

**AGENDA**  
**MONTGOMERY TOWNSHIP**  
**BOARD OF SUPERVISORS**  
**JUNE 25, 2018**

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

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

Lawrence J. Gregan  
Township Manager

**ACTION MEETING – 8:00 PM**

1. Call to Order by Chairman
2. Pledge of Allegiance
3. Public Comment
4. Announcement of Executive Session
5. Consider Approval of Minutes of June 11, 2018 Meeting
6. Consider Appointment To Township Senior Committee
7. Public Hearing – Conditional Use Application C- 69 - Millers Ale House, 751 Horsham Road
8. Consider Request for Waiver of Screening Buffer Requirement – Millers Ale House, 751 Horsham Road
9. Public Hearing - Liquor License Transfer Application LL-18-04 – Millers Ale House, 751 Horsham Road
10. Public Hearing – Consider Ordinance #18-306Z - Text Amendment – Amending Provisions of Chapter 230 Zoning Code, Deleting Waiver of Landscaping and Screening in the C-Commercial, S-Shopping Center, RS-Regional Shopping Center and Wireless Communication Facilities Security Fencing
11. Consider Escrow Release #3 – LDS # 630 - Firefox Phase 2
12. Consider Payment of Bills
13. Other Business
14. Adjournment

**Future Public Hearings/Meetings:**

06-25-2018 @6:00pm – Finance Committee

07-09-2018 @8:00pm – Board of Supervisors

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Public Comment

MEETING DATE: June 25, 2018

ITEM NUMBER: #3

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

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

INITIATED BY: Lawrence J. Gregan  
Township Manager 

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

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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: Announcement of Executive Session

MEETING DATE: June 25, 2018 ITEM NUMBER: #4

MEETING/AGENDA: WORK SESSION ACTION XX NONE

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

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

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BACKGROUND:

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

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

None.

MOTION/RESOLUTION:

None.

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

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Approval of Minutes for June 11, 2018

MEETING DATE: June 25, 2018      ITEM NUMBER: #5

MEETING/AGENDA: WORK SESSION      ACTION XX      NONE

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

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

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BACKGROUND:

Please contact Deb Rivas on Monday, June 25, 2018 before noon with any changes to the minutes.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

None.

MOTION/RESOLUTION:

None.

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

**MINUTES OF MEETING  
MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
JUNE 11, 2018**

At 7:30 p.m. Chairman Candyce Fluehr Chimera called to order the executive session. In attendance were Supervisors Tanya C. Bamford and Matthew W. Quigg. Vice Chairman Michael J. Fox and Supervisor Jeffrey W. McDonnell were absent. Also in attendance were Township Manager Lawrence J. Gregan and Township Solicitor Robert J. Iannozzi, Esquire.

Chairman Candyce Fluehr Chimera called the action meeting to order at 8:03 p.m. In attendance were Supervisors Tanya C. Bamford and Matthew W. Quigg. Vice Chairman Michael J. Fox and Supervisor Jeffrey W. McDonnell were absent. Also in attendance were Township Solicitor Robert J. Iannozzi, Esquire, Township Manager Lawrence J. Gregan, Police Chief J. Scott Bendig, Director of Fire Services Richard Lesniak, Director of Administration and Human Resources Ann Shade, 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 A. Rivas.

Following the Pledge of Allegiance, Chairman Candyce Fluehr Chimera called for public comment from the audience and there was none.

Solicitor Robert J. Iannozzi, Esquire announced that the Board had met in an executive session at 7:30 p.m. this evening to discuss three matters of potential litigation. Mr. Iannozzi stated that these matters are legitimate subjects of executive session pursuant to Pennsylvania's Sunshine Law.

Chairman Candyce Fluehr Chimera made a motion to approve the minutes of the May 29, 2018 Board of Supervisors meeting, and Supervisor Tanya C. Bamford seconded the motion. The minutes of the meeting were unanimously approved as submitted.

Chief of Police Scott Bendig reported that Corporal Lee A. Wagner and Corporal Thomas J. Ward were being considered for promotion to Sergeants this evening, with the Board's consent. Officer Wagner joined the Montgomery Township Police Department on January 29, 2010 and was assigned to the Patrol Division. On March 27, 2017, Officer Wagner was promoted to the rank of

Corporal after a highly competitive testing process and assigned to Squad 2 as supervisor. Corporal Wagner has served in several capacities during his tenure with the department in addition to his supervisory responsibilities. These duties included: Field Training Officer, Montgomery County Drug Task Force Officer and Bicycle Officer. Officer Ward joined the Montgomery Township Police Department on August 27, 2010 and was assigned to the Patrol Division. On March 27, 2017, Officer Ward was promoted to the rank of Corporal after a highly competitive testing process and assigned to Squad 4 as supervisor. Corporal Ward has served in several capacities during his tenure with the department in addition to his supervisory responsibilities. These duties included: Field Training Officer, DARE Instructor, Montgomery County Drug Task Force Officer and a member of Montgomery County SWAT-Central Region. Resolution #1 made by Supervisor Bamford, seconded by Supervisor Matthew W. Quigg and adopted unanimously, promoted Corporal Lee A. Wagner and Corporal Thomas J. Ward to the rank of Sergeant for the Montgomery Township Police Department effective June 11, 2018.

Director of Information Technology Richard Grier reported that IT Support Technician Lance Allen has tendered his resignation effective June 22, 2018. Lance was hired into this newly created IT position on November 26, 2013 and has been an integral part of the IT Department. Lance was involved in the set up and operation of the IT aspects of the Community and Recreation Center and for day to day IT support for all Township departments. Lance will be moving from the area and will be taking a job with a company headquartered closer to his new residence. Resolution #2 made by Supervisor Tanya C. Bamford, seconded by Supervisor Matthew W. Quigg and adopted unanimously, accepted the resignation of Lance Allen from his position as IT Support Technician with Montgomery Township and thanked him for his commitment to public service during his employment at Montgomery Township.

Assistant to the Township Manager Stacy Crandell reported that Montgomery Township has achieved a Gold Certification in the Sustainable Pennsylvania Community Certification program. The program is designed for municipalities that are working to save money, conserve resources, and serve vibrant communities. In earning the Gold level certification, Montgomery Township is

acknowledged for its progress in addressing such areas as community design and land use, energy efficiency, health and wellness, intergovernmental cooperation, recycling and waste reduction, fiscal controls, and internal management and operations. This accomplishment will be helpful when seeking funding from the PA Department of Community and Economic Development (DCED). DCED administers the Greenways, Trail and Recreation Grant, which the Township recently submitted an application for the Friendship Park Project. Resolution #3 made by Supervisor Tanya C. Bamford, seconded by Supervisor Matthew W. Quigg and adopted unanimously, acknowledged receipt of the award of gold certification and promised to continue to promote sustainability through Montgomery Township's policies and practices and affirms its participation in the program.

Director of Planning and Zoning Bruce Shoupe reported that the Board of Supervisors adopted a resolution granting approval of Pro Real Ventures LLC conditional use application for location of a car wash at the intersection of DeKalb Pike and Welsh Road at their meeting on March 26, 2018. The Township Solicitor has prepared a formal decision and order memorializing the Board's approval of the conditional use request. Resolution #4 made by Chairman Candyce Fluehr Chimera, seconded by Supervisor Tanya C. Bamford and adopted unanimously, approved the Conditional Use Written Decision and Order – Pro Real Ventures LLC – DeKalb Pike and Welsh Road, Application #C-68.

Director of Planning and Zoning Bruce Shoupe reported that in November 2017, Christopher Lear, owner of the property at 1079 Horsham Road, sought Zoning Board relief following receipt of a Notice of Violation issued for violating the provisions of the Code of Montgomery Township, Sections 230-26, Use Regulations in the R-1 Zoning District, 230-149, Home Occupations, and 230-185, Special Exception. The Zoning Hearing Board denied this appeal and Mr. Lear subsequently appealed the Zoning Hearing Board decision in February 2018 (docket #2018-03444) with the Montgomery County Court of Common Pleas, which appeal is still pending. The Township has entered its appearance in this appeal on behalf of the Zoning Hearing Board.

On May 10, 2018 Mr. Lear, represented by Daniel S. Coval Jr, Esquire, filed another application to the Zoning Hearing Board appealing the determination of the Zoning Officer in regards to the Cease and Desist Order issued on September 7, 2017. The application alleges states that the

Zoning Officer erred in his determination of the use of the property as a “recycling / waste disposal facility” and that the applicants stated use as a “warehouse and metal sorting facility” is a continuation of a “pre-existing non-conforming” use of the property. Mr. Lear seeks a determination by the Zoning Hearing Board that his current use of the property is similar to the prior non-conforming uses of the property and therefore permitted per Section 230-139A of the Code of Montgomery Township. In the alternative, Mr. Lear seeks a special exception pursuant to Section 230-139B in order to allow any lawful “non-conforming” use of a building or land to be changed to another “non-conforming use” of the same classification. Also in the alternative, Mr. Lear seeks a variance from the provisions of Section 230-26A, Use Regulations in the R-1 Residential District, to allow the residential and light industrial use of the property.

The application is scheduled to be heard by the Zoning Hearing Board on July 11, 2018. Resolution #5 made by Chairman Candyce Fluehr Chimera, seconded by Supervisor Matthew W. Quigg and adopted unanimously, authorized the Township Solicitor to appear before the Zoning Hearing Board and represent the Township in opposition to the Christopher Lear / 1079 Horsham Road Zoning Hearing Board Application No. 18050002, dated May 17, 2018.

A motion to approve the payment of bills was made by Chairman Candyce Fluehr Chimera, seconded by Supervisor Tanya C. Bamford, and adopted unanimously, approving the payment of bills as submitted.

There being no further business to come before the Board, the meeting adjourned at 8:27 p.m.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Volunteer Appointment to Township Senior Advisory Committee

MEETING DATE: June 25, 2018

ITEM NUMBER: #6

MEETING/AGENDA: WORK SESSION

ACTION  XX

CONSENT

NONE

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

INITIATED BY: Lawrence J. Gregan  
Township Manager

BOARD LIAISON: Candyce Fluehr, Chairman  
Board of Supervisors

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BACKGROUND:

A vacancy currently exists on the Montgomery Township Senior Committee. This vacancy is proposed to be filled as follows:

- Chuck Vesay, who resides at 638 Laurel Court, has expressed an interest to be appointed as a member of the Senior Advisory Committee. His appointment would be for a term to expire on January 1, 2019.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Approve the appointment of Chuck Vesay.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby approve the appointment of Chuck Vesay to the Senior Advisory Committee for a term to expire on January 1, 2019.

ROLL CALL:

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

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

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

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SUBJECT: Consider Conditional Use Application – Water Tower Square Associates C69 – Satellite Use -  
Freestanding Restaurant – 751 Horsham Road

MEETING DATE: June 25, 2018 ITEM NUMBER: #7.

MEETING/AGENDA: WORK ACTION XX NONE

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

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

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BACKGROUND:

Attached is an application for conditional use from Water Tower Square Associates, for a new 7,302 sf freestanding restaurant, satellite use, at the Water Tower Square Shopping Center, located at the intersection of Horsham Road and North Wales Road. The property was developed in 2003 and currently has a number of retail uses located on the property, including Home Depot and Franks Movie Theater.

On May 2, 2018, a letter was received from the Applicant's attorney, waiving the time limits of the MPC, granting an extension until June 26, 2018, attached

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT: None.

PREVIOUS BOARD ACTION: None.

ALTERNATIVES/OPTIONS: None

BUDGET IMPACT: None.

RECOMMENDATION:

Provide Staff with any recommendations regarding this application.

MOTION/RESOLUTION:

The resolution is attached.

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

ROLL CALL:

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

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

Resolution #

WHEREAS, Water Tower Square Associates, has submitted an application to the Township of Montgomery for Conditional Use approval to develop the a satellite use on property located at 751 Horsham Road with a 7,302 sf freestanding restaurant.

WHEREAS, said application was submitted in compliance with Section 230-78.1 and Section 230-156.2.C 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 Water Tower Square Associates, subject to compliance with the all applicable Conditional Use review letters. This approved Conditional Use shall be in strict conformance with the testimony and exhibits presented at this hearing.

MOTION BY:

SECOND BY:

VOTE:

DATE:

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

RECEIVED

APR 24 2018

MONTGOMERY TOWNSHIP

APPLICATION  
FOR  
CONDITIONAL USE

MONTGOMERY TOWNSHIP  
1001 STUMP ROAD  
MONTGOMERYVILLE, PA 18936

ORIGINAL

REVISED: 1-2015

**Application for Conditional Use**

**Township of Montgomery, Montgomery County, Pennsylvania**

**Notice Of Appeal**

Appellant: Name: Water Tower Square Associates  
Address: 630 Sentry Parkway, Suite 300  
Blue Bell, PA 19422  
Phone: 610-260-9600 Fax: \_\_\_\_\_  
E-Mail Please contact counsel.

Owner: Name: Same as above.  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-Mail \_\_\_\_\_

Attorney: Name: James J. Garrity, Esq. & Scott C. Denlinger, Esq. - Wisler Pearlstine, LLP  
Address: Blue Bell Executive Campus, 460 Norristown Road, Suite 110  
Blue Bell, PA 19422  
Phone: 610-825-8400 Fax: 610-828-4887  
E-Mail JGarrity@wispearl.com; SDenlinger@wispearl.com

ORIGINAL

Notice of Appeal  
Page 2

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

Owner - N/A

1. Brief Description of Real Estate Affected:

Block and Unit Number Block 014, Unit No. 007

Location 751 Horsham Road (Water Tower Square Shopping Center)

Lot Size 31.28 acres

Present Use Retail Shopping Center with Movie Theater

Present Zoning Classification "C" Commercial District

Present Improvements Upon Land The property is improved as a shopping center use.

Deed Recorded at Norristown in Deed Book 5011 Page 544

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

Section 230-78.1 (Satellite Uses) of the Montgomery Township Zoning Ordinance, permitting by conditional use detached buildings of less than 7,500 square feet on parcels zoned "C" Commercial District, provided such satellite use meets certain criteria.

3.

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

Use of the pad site located on the property as a 7,302 square foot restaurant or retail use. Please see the attached addendum for additional information.

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.

Please see the attached addendum.

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

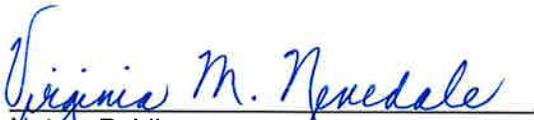
NOTE:

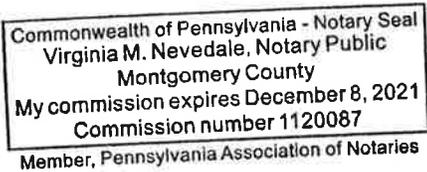
If more space is required, attach a separate sheet and make specific reference to the question being answered.

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

  24th   DAY OF   April   2018

  
\_\_\_\_\_  
Notary Public



  
\_\_\_\_\_  
Appellant's or Owner's Signature  
James J. Garrity, Esquire  
Scott C. Denlinger, Esquire  
Wisler Pearlstine, LLP  
Blue Bell Executive Campus  
460 Norristown Road, Suite 110  
Blue Bell, PA 19422

ORIGINAL

751 Horsham Road, ±31.28 acres; Block 46014, Unit 007  
Zoned "C" – Commercial District

### ADDENDUM

In 2002, the Montgomery Township Board of Supervisors granted conditional use approval to Water Tower Square Associates (the "Applicant") to permit a satellite retail use on the southern corner of the property located at 751 Horsham Road in Montgomery Township, more commonly known as "Water Tower Square" (the "Property"). The Applicant is the owner of the Property.

The Applicant desires to modify its proposed satellite use and, consistent therewith, respectfully submits this conditional use application to modify the previously granted conditional use approval, pursuant to Sections 230-78.1 and 230-156.2 of the Montgomery Township Zoning Ordinance ("Zoning Ordinance"). As the Board is aware, the Property is located in the "C" Commercial District and consists of approximately 31.28 acres of land which is improved with retail shopping center buildings, a movie theater, a municipal authority water tower, sidewalks, a paved parking area with internal circulation and related improvements. The Applicant is proposing to upgrade the Property with a 7,302 square foot satellite pad site for use as a retail or restaurant use, vegetated parking lot islands, concrete sidewalks, stormwater management facilities and related improvements (the "Proposed Use"). The Proposed Use is intended to be located at substantially the same location on the Property as the previously approved satellite retail use. The Applicant is requesting conditional use approval for the Proposed Use as a satellite use.

The Applicant believes that the proposed development of the Property with the satellite pad site complies with the express standards and criteria contained in the Zoning Ordinance applicable to the Proposed Use and to the development of properties in the "C" Commercial District. Specifically, the Proposed Use complies with the area, height, building area, lot width and depth and yard regulations set forth in Sections 230-75 to 230-78 of the Zoning Ordinance, subject to certain pre-existing nonconformities (which will not be intensified). The Proposed Use not only complies with the yard setback requirements, but it substantially exceeds them. Additionally, the Proposed Use will reduce the Property's overall impervious material coverage, increase its green area coverage and allow the Applicant to add additional stormwater management facilities. Further, the building area of the Proposed Use is below the 7,500 square foot limit and will constitute only approximately 2.7% of the Property's total building coverage area. To the extent that such requirements apply, and subject to any pre-existing variances, special exceptions and nonconformities, the Proposed Use will comply with the special requirements contained in Articles XIX (Off-Street Parking and Loading) and XXI (Miscellaneous Provisions) of the Zoning Ordinance, including the requirements related to the required off-street parking, corner vision obstructions, designated parking for restaurants and any other applicable provisions.

Additionally, the Proposed Use will not be contrary to the public health, safety and welfare. Specifically, the Proposed Use will not be detrimental to the appropriate use of adjacent properties and is suitable for the character of the area. The corner of the Property upon which the satellite pad site is proposed abuts a 7-Eleven convenience store and the other uses in the area surrounding the Property are largely commercial in nature. As the Property is currently improved with retail and movie theater uses, the Proposed Use is proposed to be located in an area already designed for the impact of the Proposed Use where it will not infringe on any

ORIGINAL

dissimilar uses. Furthermore, as required, the ingress, egress and regress of traffic from the satellite pad site will be completely internal to the Property, and there will be no direct access to the abutting public streets. Therefore, the Proposed Use will not cause undue congestion or danger to pedestrian or vehicular traffic, or endanger the safety of any persons or property as a result of such internal circulation. The Proposed Use will also not overcrowd the land, create an undue concentration of population, be contrary to the Township Comprehensive Plan, or impair the adequate supply of light and air to adjacent properties. Further, the Proposed Use will not adversely affect transportation or unduly burden water, sewer, school, park, or other public facilities, or be contrary to the preservation and conservation of natural resources. In light of the above, the Applicant believes that the Proposed Use will not adversely affect the public health, morals, safety, or general welfare, or be contrary to the spirit, intent, and purpose of the Zoning Ordinance.

Based on the foregoing, the Applicant believes that it has satisfied all applicable conditions and criteria of the Zoning Ordinance, and respectfully requests that the Board of Supervisors grant the requested Conditional Use pursuant to Sections 230-78.1 and 230-156.2.

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**REQUIRED ITEM NO. 2**

**PLAN OF PROPOSED USE**

(See also 24" x 36" Plans submitted separately)

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**REQUIRED ITEM NO. 3**

**PROPERTY TAX MAP**

# Montgomery County Board Of Assessment Appeals

Area of Interest



Montgomery - 46  
Block 014  
1 Inch = 258.33 feet



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Disclaimer: The information contained on this map has been compiled from recorded plats, deeds and other public data sources and is believed to be reasonably accurate. Maps are updated on a regular basis. Please note the data provided on this map is for informational purposes only and must not be substituted for a title search, survey, appraisal or for zoning certification. Montgomery County assumes no responsibility and makes no warranties or representations as to the accuracy of the information contained in this map as it may reflect only a partial inventory of real property located within the county. Map data is based on the Pennsylvania State Plane Coordinate System NAD 83 south.

Montgomery - 46  
Block 014

**REQUIRED ITEM NO. 4**  
**COPY OF DEED FOR 751 HORSHAM ROAD**

{01600599 }

ORIGINAL



LEGAL DESCRIPTION  
FOR THE BOUNDARY  
OF BLOCK 14, UNIT 7  
AND BLOCK 14, UNIT 65

ALL THAT CERTAIN tract of land situate in the Township of Montgomery, County of Montgomery, Commonwealth of Pennsylvania, as shown on Sheet 1 of 17, titled Land Development Plan, and dated December 4, 1991, and prepared by Showalter & Associates of Chalfont, Pennsylvania, bounded and described as follows to wit:

BEGINNING at a corner on the westerly right-of-way line of Montgomery Glen Drive, and lands of N/F Montgomery County Industrial Development Authority, said corner being located the following course and distance from the centerline of Doylestown Pike (SR 0202), and running across Doylestown Pike and along the right-of-way line of Montgomery Glen Drive, S 49° 05' 10" E, a distance of 343.04 feet to the true point of beginning and running THENCE; 1) along the right-of-way line of Montgomery Glen Drive, S 49° 05' 10" E, a distance of 1152.08 feet to a corner, a corner also to lands of Montgomery Glen Development; 2) along lands of N/F Montgomery Glen Development, S 37° 12' 41" W, a distance of 956.73 feet to a found concrete monument corner; 3) along same, S 43° 00' 00" W, a distance of 125.00 feet to a corner, a corner also to lands of N/F Southland Corporation; 4) along lands of Southland Corporation, N 47° 00' 00" W, a distance of 200.00 feet to a corner; 5) along same, S 43° 00' 00" W, a distance of 225.00 feet to a corner in or near the centerline of Horsham Road (S.R. 463); 6) along Horsham Road, N 47° 00' 00" W, a distance of 122.45 feet to a point; 7) along same, N 47° 57' 00" W, a distance of 381.12 feet to a point; 8) along same, N 50° 13' 52" W, a distance of 457.29 feet to a corner; 9) along lands of Montgomery County Industrial Development Authority and crossing Horsham Road, N 39° 06' 56" E, a distance of 1294.98 feet to the point and PLACE OF BEGINNING.

CONTAINING: 33.643 Acres

46-00-01186-00-1

MONTGOMERY COUNTY COMMISSIONERS REGISTRY  
46-00-01186-00-1 MONTGOMERY  
BATFIELD HORSHAM RD  
MONTGOMERYVILLE PLAZA LTD PARTNERSHIP  
B 014 U 007 L 4546 DATE: 06/29/92

JP  
EXHIBIT A.

MONTGOMERY COUNTY COMMISSIONERS REGISTRY  
46-00-01186-00-3 MONTGOMERY  
BATFIELD HORSHAM RD  
SOUTHLAND CORP THE (PRAI) 60  
B 014 U 065 L 2 2293 DATE: 06/29/92

BOOK 5011 PAGE 545

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

**To have and to hold** the said tract of land with the buildings and  
improvements thereon erected,  
Hereditaments and Premises hereby granted, or mentioned and intended so to be, with the Appurte-  
nances, unto the said Grantee, its Successors  
and Assigns, to and for the only proper use and behoof of the said Grantee, its Successors  
and Assigns, forever.

**And** the said Grantor, for itself and its successors,  
do es by  
these presents, covenant, grant and agree, to and with the said Grantee, its Successors  
and Assigns, that it, the said Grantor

all and singular the  
Hereditaments and Premises herein above described and granted, or mentioned and intended so to be,  
with the Appurtenances, unto the said Grantee, its Successors  
and Assigns,  
against it, the said Grantor and against all and every  
Person or Persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from  
or under it, them or any of them,  
shall and will **WARRANT and forever DEFEND.**

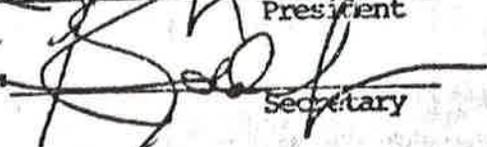
**In Witness Whereof**, Grantor has caused these Presents to be executed, the day  
and year first above written.

**Sealed and Delivered**  
IN THE PRESENCE OF US:

WATER TOWER SQUARE ASSOCIATES, a limited  
partnership, by its general partner,

WTS MANAGEMENT CORP., a corporation

By:  President

Attest:  Secretary

(Corporate Seal)

Commonwealth of Pennsylvania

County of Philadelphia

On this, the 25<sup>th</sup> day of June, 1992, before me,

a Notary Public

the undersigned officer,

personally appeared *Kevin M. Goldwasser* who acknowledged himself (herself) to be the President officer of WTS MANAGEMENT CORP., being authorized to do so, executed a corporation, and that he as such officer the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself (herself) as such officer.

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

five general partner of  
Water Tower Square Associates,  
a limited partnership,

# DEED.

WATER TOWER SQUARE ASSOCIATES, a  
Pennsylvania limited partnership,

- to -

WATER TOWER SQUARE ASSOCIATES, a  
Pennsylvania limited partnership.

Premises: Township and County of  
Montgomery

750-5 John C. Clark Co., Phila 1992

RECORD & RETURN TO  
SETTLERS ABSTRACT COMPANY  
2507 PHILMONT AVENUE  
HUNTINGDON VALLEY, PA 19004

FA 41-97-10045

*Elaine M. Coughlin*  
Notary Public

NOTARIAL SEAL  
ELAINE M. COUGHLIN, Notary Public  
City of Philadelphia, Phila. County  
My Commission Expires Nov 22, 1993



*Margaret B. ...*

BOOK

5011 PAGE

547

ORIGINAL

The address of the above-named Grantee  
Suite 211, 6 Neshaminy Interplex  
is Treviso, PA 19053

On behalf of the Grantee

**REQUIRED ITEM NO. 6**

**DETAILED ILLUSTRATIVE PLAN OF PROPOSED STRUCTURE**

PROTOTYPE | Elevations



Letter Detail



ORIGINAL

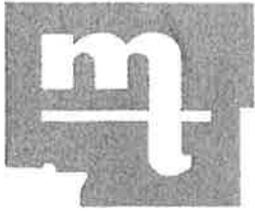
**REQUIRED ITEM NO. 7**

**LIST OF ABUTTING/CROSS STREET PROPERTY OWNERS**

Buffer search results

Results 1 - 23 of 23

Parcel ID	Owner Name	Property Address	Sales Date	Sales Amount	LUC	Altid
46000003635	KRACHE LESLIE	100 ASHLEY CIR	06/27/2005	249900	1101	46014T024
460000178001	HORSHAM REALTY ASSOCIATES LLC	741 -751 BETHLEHEM PIKE	02/08/2011	1	4231	46012 005
460000181007	PROVCO PINEVILLE 309 PARTNERS...	739 BETHLEHEM PIKE	04/11/2011	955000	4100	46012 004
460000184004	OLD YORK MANAGEMENT LLC	737 BETHLEHEM PIKE	07/28/2011	1	4320	46012 003
460000187001	MUHLIG MARK H & GOROWSKA ALEX...	735 BETHLEHEM PIKE	07/14/2005	304000	4100	46012 002
460000664622	SYLIANTENG GUILLERMO III	101 COVENTRY CIR	10/18/2007	279000	1101	46014T025
460000664856	TEJKL RUDOLPH J & KAREN E	100 COVENTRY CIR	12/30/1991	122500	1101	46014T048
460000865007	202 MARKET PLACE	411 DOYLESTOWN PIKE	07/27/1994	1	4546	46014 008
460000913409	RICHARDS JOHN & JANE	101 DRAYTON CIR	07/31/1990	139900	1101	46014T073
460000913634	TARANTELLA THOMAS J & MARIA Z	100 DRAYTON CIR	06/28/2002	180500	1101	46014T096
460001183004	SOUTHLAND CORP THE #24555	791 HORSHAM RD	10/16/1984	10	4248	46014 035
460001186001	WATER TOWER SQUARE ASSOCIATES	751 HORSHAM RD	06/25/1992	1	4547	46014 007
460001354202	TFJR ASSOCIATES LP	983 NORTH WALES RD	05/24/2002	0	4240	46012 037
460001354409	TFJR ASSOCIATES LP	981 NORTH WALES RD	05/24/2002	0	4231	46012 035
460001357001	MONTGOMERYVILLE ENTERPRISES CO	770 HORSHAM RD	01/01/1968	0	4241	46012 020
460001360007	FACKLER CHRISTOPHER A & KAREN...	762 -B HORSHAM RD	12/31/1986	1	4100	46012 032
460001363004	VARE WILLIAM D	750 -752 HORSHAM RD	06/04/1990	1	4100	46012 017
460001681999	MONTGOMERY GLEN HOMEOWNERS AS...	HOPKINS CT	N/A		1003	46014D044
460002516768	MONTGOMERY GLEN HOMEOWNERS AS...	LIVINGSTON CT	N/A		1003	46014E047
460002584448	MONTGOMERY GLEN HOMEOWNERS AS...	MCKEAN CT	N/A		1003	46014F044
460003403502	PATEL MANSUKHAL V & VINA M	101 STAFFORD CIR	08/15/1997	1	1101	46014T049
460003403736	VORON BARBARANN M & NEAL R	100 STAFFORD CIR	09/22/2006	270000	1101	46014T072
460003405842	WOOD HOLLOW CONDOMINIUM ASSO...	STOCKTON CT	N/A		1004	46014H114



**MONTGOMERY TOWNSHIP  
BOARD OF SUPERVISORS**

1001 STUMP ROAD  
MONTGOMERYVILLE, PA 18936-9605

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

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

**LAWRENCE J. GREGAN  
TOWNSHIP MANAGER**

June 5, 2018

RE: Conditional Use Application #C-69  
Water Tower Square Associates – Proposed Restaurant Satellite Use  
751 Horsham Road

Dear Property Owner:

This letter is to advise you that Water Tower Square Associates has applied to the Montgomery Township Board of Supervisors for a Conditional Use approval for a proposed restaurant satellite use at 751 Horsham Road. The 33.64-acre property is currently improved with a 263,792 square foot shopping center with movie theater. The applicant proposes to construct a 7,302 square foot satellite restaurant within a portion of the existing parking lot. Also proposed are reconfiguration of the surrounding parking areas, the addition of sidewalks and pedestrian crossings, a retention basin, and associated stormwater management facilities. A satellite use less than 7,500 square feet is permitted in the Commercial District by Conditional Use.

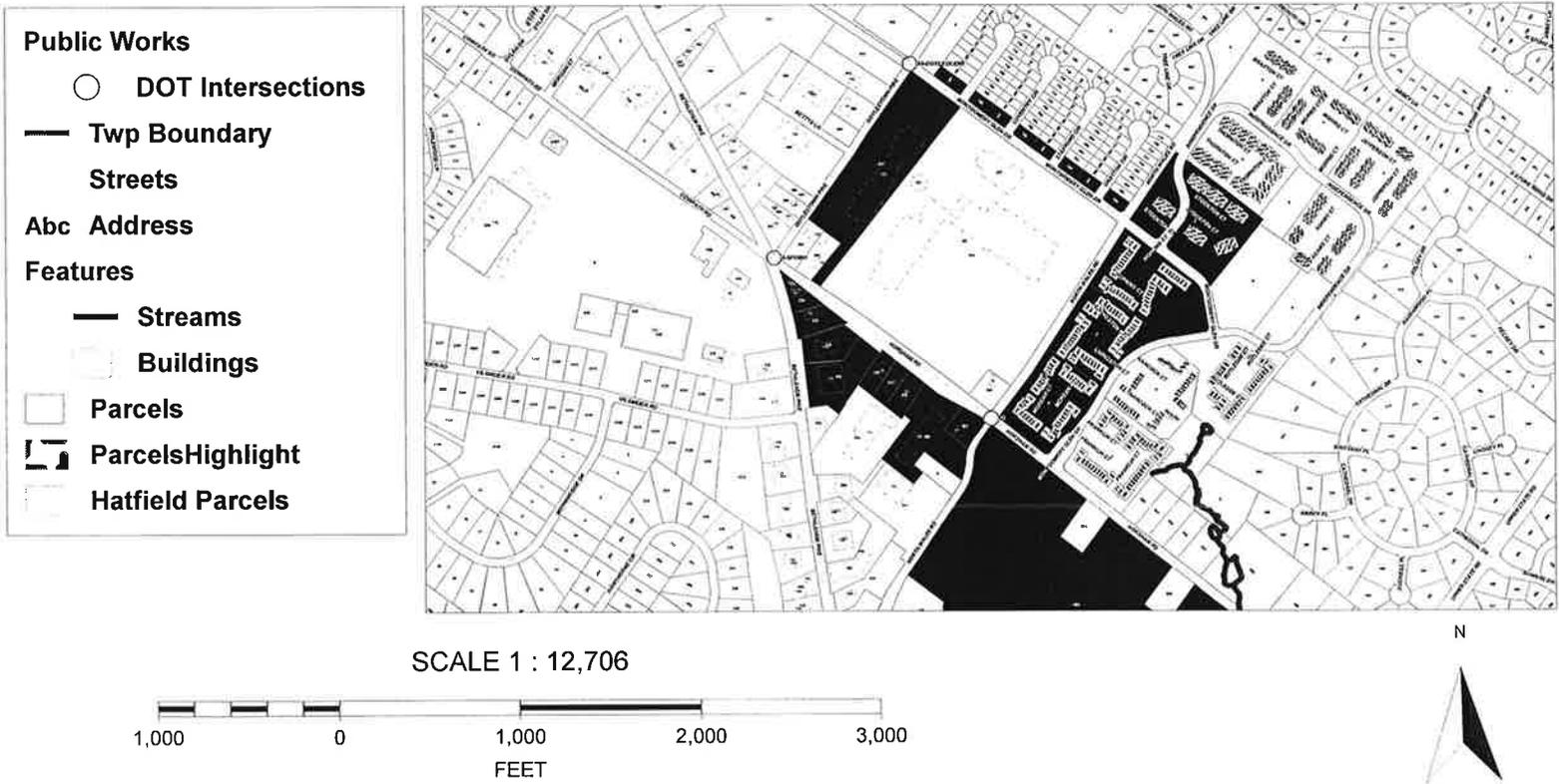
In order to receive public comment on this request, the Board of Supervisors has set Monday, June 25, 2018, after 8:00 p.m., in the Township Building, as the date, time and place for a public hearing.

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

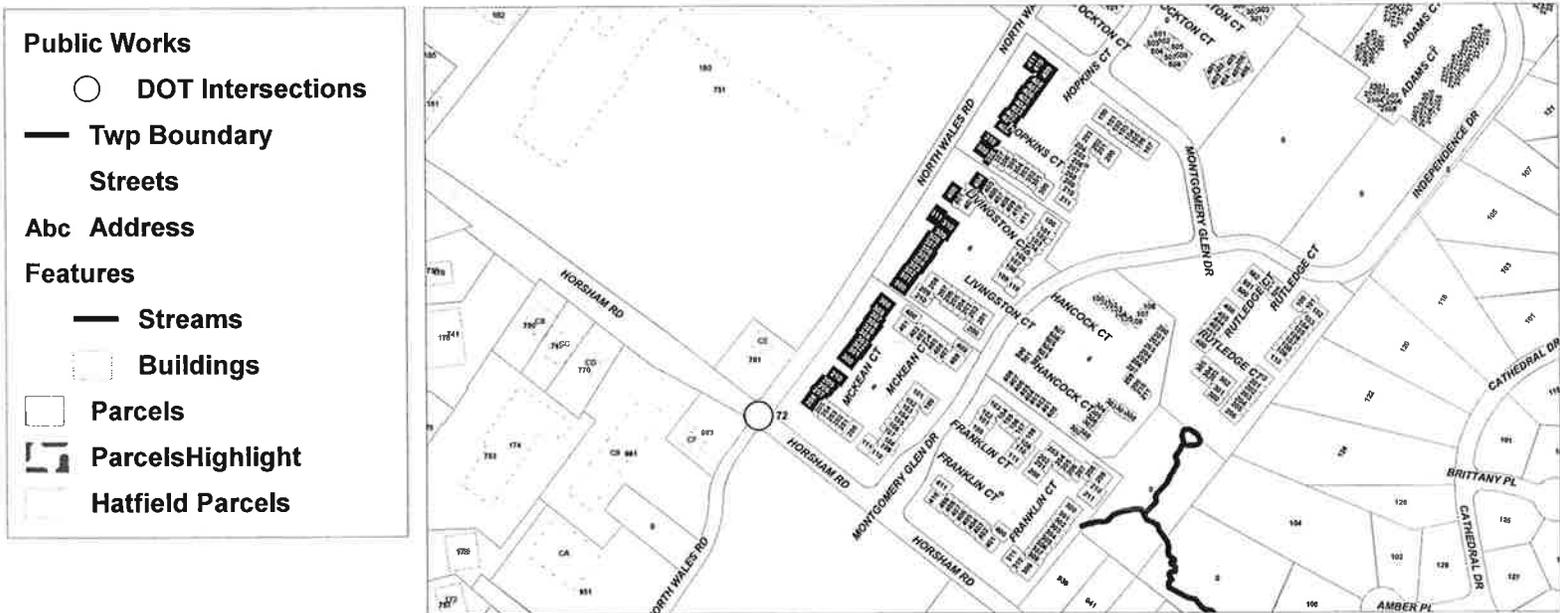
Sincerely,

Bruce S. Shoupe  
Director of Planning and Zoning

# Montgomery Twp



# Montgomery Twp



SCALE 1 : 6,353





label size 1" x 2 5/8" compatible with Avery®5160/8160  
Étiquette de format 25 mm x 67 mm compatible avec Avery®5160/8160

KRACHE LESLIE  
411 BONNIE LN  
LANSDALE PA 19446

BORNEMAN BRENT R & MARIA R,  
101 ASHLEY CIR  
LANSDALE PA 19446

P4 LLC  
733 BETHLEHEM PIKE  
MONTGOMERYVILLE PA 18936

MUHLIG MARK H & GOROWSKA  
32 LONGVIEW RD  
PERKASIE PA 18944

OLD YORK MANAGEMENT LLC  
173 W 78TH ST STE 16-F  
NEW YORK NY 10024

PROVCO PINEVILLE 309 PARTNERS  
795 E LANCASTER AVE STE 200  
VILLANOVA PA 19085

HORSHAM REALTY ASSOCIATES  
6055 SHEAFF LN  
FORT WASHINGTON PA 19034

TEJKL RUDOLPH J & KAREN E  
100 COVENTRY CIR  
LANSDALE PA 19446

SYLIANTENG GUILLERMO III  
101 COVENTRY CIR  
LANSDALE PA 19446

202 MARKET PLACE  
4 EXECUTIVE CAMPUS  
STE 200 CHERRY HILL NJ 08002

TARANTELLA THOMAS J & MARIA Z  
100 DRAYTON CIR  
LANSDALE PA 19446

RICHARDS JOHN & JANE  
101 DRAYTON CIR  
LANSDALE PA 19446

MONTGOMERY GLEN  
975 EASTON RD STE 202  
WARRINGTON PA 18976

VARE WILLIAM D  
509 WEADLEY RD  
KING OF PRUSSIA PA 19406

FACKLER CHRISTOPHER A &  
319 FIRELINE DR  
KINTNERSVILLE PA 18930

MONTGOMERYVILLE ENTERPRISES  
770 HORSHAM RD  
MONTGOMERYVILLE PA 18936

AIRPORT SQUARE SHOPPING  
810 SEVENTH AVE  
NEW YORK NY 10019

MONTGOMERY GLEN  
975 EASTON RD STE 202  
WARRINGTON PA 18976

MONTGOMERY GLEN  
975 EASTON RD STE 202  
WARRINGTON PA 18976

BROWN SUZANN C & JOSEPH P  
305 MCKEAN CT  
NORTH WALES PA 19454

TFJR ASSOCIATES LP  
PO BOX 5233  
SPRINGFIELD PA 19064

TFJR ASSOCIATES LP  
PO BOX 5233  
SPRINGFIELD PA 19064

VORON BARBARANN M & NEAL R  
100 STAFFORD CIR  
LANSDALE PA 19446

PATEL MANSUKHAL V & VINA M  
200 LAMP TAVERN LN  
GLENMORE PA 19343

WOOD HOLLOW CONDOMINIUM  
975 EASTON RD STE 202  
WARRINGTON PA 18976

SOUTHLAND CORPORATION #24555  
PO BOX 711  
DALLAS, TX 75211-0711



label size 1" x 2 5/8" compatible with Avery®5160/8160  
Étiquette de format 25 mm x 67 mm compatible avec Avery®5160/8160

STAPLES

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Étiquette de format 25 mm x 67 mm compatible avec Avery®5160/8160

IMBODEN THOMAS M & BERESCHAK  
OR CURRENT RESIDENT  
206 MCKEAN CT  
NORTH WALES PA 19454

PRATT EDWARD J & MARGARET M &  
OR CURRENT RESIDENT  
207 MCKEAN CT  
NORTH WALES PA 19454

GODOWN MICHAEL K  
OR CURRENT RESIDENT  
208 MCKEAN CT  
NORTH WALES PA 19454

BINCAROUSKY CATHERINE J AKA  
OR CURRENT RESIDENT  
209 MCKEAN CT  
NORTH WALES PA 19454

LY MINH & MAY  
OR CURRENT RESIDENT  
210 MCKEAN CT  
NORTH WALES PA 19454

QUEVEDO CECILIO & PILAR  
OR CURRENT RESIDENT  
300 MCKEAN CT  
NORTH WALES PA 19454

CHAPMAN TROY R  
OR CURRENT RESIDENT  
301 MCKEAN CT  
NORTH WALES PA 19454

MORAN JAMES  
OR CURRENT RESIDENT  
302 MCKEAN CT  
NORTH WALES PA 19454

MENNA LOUIS J  
OR CURRENT RESIDENT  
303 MCKEAN CT  
NORTH WALES PA 19454

NAYANKUMAR PATEL & PATEL  
OR CURRENT RESIDENT  
304 MCKEAN CT  
NORTH WALES PA 19454

BROWN SUZANN C & JOSEPH P  
OR CURRENT RESIDENT  
305 MCKEAN CT  
NORTH WALES PA 19454

WEDERTZ JUDITH & CHRIS  
OR CURRENT RESIDENT  
306 MCKEAN CT  
NORTH WALES PA 19454

PLOTKIN KYLE S  
OR CURRENT RESIDENT  
307 MCKEAN CT  
NORTH WALES PA 19454

ZIMBARDI ANTHONY J & MARTHA  
OR CURRENT RESIDENT  
308 MCKEAN CT  
NORTH WALES PA 19454

POLANSKY JEFFREY A  
OR CURRENT RESIDENT  
309 MCKEAN CT  
NORTH WALES PA 19454

STAPLES

label size 1" x 2 5/8" compatible with Avery®5160/8160  
Étiquette de format 25 mm x 67 mm compatible avec Avery®5160/8160



PARROTTE CRAIG A & SONG H  
OR CURRENT RESIDENT  
308 HOPKINS CT  
NORTH WALES PA 19454

BRATT PAUL W & SUSAN  
OR CURRENT RESIDENT  
309 HOPKINS CT  
NORTH WALES PA 19454

MASTROMATTO MICHAEL JR  
OR CURRENT RESIDENT  
310 HOPKINS CT  
NORTH WALES PA 19454

GALLAGHER JILLIAN A & DUMINIAK  
OR CURRENT RESIDENT  
400 HOPKINS CT  
NORTH WALES PA 19454

ANNOUS BASSAM A  
OR CURRENT RESIDENT  
401 HOPKINS CT  
NORTH WALES PA 19454

WOJCIECHOWSKI FREDERICK R  
OR CURRENT RESIDENT  
402 HOPKINS CT  
NORTH WALES PA 19454

SEIBERT JOHN H  
OR CURRENT RESIDENT  
403 HOPKINS CT  
NORTH WALES PA 19454

MCGINN EDWARD J JR & JANICE K  
OR CURRENT RESIDENT  
404 HOPKINS CT  
NORTH WALES PA 19454

STENCLER CHRISTOPHER D  
OR CURRENT RESIDENT  
405 HOPKINS CT  
NORTH WALES PA 19454

FAAKYE FRANCIS A  
OR CURRENT RESIDENT  
406 HOPKINS CT  
NORTH WALES PA 19454

DAY DONNA LEE  
OR CURRENT RESIDENT  
407 HOPKINS CT  
NORTH WALES PA 19454

BCPD ASSOCIATES LLC  
OR CURRENT RESIDENT  
408 HOPKINS CT  
NORTH WALES PA 19454

BURNSTINE SAUL E & MIRIAM R  
OR CURRENT RESIDENT  
409 HOPKINS CT  
NORTH WALES PA 19454

JAGIELNICKI ANNA & MILOSZ  
OR CURRENT RESIDENT  
410 HOPKINS CT  
NORTH WALES PA 19454

CAIRNS ANNE GLORIA  
OR CURRENT RESIDENT  
411 HOPKINS CT  
NORTH WALES PA 19454

EDELSON HAL S & DEBRA J  
OR CURRENT RESIDENT  
300 LIVINGSTON CT  
NORTH WALES PA 19454

RIDDELL CHRISTOPHER A & RADTKE  
OR CURRENT RESIDENT  
301 LIVINGSTON CT  
NORTH WALES PA 19454

KELLY ROBERT & SHEILA  
OR CURRENT RESIDENT  
302 LIVINGSTON CT  
NORTH WALES PA 19454

HOLLENBACH MICHELE  
OR CURRENT RESIDENT  
303 LIVINGSTON CT  
NORTH WALES PA 19454

PRATER JOSEPH B JR  
OR CURRENT RESIDENT  
304 LIVINGSTON CT  
NORTH WALES PA 19454

TORRES MARIA D  
OR CURRENT RESIDENT  
305 LIVINGSTON CT  
NORTH WALES PA 19454

PERRONG CONSTANCE  
OR CURRENT RESIDENT  
306 LIVINGSTON CT  
NORTH WALES PA 19454

SCHAFFER DOREEN  
OR CURRENT RESIDENT  
307 LIVINGSTON CT  
NORTH WALES PA 19454

BOONE JACK M & VIRGINIA & TERESA  
OR CURRENT RESIDENT  
308 LIVINGSTON CT  
NORTH WALES PA 19454

ELLIS THOMAS D & SUZANNE C  
OR CURRENT RESIDENT  
309 LIVINGSTON CT  
NORTH WALES PA 19454

VOGEL SARA & ENGLUND LAURA  
OR CURRENT RESIDENT  
310 LIVINGSTON CT  
NORTH WALES PA 19454

LEAHY MICHAEL J & MICHELLE J  
OR CURRENT RESIDENT  
311 LIVINGSTON CT  
NORTH WALES PA 19454

DALE ELIZABETH  
OR CURRENT RESIDENT  
400 LIVINGSTON CT  
NORTH WALES PA 19454

MARRA MILLIE M  
OR CURRENT RESIDENT  
404 LIVINGSTON CT  
NORTH WALES PA 19454



No. C-69 June 25 20 18

# ZONING NOTICE

Water Tower Square Associates

has appealed to the BOARD OF SUPERVISORS TRB for con-

sideration of a Conditional Use per Section 230-78.1 of  
the Code of Montgomery Township for a proposed 7802 sq. ft  
restaurant, provided such satellite use meets certain  
criteria.

at 751 Horsham Road.

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 June 25, 2018  
at after 8 p.m.

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

  
Zoning Officer

40.2455N 75.2390W  
McKean Court  
Jun 4, 2018 11:02 AM

40.2456N 75.2405W  
 Horsham Road  
 Jun 4, 2018 10:58 AM

**ZONING NOTICE**  
 Water Tower Square Assoc  
 has appealed to the BOARD OF SUPERVISORS **R**  
 signature of **R. Cantelmo** in pursuit of  
 at the Code of Montgomery Township for a proposed  
 rezoning, provided with suitable all with a  
 at 751 Horsham Road  
 The BOARD OF SUPERVISORS **H** under  
 of the MONTGOMERY TOWNSHIP ZONING  
 invites all interested parties to appear and be heard  
 PUBLIC HEARING to be held in the Montgomery  
 Building located at 1001 Stump Road, on June  
 at after 8 pm.  
 THIS ZONING NOTICE must be displayed in a  
 place in FRONT of the premises PLAINLY VISIBLE TO  
 PASSERSBY and kept there for the Seven Days  
 the PUBLIC HEARING. The applicant is responsible for  
 the maintenance of this notice and should it be d  
 removed, must immediately obtain another copy  
 Zoning Officer

**ZONING NOTICE**  
 No. LL-18-014 June 25 2018  
 Miller's Ale House, Inc.  
 has appealed to the BOARD OF SUPERVISORS **RB** for con  
 sideration of an Interim liquor license transfer  
 for a proposed Miller Ale House restaurant  
 at 751 Horsham Road  
 The BOARD OF SUPERVISORS **H** 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 June 25, 2018  
 at after 8 pm.  
 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  
 Zoning Officer



**LEGAL NOTICES**

MONTGOMERY TOWNSHIP LEGAL NOTICE On Monday, June 25, 2018, after 8:00 PM, the Montgomery Township Board of Supervisors, during its regularly scheduled meeting, will conduct a conditional use hearing on the Application of Water Tower Square Associates to permit a 7,302 square-foot restaurant use, as a Satellite use by way of conditional use, on the property located at 751 Horsham Road, further identified as tax parcel number 46-00-01186-00-1, within the Township's C-Commercial District. To facilitate the proposed Satellite use, Applicant requests conditional use approval under Article XIII, Section 230-78(1) [C-Commercial District/Satellite Uses], in accord with Article XXI, Section 230-156.2 [Miscellaneous Provisions/Procedures and Standards for Conditional Use Approval] to permit the proposed restaurant use on the property. At the public meeting following the hearing, the Board will consider approving the application. All interested parties are invited to attend, and will be given an opportunity to be heard at the appropriate time. 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 6/8, 6/15 1-a

Appeared in: **Reporter** on Friday, 06/08/2018

[Back](#)

**LEGAL NOTICES**

MONTGOMERY TOWNSHIP LEGAL NOTICE On Monday, June 25, 2018, after 8:00 PM, the Montgomery Township Board of Supervisors, during its regularly scheduled meeting, will conduct a conditional use hearing on the Application of Water Tower Square Associates to permit a 7,302 square-foot restaurant use, as a Satellite use by way of conditional use, on the property located at 751 Horsham Road, further identified as tax parcel number 46-00-01186-00-1, within the Township's C-Commercial District. To facilitate the proposed Satellite use, Applicant requests conditional use approval under Article XIII, Section 230-78(1) [C-Commercial District/Satellite Uses], in accord with Article XXI, Section 230-156.2 [Miscellaneous Provisions/Procedures and Standards for Conditional Use Approval] to permit the proposed restaurant use on the property. At the public meeting following the hearing, the Board will consider approving the application. All interested parties are invited to attend, and will be given an opportunity to be heard at the appropriate time. 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 6/8, 6/15 1-a

Appeared in: **Reporter** on Friday, 06/15/2018

[Back](#)

Blue Bell Executive Campus  
460 Norristown Road, Suite 110  
Blue Bell, Pennsylvania 19422-2323  
610.825.8400 + Fax 610.828.4887  
www.wislerpearlstine.com

Scott C. Denlinger, Esquire  
[sdenlinger@wispearl.com](mailto:sdenlinger@wispearl.com)

May 2, 2018

**VIA EMAIL**

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

**RE: Water Tower Square Associates - Conditional Use Application**

Dear Bruce:

As you know, on April 24, 2018, Water Tower Square Associates ("Applicant") submitted a Conditional Use Application ("Application") to Montgomery Township ("Township") seeking approval of a satellite pad site use on the property located at 751 Horsham Road in the Township. Pursuant to my conversations with you, on the behalf of the Applicant, we agree to extend the deadlines for consideration and action on the aforementioned Application by the Township Board of Supervisors, and correspondingly waive any time limits under the Township Zoning Ordinance or the Pennsylvania Municipalities Planning Code through and until June 26, 2018.

Kindly let me know if you require anything additional from me, and when this Application will be reviewed by the Planning Commission or any other Township board or authority prior to consideration by the Board of Supervisors. I would appreciate being advised so that someone from my office may be present on behalf of the Applicant to address any questions with regard to the Application.

If you should have any questions, comments or concerns, please feel free to contact me. Thank you very much and have a nice day.

Very truly yours,



**SCOTT C. DENLINGER**

cc: James J. Garrity, Esquire  
Robert Freedman – via email  
Brian Conlon – via email

{01617777 }

ATTORNEYS AT LAW

KENNETH AMEY, AICP  
professional land planner

June 8, 2018

Bruce S. Shoupe, Director of Planning and Zoning  
MONTGOMERY TOWNSHIP  
1001 Stump Road  
Montgomeryville, PA 18936

Re: Conditional Use Application  
Water Tower Square  
Township File #LDS-C69

Dear Bruce:

As requested, I have reviewed the Conditional Use application for the above referenced project. Plans supporting the application were prepared by Langan Engineering & Environmental Services and are dated April 5, 2018. The proposed location is currently part of the parking lot for the Water Tower Square Shopping Center and is zoned C-Commercial. Plans show reconfiguration of the parking area, addition of stormwater management facilities and modifications to accommodate pedestrian circulation. I have the following comments on the application:

1. Section 230-78.1.B(3) of the Montgomery Township Zoning Ordinance states that when a satellite use is added to an existing center, the parking area needs to be brought into compliance with all requirements for parking and landscaping. Any changes necessary to accomplish this will need to be included in the final plans.
2. The applicant may want to consider a pedestrian crossing between the main parking field to the east and this pad site.
3. The proposed use needs to be clarified. All of the plans show the pad site as a restaurant; however, the cover letter and the addendum to the application both say "retail or restaurant use".
4. It is not clear from the exhibits whether outdoor seating is proposed. The elevation drawing shows an outdoor seating area but the plan view does not.

Please let me know if there are any questions.

Very truly yours,

  
Kenneth Amey

1122 Old Bethlehem Pike  
Lower Gwynedd, PA 19002



phone: 215.283.9619  
fax: 215.646.3458  
kenamey@aol.com

cc: Lawrence Gregan, Township Manager  
Frank Bartle, Esq., Township Solicitor  
Marianna McConnell, Deputy Zoning Officer  
James Dougherty, PE  
Judy Stern Goldstein, ASLA  
Kevin Johnson, PE  
James Ganly, Esq.  
Scott Denlinger, Esq.



**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

2756 Rimrock Drive  
Stroudsburg, PA 18360  
570-629-0300  
Fax 570 629 0306

Mailing:  
P.O. Box 699  
Bactonsville, PA 18321

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

[www.bjengineers.com](http://www.bjengineers.com)

June 4, 2018  
*Revised June 5, 2018*

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

**SUBJECT: WATER TOWER SQUARE  
CONDITIONAL USE APPLICATION  
TOWNSHIP LD/S NO. C-69  
PROJECT NO. 1855328R**

Dear Mr. Gregan:

Please be advised that we have reviewed the Conditional Use Application plans for the proposed Satellite Restaurant at Water Tower Square, prepared by Langan Engineering and Environmental Services and dated April 5, 2018. The application seeks approval to permit a satellite restaurant use of less than 7,500 square feet within the C – Commercial District.

We offer the following for your consideration.

1. ZO 230-78.A requires the provision of an area no less than 25' in width planted in accordance with landscaping and screening requirements of the Montgomery Township SLDO along all property lines including street frontages. The existing buffer area between the proposed restaurant and the convenience store is less than 25'. The plans shall be revised to demonstrate compliance with the ordinance requirement or a variance would be required.
2. ZO 230-78.1.B(3) requires that when satellite use(s) are added to a shopping center development at any time after initial development is completed, adjustments to the parking area shall be made to comply with the requirements of this section and current requirements of the Zoning Ordinance and Subdivision and Land Development Ordinance for parking and landscaping. We recommend that Conditional Use Approval be contingent on the provision of landscape plans demonstrating compliance with current ZO and SLDO landscape requirements.
3. ZO 230-78.1.C requires that within all parking areas, signing, pavement markings or pavement differentiation shall be provided indicating paths of heavy pedestrian traffic. Whenever such paths cross landscaped islands, a break in the landscaping shall be provided. Curb cuts shall also be provided as necessary to allow access by the elderly and the physically handicapped. We recommend that Conditional Use Approval be contingent on the land development plans addressing pedestrian needs both around the restaurant and in connection to the rest of the property.

Mr. Lawrence Gregan, Township Manager  
Water Tower Square Conditional Use Application  
June 4, 2018  
*Revised June 5, 2018*  
Page 2

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

Sincerely,



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



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

JSG/vll/bpa

cc: Board of Supervisors  
Planning Commission  
Bruce Shoupe, Director of Planning and Zoning  
Marianne McConnell, Deputy Zoning Officer  
May Gambino, Project Coordinator, Planning and Zoning  
Frank R. Bartle, Esq., Discheil Bartle & Dooley, PC  
James P. Dougherty, P.E., Gilmore & Associates, Inc.  
Kevin Johnson, P.E., Traffic Planning & Design  
Ken Arney, AICP  
Robert W. Freedman, Esq., Water Tower Associates C/O The Goldenberg Group  
James J. Garrity, Esq., Wisler Pearlstine  
Scott C. Denlinger, Esq., Wisler Pearlstine  
Brian M. Conlon, P.E., Langan Engineering



**REVISED June 14, 2018**  
June 11, 2018

File No. 2018-03056-01

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

Reference: Preliminary and Final Land Development Application - LDS-697  
Water Tower Square Associates – Satellite Pad Site  
751 Horsham Road (S.R. 0463)  
Tax Map Parcel Number 46-00-01186-00-1; Block 14 – Unit 7

Dear Bruce:

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

**I. SUBMISSION**

- A. Application for Subdivision & Land Development, prepared by The Goldenberg Group, dated April 23, 2018.
- B. Preliminary and Final Land Development Plan for Water Tower Square Redevelopment (25 sheets), prepared by Langan Engineering and Environmental Services, Inc., dated April 23, 2018.
- C. Post-Construction Stormwater Management Report for Water Tower Square Redevelopment, prepared by Langan Engineering and Environmental Services, Inc., dated April 23, 2018.
- D. Soil Erosion and Sediment Control Report for Water Tower Square Redevelopment, prepared by Langan Engineering and Environmental Services, Inc., dated April 23, 2018.

**II. GENERAL**

The project site has gross and net areas of 33.64 acres and 31.28 acres, respectively, and is located at the intersection of Horsham Road (S.R. 0463) and North Wales Road, within the C Commercial Zoning District. The property currently houses several businesses such as Frank Theaters, Home Depot, Office Max, Cost Plus World Market, Buy Buy Baby, and Planet Fitness. The Applicant, Water Tower Square Associates, proposes to eliminate 130 existing parking spaces and construct a 7,302 square foot restaurant as a satellite use. The project will have a limit of disturbance of 0.88 acres. The overall impervious area for the project site will be decreased by 3,327 square feet as a result of the project.

The applicant's proposal includes appurtenant parking, utilities, stormwater management, landscaping, etc. to support the proposed restaurant, satellite use.

**III. REVIEW COMMENTS**

A. Zoning Ordinance (Chapter 230)

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

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)

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. Sheet 5 of 25 depicts a wall and gate around the compactor area. A detail for the proposed wall and gate shall be included in the plans.
2. §230-78.1.B(3) – The addition of the satellite use requires adjustments to the parking area to comply with the requirements of the C Commercial Zoning District and current requirements of the Zoning Ordinance and Subdivision and Land Development Ordinance for parking and landscaping. The parking intended for the satellite use shall be made compliant as required. Future land development plan submissions shall include modification to the parking area to comply with the current parking and landscaping requirements of the Township Ordinances. Any modification to the parking area that relates to pedestrian routes shall also incorporate any accommodations required to address the pedestrian access requirements of §230-78.1.C.
3. We defer review of proposed signage to the Township Code Officer.

B. Subdivision & Land Development Ordinance (Chapter 205)

Based on our review, the following items do not appear to comply with the Montgomery Township Subdivision and Land Development Ordinance. Upon further development of the plans, additional items may become apparent.

1. §205-17.A(4) –All commercial, industrial, and multifamily driveways carrying mostly cars shall be constructed in accordance with the residential road standards. The Flexible Pavement Sections detail on Sheet 8 of 25 does not meet the Township spec for pavement. The detail shall be revised accordingly.
2. §205-18.D(4)(d) – A minimum four-foot-high fence, to the satisfaction of the Township Engineer, must be installed around the top of all basins, public or private. A fence shall be added to the bioretention basin. A fence detail shall be added to the plans.
3. §205-29 – Erosion and sediment control. The Applicant shall obtain adequacy review of the E&S Plan from the Montgomery County Conservation District.
4. §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.

C. Stormwater Management Ordinance (Chapter 206)

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

1. §206-11.K – Storage facilities should completely drain both the volume control and rate control capacities over a period of time not less than 24 and not more than 72 hours from the end of the design storm. Dewatering calculations shall be provided to ensure compliance.
2. §206-32 – A Performance Guarantee shall be provided to the Township prior to construction for all stormwater related items.
3. §206-35 – An Operations and Maintenance Agreement shall be provided to the Township for review and approval prior to approval.
4. §206-36 – Access easements for all stormwater BMPs shall be provided in favor of the Township.

D. General

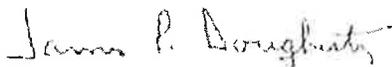
1. The Applicant should obtain all required approvals, permits, declarations of restrictions and covenants, etc. (e.g. PADEP, PennDOT, MCPC, MCCD, Sewer Authority, Water Authority, Fire Marshal, etc.). Copies of these approvals and permits should be submitted to the Township and our office.

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 Parking Summary table on Sheet 5 of 25. However, it does appear that more than the required number of spaces is provided. The applicant should verify the correct number of proposed parking spaces is noted on Sheet 5 of 25.
3. The Parking Stall Striping and Accessible Parking Stall Striping details on Sheet 8 of 25 are not consistent with the dimensions depicted on the plans. The details and plan view dimensions shall be consistent.
4. The source, date, datum, etc. of the topographic survey shall be included on the Existing Conditions Plan.
5. We defer review of all landscaping, lighting, and traffic requirements to the Township Landscape Architect, Township Lighting Consultant, and Township Traffic Engineer, respectively.
6. Site Accessibility review will be provided under separate cover.

In order to 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 and plans that are unrelated to the review comments should also be identified in the response letter. Please note that any revisions made to the application and plans may be subject to review and additional comments.

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 Lesnlak, Director of Fire Services – Montgomery Township  
Frank R. Bartle, Esq., Solicitor – Dischell Bartle & Dooley, PC  
Judith Stern Goldstein, ASLA, R.L.A. – Boucher & James, Inc.  
Kevin Johnson, P.E. – Traffic Planning & Design, Inc.  
Ken Amey, AICP  
Robert Freedman, Esq. – Water Tower Square Associates c/o The Goldenberg Group  
James J. Garrity, Esq. – Wisler Pearlstine, LLP  
Scott C. Denlinger, Esq. – Wisler Pearlstine, LLP  
Brian M. Conlan, P.E., LEED AP – Langan Engineering and Environmental Services, LLC  
Russell S. Dunlevy, P.E., Senior Executive Vice President – Gilmore & Associates, Inc.



June 11, 2018

File No. 2018-03056

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

Reference: Conditional Use Application – C-69  
Water Tower Square Associates – Satellite Pad Site  
751 Horsham Road (S.R. 0463)  
Tax Map Parcel Number 46-00-01186-00-1; Block 14 – Unit 7

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 Water Tower Square Redevelopment, prepared by Wisler Pearlstine, LLP, dated April 24, 2018.
- B. Overall Site Plan, prepared by Langan Engineering and Environmental Services, Inc., dated April 23, 2018.
- C. Site Plan, prepared by Langan Engineering and Environmental Services, Inc., dated April 23, 2018.
- D. Master Site Plan (CS-100, Sheet 6 of 26), prepared by Langan Engineering and Environmental Services, Inc., dated April 5, 2018.

II. GENERAL

The project site has gross and net areas of 33.63 acres and 31.28 acres, respectively, and is located at the intersection of Horsham Road (S.R. 0463) and North Wales Road, within the C Commercial Zoning District. The property currently houses several businesses such as Frank Theaters, Home Depot, Office Max, Cost Plus World Market, Buy Buy Baby, and Planet Fitness. The Applicant, Water Tower Square Associates, proposes to eliminate 130 existing parking spaces and construct a 7,302 square foot restaurant as a satellite use. The project will have a limit of disturbance of 0.88 acres. The overall impervious area for the project site will be decreased by 3,327 square feet as a result of the project.

The applicant is seeking conditional use approval to permit a satellite use of less than 7,500 sf.

III. REVIEW COMMENTS

A. Zoning Ordinance (Chapter 230)

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

- 1. §230-78.F(1) – No waste, rubbish and discarded materials shall be stored outside of the building

BUILDING ON A FOUNDATION OF EXCELLENCE

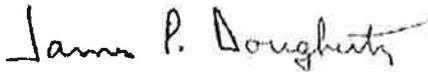
65 E. Butler Avenue | Suite 100 | New Britain, PA 18901 Phone: 215-345-4930 | Fax: 215-345-8606  
www.gilmore-assoc.com

unless it is placed within a completely fenced-in area so as to conceal the materials. Sheet 5 of 25 depicts a wall and gate around the compactor area. Future land development plan submissions shall include details of the trash enclosure to verify these requirements are satisfied.

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

Review of the Subdivision and Land Development Application, which was submitted concurrently with the Conditional Use Application, will be provided 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  
Judith Stern Goldstein, ASLA, R.L.A. – Boucher & James, Inc.  
Kevin Johnson, P.E. – Traffic Planning & Design, Inc.  
Ken Amey, AICP  
Robert Freedman, Esq. – Water Tower Square Associates c/o The Goldenberg Group  
James J. Garrity, Esq. – Wisler Pearlstine, LLP  
Scott C. Denlinger, Esq. – Wisler Pearlstine, LLP  
Brian M. Conlan, P.E., LEED AP – Langan Engineering and Environmental Services, LLC  
Russell S. Dunlevy, P.E., Senior Executive Vice President – Gilmore & Associates, Inc.

**Revised 22 June 2018**

23 April 2018

Montgomery Township  
Planning Commission  
1001 Stump Road  
Montgomeryville, PA 18936

**Re: Traffic Statement  
Water Tower Square Redevelopment  
Montgomery Township, Montgomery County, PA  
Langan Project No. 220091701**

Dear Commission Members:

Langan Engineering & Environmental Services has prepared this revised traffic statement as part of the land development application to expand the Water Tower Square shopping center in Montgomery Township, Montgomery County, PA. The Water Tower Square shopping center is located along Horsham Road, North Wales Road and Montgomery Glen Drive. Specifically, we performed the following tasks:

- Reviewed the redevelopment project,
- Estimated site trip generation,
- Observed traffic operations, and
- Reviewed the site plan for the adequacy of site access, circulation and parking.

We have concluded that the site traffic impacts of the redevelopment project will not be significant and will cause no perceptible changes to area traffic operations. Moreover, the site design is in accordance with current standards and will provide adequate access, circulation and parking.

## **REDEVELOPMENT PROJECT**

The shopping center will be expanded to add a Miller's Ale House Restaurant in the southeast part of the site. The restaurant will provide 7,302 square feet of space and 239 seats. A total of 104 parking spaces are proposed immediately around the restaurant, which are in addition to the remaining shopping center parking supply of 1,468 parking spaces. The restaurant will be internal to the shopping center and served by the overall site driveways.

The total shopping center floor area will increase from 263,534 square feet to 270,836 square feet because of the proposed restaurant. Minor site changes will be made including realignment of circulation aisles and parking spaces around the proposed restaurant. A total of

1,572 parking spaces are proposed to serve the expanded shopping center.

**TRIP GENERATION**

We used trip generation data published by the Institute of Transportation Engineers in their publication Trip Generation Manual, 10<sup>th</sup> edition to estimate site generated trips for the proposed restaurant. Specifically, we used trip rates for the High-Turnover (Sit-Down) Restaurant land use. The ITE has also identified that as much as 40% of restaurant trips come from the traffic stream already passing by a particular site. Those trips are known as passby trips and do not add traffic to an area. Moreover, we expect that some of the trips to and from the proposed restaurant will be made by patrons that are already coming to the center to shop. Those trips would be internal to the site and also would not add traffic to the area. For our trip generation estimates we have conservatively assumed that only 25% of the restaurant trips would be passby or internal trips.

Table 1 shows the estimated trip generation for the critical weekday evening and Saturday midday peak hours.

**Table 1 - Trip Generation Estimates**

<b>Time Period</b>	<b>New Trips</b>	<b>Passby/Internal Trips</b>	<b>Total Trips</b>
<b>Weekday Evening Peak Hour</b>			
Enter	34	11	45
<u>Exit</u>	<u>20</u>	<u>7</u>	<u>27</u>
Total	54	18	72
<b>Saturday Midday Peak Hour</b>			
Enter	31	11	42
<u>Exit</u>	<u>30</u>	<u>10</u>	<u>40</u>
Total	61	21	82

The trip generation numbers shown in Table 1 represent the single highest peak hours anticipated for a typical weekday evening and Saturday midday. Trip generation for all other “non-peak” hours of operation, will be lower than the peak hour trip generation shown above. The estimated trip generation for the proposed restaurant is less than 100 trips during the weekday evening and Saturday midday peak hours. Many entities, including the ITE and public review agencies, classify land uses that generate less than 100 peak hour trips as having an insignificant traffic impact.

The proposed restaurant will only generate approximately one new trip to the area every minute during the peak hours. Those new trips will also be distributed over multiple travel routes to and from the site, which will further reduce the traffic impact of the proposed restaurant. Accordingly, we expect the proposed restaurant will not create any perceptible changes to area traffic operations.

## **OBSERVED TRAFFIC OPERATIONS**

We observed weekday evening traffic operations at the site and at the Horsham Road and North Wales Road intersection. Specifically, we observed traffic operations on Wednesday 20 June 2018 from 4:30 p.m. to 6:30 p.m. The site driveway intersections along Horsham Road and North Wales Road operated with little observed delay or vehicle queuing. The internal three-leg intersection, formed by the Horsham Road site driveway and the site's central east-west circulation aisle, also operated with little observed delay or vehicle queuing. The central east-west circulation aisle, which the proposed restaurant driveways will intersect, also carried low traffic volumes during the observations.

We also observed the Horsham Road and North Wales Road intersection operating well with the majority of vehicles travelling through the intersection in one signal cycle. Queuing along the southbound North Wales Road approach never extended back to the south site driveway along North Wales Road.

Based on our observations of traffic operations, we believe the site driveways and the surrounding road network will easily accommodate the nominal amount of traffic that will be generated by the proposed restaurant.

## **SITE PLAN REVIEW**

We have reviewed the site plan for the proposed redevelopment project. In particular, we focused our review on access, circulation and parking supply, which the following items address:

- Access will continue to be provided by the multiple existing shopping center driveways along the frontage roads. The provision of multiple driveways will facilitate access to the proposed restaurant and overall traffic operations at the site. The restaurant will have an enter-only driveway and a separate enter/exit driveway along the site's central east-west circulation aisle.
- The majority of the customer parking areas will continue to provide parking stalls that are 10-feet wide and 20-feet deep served by 30-foot wide aisles. These parking stall

dimensions and aisle width are consistent with the current Montgomery Township Code and will continue to provide efficient circulation throughout the site.

- A total of 1,572 parking spaces are proposed, which equates to a parking supply ratio of 5.80 parking spaces per 1,000 square feet of building area. The ITE has identified actual average peak parking demand ratios for shopping centers of 2.94 vehicles per 1,000 square feet of building area. Moreover, based ITE parking data the proposed restaurant is estimated to have an average peak parking demand of 119 vehicles. Most of that restaurant parking demand will be accommodated by the proposed parking immediately surrounding the restaurant. Accordingly, we anticipate the proposed parking supply will adequately accommodate anticipated parking demands.

Based on our review, we believe the site will continue to provide convenient access and circulation with sufficient parking.

## CONCLUSION

We have concluded that the proposed redevelopment will not create any significant traffic impacts. In addition, the site design is consistent with current standards and will provide adequate access, circulation and parking.

Should you have any questions or comments concerning this traffic statement, please do not hesitate to contact our office.

Very truly yours,  
**Langan Engineering and Environmental Services, Inc.**



Brian Conlon, PE, LEED AP, CDP  
Senior Associate / Vice President



Daniel D. Disario, PE, PTOE  
Principal / Vice President

cc: Robert Freedman, The Goldenberg Group  
John Williamson, The Goldenberg Group  
James Garrity, Wisler Pearlstine



TRAFFIC PLANNING AND DESIGN, INC.

WWW.TRAFFICPD.COM

June 13, 2018

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

**RE: Water Tower Square – Satellite Pad Site (Miller Ale House)  
Conditional Use Plan Review**  
Montgomery Township C-69  
TPD No. MOTO-00121

Dear Bruce:

In our role as Township Traffic/Street Lighting Engineer, Traffic Planning and Design, Inc. (TPD) has reviewed the following items which were received electronically in our office on May 10, 2018:

- Master Site Plan prepared by Langan, dated April 5, 2018 (Sheet 6 of 26);
- Traffic Statement prepared by Langan, dated April 23, 2018;
- Conditional Use Application prepared by Scott Denlinger, Esq., dated April 24, 2018.

Based on our review, we offer the following comments:

**Traffic Statement Comments**

1. A Traffic Impact Study (TIS) containing capacity analyses for existing and proposed conditions needs to be provided in accordance with Section 230-156.2 of the Montgomery Township Zoning Ordinance which pertains to "Procedures and Standards for Conditional Use Approval". The April 23, 2018 Traffic Statement concludes that "the proposed development will not create any significant traffic impacts." based solely on a Trip Generation methodology we do not agree with. This TIS is needed so we can "make a determination that the proposed use will not have an unwarranted impact on traffic in the area" in accordance with Section 230-156.2.C.(5). Without a TIS, it is impossible to determine if any existing operational issues will worsen or if new issues will be created with the proposed restaurant. Therefore, a Traffic Impact Study is required for the following intersections before we can concur with the conclusion in the Traffic Statement:
  - a. Water Tower Square Shopping Center driveways at the intersections with Horsham Road and North Wales Road;
  - b. The internal "T" intersection of the Horsham Road access and southern North Wales Road access;

Mr. Bruce S. Shoupe  
June 13, 2018  
Page 2

- c. The intersections of the proposed driveways with the southern North Wales Road access driveway.
2. The trip generation methodology used in the April 23, 2018 Traffic Statement treated the 7,302 square foot outparcel restaurant as a generic 2.7% addition to the shopping center square footage rather than treating it as a new (and in this case only) restaurant added to an existing shopping center. As a result, Table 1 in the April 23, 2018 Traffic Statement estimates that the proposed restaurant use will only add 23 total (in + out) trips in the weekday P.M. peak hour and 29 total trips in the Saturday midway peak hour. However, if trip generation is estimated based on the ITE rates for a 7,302 square foot "High Turnover Sit-Down Restaurant", the proposed use would generate 71 total (in + out) trips in the weekday P.M. peak hour and 82 total trips during the Saturday peak hour of the generator. Therefore, the requested Traffic Impact Study needs to utilize the "High Turnover Sit-Down Restaurant" category with adjustments for pass-by trips and interaction with the existing shopping center uses.

**Plan Comments**

1. The proposed western access for the restaurant use is located immediately adjacent to the internal "T" intersection of the Horsham Road access and southern North Wales Road access. In addition, traffic exiting the proposed western restaurant access will conflict with the northbound right turn movement from the Horsham Road driveway onto the North Wales Road driveway which is a free-flow movement. Therefore, the proposed western restaurant access should be restricted to enter-only movements or should be relocated further from the Horsham Road driveway.
2. The two northernmost parking spaces located between the Horsham Road access and the proposed western driveway should be removed to ensure that sight distance is not blocked and to eliminate conflicts with traffic entering and exiting the western driveway.

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.



Kevin L. Johnson, P.E.  
President

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

Mr. Bruce S. Shoupe

June 13, 2018

Page 5

cc: Larry ~~G~~regan, Township Manager  
Mary Gambino, Project Coordinator/Permits Administrator  
Kevin Costello, Township Public Works Director  
Russ Dunlevy, P.E., Township Engineer  
Frank Falzone, P.E., TPD  
Joseph Platt, P.E., TPD  
Jerry Baker, P.E., TPD  
Eric Hammond, TPD  
Brian Conlon, P.E., Langan  
Scott Denlinger, Esq., Wisler Pearlstine, LLP



TRAFFIC PLANNING AND DESIGN, INC.

WWW.TRAFFICPD.COM

June 6, 2018

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

**RE: Water Tower Square – Satellite Pad Site (Miller Ale House)  
Conditional Use Plan Review  
Montgomery Township LDS-697  
TPD No. MOTO-00121**

Dear Bruce:

In our role as Township Traffic/Street Lighting Engineer, Traffic Planning and Design, Inc. (TPD) has reviewed the following items which were received electronically in our office on May 10, 2018:

- Master Site Plan prepared by Langan, dated April 5, 2018 (Sheet 6 of 26);
- Conditional Use Application prepared by Scott Denlinger, Esq., dated April 24, 2018.

Based on our review, we offer the following comments:

#### Traffic Study Comments

1. A traffic impact study should be provided for the proposed restaurant. The study should include the following intersections:
  - a. Water Tower Square Shopping Center driveways at the intersections with Horsham Road and North Wales Road;
  - b. The internal "T" intersection of the Horsham Road access and southern North Wales Road access;
  - c. The intersections of the proposed driveways with the southern North Wales Road access driveway.

#### Plan Comments

1. The proposed western access for the restaurant use is located immediately adjacent to the internal "T" intersection of the Horsham Road access and southern North Wales Road access. In addition, traffic exiting the proposed western restaurant access will conflict with the

Mr. Bruce S. Shoupe  
June 6, 2018  
Page 2

northbound right turn movement from the Horsham Road driveway onto the North Wales Road driveway which is a free-flow movement. Therefore, the proposed western restaurant access should be restricted to enter-only movements or should be relocated further from the Horsham Road driveway.

2. The two northernmost parking spaces located between the Horsham Road access and the proposed western driveway should be removed to ensure that sight distance is not blocked and to eliminate conflicts with traffic entering and exiting the western driveway.
3. While not needed at the Conditional Use stage, the applicant will need to submit truck turning templates for delivery trucks, trash trucks, and an aerial fire truck for our review and comment as part of the Land Development submission. Trucks are currently restricted on the Horsham Road access and the southern North Wales Road access. Therefore, it is unclear how trucks will access the site.
4. "Stop" signs should be provided on the eastbound and westbound approaches of the east-west parking aisle located on the north side of the proposed restaurant at the intersections with the proposed access driveways.
5. "Pedestrian Crossing" signs (W11-2) and "Diagonal Downward Pointing Arrow Plaque" signs (W16-7P) should be provided on both ends of the proposed crosswalk facing oncoming traffic.

#### Lighting Comments

1. No lighting information was provided. A separate plan showing the proposed lighting, in accordance with the Township's Street Lighting Specifications and applicable Township Ordinance(s), should be submitted for review. TPD may have comments with respect to lighting as additional information is provided.

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

Mr. Bruce S. Shoupe

June 6, 2018

Page 3

cc: Larry Gregan, Township Manager  
Mary Gambino, Project Coordinator/Permits Administrator  
Kevin Costello, Township Public Works Director  
Russ Dunlevy, P.E., Township Engineer  
Frank Falzone, P.E., TPD  
Joseph Platt, P.E., TPD  
Jerry Baker, P.E., TPD  
Eric Hammond, TPD  
Brian Conlon, P.E., Langan  
Scott Denlinger, Esq., Walter Pearlstine, LLP

**ZONING ORDINANCE  
PLAN REVIEW  
Water Tower Square Associates**

DATE: June 14, 2018

PLAN REVIEW – Water Tower Square Associates – Satellite Pad Site – 751 Horsham Road  
LD/S # 697 and Conditional Use #C-69

DEVELOPMENT NAME: Water Tower Square Associates  
LOCATION: 751 Horsham Road LOT NUMBER & SUBDIVISION: 1  
ZONING DISTRICT: C-Commercial  
PROPOSED USE: Restaurant  
ZONING HEARING BOARD APPROVAL REQUIRED? YES  
CONDITIONAL USE APPROVAL REQUIRED? YES

	Proposed each lot	Required	Approved	Not Approved X - BOS	WAIVER
USE	Restaurant	Conditional Use		X - BOS	
HEIGHT	Max 35 ft.	Max 35 ft.	X		
LOT SIZE	31.26 ac	25,000 sf	X		
SETBACKS					
FRONT	126.4 ft.	60 ft.	X		
SIDES	107.7 ft.	10 ft.	X		
REAR	40 + ft.	40 ft.	X		
BUFFERS					
SOFTENING		25 ft. Perimeter		X	
SCREENING		25 ft. Perimeter		X	
BUILDING COVERAGE	19.88%	Max 20%	X		
IMPERVIOUS COVERAGE	Max 73.07%	Max 75%	X		
GREEN AREA	26.93%	Min 25%	X		
PARKING	1658	1473	X		104 Surplus

ADDITIONAL COMMENTS

- PADEP Act 537, Section 750.5(a) and Section 71.51(a) requires an approved sewage facilities planning Plan prior to recording of any subdivision plan.
- Demonstrate compliance that screening buffer of no less than 25 feet in width is in accordance with 230-78A along 7-Eleven adjoining property line.
- Demonstrate compliance to 230-78.1.B(3) that the maximum number of parking spaces allowed without a landscaping island has been met, landscaping requirements for parking areas located within 100 feet of public streets and entrance driveways.

  
ZONING OFFICER

6-14-18  
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: April 26, 2018

Re: Water Tower Square Conditional Use Application C-69  
751 Horsham Road  
Date of Plan: April 23, 2018

---

A review of the Conditional Use Application C-69 for 751 Horsham Road ~~was conducted~~ on this date. There are no areas of concern to the police department at this time.

Thank you for the opportunity to review this conditional use application. Please contact me if you have any issues or concerns.

**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

May 9, 2018

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

Re: MCPC #18-0109-001  
Plan Name: Water Tower Square - Restaurant – C-69  
(1 lot comprising 0.20 acres)  
Situate: Horsham Road (N)/North Wales Road (W)  
Montgomery Township

Dear Mr. Shoupe:

We have reviewed the above-referenced conditional use application in accordance with Section 502 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on April 24, 2018. We forward this letter as a report of our review.

## BACKGROUND

The applicant, Water Tower Square Associates, proposes to construct a freestanding restaurant in the parking lot of the Water Tower Square Shopping Center on 7,302 square feet of land at the northwest corner of PA Route 463 (Horsham Road) and North Wales Road. The current zoning for this area in Montgomery Township is C - Commercial. The restaurant will reduce parking in the shopping center by a net total of 81 spaces, while adding additional parking lot islands surrounding the building. A conditional use authorization is required because the proposed freestanding restaurant is less than 7,500 square feet and in the same site as a shopping center, per Montgomery Township Code §230-78.1. Previous conditional use approval was granted to Water Tower Square Associates for a restaurant at this site in 2002; this application seeks to modify the proposed satellite use.

## RECOMMENDATION/COMMENTS

The Montgomery County Planning Commission (MCPC) generally supports the applicant's conditional use application. The conditions required for approval for a development of this type include: 10% or less of the allowable overall site building coverage, parking access from internal drives, parking areas separated by planted islands, and adequate pedestrian access. We applaud the applicant for providing sidewalk access from Horsham Road and the nearby bus stop, and have no substantive comments on the conditional use application.

## CONCLUSION

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

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,

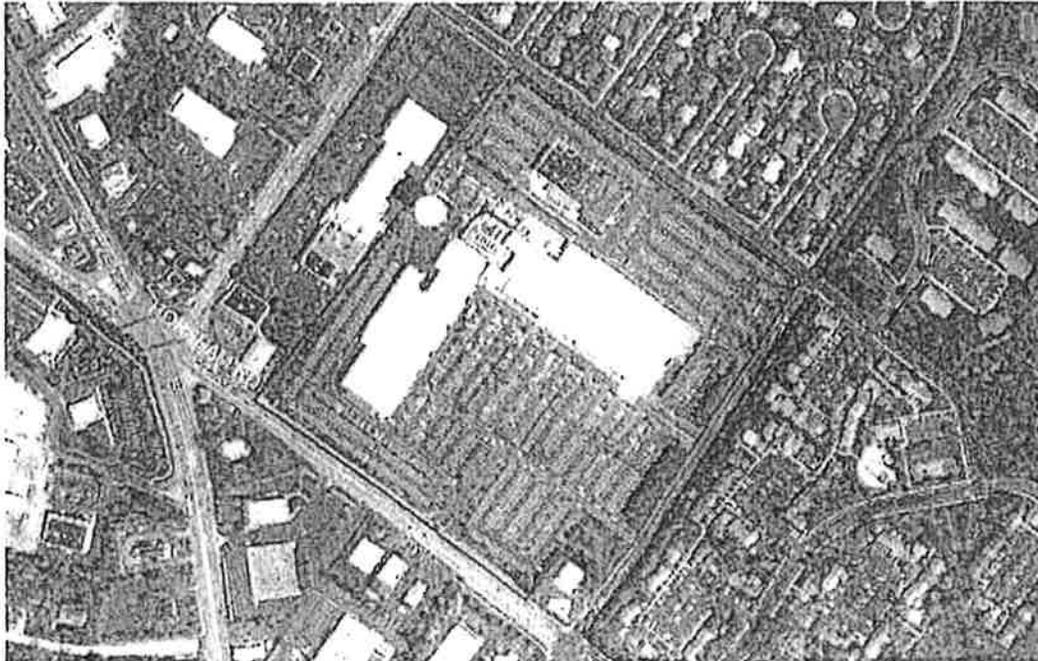


Matthew Popek, Transportation Planner II  
[mpopek@montcopa.org](mailto:mpopek@montcopa.org) – 610-278-3730

c: Water Tower Square Associates, Applicant  
Langan, Applicant's Engineer  
Lawrence Gregan, Twp. Manager  
Jay Glickman, Chrm., Twp. Planning Commission

Attachments: Aerial Photograph of Site  
Subdivision Record Plan

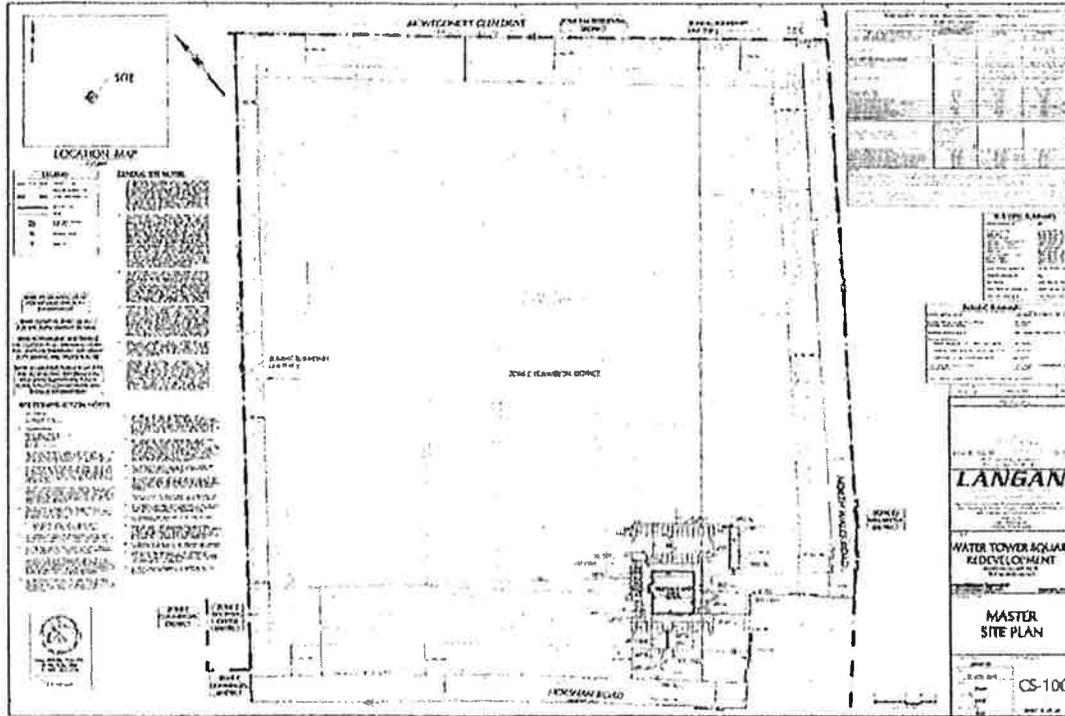
*Aerial – Water Tower Square Associates, Montgomery Township*

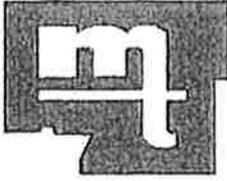


**Water Tower Square - Restaurant**  
**160109001**

Montgomery  
County  
Planning  
Department  
100 North 7th Street, Suite 200  
P.O. Box 380000  
Cincinnati, OH 45238-0000  
Tel: 513.266.3400  
www.montgomeryplanning.com

Overall Site Plan – Water Tower Square Associates, Montgomery Township





**MONTGOMERY TOWNSHIP**  
**DEPARTMENT OF FIRE SERVICES**  
1001 STUMP ROAD  
MONTGOMERYVILLE, PA 1 18936-9605  
Telephone: 215-393-6936 • 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

June 5, 2018

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

Re: Water Tower Square Pad site 751 Horsham Rd.

Dear Bruce:

Thank you for allowing the Fire Marshal's Office to comment on the proposed land development plans of the: Water Tower Square Pad site.

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

- 1. 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).  
**Comment:** Landscaping is proposed to be installed along the internal access roadway off of North Wales Road. The applicant should be aware that, in the future, said landscaping may create a vertical clearance obstruction. Provisions should be made to maintain said landscaping to prevent an obstruction to the access road.
- 2. 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:** The applicant proposes to install a subsurface detention basin. The basin should be designed to support the imposed loads of our fire apparatus. Design calculations shall be submitted to the Township Engineer for review and approval.
- 3. 503.2.4 Turning radius.** The required turning radius of a fire apparatus access road shall be determined by the *fire code official*.  
**Comment:** The applicant shall submit a vehicle movement plan showing that our fire apparatus can maneuver through the site.
- 4. 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*.

**Comment:** The applicant shall install signage as described above.

5. **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 05. 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.
6. **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.  
**Comment:** The FDC shall be 5" storz connection and the fire hydrant location is accepted as proposed.
7. **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.  
**Comment:** The architect should verify the construction type and square footage to determine the required fire-flow. In addition, the applicant should provide a recent water flow test to confirm the required fire-flow is available to this property.
8. **C103.1 Fire hydrants available.** The minimum number of hydrants available to a building shall not be less than that listed in Table C105.1. The number of fire hydrants available to a complex or subdivision shall not be less than that determined by spacing requirements listed in Table C105.1 when applied to fire apparatus access roads and perimeter public streets from which fire operations could be conducted.
9. **C105.1 Hydrant spacing.** The average spacing between fire hydrants shall not exceed that listed in Table C105.1.  
**Exception:** The fire chief is authorized to accept a deficiency of up to 10 percent where existing fire hydrants provide all or a portion of the required fire hydrant service.

Regardless of the average spacing, fire hydrants shall be located such that all points on streets and access roads adjacent to a building are within the distances listed in Table C105.1.

Bruce Shoupe  
June 5, 2018  
Page 3

10. **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:** According to the Zoning Summary on Sheet 5, the proposed height of the building is 27 feet. The applicant should confirm that the height of the building will not exceed 30 feet.

11. **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:** If the height of the building exceeds 30 feet, the above code requirement would apply.

#### GENERAL COMMENTS

12. Any gas services that are accessible/vulnerable to vehicular traffic SHALL have approved vehicle impact protection installed.

13. 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.

14. 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.

15. 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.

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.

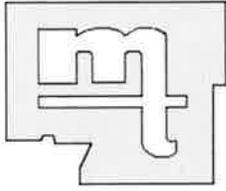
Should you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,



Richard M. Lesniak  
Director of Fire Services

cc: Lawrence J. Gregan, Manager – Montgomery Township  
Marianne McConnell, Deputy Zoning Officer – Montgomery Township  
Frank R. Bartle, Esq., Solicitor – Dischell Bartle & Dooley, PC  
Ken Amy, AICP  
Judith Stern Goldstein, ASLA, R.L.A. – Boucher & James, Inc.  
Kevin Johnson, P.E. – Traffic Planning & Design, Inc.  
Russell S. Dunlevy, P.E., Senior Executive Vice President – Gilmore & Associates, Inc.



## **MEMORANDUM**

**TO:** Board of Supervisors

**FROM:** Planning Commission  
Jay Glickman, Chairman

**DATE:** June 21, 2018

**RE:** Conditional Use Application – Water Tower Square Associates – Miller’s Ale House – 751 Horsham Road

The Planning Commission reviewed the proposed Conditional Use application for a proposed 7,302 sf freestanding Miller’s Ale House restaurant at 751 Horsham Road, Water Tower Square Shopping Center. The Planning Commission feels that the use is a good use for this property, but raised concern on the possible increase in traffic on North Wales road and pedestrian access internally from one parking lot area to another on the site.

The Planning Commission recommends to the Board of Supervisors that the use be approved conditioned upon compliance with all the review letters from Township Staff and Consultants and showing conformity with the Township code.

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

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**SUBJECT:** Consider Waiver of Screening Buffer Requirement – Water Tower Square Associates – Miller's Ale House – 751 Horsham Road

**MEETING DATE:** June 25, 2018

**ITEM NUMBER:** #8

**MEETING/AGENDA:** EXECUTIVE SESSION

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

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

---

**BACKGROUND:**

The applicant, Water Tower Square Associates is seeking Conditional Use approval to construct a 7,302 square foot freestanding restaurant at the Water Tower Square shopping center on Horsham Road. Under Section 230-78A of the Zoning Ordinance, it permits the Board of Supervisors to waive or reduce the required 25-foot planting area if the side or rear boundary lines abuts commercial or industrial uses or zoning districts. The side property line on the eastside (7-11 Store) abuts the C-Commercial zoning district.

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

None

**PREVIOUS BOARD ACTION:**

None

**ALTERNATIVES/OPTIONS:**

None

**BUDGET IMPACT:**

None

**RECOMMENDATION:**

Provide Staff with any recommendations regarding this application.

**MOTION/RESOLUTION:**

The Resolution is attached.

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

**ROLL CALL:**

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

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

Resolution #

WHEREAS, Water Tower Square Associates, has requested a waiver per Section 230-78A, to reduce the required side yard landscaping screening buffer which abuts C-Commercial zoning district from the required 25-foot buffer to a 10 foot buffer;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby approve a waiver to reduce the rear landscaping screening buffer to a 10 feet, in substantial conformance with the June 22, 2018 Boucher and James review letter.

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

Blue Bell Executive Campus  
460 Norristown Road, Suite 110  
Blue Bell, Pennsylvania 19422-2323  
610.825.8400 ♦ Fax 610.828.4887  
www.wislerpearlstine.com

James J. Garrity, Esquire  
[jgarrity@wispearl.com](mailto:jgarrity@wispearl.com)

June 22, 2018

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

**RE: Conditional Use Application by the Goldenberg Group Concerning Water Tower Square and the Satellite Use – Miller’s Ale House, Inc.**

Dear Bruce:

Consistent with your request at last night’s meeting of the Montgomery Township Planning Commission, please accept this letter as notice that the Goldenberg Group, on behalf of Miller’s Ale House, intends to request a waiver at Monday night’s conditional use hearing in front of the Montgomery Township Board of Supervisors. Specifically, the waiver is from Section 230-78(A) of the Montgomery Township Zoning Ordinance which places current requirements of the Zoning Ordinance and the Subdivision and Land Development Ordinance on a conditional use requested after a shopping center has been developed. Even more specifically, the waiver request relates to two different requirements of the landscaping requirements for the C-Commercial District.

For a small portion of the satellite use, we request a waiver to be relieved from the requirements of Section 230-78(A) that there be a planting area no less than 25 feet in width for all perimeters of the property. There are two reasons for the grant of this waiver. First of all, as you could see from the pictures shown to the Planning Commission at last night’s meeting, there is absolutely no view of the 7-11 and its gas pumps from the satellite pad because of the dense growth of evergreens in that area. Secondly, because this 25 foot width requirement existed at the time the shopping center was built, it is entirely possible (although I acknowledge neither one of us has found specific proof thereof) that this waiver was already granted by the Montgomery Township Board of Supervisors since some of it is occupied by an existing row of parking. The bottom line is that there is no need for the restaurant to be buffered from the retail and gas pumps of the 7-11 and the buffering already exists anyway.

Additionally, I can provide notice that we are definitely going to request a waiver from strict compliance with the landscaping requirements of the Zoning Ordinance because there is simply not enough room on the site to fit all of the landscaping required. Specifically, the landscaping regulations for the Ordinance would require approximately twelve hundred landscaping items on this small pad site and there is simply not enough room to place them. We are in the process of doing a revised (01656256 )

ATTORNEYS AT LAW

Newtown Office:

Post Office Box 1186 ♦ 301 North Sycamore Street ♦ Newtown, Pennsylvania 18940 ♦ 215.579.5995 ♦ Fax 215.579.7909

Bruce Shoupe, Planning & Zoning Director  
June 22, 2018  
Page 2

landscape plan that tries to incorporate as much as possible, but we will definitely be requesting a waiver for the balance and we should know that number and extent by Monday.

Please let me know if you require anything further.

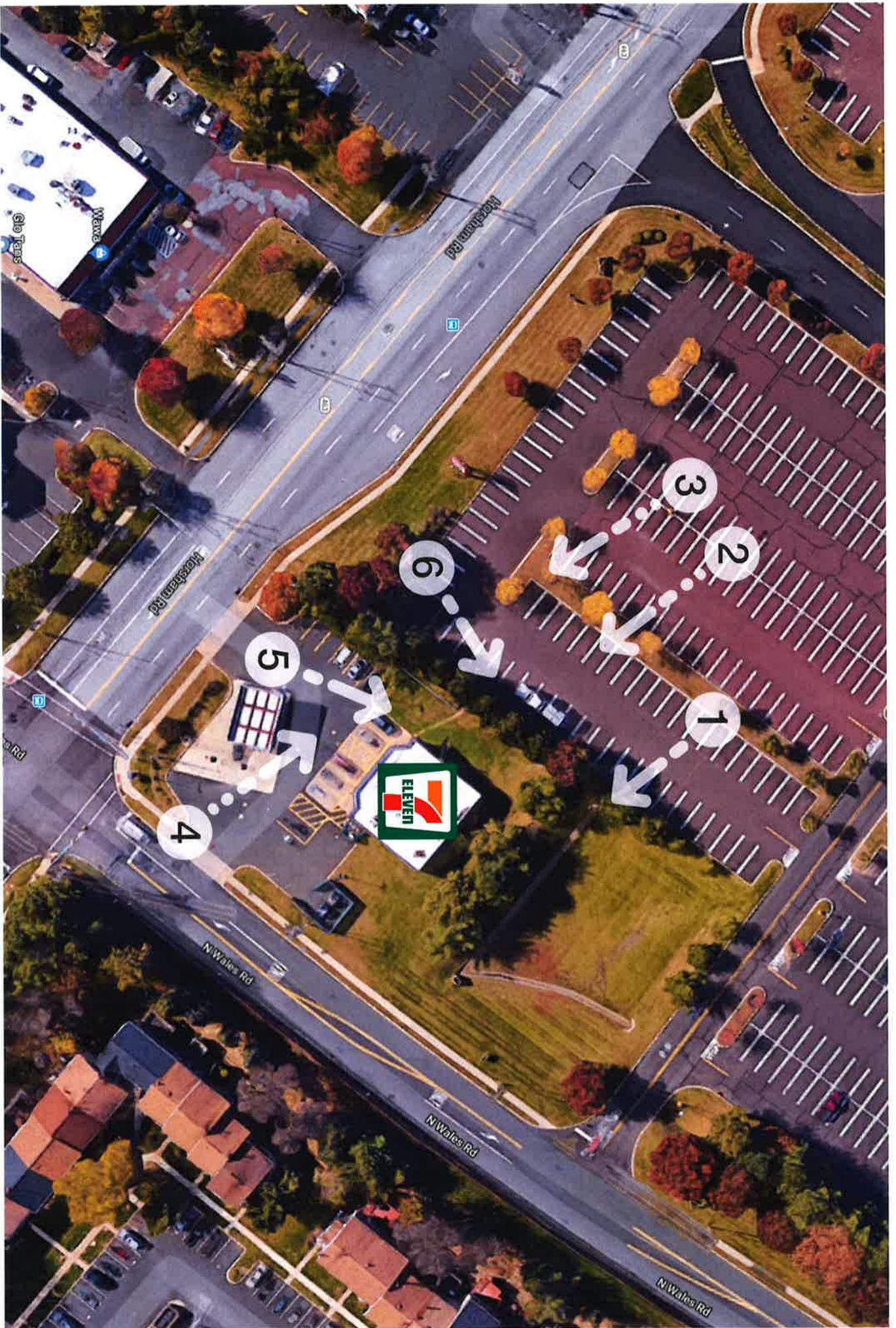
Sincerely,



**JAMES J. GARRITY**

JJG/jbj

cc: Robert Freedman, Esquire – The Goldenberg Group – via email  
Mr. John Williamson – The Goldenberg Group – via email  
Brian M. Conlon, P.E. – Langan Engineering – via email



6





**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

2756 Rimrock Drive  
Stroudsburg, PA 18360  
570-629-0300  
Fax 570-629-0306

Mailing:  
P.O. Box 699  
Bartonsville, PA 18321

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

[www.bjengineers.com](http://www.bjengineers.com)

June 22, 2018

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

**SUBJECT: WATER TOWER SQUARE  
CONDITIONAL USE APPLICATION  
TOWNSHIP LD/S NO. C-69  
PROJECT NO. 1855328R**

Dear Mr. Gregan:

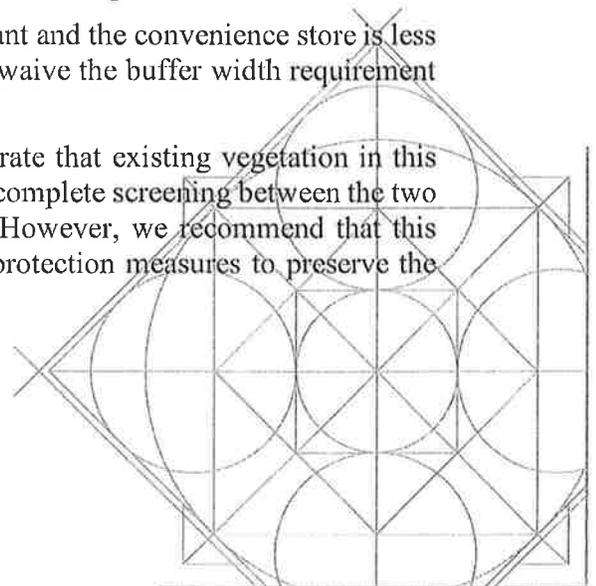
Please be advised that we have reviewed the Conditional Use Application plans for the proposed Satellite Restaurant at Water Tower Square, prepared by Langan Engineering and Environmental Services and dated April 5, 2018. The application seeks approval to permit a satellite restaurant use of less than 7,500 square feet within the C – Commercial District. We have also reviewed the Waiver Request letter submitted by James J. Garrity, Esq. of Wisler Pearlstine, LLP., dated June 22, 2018, and the plan rendering and photos submitted by Langan Engineering dated June 22, 2018.

We offer the following for your consideration.

1. ZO 230-78.A requires the provision of an area no less than 25' in width planted in accordance with landscaping and screening requirements of the Montgomery Township SLDO along all property lines including street frontages. Where side or rear boundary lines abut commercial or industrial uses or zoning districts, the required planting areas may be waived or reduced if deemed appropriate by the Board of Supervisors.

The existing buffer area between the proposed restaurant and the convenience store is less than 25'. The applicant has requested that the Board waive the buffer width requirement for this portion of the site.

As the renderings and site photos submitted demonstrate that existing vegetation in this area is both dense and large enough to provide almost complete screening between the two sites, we would not object to the proposed waiver. However, we recommend that this waiver be conditioned on the provision of adequate protection measures to preserve the existing buffer vegetation.



Mr. Lawrence Gregan, Township Manager  
Water Tower Square Conditional Use Application  
June 22, 2018  
Page 2 of 2

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

Sincerely,

 /kam 

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

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

JSG/vll/kam

ec: Board of Supervisors  
Planning Commission  
Bruce Shoupe, Director of Planning and Zoning  
Marianne McConnell, Deputy Zoning Officer  
Mary Gambino, Project Coordinator, Planning and Zoning  
Frank R. Bartle, Esq., Dischell Bartle & Dooley, PC  
James P. Dougherty, P.E., Gilmore & Associates, Inc.  
Kevin Johnson, P.E., Traffic Planning & Design  
Ken Amey, AICP  
Robert W. Freedman, Esq., Water Tower Associates C/O The Goldenberg Group  
James J. Garrity, Esq., Wisler Pearlstine  
Scott C. Denlinger, Esq., Wisler Pearlstine  
Brian M. Conlon, P.E., Langan Engineering

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

SUBJECT: Public Hearing – Liquor License Transfer – #LL-18-04 – Miller’s Ale House, Inc.

MEETING DATE: June 25, 2018

ITEM NUMBER: #9

MEETING/AGENDA: WORK SESSION ACTION  NONE

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

INITIATED BY: Bruce Shoupe  
Director of Planning and Zoning

BOARD LIAISON: Candyce Fluehr Chimera  
Chairman

BACKGROUND:

Attached is the application for a Liquor License Transfer for Miller’s Ale House Inc. for 751 Horsham Road. This is an inter-municipal transfer of a liquor license. This public hearing is being held as required by State Law. The Board has authorized the advertising for a public hearing for this date.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT: None

PREVIOUS BOARD ACTION:

The public hearing was advertised for this meeting.

ALTERNATIVES/OPTIONS:

The Board could approve or disapprove the request for transfer.

BUDGET IMPACT:

None.

RECOMMENDATION:

This matter is on the agenda for your consideration.

MOTION/RESOLUTION:

The Resolution is attached.

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

ROLL CALL:

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

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

THE TOWNSHIP OF MONTGOMERY  
RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE TOWNSHIP OF MONTGOMERY,  
COUNTY OF MONTGOMERY, COMMONWEALTH OF PENNSYLVANIA,  
APPROVING THE TRANSFER OF RESTAURANT LIQUOR LICENSE NO. R-15155  
INTO THE TOWNSHIP OF MONTGOMERY FROM HATBORO BOROUGH

WHEREAS, Act 141 of 2000 ("the Act") authorizes the Pennsylvania Liquor Control Board to approve, in certain instances, the transfer of restaurant liquor licenses across municipal boundaries within the same county regardless of the quota limitations provided for in Section 461 of the Liquor Code if sales of liquor and malt or brewed beverages are legal in the municipality receiving the license; and

WHEREAS, the Act requires the applicant to obtain from the receiving municipality a resolution approving the intermunicipal transfer of the liquor license prior to an applicant's submission of an application to the Pennsylvania Liquor Control Board; and

WHEREAS, the Liquor Code stipulates that, prior to adoption of a resolution by the receiving municipality, at least one hearing be held for the purpose of permitting individuals residing within the municipality to make comments and recommendations regarding applicant's intent to transfer a liquor license into the receiving municipality; and

WHEREAS, an application for transfer filed under the Act must contain a copy of the resolution adopted by the municipality approving the transfer of a liquor license into the municipality.

NOW, THEREFORE, BE IT RESOLVED, that Miller's Ale House, Inc. has requested the approval of the Montgomery Township Board of Supervisors for the proposed transfer of Pennsylvania restaurant liquor license no. R-15155 (current licensee being 18-20 E Moreland Ave., Hatboro Borough, Montgomery County, Pennsylvania 19040-3217) by Miller's Ale House, Inc. to restaurant facilities to be located at or about North Wales Road and Horsham Rd., Montgomery Township, Montgomery County, Pennsylvania 19454 with the understanding that said transfer must be approved at a later date by the Pennsylvania Liquor Control Board; and

BE IT FURTHER RESOLVED, that the Montgomery Township Board of Supervisors has held a properly advertised public hearing pursuant to the notice provisions of Section 102 of the Liquor Code to receive comments on the proposed liquor license transfer; and

BE IT FURTHER RESOLVED, that Montgomery Township approves, by adoption of this Resolution, the proposed intermunicipal transfer of restaurant liquor license no. R-15155 into Montgomery Township by Miller's Ale House, Inc.; and

BE IT FURTHER RESOLVED, that transfers, designations and assignments of licenses hereunder are subject to approval by the Pennsylvania Liquor Control Board.

DULY adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2018, by the Board of Supervisors of Montgomery Township, Montgomery County, Pennsylvania, in lawful session duly assembled.

MOTION BY:

SECOND BY:

VOTE:

DATE:

THE TOWNSHIP OF MONTGOMERY BOARD OF SUPERVISORS

---

Chairman

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



Pittsburgh Office:  
610 Smithfield Street 412-456-2001  
Suite 300 FAX: 412-456-2019  
Pittsburgh, PA 15222 www.flaherty-ohara.com

Paul A. Namey, Esq.  
Direct Dial: 412-535-8203  
E-mail: paul@flaherty-ohara.com

Toll Free: 1-866-4BEVLAW  
File No. 34016.015

May 10, 2018

*Via Email*

Bruce S. Shoupe  
Director of Planning and Zoning  
Montgomery Township  
1001 Stump Road  
Montgomeryville, PA 18936  
bshoupe@montgomerytwp.com

**Re: Acknowledgment and Consent of Miller's Ale House, Inc. to Montgomery Township's Election of An Extension of Time To Render Decision on its Intermunicipal Transfer Request.**

Dear Mr. Shoupe:

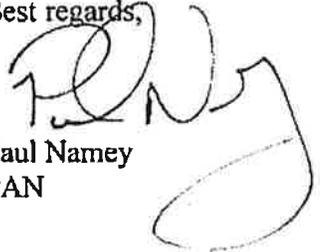
This office represents Miller's Ale House (MAH) in its proposed operation of a new restaurant with liquor license in Montgomery Township.

The purpose of this letter is to confirm the June 25, 2018 public hearing date for MAH's intermunicipal liquor license transfer request, which was received by the township on April 30, 2018, and has been scheduled to occur on the same day as MAH's conditional use hearing for this same location.

This letter also expressly acknowledges and consents to Montgomery Township's written election of an extension of time not to exceed 60 days to render a decision on its intermunicipal transfer request, in accordance with Section 461(b.3) of the Liquor Code, which time period includes this June 25, 2018 public hearing date.

Please let me know if you need anything else from me.

Best regards,

  
Paul Namey  
PAN

(F1773673.1)



Paul A. Namey, Esq.  
Direct Dial: 412-535-8203  
E-mail: paul@flaherty-ohara.com

Pittsburgh Office:  
610 Smithfield Street 412-456-2001  
Suite 300 FAX: 412-456-2019  
Pittsburgh, PA 15222 www.flaherty-ohara.com  
Toll Free: 1-866-4BEVLAW  
File No. 34016.015

RECEIVED

APR 30 2018

April 27, 2018

*Via Federal Express*

MONTGOMERY TOWNSHIP

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

**Re: Request by Miller's Ale House, Inc. for  
Approval of Intermunicipal Transfer of Restaurant Liquor License**

Dear Mr. Gregan:

This office represents Miller's Ale House, Inc., which has plans to construct and operate a Miller's Ale House restaurant in Montgomery Township. Every Miller's Ale House is a fun, casual sports restaurant and bar with freshly-made food offered at an incredible value. The menu features signature hand-breaded boneless chicken Zingers tossed in your choice of 16 sauces, as well as steaks, original pasta dishes, salads, sandwiches, plus numerous other entrée, appetizer, and dessert offerings. The first Miller's Ale House opened in Jupiter, Florida in 1988, and has grown to 83 locations in 12 states, including multiple locations currently operating in Pennsylvania.

In order to open and operate a Miller's Ale House restaurant in Montgomery Township, Miller's Ale House, Inc. must secure a restaurant liquor license. No Montgomery Township license was available to purchase. As a result, the company has entered into an agreement to purchase a license from outside of the township and plans to move the license into the township, pursuant to the intermunicipal transfer provisions of the Liquor Code (47 P.S. 461(b.3)). The license under agreement is currently located in Hatboro Borough, Montgomery County (R-15155).

**Miller's Ale House, Inc. formally requests that, pursuant to 47 P.S. 461(b.3), Montgomery Township schedule a hearing on the issuance of a resolution approving its transfer of a restaurant liquor license from outside the municipality to within the municipality.**

Pursuant to 47 P.S. 461(b.3), Montgomery Township must hold a hearing for the purpose of allowing Miller's Ale House, Inc. to present its proposed operations, and to permit residents of the municipality to voice their opinions on said transfer. Under 47

{F1767217.1}

April 27, 2018

Page 2

P.S. 461(b.3), after the hearing, the municipality must approve or deny the requested transfer, by way of a resolution or ordinance, within 45 days of this request.

For your convenience and reference, I have enclosed a form resolution which numerous other municipalities have used in responding to requests for intermunicipal transfers. The Pennsylvania Liquor Control Board requires that a resolution approving an intermunicipal transfer must include the following: (1) the name of the applicant (here, "Miller's Ale House, Inc."); (2) the address to which the license is being transferred (here, "Route 309 & Horsham Rd., Montgomery Township, North Wales, Montgomery County, Pennsylvania 19454"); (3) the liquor license number (here, R-15155); (4) a statement that a properly advertised public hearing was held on the requested resolution; and (5) the name of the current licensee and address (here, "18-20 E Moreland Avenue Tavern LLC, 18-20 E Moreland Ave., Hatboro Borough, Montgomery County, Pennsylvania 19040-3217").

The Liquor Code (47 P.S. Section 102) requires that notice of the public hearing must be published once each week for two successive weeks in a newspaper of general circulation in the municipality. Pursuant to the statute, the notices must state the time and place of the hearing and the matter to be considered at the hearing. Section 102 also provides that the first publication shall not be more than 30 days before the date of the hearing and the second publication shall not be less than 7 days before the date of the hearing.

At the time of the hearing, we will present information on the operations of this Miller's Ale House and answer any questions that the Township Board of Supervisors, solicitor or residents might have.

Please email or call me as soon as possible when a hearing date is scheduled in order that I can be sure my client and I are available to travel to and attend the hearing. In the event that you have any questions or need additional information, please let me know.

Best regards,



Paul Namey  
PAN

MONTGOMERY TOWNSHIP

Application for Intermunicipal Transfer  
or Economic Development Liquor License

Type of Application (please indicate):

Intermunicipal Transfer X  
Economic Development \_\_\_\_\_

Applicant Name: Miller's Ale House, Inc.

Address: c/o Flaherty & O'Hara, PC

610 Smithfield St., Ste. 300

Pittsburgh, PA 15222

Telephone: 412-456-2001

Fax: 412-456-2019

Email: info@flaherty-ohara.com

Representative of Attorney Name: Paul Namey, Esq.

Address: Same as above

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email: paul@flaherty-ohara.com

Location and Name of Establishment of the License Proposed to be Transferred:

18-20 E Moreland Avenue Tavern LLC

18-20 E Moreland Ave.

Hatboro Borough, Montgomery County, PA 19040

Proposed Location of the License to be transferred:

Street Address: N/A (address currently unknown by applicant. Property owner in lease

Parcel Number: is Water Tower Square Associates. Property records search

Block and Unit Number: shows WTSA parcel id as 46-00-01186-00-1)

Name of the Establishment proposed to be licensed:

Miller's Ale House - Montgomery

Type of Liquor License to be transferred:

Restaurant liquor license R-15155

Anticipated date for license transfer and commencement of operations pursuant to liquor license:

N/A; construction variable

List all locations owned or operated by the applicant which currently hold a liquor license. (Use separate sheet if necessary.) Provide name, address and liquor license number of those locations.

See Rider #1

Has the applicant or anyone associated with these locations ever been cited for liquor law violations? Yes X No \_\_\_\_\_

If yes, please explain: (use separate sheet if necessary)

See Rider #2

Has applicant had a request for a liquor license transfer denied?  
Yes \_\_\_\_\_ No X

If yes, please explain: (use separate sheet if necessary)

---

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Has the applicant, or if a corporation, any officer or director of the corporation, or if a partnership or association, any member or partner of the partnership or association, been convicted or found guilty of a felony within a period of five years?

Yes \_\_\_\_\_ No X \_\_\_\_\_

If yes, please explain: (use separate sheet if necessary)

---

---

Provide the name, address (if applicable) and distance from the proposed premise to the following:

Nearest Licensed Establishments: See Rider #3 \_\_\_\_\_

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---

Nearest Schools: \_\_\_\_\_

---

---

Nearest Public Playgrounds: \_\_\_\_\_

---

---

Nearest Churches: \_\_\_\_\_

---

---

Nearest Charitable Institutions: \_\_\_\_\_

---

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Nearest Hospitals: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Provide a list of existing liquor licenses in Montgomery Township which are inactive, in safekeeping and/or are for sale. Include the name, address and telephone number of the contact person for each. (use separate sheet if necessary)

No inactive restaurant liquor licenses.  
No safekeeping restaurant liquor licenses and/or restaurant liquor licenses  
for sale.  
\_\_\_\_\_

I hereby swear that all of the information provided on this application is true and correct to the best of my knowledge and belief. Further, I understand that the presentation of false information will subject me to possible arrest, fine and imprisonment.

**Attached to this application is the required fee of \$1,500.00 and escrow of \$1,500.00.**

Signed: 

Printed Name: Paul Namey

Date: April 26, 2018

Rider #1  
Montgomery Twp

**RIDER #1 TO MONTGOMERY TOWNSHIP APPLICATION  
FOR INTERMUNICIPAL TRANSFER OF LIQUOR LICENSE**

- A. CURRENT RESTAURANT LIQUOR LICENSES OWNED/OPERATED BY MILLER'S ALE HOUSE, INC.
1. Miller's Ale House - Langhorne  
2250 E Lincoln Hwy, Langhorne, PA 19047  
R-19202
  2. Miller's Ale House - Philadelphia  
9475 E Roosevelt Blvd., Philadelphia, PA 19114  
R-7667
  3. Miller's Ale House - Willow Grove  
2300 Easton Rd., Willow Grove, PA 19090  
R-11582
  4. Miller's Ale House – Springfield  
18 Baltimore Pk., Springfield, PA 19064  
R-19682
  5. Miller's Ale House – South Philadelphia  
2100 S Columbus Blvd., Philadelphia, PA 19148  
R-1492

**RIDER #2 TO MONTGOMERY TOWNSHIP APPLICATION  
FOR INTERMUNICIPAL TRANSFER OF LIQUOR LICENSE**

A. MILLER'S ALE HOUSE, INC. LIST OF LIQUOR LAW VIOLATIONS.

1. Miller's Ale House – Willow Grove  
R-11582  
Citation No. 2014-0132  
Permitted sale of alcohol beverage to minor  
Case closed 8/28/2014  
Penalty: \$1,400.00
2. Miller's Ale House – Willow Grove  
R-11582  
Citation No. 2014-0626  
Permitted sale of alcohol beverage to minor  
Case closed 10/23/2014  
Penalty: \$2,000.00
3. Miller's Ale House - Springfield  
R-19682  
Citation No. 2015-1986  
Permitted sale of alcohol beverage to minor  
Case closed 5/17/2016  
Penalty: \$1,400.00
4. Miller's Ale House - Springfield  
R-19682  
Citation No. 2015-2256  
Permitted sale of alcohol beverage to minor  
Case closed 5/18/2016  
Penalty: \$2,500.00
5. Miller's Ale House - Philadelphia  
R-7667  
Citation No. 2017-1508C  
Permitted sale of alcohol beverage to minor  
Case closed 3/16/2018  
Penalty: \$750.00

Rider #3

Montgomery Twp

\*Distances measured in a straight line using google maps

**RIDER #3 TO MONTGOMERY TOWNSHIP APPLICATION  
FOR INTERMUNICIPAL TRANSFER OF LIQUOR LICENSE**

(A) Nearest Licensed Establishment:

Name: **Red Lobster**  
Address: **Five Point Plaza, 640 Cowpath Rd., Lansdale PA 19446**  
\*Distance: **approx. 400 ft. (building to proposed intersection (Rte. 309 & Horsham Rd))**

Name: **Outback Steakhouse**  
Address: **411 Doylestown Rd., Montgomeryville, PA 18936**  
Distance: **approx. 600 ft. (building to proposed intersection)**

(B) Nearest School:

Name: **Symphony Art & Music music school**  
Address: **768 Bethlehem Pike, Montgomeryville, PA 18936**  
Distance: **approx. 1780 ft. (building to proposed intersection)**

Name: **Mary, Mother of the Redeemer Catholic School**  
Address: **1321 Upper State Rd., North Wales, PA 19454**  
Distance: **approx. 4870 ft. (building to proposed intersection)**

(C) Nearest Park:

Name: **Fellowship Park**  
Address: **199 Meadowood Dr., Lansdale, PA 19446**  
Distance: **approx. 4850 ft. (park property line to proposed intersection)**

Name: **Montgomery Township Gazebo/Spray Park**  
Address: **1001 Stump Rd., North Wales, PA 19454**  
Distance: **approx. 6280 ft. (park property line to proposed intersection)**

(D) Nearest Church:

Name: **Faith Evangelical Lutheran Church**  
Address: **615 Cowpath Rd., Lansdale, PA 19446**  
Distance: **approx. 1660 ft. (building to proposed intersection)**

Name: **Mary, Mother of the Redeemer Church**  
Address: **1321 Upper State Rd., North Wales, PA 19454**  
Distance: **approx. 4870 ft. (building to proposed intersection)**

Rider #3

Montgomery Twp

\*Distances measured in a straight line using google maps

(E) Nearest Charity:

Name: **Goodwill Store & Donation Center**  
Address: **753 Bethlehem Pike, Montgomeryville, PA 18936**  
Distance: **approx. 930 ft. (building to proposed intersection)**

(F) Nearest Hospital:

Name: **Abington – Lansdale Hospital**  
Address: **100 Medical Campus Dr., Lansdale, PA 19446**  
Distance: **approx. 7700 ft. (building to proposed intersection)**

No. LL-18-04 June 25 2018

# ZONING NOTICE

Miller's Ale House, Inc.

has appealed to the BOARD OF SUPERVISORS RB for con-  
sideration of an intermunicipal liquor license transfer  
for a proposed Miller Ale House restaurant.

at 751 Hirsham Road

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 June 25, 2018  
at after 8 p.m.

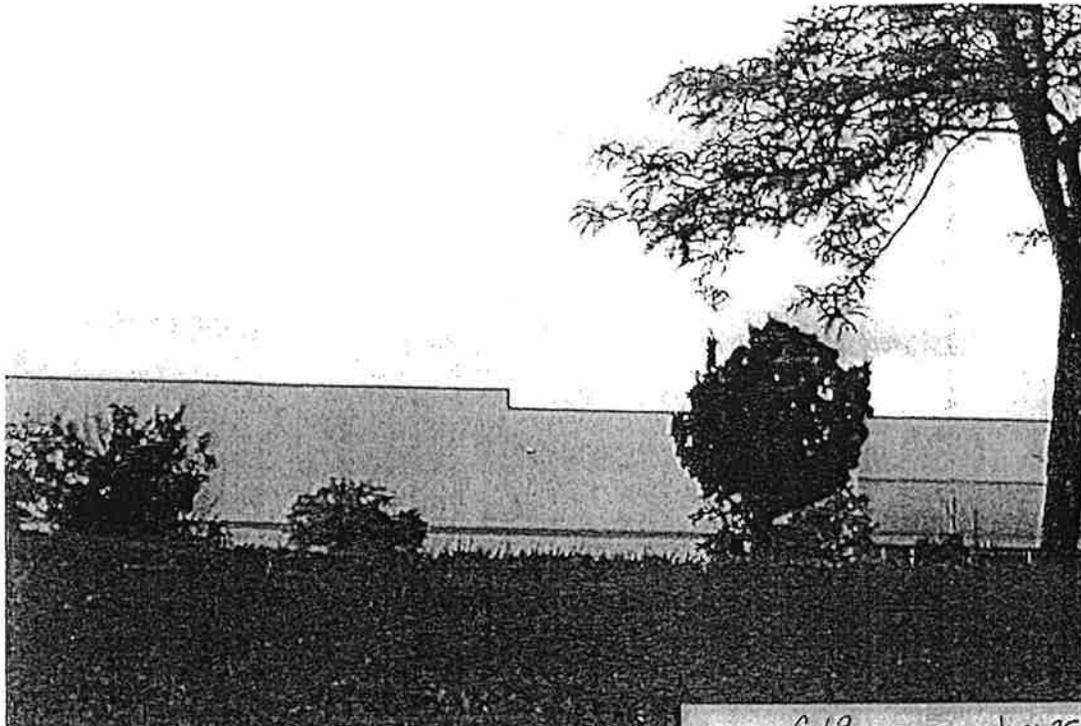
THIS ZONING NOTICE must be displayed in a conspicuous  
place in FRONT of the premises PLAINLY VISIBLE TO  
PASSERSBY and kept there for the Seven Days preceding  
the PUBLIC HEARING. The applicant is responsible for  
the maintenance of this notice and should it be destroyed or  
removed, must immediately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

  
Zoning Officer

OfficeMail

ZONING

40.2454N 75.2390W  
McKean Court  
Jun 4, 2018 11:02 AM



No. LL-18-04 June 25 2018

## ZONING NOTICE

Miller's A/C House, Inc.

has appealed to the BOARD OF SUPERVISORS RB for con- sideration of an intermunicipal issue issue waiver for a proposed Miller A/C House addition

at 751 Horsham Road

The BOARD OF SUPERVISORS B 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 June 25, 2018 at after 8 p.m.

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

  
Zoning Officer

No. C-69 June 25

## ZONING NOTI

Water Tower Square Associa

has appealed to the BOARD OF SUPERVISORS B for con- sideration of 33 Conditional Use permit to at the site of Montgomery Township in a process otherwise provided with suitable site plan at  
at 751 Horsham Road

The BOARD OF SUPERVISORS B 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 June 25 at after 8 p.m.

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

  
Zoning Officer

40.2456N 75.2405W  
Horsham Road  
Jun 4, 2018 10:58 AM

**LEGAL NOTICES**

MONTGOMERY TOWNSHIP LEGAL NOTICE On Monday, June 25, 2018, after 8:00PM, the Montgomery Township Board of Supervisors, during its regularly scheduled meeting, will hold a public hearing on the Inter-Municipal Liquor License Transfer Application of Miller's Ale House, Inc., which is proposing to transfer a liquor license from 18-20 East Moreland Avenue Tavern, LLC, Hatboro Borough to the property located at 751 Horsham Road further identified as tax parcel number 46-00-01186-00-1. Miller's Ale House, Inc. will be located on a new pad site within the Water Tower Square Shopping Center. At the public meeting following the hearing, the Board will consider approving the Application. All interested parties are invited to attend, and will be given an opportunity to be heard at the appropriate time. 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 6/8, 6/15 1-a

Appeared in: **Reporter** on Friday, 06/08/2018

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**LEGAL NOTICES**

MONTGOMERY TOWNSHIP LEGAL NOTICE On Monday, June 25, 2018, after 8:00PM, the Montgomery Township Board of Supervisors, during its regularly scheduled meeting, will hold a public hearing on the Inter-Municipal Liquor License Transfer Application of Miller's Ale House, Inc., which is proposing to transfer a liquor license from 18-20 East Moreland Avenue Tavern, LLC, Hatboro Borough to the property located at 751 Horsham Road further identified as tax parcel number 46-00-01186-00-1. Miller's Ale House, Inc. will be located on a new pad site within the Water Tower Square Shopping Center. At the public meeting following the hearing, the Board will consider approving the Application. All interested parties are invited to attend, and will be given an opportunity to be heard at the appropriate time. 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 6/8, 6/15 1-a

Appeared in: **Reporter** on Friday, 06/15/2018

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MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Adoption of Ordinance #18-306-Z – Amending Provisions of Chapter 230 Zoning Code, Deleting Waiver of Landscaping and Screening in the C-Commercial, S-Shopping Center, RS-Regional Shopping Center and Wireless Communication Facilities Security Fencing

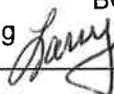
MEETING DATE: June 25, 2018

ITEM NUMBER: #10.

MEETING/AGENDA: WORK SESSION ACTION XX NONE

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

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



BOARD LIAISON Candyce Fluehr Chimera  
Chairman

---

BACKGROUND:

Proposed amendments to the Township Zoning Code by deleting the Board of Supervisors' waiver or reduction of required planting areas language in the "Landscaping and Screen" provisions of Article XIII, Section 230-78(A) of the C-Commercial District; Article XV, Section 230-89(I) of the S-Shopping Center district; Article XVI, Section 230-95(B) of the RS-Regional Shopping Center district and Article XXX, Section 230-223(5)(C) of the Wireless Communication Facilities, deleting the Board of Supervisors' security fencing waiver language.

A proposed ordinance is attached which provides for the corrective language of the Zoning Code.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT: None

PREVIOUS BOARD ACTION:

On March 12, 2018 the Board of Supervisors Authorized the Township Solicitor to advertise the public hearing date upon satisfactory review comments from the Township Planning Commission and Montgomery County Planning Commission, Consultants and staff. The public hearing notice was advertised on June 11 and 18, 2018

ALTERNATIVES/OPTIONS: None

BUDGET IMPACT:

None

RECOMMENDATION:

The Board of Supervisors hereby authorize adoption of Ordinance #18-306Z.

MOTION/RESOLUTION:

The Resolution is attached.

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

ROLL CALL:

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

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

Resolution #

BE IT ORDAINED AND ENACTED by the Board of Supervisors of Montgomery Township this 25<sup>th</sup> day of June 2018, that we hereby approve Ordinance #18-306Z, an ordinance amending the Zoning Ordinance by deleting the Board of Supervisors' waiver or reduction required planting areas language in Article XIII, Section 230-78(A), C-Commercial District; Article XV, Section 230-89(I), S-Shopping Center District; Article XVI, Section 230-95(B). RE-Regional Shopping Center District and deleting the Board of Supervisors' security fence waiver language set forth in Article XXX, Section 230-223(5)(C), Wireless Telecommunication Facilities.

MOTION BY:

SECOND BY:

VOTE:

DATE:

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



## **MEMORANDUM**

**TO:** Board of Supervisors

**FROM:** Planning Commission  
Jay Glickman, Chairman

**DATE:** May 17, 2018

**RE:** Text Amendment – Chapter 230, Zoning Code – Landscaping and Screen

The Planning Commission has reviewed the proposed amendments to the Township Zoning Code whereby it is proposed to delete the provisions of the code granting the Board of Supervisors the ability for a waiver or reduction of required planting areas language in the "Landscaping and Screen" provisions of Article XIII, Section 230-78(A) of the C-Commercial District; Article XV, Section 230-89(I) of the S-Shopping Center district; Article XVI, Section 230-95(B) of the RS-Regional Shopping Center district and Article XXX, Section 230-223(5)(C) of the Wireless Communication Facilities, deleting the Board of Supervisors' security fencing waiver language.

The Planning Commission recommends to the Board of Supervisors that this ordinance be approved.

**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  
810-278-3722  
FAX: 610-278-3941 • TDD: 610-631-1211  
WWW.MONTCOPA.ORG

JODY L. HOLTON, AICP  
EXECUTIVE DIRECTOR

April 10, 2018

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

Re: MCPC #18-0074-001  
Zoning Ordinance Amendments to Four Zoning Districts  
To Remove Board of Supervisors' Waiver Ability for Landscape Buffers  
Montgomery Township

Dear Mr. Shoupe:

We have reviewed the above-referenced zoning ordinance text amendments in accordance with Section 609 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on March 26, 2018. We forward this letter as a report of our review and recommendations.

## BACKGROUND

The application is a proposal to amend four sections (C – Commercial District, S – Shopping Center District, RS – Regional Shopping Center District, and Wireless Telecommunications Facilities) of the Township's Zoning Code to remove references to waivers granted by the Board of Supervisors for landscape buffering. For the first three sections listed above, the proposal removes the text provision allowing the Board of Supervisors to waive or reduce required planted buffer areas when a side or rear boundary line abuts a commercial or industrial use or zoning district. For the fourth section, the proposal removes the explicit ability for the Board of Supervisors to waive required six foot in height security fencing around antennas, support structures, and communications equipment. The township is serving as the applicant for the zoning amendment.



RECOMMENDATION/COMMENTS

The Montgomery County Planning Commission (MCPC) generally supports the applicant's proposed amendments. Since the ordinance has been proposed by the Township, the County takes the stance that the local government has decided there is a need for stricter enforcement of landscape buffer provisions, and the County agrees with the need for a housekeeping amendment designed to meet the intent of the Municipalities Planning Code.

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 adopt these proposed zoning ordinance amendments, Section 609 of the Municipalities Planning Code requires that we be sent an official copy within 30 days.

Sincerely,



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

c: Lawrence Gregan, Twp. Manager  
Jay Glickman, Chrm., Twp. Planning Commission

**LEGAL NOTICES**

MONTGOMERY TOWNSHIP LEGAL NOTICE On Monday, June 25, 2018, after 8:00PM, the Montgomery Township Board of Supervisors, during its regularly scheduled meeting, will conduct a public hearing to consider enactment of the following zoning ordinance: ORDINANCE18-306Z: AN ORDINANCE AMENDING THE TOWNSHIP'S ZONING ORDINANCE BY (1) DELETING THE BOARD OF SUPERVISORS' WAIVER OR REDUCTION OF REQUIRED PLANTING AREAS LANGUAGE IN THE "LANDSCAPING AND SCREENING" PROVISIONS OF ARTICLE XIII, SECTION 230-78(A) [C-COMMERCIAL DISTRICT/DEVELOPMENT STANDARDS AND REGULATIONS]; ARTICLE XV, SECTION 230-89(1) [S-SHOPPING CENTERS/DEVELOPMENT PLAN]; AND ARTICLE XVI, SECTION 230-95(B) [RS-REGIONAL SHOPPING CENTER DISTRICT/ DEVELOPMENT STANDARDS]; AND (2) DELETING THE BOARD OF SUPERVISORS' SECURITY FENCE WAIVER LANGUAGE SET FORTH IN ARTICLE XXX, SECTION 230-223(5)(C) [WIRELESS TELECOMMUNICATIONS FACILITY /DEVELOPMENT REGULATIONS/WIRELESS ... COMMUNICATIONS EQUIPMENT BUILDINGS AND/OR STRUCTURES/SECURITY FENCING] The full text of this Ordinance amendment may be examined, without charge, and copies may be obtained for a charge no greater than the cost thereof, at the Montgomery County Law Library; the Montgomery Township Building, during normal business hours, Monday through Friday 8:30AM until 4:30PM; and the Offices of this Newspaper. The public is invited to attend and will be given an opportunity to provide comments regarding this proposed Ordinance. Persons with disabilities, wishing to attend the public meeting and requiring auxiliary aid, service or other accommodations to participate, should contact the Montgomery Township Director of Administration & Human Resources at 215-393-6900. At the conclusion of the hearing, the Board will consider enactment of this Ordinance, unless it deems additional time is required for consideration and discussion, in which case it will hold an additional public hearing/meeting at an announced date and time for that purpose. LAWRENCEJ.GREGAN Township Manage LAN 6/11, 6/18 1-a

Appeared in: **Reporter** on Monday, 06/18/2018

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**LEGAL NOTICES**

MONTGOMERY TOWNSHIP LEGAL NOTICE On Monday, June 25, 2018, after 8:00PM, the Montgomery Township Board of Supervisors, during its regularly scheduled meeting, will conduct a public hearing to consider enactment of the following zoning ordinance: ORDINANCE18-306Z: AN ORDINANCE AMENDING THE TOWNSHIP'S ZONING ORDINANCE BY (1) DELETING THE BOARD OF SUPERVISORS' WAIVER OR REDUCTION OF REQUIRED PLANTING AREAS LANGUAGE IN THE "LANDSCAPING AND SCREENING" PROVISIONS OF ARTICLE XIII, SECTION 230-78(A) [C-COMMERCIAL DISTRICT/DEVELOPMENT STANDARDS AND REGULATIONS]; ARTICLE XV, SECTION 230-89(1) [S-SHOPPING CENTERS/DEVELOPMENT PLAN]; AND ARTICLE XVI, SECTION 230-95(B) [RS-REGIONAL SHOPPING CENTER DISTRICT/ DEVELOPMENT STANDARDS]; AND (2) DELETING THE BOARD OF SUPERVISORS' SECURITY FENCE WAIVER LANGUAGE SET FORTH IN ARTICLE XXX, SECTION 230-223(5)(C) [WIRELESS TELECOMMUNICATIONS FACILITY /DEVELOPMENT REGULATIONS/WIRELESS ... COMMUNICATIONS EQUIPMENT BUILDINGS AND/OR STRUCTURES/SECURITY FENCING] The full text of this Ordinance amendment may be examined, without charge, and copies may be obtained for a charge no greater than the cost thereof, at the Montgomery County Law Library; the Montgomery Township Building, during normal business hours, Monday through Friday 8:30AM until 4:30PM; and the Offices of this Newspaper. The public is invited to attend and will be given an opportunity to provide comments regarding this proposed Ordinance. Persons with disabilities, wishing to attend the public meeting and requiring auxiliary aid, service or other accommodations to participate, should contact the Montgomery Township Director of Administration & Human Resources at 215-393-6900. At the conclusion of the hearing, the Board will consider enactment of this Ordinance, unless it deems additional time is required for consideration and discussion, in which case it will hold an additional public hearing/meeting at an announced date and time for that purpose. LAWRENCEJ.GREGAN Township Manage LAN 6/11, 6/18 1-a

Appeared in: **Reporter** on Monday, 06/11/2018

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## **MONTGOMERY TOWNSHIP**

### **ORDINANCE #18-**

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AN ORDINANCE AMENDING THE TOWNSHIP'S ZONING ORDINANCE BY (1) DELETING THE BOARD OF SUPERVISORS' WAIVER OR REDUCTION OF REQUIRED PLANTING AREAS LANGUAGE IN THE "LANDSCAPING AND SCREENING" PROVISIONS OF ARTICLE XIII, SECTION 230-78(A) [C-COMMERCIAL DISTRICT/DEVELOPMENT STANDARDS AND REGULATIONS]; ARTICLE XV, SECTION 230-89(I) [S-SHOPPING CENTERS/DEVELOPMENT PLAN]; AND ARTICLE XVI, SECTION 230-95(B) [RS-REGIONAL SHOPPING CENTER DISTRICT/DEVELOPMENT STANDARDS]; AND (2) DELETING THE BOARD OF SUPERVISORS' SECURITY FENCE WAIVER LANGUAGE SET FORTH IN ARTICLE XXX, SECTION 230-223(5)(C) [WIRELESS TELECOMMUNICATIONS FACILITY/DEVELOPMENT REGULATIONS/WIRELESS...COMMUNICATIONS EQUIPMENT BUILDINGS AND/OR STRUCTURES/SECURITY FENCING]

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

# MONTGOMERY TOWNSHIP

## ORDINANCE #18-

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AN ORDINANCE AMENDING THE TOWNSHIP'S ZONING ORDINANCE BY (1) DELETING THE BOARD OF SUPERVISORS' WAIVER OR REDUCTION OF REQUIRED PLANTING AREAS LANGUAGE IN THE "LANDSCAPING AND SCREENING" PROVISIONS OF ARTICLE XIII, SECTION 230-78(A) [C-COMMERCIAL DISTRICT/DEVELOPMENT STANDARDS AND REGULATIONS]; ARTICLE XV, SECTION 230-89(I) [S-SHOPPING CENTERS/DEVELOPMENT PLAN]; AND ARTICLE XVI, SECTION 230-95(B) [RS-REGIONAL SHOPPING CENTER DISTRICT/DEVELOPMENT STANDARDS]; AND (2) DELETING THE BOARD OF SUPERVISORS' SECURITY FENCE WAIVER LANGUAGE SET FORTH IN ARTICLE XXX, SECTION 230-223(5)(C) [WIRELESS TELECOMMUNICATIONS FACILITY/DEVELOPMENT REGULATIONS/WIRELESS...COMMUNICATIONS EQUIPMENT BUILDINGS AND/OR STRUCTURES/SECURITY FENCING]

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

**SECTION 1. Amendment to Article XIII, Section 230-78(A) [C-Commercial District/Development Standards and Regulations/Landscaping and Screening]**

Article XIII, Section 230-78(A) [C-Commercial District/ Development Standards and Regulations/Landscaping and Screening] shall be amended to delete the Board of Supervisors' waiver or reduction of required planting areas language and will read as follows:

**§230-78. Development standards and regulations.**

\*\*\*

- A. Landscaping and screening. A planting area no less than 25 feet in width of grass, lawn, shrubbery, evergreens and trees shall be planted in accordance with a landscaping and screening plan as provided in Article VI of Chapter 205, the Montgomery Township Subdivision Ordinance, No. 18, and continuously maintained in a proper and attractive manner along all street frontages of property, exclusive of driveway and access areas, and along all

side and rear boundary lines.

**SECTION 2. Amendment to Article XV, Section 230-89(I) [S-Shopping Center District/Development plan/Landscaping and Screening]**

Article XV, Section 230-89(I) [S-Shopping Center District/ Development plan/ Landscaping and Screening] shall be amended to delete the Board of Supervisors' waiver or reduction of required planting areas language and will read as follows:

**§230-89. Development plan.**

\*\*\*

- I. Landscaping and screening. A planting area no less than 25 feet in width of grass, lawn, shrubbery, evergreens and trees shall be planted in accordance with a landscaping and screening plan as provided in Article VI of Chapter 205, the Montgomery Township Subdivision Ordinance, No. 18, and continuously maintained in a proper and attractive manner along all street frontages of property, exclusive of driveway and access areas, and along all side and rear boundary lines.

**SECTION 3. Amendment to Article XVI, Section 230-95(B) [RS-Regional Shopping Center District/Development Standards]**

Article XVI, Section 230-95(B) [RS-Regional Shopping Center District/Development Standards] shall be amended to delete the Board of Supervisors' waiver or reduction of required planting areas language and will read as follows:

**§230-95. Development standards.**

\*\*\*

- B. Landscaping and screening. A planting area no less than 25 feet in width of grass, lawn, shrubbery, evergreens and trees shall be planted in accordance with a landscaping and screening plan as provided in Article VI of Chapter 205, the Montgomery Township Subdivision Ordinance, No. 18, and continuously maintained in a proper and attractive manner along all street frontages of property, exclusive of driveway and access areas, and along all side and rear boundary lines.

**SECTION 4. Amendment to Article XXX, Section 230-223(5)(C) [Wireless Telecommunications Facility/ Development Regulations/ Wireless... Communications Equipment Buildings and/or Structures/Security Fencing]**

Article XXX, Section 230-223(5)(c) [Wireless Telecommunications Facility/Development Regulations/Wireless... Communications Equipment Buildings and/or Structures/Security Fencing] shall be amended to delete the Township Board of Supervisors' security fencing waiver and will read as follows:

**§230-223. Development regulations.**

\*\*\*

- (5) Wireless, telephone, broadcast radio, broadcast television and two-way radio antennas, communications, equipment buildings and or support structures.

\*\*\*

- (c) Security fencing. Ground-mounted antennas, support structures and communications equipment buildings shall be enclosed by locked security fencing, a minimum of six feet in height.

**SECTION 5. Repeal and Ratification**

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

**SECTION 6. Severability**

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

**SECTION 7. Effective Date**

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

**ORDAINED AND ENACTED** this \_\_\_\_\_ day of  
\_\_\_\_\_ 2018 by the Board of Supervisors.

**MONTGOMERY TOWNSHIP  
BOARD OF SUPERVISORS**

\_\_\_\_\_  
CANDYCE FLUEHR CHIMERA  
*Chair*

[Seal]

Attested by:

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

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

SUBJECT: Consider Construction Escrow Release #3 – LDS 630 – Firefox Phase II

MEETING DATE: June 25, 2018

ITEM NUMBER: #11.

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 2, Northern Village, as recommended by the Township Engineer. The original amount of the escrow was \$1,730,357.61, held as a LOC with Univest Bank. This is the second escrow release for this project. The current release is in the amount of \$186,831.82. The new balance would be \$1,351,281.08.

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 \$186,831.82, as recommended by the Township Engineer for the Firefox project.

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

ROLL CALL:

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

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



**VIA EMAIL**

June 22, 2018

File No. 2012-09009-03

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

Reference: Firefox Phase 2 (Northern Village) – LD/S #630  
Financial Security Release 3

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 \$186,831.82 have been completed. Please find enclosed a copy of our escrow calculations and the application for release of funds for your use. Please note the difference between the requested and recommended release amounts is our assessment of the percentage complete of the box culvert and stakeout (line items 2.E.1 & 2.P.1).

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,

A handwritten signature in black ink that reads 'James P. Dougherty'.

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

JPD/SW/sl

Enclosures: Release of Escrow Form, Escrow Status Report

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

**RELEASE OF ESCROW FORM**

James P. Dougherty, P.E.  
Senior Project Manager  
Gilmore & Associates, Inc.  
65 East Butler Avenue, Suite 100  
New Britain, PA 18901  
215-345-4330

Date: 06/11/2018

Development: Firefox - Ph. 2 (Northern) - LDS-630  
Release #: 3

G&A Project #: 2012-09009-03

Dear Mr. Dougherty:

This is an escrow release request in the amount of \$228,508.32. Enclosed is a copy of our escrow spreadsheet with the quantities noted.

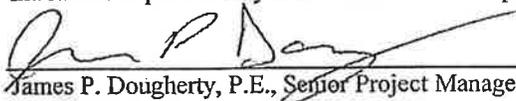
**ESCROW RELEASE REQUESTS ARE LIMITED TO ONE PER MONTH.**

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

Date: 06/22/2018

Dear Mr. Gregan:

We have reviewed the developer's request for an escrow release. We therefore, recommend that \$186,831.82 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.

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

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

WHEREAS, a request for release of escrow was received from Crystal Road Enterprises, LLC for Firefox - Ph. 2 (Northern) - LDS-630, in the amount of \$228,508.32, 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 \$186,831.82; NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we do hereby authorize release of \$186,831.82; 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 \$1,730,357.61 pursuant to a signed Land Development Agreement and that \$192,244.71 has previously been released from escrow. Therefore, the action of the Board releasing said sum leaves a new balance of \$1,351,281.08 in escrow.

MOTION BY \_\_\_\_\_  
SECOND BY: \_\_\_\_\_  
DATED: \_\_\_\_\_  
RELEASED BY: \_\_\_\_\_  
Department Director

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

PROJECT NAME: Firefox - Ph 2 (Northern)	TOTAL ENGINEERING/LEGAL (CASH ESCROW): \$ 45,000.00	MONTGOMERY TOWNSHIP
DEVELOPER: Crystal Road Enterprises, LLC	TOTAL ADMINISTRATION (CASH ESCROW): \$ 5,000.00	TOWNSHIP NO.: LDS-630
ESCROW AGENT: Unvest	MAINTENANCE BOND AMOUNT (15%): \$ 235,957.86	G&A PROJECT NO.: 2012-09009-03
TYPE OF SECURITY: Letter of Credit		AGREEMENT DATE: 8-Jun-2017

SUMMARY OF IMPROVEMENT ESCROW ACCOUNT	TOTAL COST	RELEASE REQUESTS			BALANCE
		CURRENT	PRIOR	TOTAL	
CONSTRUCTION	\$1,573,052.37	\$ 186,831.82	\$ 192,244.71	\$ 379,076.53	\$1,193,975.84
CONTINGENCY (10%)	\$ 157,305.24	\$ -	\$ -	\$ -	\$ 157,305.24
<b>TOTAL</b>	<b>\$ 1,730,357.61</b>	<b>\$ 186,831.82</b>	<b>\$ 192,244.71</b>	<b>\$ 379,076.53</b>	<b>\$1,351,281.08</b>

CONSTRUCTION ITEMS	UNIT	QUANTITY	UNIT COST	TOTAL COST	CURRENT REQUEST		PRIOR REQUESTS		TOTAL REQUESTS (Incl. current release)		AVAILABLE FOR RELEASE (Incl. current release)	
					QTY	COST	QTY	COST	QTY	COST	QTY	COST
<b>PHASE II (NORTHERN VILLAGE)</b>												
<b>2.A. MOBILIZATION</b>	LS	1	\$ 46,672.15	\$ 46,672.15	0.15	\$ 7,000.82	0.40	\$ 18,668.86	0.55	\$ 25,669.68	0.45	\$ 21,002.47
<b>2.B. EARTHWORK</b>												
1. Clearing & Grubbing	LS	1	\$ 49,706.00	\$ 49,706.00		\$ -	1.00	\$ 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	8,228.00	\$ 20,323.16		\$ -
3. Cut Fill & Compact	CY	12,998	\$ 2.50	\$ 32,495.00	6,498.00	\$ 16,245.00	6,500.00	\$ 16,250.00	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	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	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	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	1,423.00	\$ 9,178.35		\$ -
7. Orange Construction Fence	LF	1,754	\$ 1.54	\$ 2,701.16		\$ -	1,754.00	\$ 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
<b>2.E. BOX CULVERT</b>												
1. Box Culvert (incl. steel casing)	LS	1	\$ 151,965.00	\$ 151,965.00	0.40	\$ 60,786.00		\$ -	0.40	\$ 60,786.00	0.60	\$ 91,179.00
<b>2.F. STORM SEWER</b>												
1. 18" RCP	LF	1,136	\$ 35.00	\$ 39,760.00	789.00	\$ 27,615.00	347.00	\$ 12,145.00	1,136.00	\$ 39,760.00		\$ -
2. 24" RCP	LF	610	\$ 45.00	\$ 27,450.00	553.00	\$ 24,885.00	57.00	\$ 2,565.00	610.00	\$ 27,450.00		\$ -
6. Type M Inlets (#D17, D24.2)	EA	2	\$ 2,700.00	\$ 5,400.00	1.00	\$ 2,700.00	1.00	\$ 2,700.00	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	10.00	\$ 27,000.00	6.00	\$ 16,200.00	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		\$ -	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		\$ -	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		\$ -	1.00	\$ 3,400.00		\$ -
13. Infiltration Areas D1, D2 & D3 - Convert temp. swales D17 &	LS	1	\$ 69,287.00	\$ 69,287.00		\$ -		\$ -		\$ -	1.00	\$ 69,287.00

PROJECT NAME: Firefox - Ph. 2 (Northern)	TOTAL ENGINE/LEGAL (CASH ESCROW): \$ 45,000.00	MONTGOMERY TOWNSHIP
DEVELOPER: Crystal Road Enterprises, LLC	TOTAL ADMINISTRATION (CASH ESCROW): \$ 5,000.00	TOWNSHIP NO.: LDS-630
ESCROW AGENT: Univest		G&A PROJECT NO.: 2012-09009-03
TYPE OF SECURITY: Letter of Credit	MAINTENANCE BOND AMOUNT (15%): \$ 235,957.86	AGREEMENT DATE: 8-Jun-2017

SUMMARY OF IMPROVEMENT ESCROW ACCOUNT	TOTAL COST	RELEASE REQUESTS			BALANCE
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CONSTRUCTION ITEMS	UNIT	QUANTITY	UNIT COST	TOTAL COST	CURRENT REQUEST		PRIOR REQUESTS		TOTAL REQUESTS (Incl. current release)		AVAILABLE FOR RELEASE (Incl. current release)	
					QTY	COST	QTY	COST	QTY	COST	QTY	COST
<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. Line 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	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	413.00	\$ 8,542.88
14. Type 2S Guide Rail - Over Culvert	LF	38	\$ 184.00	\$ 6,150.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	37.50	\$ 6,150.00
<i>Driveway Relocation (NPWA)</i>												
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
<b>2.H. ONSITE SIDEWALKS</b>												
1. Sidewalk (4")	SF	11,158	\$ 8.00	\$ 89,264.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	11,158.00	\$ 89,264.00
2. Driveway Apron (6" w/ wire mesh)	EA	58	\$ 1,100.00	\$ 63,800.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	58.00	\$ 63,800.00
3. Handicap Ramps (incl. DWS)	EA	8	\$ 500.00	\$ 4,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	8.00	\$ 4,000.00
<b>2.I. BITUMINOUS PATHWAYS</b>												
	SY	2,084	\$ 35.00	\$ 73,290.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	2,084.00	\$ 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	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	1.00	\$ 69,287.00
<b>2.K. STREET LIGHTS</b>												
1. Street Lights	EA	8	\$ 2,700.00	\$ 21,600.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	8.00	\$ 21,600.00
<b>2.L. RESPREAD TOPSOIL (pads: 2"; landscaped areas: 8")</b>												
	LS	1	\$ 16,877.00	\$ 16,877.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	1.00	\$ 16,877.00
<b>2.M. PEDESTRIAN BRIDGE (Parallel to Crystal Road)</b>												
	LS	1	\$ 31,476.00	\$ 31,476.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	1.00	\$ 31,476.00



**ESCROW RELEASE NO. 3**

DATE PREPARED: 22-Jun-2018

PROJECT NAME: Firefox - Ph 2 (Northern)	TOTAL ENGINEERING & ADMINISTRATION (CASH ESCROW): \$ 45,000.00	MONTGOMERY TOWNSHIP
DEVELOPER: Crystal Road Enterprises, LLC	TOTAL ADMINISTRATION (CASH ESCROW): \$ 5,000.00	TOWNSHIP NO.: LDS-630
ESCROW AGENT: Univest		G&A PROJECT NO.: 2012-0909-03
TYPE OF SECURITY: Letter of Credit	MAINTENANCE BOND AMOUNT (15%): \$ 235,957.86	AGREEMENT DATE: 8-Jun-2017

SUMMARY OF IMPROVEMENT ESCROW ACCOUNT	TOTAL COST	RELEASE REQUESTS			BALANCE
		CURRENT	PRIOR	TOTAL	
CONSTRUCTION	\$1,573,052.37	\$ 186,831.82	\$ 192,244.71	\$ 379,076.53	\$ 1,193,975.84
CONTINGENCY (10%)	\$ 157,305.24	\$ -	\$ -	\$ -	\$ 157,305.24
<b>TOTAL</b>	<b>\$ 1,730,357.61</b>	<b>\$ 186,831.82</b>	<b>\$ 192,244.71</b>	<b>\$ 379,076.53</b>	<b>\$ 1,351,281.08</b>

CONSTRUCTION ITEMS	UNIT	QUANTITY	UNIT COST	TOTAL COST	CURRENT REQUEST		PRIOR REQUESTS		TOTAL REQUESTS (Incl. current release)		AVAILABLE FOR RELEASE (Incl. current release)	
					QTY	COST	QTY	COST	QTY	COST	QTY	COST
<b>2.N. LANDSCAPING</b>												
<i>Shade Trees</i>												
8. Acer rubrum	EA	37	\$ 350.00	\$ 12,950.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	37.00	\$ 12,950.00
1. Acer saccharum	EA	6	\$ 350.00	\$ 2,100.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	6.00	\$ 2,100.00
2. Betula nigra	EA	10	\$ 350.00	\$ 3,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	10.00	\$ 3,500.00
9. Ginkgo biloba senry	EA	3	\$ 355.00	\$ 1,065.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	3.00	\$ 1,065.00
3. Gleditsia T. Shademaster	EA	30	\$ 350.00	\$ 10,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	30.00	\$ 10,500.00
4. Liquidambar styraciflua	EA	26	\$ 350.00	\$ 9,100.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	26.00	\$ 9,100.00
5. Liriodendron tulipifera	EA	28	\$ 350.00	\$ 9,800.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	28.00	\$ 9,800.00
10. Pyrus C. Chanticleer	EA	22	\$ 350.00	\$ 7,700.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	22.00	\$ 7,700.00
6. Quercus borealis	EA	14	\$ 360.00	\$ 5,040.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	14.00	\$ 5,040.00
11. Tilia cordata	EA	25	\$ 350.00	\$ 8,750.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	25.00	\$ 8,750.00
7. Zelkova serrata	EA	19	\$ 355.00	\$ 6,745.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	19.00	\$ 6,745.00
<i>Evergreen Trees</i>												
15. Juniperus virginiana	EA	31	\$ 250.00	\$ 7,750.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	31.00	\$ 7,750.00
14. Picea abies	EA	29	\$ 250.00	\$ 7,250.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	29.00	\$ 7,250.00
12. Pinus strobus	EA	32	\$ 250.00	\$ 8,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	32.00	\$ 8,000.00
13. Pseudotsuga menziesii	EA	29	\$ 250.00	\$ 7,250.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	29.00	\$ 7,250.00
<i>Shrubs</i>												
19. Chamaecyparis F. Aurea	EA	1	\$ 55.00	\$ 55.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	1.00	\$ 55.00
17. Cornus amomum	EA	14	\$ 65.00	\$ 910.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	14.00	\$ 910.00
16. Euonymus A. Compacta	EA	4	\$ 65.00	\$ 260.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	4.00	\$ 260.00
20. Ilex crenata hetzl	EA	2	\$ 65.00	\$ 130.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	2.00	\$ 130.00
21. Thuja O. Emerald Green	EA	2	\$ 80.00	\$ 160.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	2.00	\$ 160.00
18. Viburnum Plicatum	EA	14	\$ 65.00	\$ 910.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	14.00	\$ 910.00
<b>2.O. RESPREAD TOPSOIL (8")</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	\$ -	\$ -	0.50	\$ 12,703.28	0.50	\$ 12,703.28	0.50	\$ 12,703.27
2. Pins and Monuments and As-Builts	LS	1	\$ 8,843.00	\$ 8,843.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	1.00	\$ 8,843.00
<b>I CONTINGENCY</b>												
1. 10% Contingency	LS	1	\$ 157,305.24	\$ 157,305.24	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	1.00	\$ 157,305.24
<small>(Released upon certification of completion and receipt of Maintenance Bond)</small>												

**NOTES:**

- 2014-09-24. Initial construction cost issued for Phase I Land Development Agreement.
- 2016-08-04. Phase II costs updated prior to recording of Phase II Land Development Agreement. Net change to construction cost = \$0.00.
- 2018-04-04. Phase I and Phase II spreadsheets separated for release purposes.
- 2018-04-04. Engineering/legal & Administration cash escrow amounts based upon Phases I and II.



# DEVELOPER RELEASE REQUEST #3

ESCROW RELEASE NO. 3  
DATE PREPARED: 11-Jun-2018

PROJECT NAME: Fitefox - Ph. 2 (Northern)	TOTAL ENGINE/LEGAL (CASH ESCROW): \$ 45,000.00	MONTGOMERY TOWNSHIP
DEVELOPER: Crystal Road Enterprises, LLC	TOTAL ADMINISTRATION (CASH ESCROW): \$ 5,000.00	TOWNSHIP NO.: LD5-630
ESCROW AGENT: Univest	MAINTENANCE BOND AMOUNT (15%): \$ 235,957.88	G&A PROJECT NO.: 2012-00009-03
TYPE OF SECURITY: Letter of Credit		AGREEMENT DATE: 8-Jun-2017

SUMMARY OF IMPROVEMENT ESCROW ACCOUNT	TOTAL COST	RELEASE REQUESTS			BALANCE
		CURRENT	PRIOR	TOTAL	
CONSTRUCTION	\$ 1,573,052.37	\$ 228,508.32	\$ 192,244.71	\$ 420,753.03	\$ 1,152,299.35
CONTINGENCY (10%)	\$ 157,305.24	\$ -	\$ -	\$ -	\$ 157,305.24
<b>TOTAL</b>	<b>\$ 1,730,357.61</b>	<b>\$ 228,508.32</b>	<b>\$ 192,244.71</b>	<b>\$ 420,753.03</b>	<b>\$ 1,309,604.59</b>

CONSTRUCTION ITEMS	UNIT	QUANTITY	UNIT COST	TOTAL COST	CURRENT REQUEST		PRIOR REQUESTS		TOTAL REQUESTS (incl. current release)		AVAILABLE FOR RELEASE (incl. current release)	
					QTY	COST	QTY	COST	QTY	COST	QTY	COST
<b>PHASE II (NORTHERN VILLAGE)</b>				<b>\$0.00</b>					0.00	\$0.00	0.00	\$0.00
<b>2.A. MOBILIZATION</b>	LS	1	\$ 46,672.15	\$ 46,672.15	0.15	\$ 3,314.43	0.40	\$ 18,668.88	0.80	\$ 21,983.31	0.40	\$ 18,668.88
<b>2.B. EARTHWORK</b>												
1. Clearing & Grubbing	LS	1	\$ 49,706.00	\$ 49,706.00	0.00	\$ -	1.00	\$ 49,706.00	1.00	\$ 49,706.00	0.00	\$ -
2. Strip Topsoil	CY	8,228	\$ 2.47	\$ 20,323.16	0.00	\$ -	8,228	\$ 20,323.16	8,228	\$ 20,323.16	0.00	\$ -
3. Cut Fill & Compact	CY	12,998	\$ 2.50	\$ 32,495.00	5,300	\$ 13,250.00	6,500	\$ 16,250.00	11,800	\$ 29,500.00	2,000	\$ 5,000.00
4. Grade	SY	26,957	\$ 0.28	\$ 7,547.96	0.00	\$ -	0.00	\$ -	0.00	\$ -	26,957	\$ 7,547.96
5. Cut from Stockpile from Phase I	CY	7,848	\$ 2.50	\$ 19,620.00	7,848	\$ 19,620.00	0.00	\$ -	7,848	\$ 19,620.00	0.00	\$ -
<b>2.C. RETAINING WALL</b>												
1. Excavate Retaining Wall	LF	565	\$ 6.40	\$ 3,616.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	565	\$ 3,616.00
2. Retaining Wall	SF	3,600	\$ 40.00	\$ 144,000.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	3,600	\$ 144,000.00
3. Sleeves for Guide Rail behind Wall #3	LS	1	\$ 5,300.00	\$ 5,300.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	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	0.00	\$ -	1.00	\$ 3,392.00	1.00	\$ 3,392.00	0.00	\$ -
2. 20" Weighted Sediment Tube	LF	112	\$ 23.98	\$ 2,685.76	0.00	\$ -	0.00	\$ -	0.00	\$ -	112	\$ 2,685.76
3. 18" Silt Fence - Stockpiles	LF	1,062	\$ 1.58	\$ 1,658.72	0.00	\$ -	0.00	\$ -	0.00	\$ -	1,062	\$ 1,658.72
4. 30" Silt Fence	LF	369	\$ 1.91	\$ 704.79	0.00	\$ -	0.00	\$ -	0.00	\$ -	369	\$ 704.79
5. Super Silt Fence	LF	1,022	\$ 6.45	\$ 6,591.60	0.00	\$ -	1,022	\$ 6,591.60	1,022	\$ 6,591.60	0.00	\$ -
6. Super Silt Fence w/ Tree Protection Fence	LF	1,423	\$ 6.45	\$ 9,178.35	0.00	\$ -	1,423	\$ 9,178.35	1,423	\$ 9,178.35	0.00	\$ -
7. Orange Construction Fence	LF	1,754	\$ 1.54	\$ 2,701.16	0.00	\$ -	1,754	\$ 2,701.16	1,754	\$ 2,701.16	0.00	\$ -
8. Tree Protection Fence - Shown on Grading Plan	LF	1,892	\$ 1.54	\$ 2,913.68	0.00	\$ -	0.00	\$ -	0.00	\$ -	1,892	\$ 2,913.68
9. Temporary Seeding - Excess Fill Piles	SY	19,360	\$ 0.29	\$ 5,614.40	0.00	\$ -	0.00	\$ -	0.00	\$ -	19,360	\$ 5,614.40
10. Slope Matting (North American Green S-75)	SY	4,235	\$ 1.50	\$ 6,352.50	0.00	\$ -	0.00	\$ -	0.00	\$ -	4,235	\$ 6,352.50
11. Grade Swales #D1, D2, D7.3A, D7.3B, D17, D24.2	SY	2,685	\$ 0.55	\$ 1,476.75	0.00	\$ -	0.00	\$ -	0.00	\$ -	2,685	\$ 1,476.75
12. Swale Matting (North American Green S-75)	SY	2,685	\$ 1.50	\$ 4,027.50	0.00	\$ -	0.00	\$ -	0.00	\$ -	2,685	\$ 4,027.50
13. Inlet Protection Silt Sack	EA	8	\$ 134.00	\$ 1,072.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	8	\$ 1,072.00
14. Clean Water Pump Bypass, Sandbag Cofferdam	LS	1	\$ 12,000.00	\$ 12,000.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	1.00	\$ 12,000.00
<b>2.E. BOX CULVERT</b>												
1. Box Culvert (incl. steel casing)	LS	1	\$ 151,965.00	\$ 151,965.00	0.65	\$ 98,777.25	0.00	\$ -	0.65	\$ 98,777.25	0.35	\$ 53,187.75
<b>2.F. STORM SEWER</b>												
1. 18" RCP	LF	1,136	\$ 35.00	\$ 39,760.00	789	\$ 27,715.00	347	\$ 12,145.00	1,136	\$ 39,760.00	0.00	\$ -
2. 24" RCP	LF	810	\$ 45.00	\$ 36,450.00	553	\$ 24,885.00	57	\$ 2,565.00	610	\$ 27,450.00	0.00	\$ -
3. Type M Inlets (#D17, D24.2)	EA	2	\$ 2,700.00	\$ 5,400.00	1.00	\$ 2,700.00	1.00	\$ 2,700.00	2.00	\$ 5,400.00	0.00	\$ -
4. Type C Inlets (#B2.2, B2.4, B3.2, C03, C04, D12.1, D12.2, D13.1, D13.2)	EA	16	\$ 2,700.00	\$ 43,200.00	10	\$ 27,000.00	6	\$ 16,200.00	16	\$ 43,200.00	0.00	\$ -
5. Type C Inlet Mod. 42"x48" (#B2.3, D13, D14.1, D15)	EA	4	\$ 3,400.00	\$ 13,600.00	4	\$ 13,600.00	0.00	\$ -	4	\$ 13,600.00	0.00	\$ -
6. Type C Inlet Mod. 48" x 54" (#D2.4)	EA	1	\$ 3,600.00	\$ 3,600.00	1.00	\$ 3,600.00	0.00	\$ -	1.00	\$ 3,600.00	0.00	\$ -
7. Storm Manhole 48" x 48" (#D1.2)	EA	1	\$ 3,400.00	\$ 3,400.00	1.00	\$ 3,400.00	0.00	\$ -	1.00	\$ 3,400.00	0.00	\$ -
8. Infiltration Area D1, D2 & D3 - Convert temp. swales D17 & D24.2 to	LS	1	\$ 69,287.00	\$ 69,287.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	1.00	\$ 69,287.00
<b>2.G. ROADWAY SITE</b>												
1. Excavate & Backfill, Curb	LF	3,931	\$ 3.19	\$ 12,539.89	0.00	\$ -	0.00	\$ -	0.00	\$ -	3,931	\$ 12,539.89
2. Belgian Block Curb	LF	3,931	\$ 14.00	\$ 55,034.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	3,931	\$ 55,034.00
3. Fine Grade and Compact Subgrade	SY	6,129	\$ 1.12	\$ 6,864.48	0.00	\$ -	0.00	\$ -	0.00	\$ -	6,129	\$ 6,864.48
4. 3" 2a Modified	SY	6,129	\$ 3.01	\$ 18,448.29	0.00	\$ -	0.00	\$ -	0.00	\$ -	6,129	\$ 18,448.29
5. 5" (25MM) Base Course	SY	6,129	\$ 19.00	\$ 116,451.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	6,129	\$ 116,451.00
6. 1.5" (9.5MM) Wearing Paving	SY	6,129	\$ 7.12	\$ 43,638.48	0.00	\$ -	0.00	\$ -	0.00	\$ -	6,129	\$ 43,638.48



# DEVELOPER RELEASE REQUEST #3

ESCROW RELEASE NO. **3**  
DATE PREPARED: 11-Jun-2019

PROJECT NAME: Firefox - Ph. 2 (Northern)	TOTAL ENGIN/LEGAL (CASH ESCROW): \$ 45,000.00	MONTGOMERY TOWNSHIP
DEVELOPER: Crystal Road Enterprises, LLC	TOTAL ADMINISTRATION (CASH ESCROW): \$ 5,000.00	TOWNSHIP NO.: LDS-630
ESCROW AGENT: Unvest	MAINTENANCE BOND AMOUNT (15%): \$ 235,957.88	G&A PROJECT NO.: 2012-00009-03
TYPE OF SECURITY: Letter of Credit		AGREEMENT DATE: 8-Jun-2017

SUMMARY OF IMPROVEMENT ESCROW ACCOUNT	TOTAL COST	RELEASE REQUESTS			BALANCE
		CURRENT	PRIOR	TOTAL	
CONSTRUCTION	\$1,573,052.37	\$ 228,508.32	\$ 192,244.71	\$ 420,753.03	\$ 1,152,299.35
CONTINGENCY (10%)	\$ 157,305.24	\$ -	\$ -	\$ -	\$ 157,305.24
<b>TOTAL</b>	<b>\$ 1,730,357.61</b>	<b>\$ 228,508.32</b>	<b>\$ 192,244.71</b>	<b>\$ 420,753.03</b>	<b>\$ 1,309,604.59</b>

CONSTRUCTION ITEMS	UNIT	QUANTITY	UNIT COST	TOTAL COST	CURRENT REQUEST		PRIOR REQUESTS		TOTAL REQUESTS (incl. current release)		AVAILABLE FOR RELEASE (incl. current release)	
					QTY	COST	QTY	COST	QTY	COST	QTY	COST
7. Speed Bump	LS	1	\$ 1,200.00	\$ 1,200.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	1.00	\$ 1,200.00
8. Street Sweeping	SY	6,129	\$ 0.12	\$ 735.48	0.00	\$ -	0.00	\$ -	0.00	\$ -	6,129.00	\$ 735.48
9. Tack Coat	SY	6,129	\$ 0.19	\$ 1,164.51	0.00	\$ -	0.00	\$ -	0.00	\$ -	6,129.00	\$ 1,164.51
10. Curb & Joint Seal	LF	3,931	\$ 0.63	\$ 2,476.53	0.00	\$ -	0.00	\$ -	0.00	\$ -	3,931.00	\$ 2,476.53
11. Line Painting	LS	1	\$ 1,537.00	\$ 1,537.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	1.00	\$ 1,537.00
12. Site Signage	LS	1	\$ 2,307.00	\$ 2,307.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	1.00	\$ 2,307.00
13. Type 2S Guide Rail (Includes 1 Terminal Section)	LF	413	\$ 20.71	\$ 8,542.88	0.00	\$ -	0.00	\$ -	0.00	\$ -	412.50	\$ 8,542.88
14. Type 2S Guide Rail - Over Culvert	LF	38	\$ 184.00	\$ 6,150.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	37.50	\$ 6,150.00
<b>Driveway Relocation (NPWA)</b>												
15. Fina Grade and Compact Subgrade	SY	178	\$ 1.12	\$ 199.36	0.00	\$ -	0.00	\$ -	0.00	\$ -	178.00	\$ 199.36
16. 3" 2a Modified	SY	178	\$ 3.01	\$ 535.78	0.00	\$ -	0.00	\$ -	0.00	\$ -	178.00	\$ 535.78
17. 5" (25MM) Base Course	SY	178	\$ 19.00	\$ 3,382.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	178.00	\$ 3,382.00
18. 1.5" (9.5MM) Wearing Paving	SY	178	\$ 7.12	\$ 1,267.36	0.00	\$ -	0.00	\$ -	0.00	\$ -	178.00	\$ 1,267.36
<b>2.H. ONSITE SIDEWALKS</b>												
1. Sidewalk (4")	SF	11,158	\$ 8.00	\$ 89,264.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	11,158.00	\$ 89,264.00
2. Driveway Apron (6" w/ wire mesh)	EA	58	\$ 1,100.00	\$ 63,800.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	58.00	\$ 63,800.00
3. Handicap Ramps (incl. DWS)	EA	8	\$ 500.00	\$ 4,000.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	8.00	\$ 4,000.00
<b>2.I. BITUMINOUS PATHWAYS</b>												
	SY	2,094	\$ 35.00	\$ 73,290.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	2,094.00	\$ 73,290.00
<b>2.J. SWALE CONVERSION</b>												
1. Convert temp. swales D17 & D24 2 to trenches #1, 2, and 3 (incl.	LS	1	\$ 69,287.00	\$ 69,287.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	1.00	\$ 69,287.00
<b>2.K. STREET LIGHTS</b>												
1. Street Lights	EA	8	\$ 2,700.00	\$ 21,600.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	8.00	\$ 21,600.00
<b>2.L. RESPREAD TOPSOIL (pads: 2"; landscaped areas: 1")</b>												
	LS	1	\$ 16,877.00	\$ 16,877.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	1.00	\$ 16,877.00
<b>2.M. PEDESTRIAN BRIDGE (Parallel to Crystal Road)</b>												
	LS	1	\$ 31,476.00	\$ 31,476.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	1.00	\$ 31,476.00
<b>2.N. LANDSCAPING</b>												
<b>Shade Trees</b>												
8. Acer rubrum	EA	37	\$ 350.00	\$ 12,950.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	37.00	\$ 12,950.00
1. Acer saccharum	EA	6	\$ 350.00	\$ 2,100.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	6.00	\$ 2,100.00
2. Betula nigra	EA	10	\$ 350.00	\$ 3,500.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	10.00	\$ 3,500.00
9. Ginkgo biloba sentry	EA	3	\$ 355.00	\$ 1,065.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	3.00	\$ 1,065.00
3. Glodtala T. Shademaster	EA	30	\$ 350.00	\$ 10,500.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	30.00	\$ 10,500.00
4. Liquidambar styraciflua	EA	26	\$ 350.00	\$ 9,100.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	26.00	\$ 9,100.00
5. Liquidambar styraciflua	EA	28	\$ 350.00	\$ 9,800.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	28.00	\$ 9,800.00
10. Pyrus C. Chanticleer	EA	22	\$ 350.00	\$ 7,700.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	22.00	\$ 7,700.00
6. Quercus borealis	EA	14	\$ 360.00	\$ 5,040.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	14.00	\$ 5,040.00
11. Tilia cordata	EA	25	\$ 350.00	\$ 8,750.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	25.00	\$ 8,750.00
7. Zelkova serrata	EA	19	\$ 355.00	\$ 6,745.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	19.00	\$ 6,745.00
<b>Evergreen Trees</b>												
15. Juniperus virginiana	EA	31	\$ 250.00	\$ 7,750.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	31.00	\$ 7,750.00
14. Picea abies	EA	29	\$ 250.00	\$ 7,250.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	29.00	\$ 7,250.00
12. Pinus strobus	EA	32	\$ 250.00	\$ 8,000.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	32.00	\$ 8,000.00
13. Pseudotsuga menziesii	EA	29	\$ 250.00	\$ 7,250.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	29.00	\$ 7,250.00
<b>Shrubs</b>												
19. Chamaecyparis F. Aurea	EA	1	\$ 55.00	\$ 55.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	1.00	\$ 55.00



# DEVELOPER RELEASE REQUEST #3

ESCROW RELEASE NO. 3  
DATE PREPARED: 11-Jun-2018

PROJECT NAME: Firebox - Ph. 2 (Northern)	TOTAL ENGINEERING/LEGAL (CASH ESCROW): \$ 46,000.00	MONTGOMERY TOWNSHIP
DEVELOPER: Crystal Road Enterprises, LLC	TOTAL ADMINISTRATION (CASH ESCROW): \$ 5,000.00	TOWNSHIP NO.: LDS-600
ESCROW AGENT: Univest		G&A PROJECT NO.: 2012-06000-03
TYPE OF SECURITY: Letter of Credit	MAINTENANCE BOND AMOUNT (15%): \$ 235,957.88	AGREEMENT DATE: 8-Jun-2017

SUMMARY OF IMPROVEMENT ESCROW ACCOUNT	TOTAL COST	RELEASE REQUESTS			BALANCE
		CURRENT	PRIOR	TOTAL	
CONSTRUCTION	\$ 31,973,052.37	\$ 228,508.32	\$ 192,244.71	\$ 420,753.03	\$ 1,152,299.26
CONTINGENCY (10%)	\$ 157,305.24	\$ -	\$ -	\$ -	\$ 157,305.24
<b>TOTAL</b>	<b>\$ 1,730,357.61</b>	<b>\$ 228,508.32</b>	<b>\$ 192,244.71</b>	<b>\$ 420,753.03</b>	<b>\$ 1,309,604.59</b>

CONSTRUCTION ITEMS	UNIT	QUANTITY	UNIT COST	TOTAL COST	CURRENT REQUEST		PRIOR REQUESTS		TOTAL REQUESTS (incl. current release)		AVAILABLE FOR RELEASE (incl. current release)	
					QTY	COST	QTY	COST	QTY	COST	QTY	COST
17. <i>Comus amomum</i>	EA	14	\$ 65.00	\$ 910.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	14.00	\$ 910.00
16. <i>Euvonymus A. Compacta</i>	EA	4	\$ 65.00	\$ 260.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	4.00	\$ 260.00
20. <i>Ilex crenata hirta</i>	EA	2	\$ 65.00	\$ 130.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	2.00	\$ 130.00
21. <i>Thuja O. Emerald Green</i>	EA	2	\$ 80.00	\$ 160.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	2.00	\$ 160.00
18. <i>Viburnum Plicatum</i>	EA	14	\$ 65.00	\$ 910.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	14.00	\$ 910.00
Z.O. <u>RESPIREAD TOPSOIL (2")</u>	LS	1	\$ 30,000.00	\$ 30,000.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	#VALUE!	1.00 \$ 30,000.00
Z.P. <u>OTHER</u>												
1. Construction Stakeout	LS	1	\$ 25,406.55	\$ 25,406.55	0.25	\$ 6,351.64	0.50	\$ 12,703.28	0.75	\$ 19,054.92	0.25	\$ 6,351.64
2. Pins and Monuments and As-Builts	LS	1	\$ 8,843.00	\$ 8,843.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	1.00	\$ 8,843.00
I <u>CONTINGENCY</u>												
1. 10% Contingency (Released upon certification of completion and receipt of Maintenance Bond)	LS	1	\$ 157,305.24	\$ 157,305.24	0.00	\$ -	0.00	\$ -	0.00	\$ -	#VALUE!	1.00 \$ 157,305.24

- NOTES:
- 2014-09-24. Initial construction cost issued for Phase I Land Development Agreement. \$0.00
  - 2016-06-04. Phase II costs updated prior to recording of Phase II Land Development Agreement. Net change to construction cost = \$0.00. \$0.00
  - 2018-04-04. Phase I and Phase II spreadsheets separated for release purposes. \$0.00
  - 2018-04-04. Engineering/Legal & Administration cash escrow amounts based upon Phases I and II. \$0.00

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Payment of Bills

MEETING DATE: June 25, 2018 ITEM NUMBER: #12.

MEETING/AGENDA: WORK SESSION ACTION XX NONE

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

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

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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					
06/22/2018	01	71948	00000006	ACME UNIFORMS FOR INDUSTRY	180.27
06/22/2018	01	71949	00001202	AIRGAS, INC.	220.72
06/22/2018	01	71950	100000633	AMANDA BREEN	140.00
06/22/2018	01	71951	100000724	AMY JUNGUZZA	90.00
06/22/2018	01	71952	00001291	ANCHOR FIRE PROTECTION CO., INC.	1,450.00
06/22/2018	01	71953	100000475	ARI PHOENIX, INC.	245.00
06/22/2018	01	71954	00000030	ASSOCIATED TRUCK PARTS	19.98
06/22/2018	01	71955	00000561	ATLANTIC TACTICAL	647.40
06/22/2018	01	71956	100000718	AUDREY AYLNER	85.00
06/22/2018	01	71957	00906105	BATTERIES & BULBS	127.95
06/22/2018	01	71958	MISC	BEHAVIORAL COUNSELING & TRAINING	14.54
06/22/2018	01	71959	00000043	BERGEY'S	1,046.66
06/22/2018	01	71960	00000209	BOUCHER & JAMES, INC.	5,391.38
06/22/2018	01	71961	100000716	BRYNN GUSTIE	85.00
06/22/2018	01	71962	100000405	C.E.S.	721.19
06/22/2018	01	71963	00001579	CARGO TRAILER SALES, INC	57.50
06/22/2018	01	71964	00001601	CDW GOVERNMENT, INC.	211.29
06/22/2018	01	71965	00000363	COMCAST	690.20
06/22/2018	01	71966	00000335	COMCAST CORPORATION	1,410.22
06/22/2018	01	71967	100000700	COMMONWEALTH OF PENNSYLVANIA	500.00
06/22/2018	01	71968	100000719	DANIEL ARECHABALA	25.00
06/22/2018	01	71969	00000629	DAVIDHEISER'S INC.	385.00
06/22/2018	01	71970	100000291	DEGLER-WHITING, INC.	600.00
06/22/2018	01	71971	00000118	DEL-VAL INTERNATIONAL TRUCKS, INC.	103.00
06/22/2018	01	71972	00000125	DISCHELL, BARTLE DOOLEY	7,710.00
06/22/2018	01	71973	00000125	VOID	0.00
06/22/2018	01	71974	100000213	DOG TOWN	144.99
06/22/2018	01	71975	00905026	DON LEN INC.	270.00
06/22/2018	01	71976	MISC	DONALD AND JENNIFER STITES	233.20
06/22/2018	01	71977	00000612	DVMMA - DELAWARE VALLEY MUNICIPAL	185.25
06/22/2018	01	71978	00001332	EAGLE POWER & EQUIPMENT CORP	18.50
06/22/2018	01	71979	03214663	ELITE 3 FACILITIES MAINTNEANCE, LLC	4,240.00
06/22/2018	01	71980	00903110	ESTABLISHED TRAFFIC CONTROL	513.40
06/22/2018	01	71981	00000161	EUREKA STONE QUARRY, INC.	632.20
06/22/2018	01	71982	MISC	FALLOW HILL ASSOCIATES, INC	25.00
06/22/2018	01	71983	00000169	FEDEX	145.53
06/22/2018	01	71984	00002052	FOREMOST PROMOTIONS	497.50
06/22/2018	01	71985	100000408	FSSOLUTIONS	934.75
06/22/2018	01	71986	00000193	GEORGE ALLEN PORTABLE TOILETS, INC.	621.00
06/22/2018	01	71987	00000952	GILBARCO INC.	591.00
06/22/2018	01	71988	00000198	GLASGOW, INC.	819.38
06/22/2018	01	71989	00000235	GLENN A. DAVIS	1,000.00
06/22/2018	01	71990	100000714	GLENN OLIVER	85.00
06/22/2018	01	71991	00001323	GLICK FIRE EQUIPMENT COMPANY INC	8,431.58
06/22/2018	01	71992	00000219	GLOBAL EQUIPMENT COMPANY	149.86
06/22/2018	01	71993	100000717	GLORIA FORD	85.00
06/22/2018	01	71994	00000213	HAJOCA CORPORATION	269.87
06/22/2018	01	71995	100000162	HERMAN GOLDNER COMPANY, INC.	925.00
06/22/2018	01	71996	00000903	HOME DEPOT CREDIT SERVICES	272.65
06/22/2018	01	71997	100000720	JAYME MAITZ	30.00
06/22/2018	01	71998	MISC-FIRE	JON WASHINGTON	155.00
06/22/2018	01	71999	100000715	JONATHAN NESS	85.00
06/22/2018	01	72000	00000148	JONATHAN S. BEER	975.00
06/22/2018	01	72001	00000377	KATHY'S JUST DESSERTS, INC.	675.00
06/22/2018	01	72002	00001282	KENNETH AMEY	255.00
06/22/2018	01	72003	00000261	KERSHAW & FRITZ TIRE SERVICE, INC.	1,070.00
06/22/2018	01	72004	100000512	KRISTI LEONARD	410.00
06/22/2018	01	72005	00902583	LAUREN WILSON	85.00
06/22/2018	01	72006	100000121	LEWIS ENVIRONMENTAL	4,335.50
06/22/2018	01	72007	100000721	LOLA SHIPLEY	150.00
06/22/2018	01	72008	00001706	LOWE'S COMPANIES INC.	72.41
06/22/2018	01	72009	MISC	MAN NAM - KOREAN CUISINE	66.67
06/22/2018	01	72010	MISC	MARASHESKI ROBERT & JOANNE	1,200.00
06/22/2018	01	72011	00000687	MARLANE GRAPHICS, INC.	990.82
06/22/2018	01	72012	00000974	MCCARTHY AND COMPANY, PC	2,763.92
06/22/2018	01	72013	100000722	MEET CHOVIATIA	670.00
06/22/2018	01	72014	100000712	MELISSA UMFER	85.00
06/22/2018	01	72015	100000703	MICHAEL KROPP	1,150.00
06/22/2018	01	72016	100000188	MJ EARL	138.30
06/22/2018	01	72017	100000725	MONTGOMERY COUNTY CONSORTIUM	250.00
06/22/2018	01	72018	00001247	NELSON WIRE ROPE CORPORATION	21.20
06/22/2018	01	72019	100000711	NICOLE WINTERS	85.00

Check Date	Bank	Check	Vendor	Vendor Name	Amount
06/22/2018	01	72020	100000723	NILESH DADHICH	280.00
06/22/2018	01	72021	MISC	NORTH WALES CROSSING ASSOCS LTD	12,962.48
06/22/2018	01	72022	00000356	NORTH WALES WATER AUTHORITY	1,190.99
06/22/2018	01	72023	00000270	NYCE CRETE AND LANDIS CONCRETE	278.34
06/22/2018	01	72024	00001134	OFFICE DEPOT, INC	568.08
06/22/2018	01	72025	MISC-FIRE	PAUL R. MOGENSEN	75.00
06/22/2018	01	72026	00000397	PECO ENERGY	10,453.37
06/22/2018	01	72027	00000399	PECO ENERGY	7,750.60
06/22/2018	01	72028	00000595	PENN VALLEY CHEMICAL COMPANY	195.45
06/22/2018	01	72029	00000388	PENNSYLVANIA ONE CALL SYSTEM, INC.	254.70
06/22/2018	01	72030	00000009	PETTY CASH	14.00
06/22/2018	01	72031	00001171	PHILA OCCHEALTH/DBA WORKNET OCC	158.90
06/22/2018	01	72032	00000345	PRINTWORKS & COMPANY, INC.	235.64
06/22/2018	01	72033	100000726	PROFESSIONAL LAW ENFORCEMENT	239.00
06/22/2018	01	72034	00906102	READY REFRESH	289.92
06/22/2018	01	72035	100000428	REBOUNDERZ LANSDALE	100.00
06/22/2018	01	72036	00000439	RED THE UNIFORM TAILOR	1,323.10
06/22/2018	01	72037	00001146	RESERVE ACCOUNT	1,500.00
06/22/2018	01	72038	00001153	RICARDO DEJESUS	1,000.00
06/22/2018	01	72039	00000117	RIGGINS INC	2,186.86
06/22/2018	01	72040	00000115	RIGGINS, INC	1,325.60
06/22/2018	01	72041	03214665	ROBERT GORDON	325.00
06/22/2018	01	72042	00000441	ROBERT HART	251.29
06/22/2018	01	72043	00000452	S&S WORLDWIDE	2,039.28
06/22/2018	01	72044	00000969	SAFETY-KLEEN SYSTEMS, INC.	343.06
06/22/2018	01	72045	MISC	Sawyer Construction Co Inc.	1,200.00
06/22/2018	01	72046	00000653	SCATTON'S HEATING & COOLING, INC.	640.17
06/22/2018	01	72047	00000465	SHAPIRO FIRE PROTECTION COMPANY	170.55
06/22/2018	01	72048	00000163	SHARON TUCKER	38.30
06/22/2018	01	72049	00000833	SHERWIN WILLIAMS COMPANY	25.63
06/22/2018	01	72050	00000467	SNAP-ON INDUSTRIAL	124.56
06/22/2018	01	72051	00000015	SPRINT	449.58
06/22/2018	01	72052	MISC	SQUICCIARINI MARTIN F JR & MARY E	1,200.00
06/22/2018	01	72053	00001394	STANDARD INSURANCE COMPANY	7,698.72
06/22/2018	01	72054	00906014	STARS ON THE MOVE, INC.	425.00
06/22/2018	01	72055	100000713	SUSANA NIETO-STUBENBORT	85.00
06/22/2018	01	72056	00001860	TAYLOR JONES	1,000.00
06/22/2018	01	72057	00000502	THOMAS W. MCCAULEY	805.00
06/22/2018	01	72058	00002020	THOMSON REUTERS	210.00
06/22/2018	01	72059	00001771	TIMAC AGRO USA	2,163.00
06/22/2018	01	72060	100000434	TODD WALTER	1,000.00
06/22/2018	01	72061	00001984	TRAFFIC PLANNING AND DESIGN, INC.	12,913.78
06/22/2018	01	72062	00001998	TROPIANO BUS COMPANY LLC	475.00
06/22/2018	01	72063	00001998	TROPIANO BUS COMPANY LLC	475.00
06/22/2018	01	72064	00001998	TROPIANO BUS COMPANY LLC	475.00
06/22/2018	01	72065	00001998	TROPIANO BUS COMPANY LLC	475.00
06/22/2018	01	72066	00001998	TROPIANO BUS COMPANY LLC	475.00
06/22/2018	01	72067	00001998	TROPIANO BUS COMPANY LLC	750.00
06/22/2018	01	72068	00001998	TROPIANO BUS COMPANY LLC	475.00
06/22/2018	01	72069	00001998	TROPIANO BUS COMPANY LLC	475.00
06/22/2018	01	72070	00001998	TROPIANO BUS COMPANY LLC	475.00
06/22/2018	01	72071	03214643	UNWINED & PAINT	160.00
06/22/2018	01	72072	00000040	VERIZON	109.39
06/22/2018	01	72073	00000040	VERIZON	40.06
06/22/2018	01	72074	MISC	VINCENT & DIANE PAPPAS	618.00
06/22/2018	01	72075	00001329	WELDON AUTO PARTS	905.08
06/22/2018	01	72076	00000632	WEST GENERATOR SERVICES INC.	1,927.30
06/22/2018	01	72077	00001084	WITMER ASSOCIATES, INC.	775.35
06/22/2018	01	72078	00001722	ZOLL MEDICAL CORPORATION	213.75

01 TOTALS:

{1 Check Voided}

Total of 130 Disbursements:

143,755.66

06/22/2018

Check List  
For Check Dates 06/12/2018 to 06/25/2018

Check Date	Name	Amount		
06/14/2018	BCG 401	401 Payment	\$	16,226.88
06/14/2018	BCG 457	457 Payment	\$	11,006.71
06/14/2018	PA SCDU	Withholding Payment	\$	1,011.52
06/14/2018	UNITED STATES TREASURY	941 Tax Payment	\$	80,410.30
06/20/2018	STATE OF PA	State Tax Payment	\$	8,999.65
Total Checks: 5			\$	117,655.06