017	01	70159	MISC-FIRE	ANDREW WEINER	30.00
12/15/2017	01	70160	00000027	ARMOUR & SONS ELECTRIC, INC.	9,347.97
12/15/2017	01	70161	00002061	AT&T MOBILITY	290.93
12/15/2017	01	70162	00001997	AUTOMATIC SYNC TECHNOLOGIES, LLC	206.31
12/15/2017	01	70163	00000417	BARNSIDE FARM COMPOST FACILITY	663.24
12/15/2017	01	70164	00000043	BERGEY'S	1,105.25
12/15/2017	01	70165	100000580	BILL MEDVIC	100.00
12/15/2017	01	70166	MISC-FIRE	BILL WIEGMAN	90.00
12/15/2017	01	70167	00000448	BISHOP WOOD PRODUCTS, INC	325.00
12/15/2017	01	70168	00000209	BOUCHER & JAMES, INC.	11,522.23
12/15/2017	01	70169	00000209	VOID	0.00 V
12/15/2017	01	70170	00000209	VOID	0.00 V
12/15/2017	01	70171	00000209	BOUCHER & JAMES, INC.	16,255.66
12/15/2017	01	70172	100000405	C.E.S.	941.24
12/15/2017	01	70173	00001579	CARGO TRAILER SALES, INC	182.60
12/15/2017	01	70174	MISC-FIRE	CARL HERR	60.00
12/15/2017	01	70175	00001601	CDW GOVERNMENT, INC.	4,280.82
12/15/2017	01	70176	00000181	CHEMSEARCH	270.98
12/15/2017	01	70177	100000579	CHRIS CONROY	45.00
12/15/2017	01	70178	100000221	COLMAR VETERINARY HOSPITAL	84.80
12/15/2017	01	70179	00000363	COMCAST	288.32
12/15/2017	01	70180	00000335	COMCAST CORPORATION	2,844.95
12/15/2017	01	70181	100000582	COMMONWEALTH OF PA - USTIF	165.00
12/15/2017	01	70182	00001937	CONCOURS AUTOMOTIVE	143.34
12/15/2017	01	70183	00000602	CONRAD SIEGEL	3,425.00
12/15/2017	01	70184	00000086	DAVID D. DUNLAP	393.88
12/15/2017	01	70185	00000111	DAVID H. LIGHTKEP, INC.	255.00
12/15/2017	01	70186	MISC-FIRE	DAVID P BENNETT	30.00
12/15/2017	01	70187	00000118	DEL-VAL INTERNATIONAL TRUCKS, INC.	2,883.41
12/15/2017	01	70188	00001172	DETLAN EQUIPMENT, INC.	125.29
12/15/2017	01	70189	00000125	DISCHELL, BARTLE DOOLEY	14,557.67
12/15/2017	01	70190	00000967	DVHT - DELAWARE VALLEY HEALTH TRUST	180,668.86
12/15/2017	01	70191	00906057	E.M. GRANT	1,025.00
12/15/2017	01	70192	00906127	EAGLE POINT GUN	1,988.32
12/15/2017	01	70193	03214663	ELITE 3 FACILITIES MAINTNEANCE, LLC	4,240.00
12/15/2017	01	70194	00903110	ESTABLISHED TRAFFIC CONTROL	36.00
12/15/2017	01	70195	00000161	EUREKA STONE QUARRY, INC.	159.30
12/15/2017	01	70196	00000423	FAMILY DINING, INC.	75.71
12/15/2017	01	70197	00000171	FAST SIGNS	111.02
12/15/2017	01	70198	00000180	FRANK CALLAHAN COMPANY, INC.	9.17
12/15/2017	01	70199	03214568	FULTON CARDMEMBER SERVICES	2,610.54
12/15/2017	01	70200	00001504	GALETON GLOVES	54.27
12/15/2017	01	70201	100000576	GEMALTO COGENT, INC.	23.00
12/15/2017	01	70202	00001524	GEMPLER'S	260.27
12/15/2017	01	70203	00000193	GEORGE ALLEN PORTABLE TOILETS, INC.	621.00
12/15/2017	01	70204	00001498	GFOA - PA	75.00
12/15/2017	01	70205	100000573	GILLIDSYSTEMS	416.00
12/15/2017	01	70206	00000817	GILMORE & ASSOCIATES, INC.	21,374.72
12/15/2017	01	70207	00000817	VOID	0.00 V
12/15/2017	01	70208	00001323	GLICK FIRE EQUIPMENT COMPANY INC	108.08
12/15/2017	01	70209	00001784	GOOGLE INC.	100.95

Check Date	Bank	Check	Vendor	Vendor Name	Amount
12/15/2017	01	70210	00000608	GOOSE SQUAD L.L.C.	900.00
12/15/2017	01	70211	00001709	GOULDEY WELDING & FABRICATIONS, INC	95.00
12/15/2017	01	70212	00000418	GREG REIFF	100.00
12/15/2017	01	70213	00000206	GT RADIATOR REPAIRS, INC.	145.00
12/15/2017	01	70214	00000223	GUIDEMARK, INC.	4,971.80
12/15/2017	01	70215	100000132	HARRY T. ALLEN	180.00
12/15/2017	01	70216	00000215	HAVIS, INC.	1,700.09
12/15/2017	01	70217	100000162	HERMAN GOLDNER COMPANY, INC.	925.00
12/15/2017	01	70218	00000903	HOME DEPOT CREDIT SERVICES	1,128.09
12/15/2017	01	70219	00002064	INTERNATIONAL ASSOC. OF FIRE CHIEFS	234.00
12/15/2017	01	70220	00000102	INTERSTATE BATTERY SYSTEMS OF	518.85
12/15/2017	01	70221	00000531	INTERSTATE GRAPHICS	315.00
12/15/2017	01	70222	MISC-FIRE	JAKE WELTMAN	15.00
12/15/2017	01	70223	MISC-FIRE	JOHN H. MOGENSEN	90.00
12/15/2017	01	70224	MISC-FIRE	JON WASHINGTON	120.00
12/15/2017	01	70225	00000148	JONATHAN S. BEER	975.00
12/15/2017	01	70226	100000578	KATHALEEN JERMYN	80.00
12/15/2017	01	70227	00000264	KENCO HYDRAULICS, INC.	779.75
12/15/2017	01	70228	00000107	KENNEDY COMPANIES	32.00
12/15/2017	01	70229	00000261	KERSHAW & FRITZ TIRE SERVICE, INC.	2,140.00
12/15/2017	01	70230	00000574	KEVIN CARNEY	100.00
12/15/2017	01	70231	00000572	KEVIN COSTELLO	100.00
12/15/2017	01	70232	00001277	LARRY KNECHEL	100.00
12/15/2017	01	70233	00001706	LOWE'S COMPANIES INC.	57.36
12/15/2017	01	70234	00000421	LYNN CARD COMPANY	128.00
12/15/2017	01	70235	00000870	MAACO AUTO PAINTING & COLLISION	300.00
12/15/2017	01	70236	100000332	MARCY LYNCH FITNESS	630.00
12/15/2017	01	70237	00000194	MARK HOCKMAN	100.00
12/15/2017	01	70238	00000689	MARY KAY KELM, ESQUIRE	825.00
12/15/2017	01	70239	MISC-FIRE	MARY NEWELL	140.00
12/15/2017	01	70240	00000201	MASTERTECH AUTO SERVICE, LLC	2,780.75
12/15/2017	01	70241	00000974	MCCARTHY AND COMPANY, PC	2,907.56
12/15/2017	01	70242	00000743	MES - PENNSYLVANIA	58.00
12/15/2017	01	70243	MISC-FIRE	MICHAEL D. SHINTON	30.00
12/15/2017	01	70244	MISC-FIRE	MICHAEL SHEARER	15.00
12/15/2017	01	70245	MISC-FIRE	MIKE BEAN	30.00
12/15/2017	01	70246	100000188	MJ EARL	555.20
12/15/2017	01	70247	00000324	MOYER INDOOR / OUTDOOR	11.00
12/15/2017	01	70248	MISC	NELSON	1,690.00
12/15/2017	01	70249	00000356	NORTH WALES WATER AUTHORITY	71.64
12/15/2017	01	70250	00001125	NYCO CORPORATION	18.84
12/15/2017	01	70251	00902870	OLIVE LEIGHTON	240.00
12/15/2017	01	70252	MISC-FIRE	PAUL R. MOGENSEN	40.00
12/15/2017	01	70253	00000397	PECO ENERGY	13,649.30
12/15/2017	01	70254	00000399	PECO ENERGY	9,379.22
12/15/2017	01	70255	00000595	PENN VALLEY CHEMICAL COMPANY	812.54
12/15/2017	01	70256	00000955	PENNSYLVANIA MUNICIPAL LEAGUE (PML)	65.00
12/15/2017	01	70257	00000388	PENNSYLVANIA ONE CALL SYSTEM, INC.	130.69
12/15/2017	01	70258	00001358	PENNSYLVANIA RECREATION AND PARK	308.00
12/15/2017	01	70259	00000009	PETTY CASH	31.20
12/15/2017	01	70260	00000009	PETTY CASH	462.38
12/15/2017	01	70261	00000447	PETTY CASH - POLICE	135.53
12/15/2017	01	70262	00000945	PIPERSVILLE GARDEN CENTER, INC.	993.37
12/15/2017	01	70263	00000945	PIPERSVILLE GARDEN CENTER, INC.	2,996.00
12/15/2017	01	70264	00000345	PRINTWORKS & COMPANY, INC.	908.58
12/15/2017	01	70265	00000252	PURE CLEANERS	626.50
12/15/2017	01	70266	MISC-FIRE	RACHEL GIBSON	45.00
12/15/2017	01	70267	MISC-FIRE	RACHEL TROUTMAN	20.00
12/15/2017	01	70268	00906102	READY REFRESH	157.53
12/15/2017	01	70269	00002033	REPUBLIC SERVICES NO. 320	1,313.82
12/15/2017	01	70270	00000117	RIGGINS INC	1,511.52
12/15/2017	01	70271	00000115	RIGGINS, INC	4,186.48
12/15/2017	01	70272	00001972	ROBERT L. BRANT	761.25
12/15/2017	01	70273	100000412	RODCHINE LUSANE	210.00
12/15/2017	01	70274	00000610	RUBIN, GLICKMAN, STEINBERG AND	1,508.00
12/15/2017	01	70275	MISC-FIRE	RYAN CROUTHAMEL	30.00
12/15/2017	01	70276	MISC-FIRE	RYAN RUDELLEL	30.00
12/15/2017	01	70277	00000653	SCATTON'S HEATING & COOLING, INC.	1,176.23
12/15/2017	01	70278	00000556	SCOTT DEILEY	100.00
12/15/2017	01	70279	00906118	SELEX ES	20.00
12/15/2017	01	70280	00001030	SIGNAL CONTROL PRODUCTS, INC.	760.00
12/15/2017	01	70281	00001656	SOSMETAL PRODUCTS INC.	196.60
12/15/2017	01	70282	100000411	SPENCER D. BORINE	270.00
12/15/2017	01	70283	00000015	SPRINT	451.58
12/15/2017	01	70284	00001847	STAPLES CONTRACT & COMMERCIAL, INC.	491.30

12/15/2017 11:11 AM  
User: msanders  
DB: Montgomery Twp

CHECK REGISTER FOR MONTGOMERY TOWNSHIP  
CHECK DATE FROM 11/28/2017 - 12/18/2017

Page: 3/3

Check Date	Bank	Check	Vendor	Vendor Name	Amount
12/15/2017	01	70285	MISC-FIRE	STEVE SPLENDIDO	30.00
12/15/2017	01	70286	00000475	STEVE WIATER	100.00
12/15/2017	01	70287	00001982	TEMPLE UNIVERSITY - CJTP	120.00
12/15/2017	01	70288	00906111	THE PROTECTION BUREAU	619.04
12/15/2017	01	70289	MISC-FIRE	TOM HUGUENIN	30.00
12/15/2017	01	70290	00001984	TRAFFIC PLANNING AND DESIGN, INC.	32,794.23
12/15/2017	01	70291	100000574	TRAFFIC PRODUCTS	3,348.00
12/15/2017	01	70292	00906033	TRAMMEL TESTING, INC.	200.00
12/15/2017	01	70293	03214643	UNWINED & PAINT	120.00
12/15/2017	01	70294	100000577	VALLEN DISTRIBUTION, INC.	452.87
12/15/2017	01	70295	00000040	VERIZON	143.05
12/15/2017	01	70296	00000040	VERIZON	124.99
12/15/2017	01	70297	00000040	VERIZON	134.99
12/15/2017	01	70298	00000040	VERIZON	252.77
12/15/2017	01	70299	00000040	VERIZON	177.29
12/15/2017	01	70300	00000040	VERIZON	139.99
12/15/2017	01	70301	00000038	VERIZON WIRELESS SERVICES, LLC	1,659.08
12/15/2017	01	70302	MISC-FIRE	VINAY SETTY	180.00
12/15/2017	01	70303	MISC-FIRE	VINCE ZIRPOLI	150.00
12/15/2017	01	70304	MISC	Vivint Solar Developer, LLC	490.00
12/15/2017	01	70305	00001329	WELDON AUTO PARTS	947.48
12/15/2017	01	70306	03214583	WESTON FITNESS	6,231.20
12/15/2017	01	70307	100000581	WOLFRAM RIEGER, M.D.	960.00

01 TOTALS:

(3 Checks Voided)

Total of 167 Disbursements:

437,761.40

12/15/2017

Check List  
For Check Dates 11/28/2017 to 12/18/2017

Check Date	Name	Amount		
11/30/2017	BCG 401	401 Payment	\$	15,988.85
11/30/2017	BCG 457	457 Payment	\$	9,579.32
11/30/2017	PA SCDU	Withholding Payment	\$	1,020.72
11/30/2017	UNITED STATES TREASURY	941 Tax Payment	\$	78,441.41
12/01/2017	UNITED STATES TREASURY	945 Tax Payment	\$	8,227.50
12/06/2017	STATE OF PA	State Tax Payment	\$	8,265.00
12/14/2017	BCG 401	401 Payment	\$	18,449.36
12/14/2017	BCG 457	457 Payment	\$	9,564.66
12/14/2017	PA SCDU	Withholding Payment	\$	1,020.72
12/14/2017	UNITED STATES TREASURY	941 Tax Payment	\$	141,429.46
12/14/2017	CITY OF PHILADELPHIA	Nov. Wage Tax Payment	\$	451.12
Total Checks: 11			\$	292,438.12