

AGENDA
MONTGOMERY TOWNSHIP
BOARD OF SUPERVISORS
DECEMBER 16, 2019

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

Lawrence J. Gregan
Township Manager

ACTION MEETING – 7:00 PM

1. Call to Order by Chairman
2. Pledge of Allegiance
3. Public Comment
4. Announcement of Executive Session
5. Consider Approval of Minutes of November 25, 2019 Meeting
6. Introduce New Public Works Department Employee
7. Consider Approval of Montgomery Township Municipal Sewer Authority 2020 Budget
8. Consider Approval of Montgomery Township Municipal Sewer Authority 2019 Tapping Fee Agreements
9. Consider Adoption of Final 2020 Township Budget
10. Consider Definition and Commitment of Fund Balances in Accordance with GASB Statement No. 54
11. Consider Authorization to Advertise the Reorganization Meeting of January 6, 2020 at 7:00 p.m.
12. Consider Award of Contract – Audit of 2019 Financial Statements
13. Consider “Offer to Purchase Unimproved Property” –County Stump Road Bridge Project
14. Consider Approval of Amendments to the Employee Handbook
 - a. Whistleblower Policy
 - b. Commercial Drivers License Policy Update
15. Consider Approval of Change Order #1 to 2019 Curb and Sidewalk Project
16. Consider Award of Bids – Municibid Online Surplus Asset Sale – Public Works Equipment
17. Consider Conditional Preliminary/Final Land Development Plan LDS #701 - Montgomery Realty Associates – 744 Bethlehem Pike
18. Consider Approval Conditional Final Land Development Plan Pro Real Ventures Car Wash LDS # 699 – DeKalb Pike and Welsh Road
19. Consider Escrow Release #1 for Water Tower Square Assoc. - Millers Ale House LDS #697
20. Consider Escrow Release #1 for 150 Domorah Drive - Parking Lot Expansion - M-17-99
21. Consider Escrow Release #2 for 309 Automall, L.P. – Montgomeryville Nissan – LDS#691
22. Consider Appointment of Acting Township Manager
23. Consider Payment of Bills

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24. Other Business

25. Adjournment

Future Public Hearings/Meetings:

12-18-2019 @ 5:00 p.m. – Sewer Authority

12-18-2019 @ 7:30 p.m. – Shade Tree Commission

01-06-2020 @ 7:00 p.m. – Board of Supervisors Reorganization Meeting

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Public Comment

MEETING DATE: December 16, 2019

ITEM NUMBER: #3

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

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

INITIATED BY: Lawrence J. Gregan
Township Manager

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

BACKGROUND:

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

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

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

None.

MOTION/RESOLUTION:

None.

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

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Approval of Minutes for November 25, 2019

MEETING DATE: December 16, 2019

ITEM NUMBER: #5

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

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

INITIATED BY: Lawrence J. Gregan
Township Manager

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

BACKGROUND:

Please contact Deb Rivas on Monday, December 16, 2019 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:

I move that we approve the minutes as submitted.

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

**MINUTES OF MEETING
MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
NOVEMBER 25, 2019**

At 6:00 p.m., Chairman Michael J. Fox called to order the Executive Session. In attendance were Vice Chairman Candyce Fluehr Chimera, Supervisors Tanya C. Bamford, Jeffrey W. McDonnell and Matthew W. Quigg. Also in attendance was Township Manager Lawrence J. Gregan, Township Manager Designee Carolyn McCreary, and Township Solicitor Robert J. Iannozzi, Esquire.

Chairman Michael J. Fox called the action meeting to order at 7:00 p.m. In attendance were Vice Chairman Candyce Fluehr Chimera, Supervisors Tanya C. Bamford, Jeffrey W. McDonnell and Matthew W. Quigg. Also in attendance were Township Solicitor Robert J. Iannozzi, Esquire, Township Manager Lawrence Gregan, Township Manager Designee Carolyn McCreary, Police Chief Scott Bendig, Director of Administration and Human Resources Ann Shade, Assistant to the Township Manager Stacy Crandell, Director of Planning and Zoning Bruce Shoupe, Director of Public Works Kevin Costello, Director of Recreation and Community Center Floyd Shaffer, Recording Secretary Deborah A. Rivas and Director of Information Technology Richard Grier.

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

Pennsylvania State Representative Todd Stephens presented retiring Township Manager Lawrence J. Gregan with a Citation from the PA House of Representatives honoring Mr. Gregan for his 42 years of public service and congratulating him on his retirement.

Chairman Michael J. Fox acknowledged a future Eagle Scout who was present at the meeting. Connor Poli introduced himself and stated that he was attending the meeting to earn a merit badge for Citizenship in the Community.

Solicitor Robert J. Iannozzi, Esquire announced that the Board had met in an executive session prior to this meeting at 6:00 p.m. The Board discussed two matters of litigation, one personnel matter, one update on the Fire Union negotiations and one potential litigation matter. The litigation matters were Lear vs. Montgomery Township and Mirabella vs. Montgomery Township. Mr. Iannozzi stated that these matters are all legitimate subjects of executive session pursuant to Pennsylvania's Sunshine Law.

Chairman Michael J. Fox made a motion to approve the minutes of the November 11, 2019 Board of Supervisors meeting and Vice Chairman Candyce Fluehr Chimera seconded the motion. The minutes of the meeting were unanimously approved as submitted.

Assistant to the Township Manager Stacy Crandell reported that back on March 24, 2016, the Township was awarded funding through the Transportation Alternatives Program (TAP) Grant in the amount of \$850,000 for the Power Line Trail Connection Phase 1 Project. This project was proposed to connect the Route 202 Parkway Trail to the Power Line Trail in Horsham Township. While investigating an issue involving a crossing of a sewer authority pipe, Traffic Planning and Design (TPD), the Township Traffic Engineer pointed out that the stream and floodplain crossing required by the project could also require FEMA approval due to the impact on the floodplain and wetlands. In August of 2019, TPD detailed four different options to cross the stream and floodplain trail. Of the four, there are really only two possible options. Both of these options will require FEMA coordination. This coordination will add significant costs and time to complete this project. These costs would not be included under the TAP Grant and the additional time will not allow the Township to meet the grant deadline of August 2020 to complete the project and receive the funding. The DVPRC, project manager for the grant, is recommending that the Township withdraw from the TAP Grant Funding Award rather than miss the deadline and lose the funding. The Township can reapply for the grant once the project is ready to move forward. Ms. Crandell asked the Board for their preference. Chairman Fox opined that its unfortunate, but it is a reality, and as such, the Township should probably withdraw from

the grant. As State Representative Todd Stephens was present, Chairman Fox asked him for his thoughts. Rep. Stephens requested a meeting with Township staff to fully understand the scope of the issue and see if he is able to help in anyway. Chairman Fox asked if the Board could postpone its decision on the matter. Ms. Crandell indicated that the letter requesting the Township's decision is expected in January 2020, so there is time to review the options. The Board unanimously agreed to table the matter until a future meeting.

Director of Community and Recreation Center, Floyd Shaffer presented the proposed programs for Winter 2020 at the Montgomery Township Community and Recreation Center. The schedule is valid from January 2, 2020 through April 5, 2020 and will be advertised through all of the Township various communication channels. Resolution #1 made by Chairman Michael J. Fox, seconded by Supervisor Matthew W. Quigg and adopted unanimously, approved the 2020 Winter Programs and Fee Schedule amendment as submitted.

Director of Public Works Kevin Costello reported that there is a pipe failure in the backyard of the property at 208 Durham Way in the Heather Knoll Development, which has become a safety issue. Township Engineer, Gilmore Associates, evaluated the pipe for potential replacement or re-lining. It was agreed that re-lining would be the best option for this situation due to the amount of landscaping that would need to be removed. Resolution #2 made by Chairman Michael J. Fox, seconded by Vice-Chairman Candyce Fluehr Chimera and adopted unanimously, approved the proposal provided by Trenchless Today LLC in the amount of \$13,898.37 to re-line the storm sewer pipe located behind the property at 208 Durham Way.

Township Manager Designee Carolyn McCreary reported that Harbor International Institutional is one of the investment advisors for the police pension plan. They were approved in 2007. Specifically, they manage the international funds for the police pension plan. At this time, Tom Schatzman with Morgan Stanley-Graystone Consulting is recommending a change, primarily due to a sub-manager change at Harbor. The international fund has been underperforming its benchmark by about 2%. The Pension Committee is recommending to the

Board of Supervisors that they consider replacing Harbor International fund with the Vanguard Developed Markets (VDM) Fund. Resolution #3 made by Chairman Michael J. Fox, seconded by Supervisor Matthew W. Quigg and adopted unanimously, approved Morgan Stanley-Graystone Consulting to proceed with the recommendation to replace Harbor International Equity Fund with the Vanguard Developed Markets Fund in the Montgomery Township Police Pension Plan.

Chief of Police J. Scott Bendig reported that on May 13, 2019, the Board of Supervisors authorized the sale of two 2014 Dodge Charger police patrol vehicles through the online auction company Municibid. The bids closed on November 21, 2019. Resolution #4 made by Chairman Michael J. Fox, seconded by Supervisor Tanya C. Bamford and adopted unanimously, authorized the sale of a 2014 Dodge Charger to John Rodgers of Southampton PA in the amount of \$5,300.00 and the sale of a 2014 Dodge Charger to H. Perez of St. Cloud, Florida in the amount of \$6,700.00 in accordance with the terms and agreement through the online auction company Municibid.

Director of Planning and Zoning Bruce Shoupe reported that the Shade Tree Commission, on behalf of the Township, would like to submit a grant application to the PECO Green Region Open Space Program Bonus Opportunity for the installation of trees to create a shaded area around the future tot lot in Friendship Park. The maximum award is \$10,000 per County and matching funds are not required. Resolution #5 made by Chairman Michael J. Fox and seconded by Vice-Chairman Candyce Fluehr Chimera and adopted unanimously, authorized the submission of a grant application to the PECO Green Region Open Space Program for the Friendship Park trail.

Director of Planning and Zoning Bruce Shoupe stated that the applications for the Tree City Recognition and the Growth Award sponsored by Arbor Day Foundation in cooperation with the USDA Forest Service and the National Association of State Foresters were ready to be submitted. Mr. Shoupe stated that the Township has received the Tree City recognition for the

last twenty-two years and has received the Growth Award for eighteen of those years.

Resolution #6 made by Chairman Michael J. Fox, seconded by Supervisor Matthew W. Quigg, and adopted unanimously, approved the applications for Montgomery Township to receive the 2019 Tree City USA Recertification and 2019 Growth Award.

Resolution #7 made by Chairman Michael J. Fox, seconded by Supervisor Tanya C. Bamford and adopted unanimously, authorized the construction escrow release in the amount of \$54,040.05 and the start of the maintenance period as recommended by the Township Engineer for WB Commons LP.

Resolution #8 made by Chairman Michael J. Fox, seconded by Vice-Chairman Candyce Fluehr Chimera and adopted unanimously, authorized the construction escrow release in the amount of \$136,800.00, as recommended by the Township Engineer for Higher Rock Partners LP.

Resolution #9 made by Chairman Michael J. Fox, seconded by Supervisor Matthew W. Quigg and adopted unanimously, authorized the construction escrow release in the amount of \$315,305.00, as recommended by the Township Engineer for Meadows at Parkview.

A motion to approve the payment of bills was made by Chairman Michael J. Fox, 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 7:36 p.m.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Introduce New Public Works Department Employee

MEETING DATE: December 16, 2019

ITEM NUMBER: #6

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

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

INITIATED BY: Kevin A. Costello
Director of Public Works



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

BACKGROUND:

Tonight we would like to introduce and welcome new employee, Jerry "Dale" Alderfer, to Montgomery Township as a Laborer in the Public Works Department. He will be working under Greg Reiff, Park Foreman, to assist with park maintenance and other various tasks. This position is filling a vacancy in the Department.

Dale joined us on December 9, 2019 and brings a wide range of experience as a laborer, including equipment maintenance and operations, hydraulic and electrical theory and small engine service and repairs.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

PREVIOUS BOARD ACTION:

ALTERNATIVES/OPTIONS:

BUDGET IMPACT:

Funding for the position has been allocated in the approved 2019 Budget.

RECOMMENDATION:

Welcome Jerry Dale Alderfer as a new employee of Montgomery Township.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby welcome new employee, Jerry Dale Alderfer, to Montgomery Township effective December 9, 2019.

MOTION: _____ SECOND: _____

ROLL CALL:

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

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

Montgomery Township Municipal Sewer Authority Final Budget 2020

Revenue Summary	MTMSA Board Approved 2020 Budget
Sewer Rentals	5,666,000.00
Tapping Fees	150,000.00
Auxiliary Waste Income	150,000.00
Interest Income	125,000.00
Other Income	100,600.00
TOTAL REVENUE	6,191,600.00
Expense Summary	
Personnel Expenses	1,613,600.00
Consultant Fees	218,000.00
Operation Expenses	1,357,400.00
Treatment Fees	1,414,000.00
Administrative and Other	128,400.00
TOTAL EXPENSES	4,731,400.00
NET OPERATING POSITION	1,460,200.00
Less: CAPITAL EXPENSES	2,248,000.00
FUNDED FROM CAPITAL RESERVES	787,800.00
Net Budget	0.00

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Approval of Montgomery Township Municipal Sewer Authority 2019 Tapping Fees

MEETING DATE: December 16, 2019

ITEM NUMBER: #8

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

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

INITIATED BY: Lawrence J. Gregan
Township Manager

BOARD LIAISON: Jeffrey W. McDonnell, Supervisor
Liaison - Sewer Authority

BACKGROUND:

Attached is a listing of the Tapping Fee Agreements that were approved by the MTMSA Board in 2019.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Approve the Authority's Tapping Fee Agreements as presented.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we have reviewed the Montgomery Township Municipal Sewer Authority agreements as presented at the public meeting of December 16, 2019.

MOTION: _____ SECOND: _____

ROLL CALL:

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

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

MONTGOMERY



TOWNSHIP

MUNICIPAL SEWER AUTHORITY

1001 STUMP ROAD, MONTGOMERYVILLE, PA 18936-0605

December 11, 2019

To: Montgomery Township Board of Supervisors

From: Montgomery Township Municipal Sewer Authority Board

Re: Tapping Fee and Development Agreements Approved in 2019

The following Tapping Fee and Development Agreements/Amendments were approved by the Board of the Authority in 2019:

McCallum Tract new connection located at Richardson Road and Veronica Lane	
1 EDU	Hatfield Basin
Police and Fire Credit Union new connection located at 798 Bethlehem Pike	
1 EDU	Hatfield Basin
OM Property Management LLC connection/additional capacity located at 671 Bethlehem Pike	
5 EDUs	Hatfield Basin
Teledyne Scientific purchase of additional capacity located at 221 Commerce Drive	
7 EDUs	Eureka Basin
Assi Plaza purchase of additional capacity located at 1218-1222 Welsh Road	
16 EDUs	Eureka Basin
Meadows at Parkview Toll Brothers new connections located on Bethlehem Pike	
42 EDU's	Eureka Basin

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

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Adoption of Montgomery Township 2020 Final Budget

MEETING DATE: December 16, 2019

ITEM NUMBER: #9

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

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

INITIATED BY: Lawrence J. Gregan
Township Manager 

BOARD LIAISON: Candyce Fluehr Chimera-Vice Chair
Liaison – Finance Committee

BACKGROUND:

The Proposed Budget for 2020 was presented to the Board of Supervisors in October 2019. The Board held four public workshop meetings to discuss the budget in October/November and approved the Preliminary Budget on November 11, 2019. The proposed budget was advertised on November 20, 2019 for consideration for final adoption at the Board Meeting on December 16, 2019. A brief presentation on the proposed Final Budget will be made at the December 16th public meeting. Please see the attached budget summary documents.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT: None.

PREVIOUS BOARD ACTION: Adoption of Preliminary 2020 Budget on November 11, 2019.

ALTERNATIVES/OPTIONS:

The deadline for adoption of the Final Budget is December 31, 2019. For any revisions to the proposed final budget, if the estimated revenues or expenses in the final budget are increased more than ten percent in the aggregate or more than twenty-five percent in any major category over the proposed budget, the budget may not be legally adopted with those increases unless it is again advertised once, the same as the original proposed budget, and an opportunity (twenty days) given to taxpayers to examine the proposed amended budget. This would result in delay of adoption of the Final Budget until January 2020 and possible loss of authority to spend money in the new year until a budget is adopted.

During the month of January following any municipal election, the Board of Supervisors may amend the budget and tax rate. A period of ten days' public inspection of the proposed amended budget is required before consideration of adoption of the final amended budget. Any amended budget must be adopted by the Board of Supervisors on or before the fifteenth day of February.

BUDGET IMPACT: Adopts entire budget for all Operating and Capital Reserve Funds for the 2020 fiscal year.

RECOMMENDATION: Adoption of the final 2020 Montgomery Township Budget.

MOTION/RESOLUTION: There are three (3) separate Resolutions to be adopted for approval of the 2020 Final Budget. Please see attached three (3) sheets for these Resolutions.

MOTION: _____

SECOND: _____

ROLL CALL:

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

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

Resolution #

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that the 2020 Montgomery Township Budget be adopted as presented on November 11, 2019 and as advertised on November 20, 2019 and as described in the attached summary.

MOTION BY:

SECOND BY:

VOTE:

DATE: December 16, 2019

cc: C. McCreary, Minute Book, Resolution File

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that the 2020 Tax Levy Resolution of Montgomery Township be adopted as follows:

General Fund	.89 mills or 8.9 cents per every \$100 of assessed value
Debt Service	.15 mills or 1.5 cents per every \$100 of assessed value
Fire Protection	.17 mills or 1.7 cents per every \$100 of assessed value
<u>Park & Recreation</u>	<u>.24 mills or 2.4 cents per every \$100 of assessed value</u>
Total	1.49 mills or 14.9 cents per every \$100 of assessed value

BE IT FURTHER RESOLVED by the Board of Supervisors of Montgomery Township that Montgomery Township establishes the Homestead Exclusion amount for the year 2020 at \$30,000, to be applicable to residential properties that are owner occupied and have been approved by the Montgomery County Board of Assessments.

MOTION BY:

SECOND BY:

VOTE:

DATE: December 16, 2019

cc: C. McCreary, P. Gallagher, Minute Book, Resolution File

Resolution #

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby establish the following street light assessments for 2020:

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

MOTION BY:

SECOND BY:

VOTE:

DATE: December 16, 2019

cc: C. McCreary, P. Gallagher, Minute Book, Resolution File

Montgomery Township - 2020 Final Budget

FUND-DEPT	DESCRIPTION	2019 AMENDED BUDGET	2020 FINAL BUDGET
Fund 01 - General Fund			
REVENUES			
	Totals for dept 301 - REAL ESTATE TAXES	\$1,816,700	\$1,616,640
	Totals for dept 304 - EARNED INCOME TAX	\$5,350,000	\$5,450,000
	Totals for dept 310 - LOCAL ENABLING TAXES	\$4,620,500	\$4,620,500
	Totals for dept 320 - PERMITS	\$657,500	\$657,500
	Totals for dept 321 - LICENSES	\$710,000	\$710,000
	Totals for dept 331 - FINES	\$175,000	\$175,000
	Totals for dept 341 - INTEREST	\$50,000	\$50,000
	Totals for dept 355 - GRANTS	\$662,790	\$707,790
	Totals for dept 360 - DEPARTMENT SERVICES	\$101,900	\$101,900
	Totals for dept 390 - OTHER FINANCING SOURCES	\$80,000	\$80,000
	Totals for dept 392 - INTERFUND TRANSFERS	\$608,120	\$499,860
	TOTAL REVENUES	\$14,832,510	\$14,669,190
EXPENDITURES			
	Totals for dept 400 - ADMINISTRATION	\$1,385,640	\$1,421,360
	Totals for dept 403 - TAX COLLECTION	\$206,420	\$209,860
	Totals for dept 405 - FINANCE	\$522,730	\$430,330
	Totals for dept 407 - INFORMATION TECHNOLOGY	\$260,840	\$328,690
	Totals for dept 410 - POLICE - GENERAL	\$6,934,620	\$7,188,280
	Totals for dept 411 - POLICE - VEHICLES	\$201,980	\$226,280
	Totals for dept 413 - FIRE PROTECTION	\$91,670	\$91,520
	Totals for dept 414 - CODE ENFORCEMENT	\$820,700	\$809,740
	Totals for dept 415 - EMERGENCY AND VMSC	\$14,570	\$14,520
	Totals for dept 430 - PUBLIC WORKS - GENERAL	\$2,317,640	\$2,228,920
	Totals for dept 432 - PUBLIC WORKS - SNOW	\$107,640	\$126,040
	Totals for dept 433 - PUBLIC WORKS - TRAFFIC	\$123,180	\$140,450
	Totals for dept 434 - PUBLIC WORKS - STREET L	\$21,200	\$21,200
	Totals for dept 438 - PUBLIC WORKS - REPAIRS	\$34,000	\$40,000
	Totals for dept 492 - INTERFUND TRANSFERS	\$1,789,680	\$1,342,000
	TOTAL APPROPRIATIONS	\$14,832,510	\$14,619,190
	NET OF REVENUES/APPROPRIATIONS - FUND 01	\$0	\$50,000

Montgomery Township - 2020 Final Budget

FUND-DEPT	DESCRIPTION	2019 AMENDED BUDGET	2020 FINAL BUDGET
Fund 04 - FIRE PROTECTION			
	TOTAL REVENUES	\$1,061,810	\$1,010,460
	TOTAL APPROPRIATIONS	\$1,061,810	\$1,010,380
	NET OF REVENUES/APPROPRIATIONS - FUND 04	\$0	\$80
Fund 05 - PARK AND RECREATION			
	TOTAL REVENUES	\$422,450	\$461,630
	TOTAL APPROPRIATIONS	\$422,450	\$461,630
	NET OF REVENUES/APPROPRIATIONS - FUND 05	\$0	\$0
Fund 06 - BASIN MAINTENANCE			
	TOTAL REVENUES	\$82,460	\$0
	TOTAL APPROPRIATIONS	\$82,460	\$0
	NET OF REVENUES/APPROPRIATIONS - FUND 06	\$0	\$0
Fund 07 - STREET LIGHTS			
	TOTAL REVENUES	\$144,230	\$144,230
	TOTAL APPROPRIATIONS	\$144,230	\$144,230
	NET OF REVENUES/APPROPRIATIONS - FUND 07	\$0	\$0
Fund 08 - RECREATION CENTER			
	TOTAL REVENUES	\$1,126,950	\$1,133,050
	TOTAL APPROPRIATIONS	\$1,126,950	\$1,133,050
	NET OF REVENUES/APPROPRIATIONS - FUND 08	\$0	\$0
Fund 19 - CAPITAL PROJECTS			
	TOTAL REVENUES	\$107,270	\$107,270
	TOTAL APPROPRIATIONS	\$107,270	\$107,270
	NET OF REVENUES/APPROPRIATIONS - FUND 19	\$0	\$0
Fund 23 - DEBT SERVICE			
	TOTAL REVENUES	\$336,610	\$501,000
	TOTAL APPROPRIATIONS	\$481,200	\$481,200
	NET OF REVENUES/APPROPRIATIONS - FUND 23	-\$144,590	\$19,800

Montgomery Township - 2020 Final Budget

FUND-DEPT	DESCRIPTION	2019 AMENDED BUDGET	2020 FINAL BUDGET
Fund 30 - CAPITAL RESERVE			
	TOTAL REVENUES	\$960,410	\$1,035,000
	TOTAL APPROPRIATIONS	\$4,286,750	\$6,155,750
	NET OF REVENUES/APPROPRIATIONS - FUND 30	-\$3,326,340	-\$5,120,750
Fund 31 - PARK DEVELOPMENT FUND			
	TOTAL REVENUES	\$141,890	\$54,400
	TOTAL APPROPRIATIONS	\$0	\$0
	NET OF REVENUES/APPROPRIATIONS - FUND 31	\$141,890	\$54,400
Fund 35 - LIQUID FUELS			
	TOTAL REVENUES	\$725,110	\$710,510
	TOTAL APPROPRIATIONS	\$997,080	\$904,600
	NET OF REVENUES/APPROPRIATIONS - FUND 35	-\$271,970	-\$194,090
Fund 50 - FIRE RELIEF			
	TOTAL REVENUES	\$205,000	\$222,610
	TOTAL APPROPRIATIONS	\$205,000	\$222,610
	NET OF REVENUES/APPROPRIATIONS - FUND 50	\$0	\$0
Fund 60 - POLICE PENSION			
	TOTAL REVENUES	\$851,860	\$810,000
	TOTAL APPROPRIATIONS	\$851,860	\$810,000
	NET OF REVENUES/APPROPRIATIONS - FUND 60	\$0	\$0
Fund 65 - DEFINED CONTRIBUTION			
	TOTAL REVENUES	\$303,450	\$298,200
	TOTAL APPROPRIATIONS	\$303,450	\$298,200
	NET OF REVENUES/APPROPRIATIONS - FUND 65	\$0	\$0
Fund 66 - DEFERRED COMPENSATION			
	TOTAL REVENUES	\$265,220	\$331,450
	TOTAL APPROPRIATIONS	\$265,220	\$331,450
	NET OF REVENUES/APPROPRIATIONS - FUND 66	\$0	\$0

Montgomery Township - 2020 Final Budget

FUND-DEPT	DESCRIPTION	2019 AMENDED BUDGET	2020 FINAL BUDGET
Fund 92 - POLICE DONATION			
	TOTAL REVENUES	\$1,530	\$1,500
	TOTAL APPROPRIATIONS	\$1,500	\$1,500
	NET OF REVENUES/APPROPRIATIONS - FUND 92	\$30	\$0
Fund 93 - ENVIRONMENT			
	TOTAL REVENUES	\$51,410	\$51,410
	TOTAL APPROPRIATIONS	\$46,770	\$46,770
	NET OF REVENUES/APPROPRIATIONS - FUND 93	\$4,640	\$7,410
Fund 94 - REPLACEMENT TREE			
	TOTAL REVENUES	\$65,970	\$65,970
	TOTAL APPROPRIATIONS	\$65,970	\$65,670
	NET OF REVENUES/APPROPRIATIONS - FUND 94	\$0	\$300
Fund 95 - AUTUMN FESTIVAL			
	TOTAL REVENUES	\$28,100	\$28,100
	TOTAL APPROPRIATIONS	\$28,060	\$27,250
	NET OF REVENUES/APPROPRIATIONS - FUND 95	\$40	\$850
Fund 96 - RESTORATION FUND			
	TOTAL REVENUES	\$20	\$0
	TOTAL APPROPRIATIONS	\$9,900	\$9,900
	NET OF REVENUES/APPROPRIATIONS - FUND 96	-\$9,880	-\$9,900
2019 Budget - All Funds			
	REVENUES - ALL FUNDS	\$21,714,260	\$21,635,980
	APPROPRIATIONS - ALL FUNDS	\$25,320,440	\$26,830,650
	NET OF REVENUES/APPROPRIATIONS - ALL FUNDS	-\$3,606,180	-\$5,194,670
Annual Deficits Due to Use of Capital Reserve Funds for Capital Projects.			



Montgomery Township

2020 Proposed Final Budget

BUDGET POLICY

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



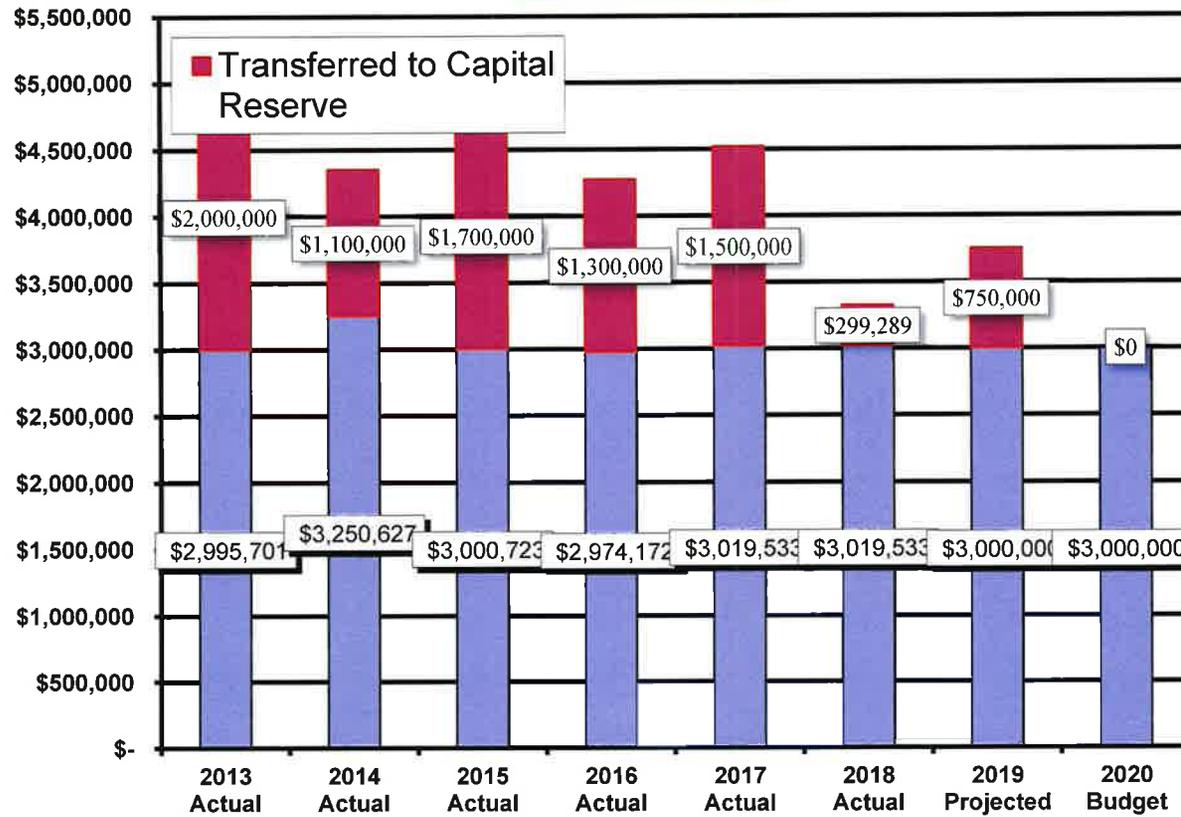
Overview

Fund Balance

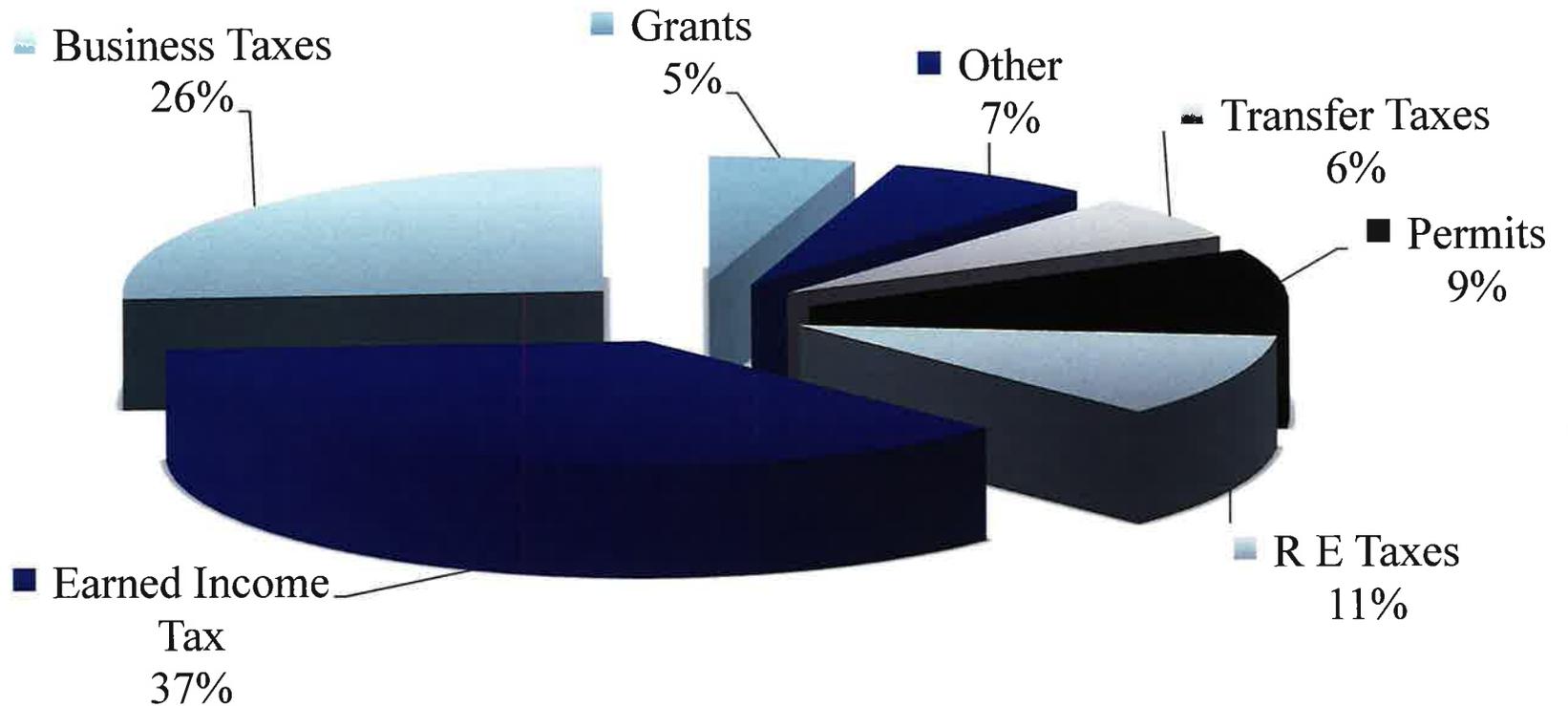
- Projecting approximately \$750K increase in General Fund Balance by end of 2019.
- Retain \$3M General Fund Balance – 20% of proposed 2020 General Fund Expenditures.



GENERAL FUND BALANCES 2013-2020



REVENUE COMPONENTS GENERAL FUND – 2020



- Grants
- Other
- Transfer Taxes
- Permits
- R E Taxes
- Earned Income Tax
- Business Taxes

TOTAL: \$14,669,190



GENERAL FUND REVENUE COMPARISON 2019-2020

	<i>2019 Budget</i>	<i>2020 Budget</i>	<i>Percent Change</i>
Tax Revenues	\$ 11,787,200	\$ 11,687,140	-1%
Non-Tax Revenues	2,437,190	2,482,190	1.8%
Interfund Transfers	608,120	499,860	-17.8%
Total Revenues	\$ 14,832,510	\$ 14,669,190	-1.1%

2020 BUDGET PROJECTIONS GENERAL FUND REVENUES

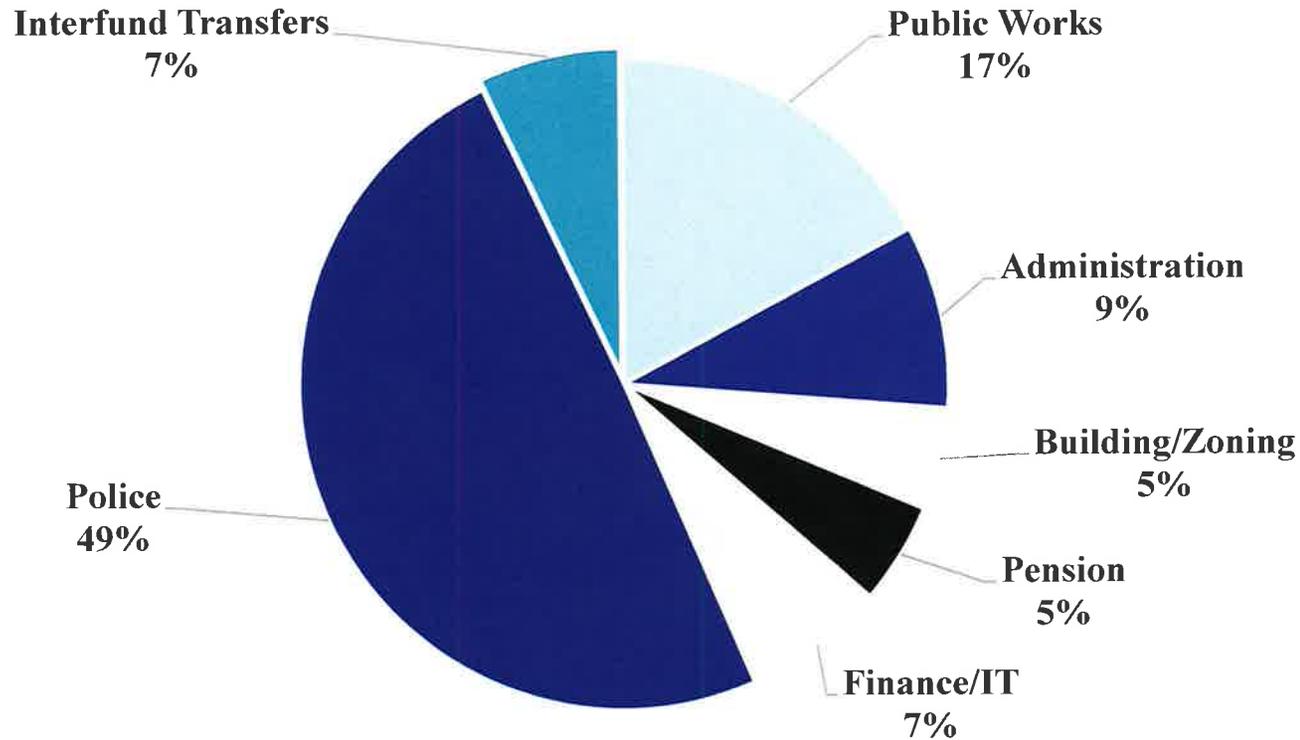
- Real-estate Tax Rate maintained at 1.49 mills
- Same rate since 2006
- Retain Homestead Exclusion of \$30,000
 - Over 75% of Residential Property Owners Participate
 - \$320,000 in Annual Tax Relief

GENERAL FUND REVENUES

MAJOR COMPONENTS

- **Earned Income Tax** – Budgeted with 1.8% increase from 2019 budget. Historical trends show EIT revenues continuing to grow but as a modest rate.
 - EIT budgeted with an allocation of \$310K to Fire Protection Fund and \$140K to Recreation Fund.
- **Real Estate Tax Revenues** - Budgeted with a 11% decrease stemming from .09 mills being redirected to the Debt Service Fund.
- **Interfund Transfer Revenues** – Budgeted with a 17% decrease due to lower budgeted expenditures for Capital Replacement Equipment.

EXPENSE COMPONENTS GENERAL FUND – 2020

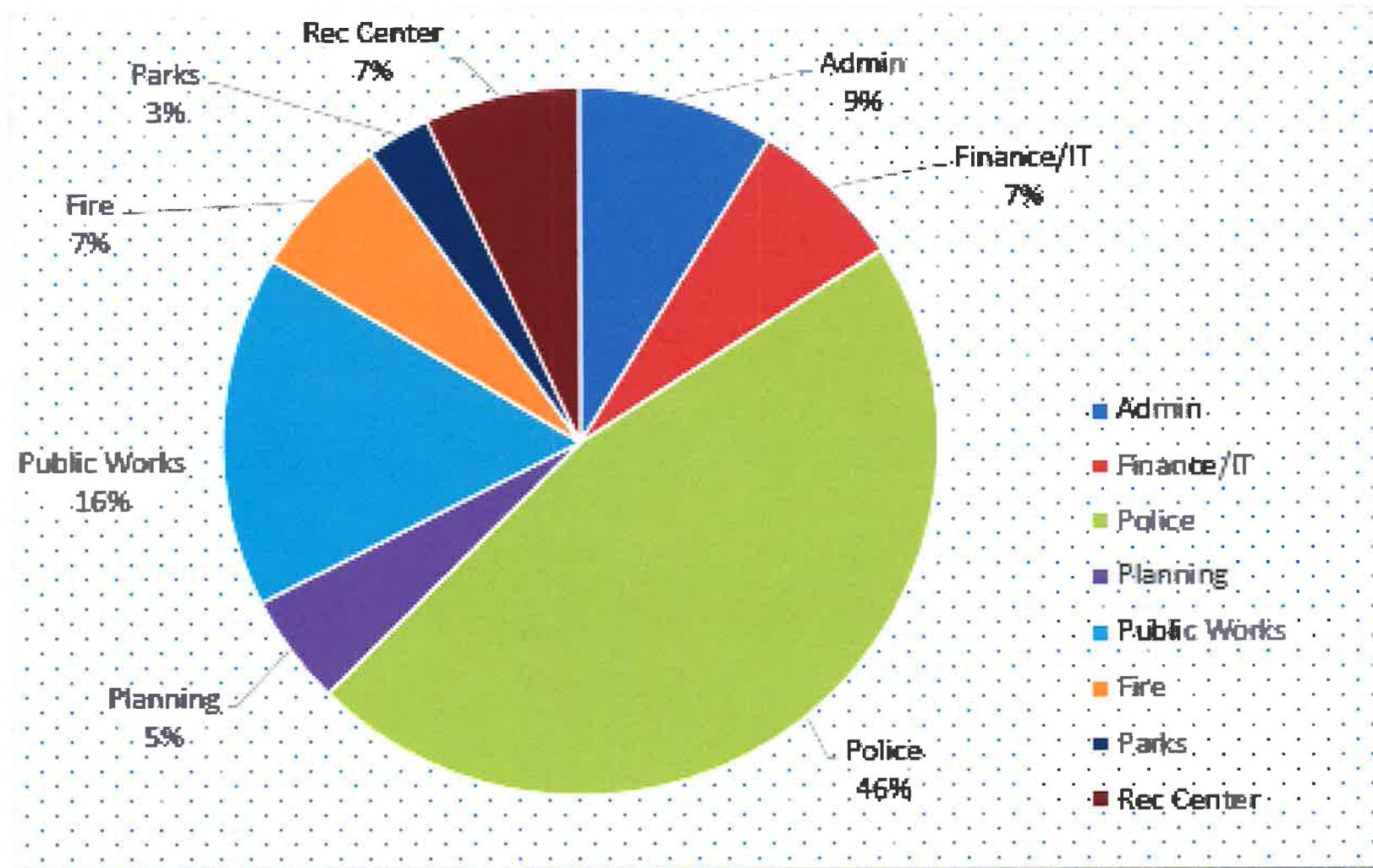


- Public Works
- Administration
- Building/Zoning
- Pension
- Finance/IT
- Police
- Interfund Transfers

TOTAL:
\$14,619,190



EXPENSE COMPONENTS ALL OPERATING FUNDS – 2020



GENERAL FUND EXPENSE COMPARISON 2019-2020

	<i>2019 Budget</i>	<i>2020 Budget</i>	<i>Percent Change</i>
Personnel Expenditures <small>* Includes pension MMO's</small>	\$10,949,340	\$11,101,440	1.3%
Non-Personnel Expenditures	2,945,350	3,035,750	2.7%
Interfund Transfers/Capital	987,820	525,000	- 43%
Total Expenditures	\$14,832,510	\$14,661,190	1.1%

2020 GENERAL FUND EXPENDITURES MAJOR COMPONENTS

- Salaries/Wages

- Non-Uniformed Employees' increase budgeted at 3%.
- Career Firefighters' subject to Collective Bargaining.
- Uniformed Police increase budgeted at 3.5% as specified by the collective bargaining agreement.
- Possible addition of a 3rd full-time position in the Information Technology department.
- Elimination of one full time position in the Finance Department.



2019 GENERAL FUND EXPENDITURES MAJOR COMPONENTS

- **Medical, Rx, and Dental Premiums** – Net annual increase of 3.5% per DVHT Renewal Rates less discounts.
- **Workers Compensation Insurance** - Budgeted with 3% increase based on DVWCT rate projections.
- **General Liability Insurance** - Premiums budgeted with a 7% increase based on DVLPT rate projections

TRANSFERS TO CAPITAL RESERVE FUND

- 16-Year Road Replacement Plan - total annual transfer of \$325K included in the 2020 Budget.
- 10-Year Equipment Replacement Plan Transfer deferred in the 2020 Budget.

Major Capital Expenditures

- Replacement Equipment - \$505,960
- New Capital Equipment - \$264,040
- New Fire Equipment – 1,400,000
- Curb/Sidewalk/Road Paving Program - \$1,589,000
- Engineering and Construction/Reconstruction Projects
 - Rose Twig Park Hockey Court Surface - \$107,000
 - Friendship Park Playground - \$710,000
 - Traffic Signal Upgrades - Bethlehem Pike - \$500,000
 - Knapp Road Storm Sewer Replacement - \$751,000
 - Zehr Tract Building Demolition - \$128,000
 - Street Light System Conversion to LED Technology - \$540,000

OTHER FUNDS

- **Fire Protection (04)** – Balanced - Fund Balance of **\$500K**.
- **Parks Fund(05)** – Balanced – Fund Balance of **\$600K**.
- **Basin Maintenance (06)** – No expenditures budgeted for 2020. Fund Balance \$0.
- **Street Light (07)** – Balanced - Fund Balance of **\$50K**.
- **Recreation Center (08)** – Balanced.
- **Debt Service (23)** – \$45K deficit due to partial payment of annual debt service from fund balance. Deficit to clear in 2020.

OTHER FUNDS (cont.)

- **Capital Reserve (30)** – **\$5.1M deficit** offset by use of designated and undesignated capital reserve funds. Available Reserve Funds of **11.5M**.
- **Park Development (31)** – **\$122K surplus** based on projected developer contributions. Fund Balance of **\$259K**.
- **Liquid Fuels (35)** – **\$194K deficit** due to planned road work in 2020. Offset from fund balance of **\$500K**.
- **Environmental Fund (93)** – **Balanced** – Fund Balance of **\$400K**.
- **Shade Tree Fund (94)** – **Balanced** – Fund Balance of **\$250K**.



THANK YOU!

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

12/13/2019

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

MEETING DATE: December 16, 2019 ITEM NUMBER: #10.

MEETING/AGENDA: WORK SESSION ACTION XX NONE

REASON FOR CONSIDERATION: Operational: XX Policy: Discussion:

INITIATED BY: Carolyn McCreary BOARD LIAISON: Michael Fox, Chairman
Township Manager Designee



BACKGROUND:

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

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

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT: None

PREVIOUS BOARD ACTION: Adoption of GASB category definitions and designations of all fund balances.

ALTERNATIVES/OPTIONS: The Board has the option to reassign fund balances to various categories based on the use of the respective balances.

BUDGET IMPACT: Required for accurate financial reporting.

RECOMMENDATION: Staff recommend the Board adopt the fund balance designation as described in attached Exhibit A.

MOTION/RESOLUTION:

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

MOTION: _____

SECOND: _____

ROLL CALL:

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

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

Montgomery Township
GASB 54

GOVERNMENT FUNDS	GASB 54 Designation	Explanation of designation and balance.
General (01)	Unassigned	General Fund unassigned fund balance used for contingency purposes, fluctuations in revenue and/or expenses, or unbudgeted necessities throughout the year.
Fire Protection (04)	Committed	The Fire Protection Fund receives most of its revenue from two sources: dedicated tax millage legally restricted and Board-allocated General Fund tax receipts. The legally restricted funds are used first, and therefore the fund balance is a result of Board-allocated General Fund transfers, committed by the Board of Supervisors to be used for Capital Purchases and/or infrastructure improvements. The fund balance may also be used to accommodate Board-authorized changes in
Parks Fund (05)	Restricted	The Parks fund's main revenue source is a legally restricted dedicated tax millage, and therefore fund balance must be designated as Restricted and will be used for park capital improvements and operating expenses.
Basin Maintenance Fund (06)	Assigned	The Basin Maintenance Fund is assigned by the Board of Supervisors' designee for continued maintenance of Township detention basins.
Street Light (07)	Restricted	This fund balance is a result of a specific assessment on residential real estate tax bills for the purpose of providing and maintaining street lights, and as such, is legally restricted.
Debt Service (23)	Restricted	This fund balance is a result of dedicated millage on real estate tax bills for the purpose of the Township's Debt Service and is legally restricted.
Capital Reserve (30)	Committed	This fund balance is committed by the Board of Supervisors annually and is used for capital replacement and improvements.
Park Development (31)	Restricted	This fund balance is a result of payments made by developers as specified in Land Development Agreements (LDA) with the Township and is legally restricted to the purposes and uses stated in the LDA's.
Liquid Fuels (35)	Restricted	This fund balance is a result of grant money from the State through the Highway Aid program and is legally restricted to be used for purposes specified by the State grant program.
Police Donation (92)	Assigned	This fund balance is assigned by the Board of Supervisors' designee for Police Department uses.
Environment (93)	Committed	This fund balance is a result of grant money received through the Montgomery County Recycling Grant, and the Board of Supervisors has committed its use to funding projects related to stewardship of the environment.
Shade Tree (94)	Committed	This fund balance is a result of payments made to the Township by developers but is to be used at the discretion of the Township. As such, the Board has committed this fund balance for purposes of Arbor Day and the Shade Tree Commission.
Autumn Fest (95)	Assigned	This fund balance is assigned by the Board of Supervisors' designee for the Township's annual Autumn Fest.
Restoration Fund (96)	Restricted	This money is restricted by a legal contract to be used for the restoration of the Knapp Farm House.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Authorization to Advertise the Reorganization Meeting on January 6, 2020

MEETING DATE: December 16, 2019

ITEM NUMBER: # 11

MEETING/AGENDA: WORK SESSION

ACTION XX NONE

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

INITIATED BY: Lawrence J. Gregan
Township Manager

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



BACKGROUND:

The Second Class Township Code requires municipalities to reorganize on the first Monday in January of each year, therefore the Board of Supervisors will hold its Reorganization meeting on Monday, January 6, 2020 at 7:00 p.m. The Township is required to advertise this meeting.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT: None

PREVIOUS BOARD ACTION: None

ALTERNATIVES/OPTIONS: None.

BUDGET IMPACT: None.

RECOMMENDATION:

Authorize the Township Manager to advertise the reorganization meeting for Montgomery Township on Monday, January 6, 2020.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby authorize the advertisement of the reorganization meeting of the Township for Monday, January 6, 2020 at 7:00 p.m. at the Township building.

MOTION: _____ SECOND: _____

ROLL CALL:

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

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

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

SUBJECT: Consider Award of Contract – Audit of 2019 Financial Statements

MEETING DATE: December 16, 2019

ITEM NUMBER: #12

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

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

INITIATED BY: Lawrence J. Gregan
Township Manager

BOARD LIAISON: Candyce Fluehr Chimera,
Liaison – Finance Committee



BACKGROUND:

In October of 2018, the Board of Supervisors accepted a proposal from Maillie, LLP to perform the audit of financial statements of the Township, the Fire Department of Montgomery Township (FDMT) and its relief association (FDMTRA) for 2018, 2019 and 2020. Maillie, LLP has provided excellent service, responds promptly to all questions or concerns, and produces an accurate, professional final report. We have received a proposal from Maillie, LLP to prepare the Audited Financial Statements for the period ending December 31, 2019 at a cost of \$25,500 for the Township, \$3,700 for the FDMT, and \$4,100 for the FDMTRA, totaling \$33,300. The proposed fees reflect a 2% increase from 2018.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

The total fees of \$33,300 have been factored into the 2020 proposed budget.

RECOMMENDATION:

Staff recommends that the Board accept the proposal from Maillie, LLP for audit of the financial statements of the Township, FDMT and FDMTRA as detailed in the attached Letters of Engagement.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that, as recommended by the Township Finance Committee, we hereby accept the proposal from Maillie, LLP to perform the annual audits of the financial statements of the Township, Fire Department of Montgomery Township and the Fire Department of Montgomery Township Relief Association for the period ending December 31, 2019 at an annual cost of \$33,300 in accordance with their proposed Engagement Letters dated December 3, 2019.

MOTION: _____ **SECOND:** _____

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



December 3, 2019

To the Board of Supervisors
c/o Mr. Larry Gregan, Township Manager
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936-9605

The following represents our understanding of the services we will provide Montgomery Township.

You have requested that we audit the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units (with the exception of the Sewer Authority which is audited by a separate auditor), each major fund and the aggregate remaining fund information of the Montgomery Township as of December 31, 2019, and for the year then ended and the related notes to the financial statements, which collectively comprise the Montgomery Township's basic financial statements as listed in the table of contents. We are pleased to confirm our acceptance and our understanding of this audit engagement by means of this letter. Our audit will be conducted with the objective of our expressing an opinion on each opinion unit applicable to those basic financial statements.

Accounting principles generally accepted in the United States of America (U.S. GAAP), as promulgated by the Governmental Accounting Standards Board (GASB) require that management's discussion and analysis and budgetary comparison information be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the required supplementary information (RSI) in accordance with auditing standards generally accepted in the United States of America (U.S. GAAS). These limited procedures will consist primarily of inquiries of management regarding their methods of measurement and presentation, and comparing the information for consistency with management's responses to our inquiries. We will not express an opinion or provide any form of assurance on the RSI. The following RSI is required by U.S. GAAP. This RSI will be subjected to certain limited procedures but will not be audited:

1. Management's Discussion and Analysis
2. Budgetary Comparison Schedule
3. Schedule of Changes in Net Police Pension Plan Liability and Related Ratios
4. Schedule of Police Pension Plan Contributions
5. Schedule of Police Pension Plan Investment Returns
6. Schedule of Changes in the Total Other Postemployment Benefit Plan Liability and Related Ratios
7. Trend Data on Infrastructure Condition



To the Board of Supervisors
c/o Mr. Larry Gregan, Township Manager
Montgomery Township

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December 3, 2019

Supplementary information other than RSI will accompany the Montgomery Township's basic financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the basic financial statements and perform certain additional procedures, including comparing and reconciling the supplementary information to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and additional procedures in accordance with U.S. GAAS. We intend to provide an opinion on the following supplementary information in relation to the financial statements as a whole:

1. General Fund
 - Schedule of Revenues and Other Financing Sources
 - Schedule of Functional Expenditures by Activity and Other Financing Uses
2. Other Governmental Funds
 - Combining Balance Sheet
 - Combining Schedule of Revenues, Expenditures and Changes in Fund Balances
3. Capital Reserve Fund
 - Budgetary Comparison Schedule
4. Nonmajor Special Revenue Funds
 - Schedule of Revenues, Expenditures and Changes in Fund Balances – Budget and Actual
5. Nonmajor Capital Projects Funds
 - Schedule of Revenues, Expenditures and Changes in Fund Balances – Budget and Actual
6. Nonmajor Debt Service Fund
 - Schedule of Revenues, Expenditures and Changes in Fund Balances – Budget and Actual
7. Agency Fund
 - Statement of Changes in Assets and Liabilities

Also, the document we submit to you will include the following other additional information that will **not** be subjected to the auditing procedures applied in our audit of the basic financial statements:

1. Introductory Section
2. Statistical Section

AUDITOR RESPONSIBILITIES

The Objective of an Audit

The objective of our audit is the expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with U.S. GAAP and to report on the fairness of the supplementary information referred to above when considered in relation to the financial statements as a whole. Our audit will be conducted in accordance with U.S. GAAS and will include tests of the accounting records and other procedures we consider necessary to enable us to express such opinions. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions on the financial statements are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.



To the Board of Supervisors
c/o Mr. Larry Gregan, Township Manager
Montgomery Township

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December 3, 2019

General Audit Procedures

We will conduct our audit in accordance with U.S. GAAS. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the basic financial statements are free from material misstatement. An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to error, fraudulent financial reporting, misappropriation of assets, or violations of laws, governmental regulations, grant agreements, or contractual agreements. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

Internal Control Audit Procedures

Because of the inherent limitations of an audit, together with the inherent limitations of internal control, an unavoidable risk that some material misstatements may not be detected exists, even though the audit is properly planned and performed in accordance with U.S. GAAS.

In making our risk assessments, we consider internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. However, we will communicate to you in writing concerning any significant deficiencies or material weaknesses in internal control relevant to the audit of the financial statements that we have identified during the audit.

Compliance with Laws and Regulations

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the Montgomery Township's compliance with the provisions of applicable laws, regulations, contracts and agreements. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion.

REPORTING

We will issue a written report upon completion of our audit of the Montgomery Township's basic financial statements. Our report will be addressed to the governing body of the Montgomery Township. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions, add an emphasis-of-matter or other-matter paragraph(s), or withdraw from the engagement.

MANAGEMENT RESPONSIBILITIES

Our audit will be conducted on the basis that management and those charged with governance acknowledge and understand that they have responsibility:

1. For the preparation and fair presentation of the financial statements in accordance with U.S. GAAP;



To the Board of Supervisors
c/o Mr. Larry Gregan, Township Manager
Montgomery Township

- 4 -

December 3, 2019

2. For the design, implementation and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to error, fraudulent financial reporting, misappropriation of assets, or violations of laws, governmental regulations, grant agreements, or contractual agreements;
3. To provide us with:
 - a. Access to all information of which management is aware that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation and other matters;
 - b. Additional information that we may request from management for the purpose of the audit; and
 - c. Unrestricted access to persons within the entity from whom we determine it necessary to obtain audit evidence.
4. For including the auditors' report in any document containing financial statements that indicates that such financial statements have been audited by the entity's auditor;
5. For identifying and ensuring that the entity complies with the laws and regulations applicable to its activities; and
6. For adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the current year under audit are immaterial, both individually and in the aggregate, to the financial statements as a whole; and
7. For maintaining adequate records, selecting and applying accounting principles, and safeguarding assets.

With regard to the supplementary information referred to above, you acknowledge and understand your responsibility: (a) for the preparation of the supplementary information in accordance with the applicable criteria; (b) to provide us with the appropriate written representations regarding supplementary information; (c) to include our report on the supplementary information in any document that contains the supplementary information and that indicates that we have reported on such supplementary information; and (d) to present the supplementary information with the audited financial statements, or if the supplementary information will not be presented with the audited financial statements, to make the audited financial statements readily available to the intended users of the supplementary information no later than the date of issuance by you of the supplementary information and our report thereon.

We will perform the following nonattest services:

1. Preparation of financial statements based on your trial balances.
2. Preparation of the Commonwealth of Pennsylvania Department of Community and Economic Development Municipal Annual Audit and Financial Report.



To the Board of Supervisors
c/o Mr. Larry Gregan, Township Manager
Montgomery Township

- 5 -

December 3, 2019

With respect to any nonattest services we perform, the Montgomery Township's management is responsible for (a) making all management decisions and performing all management functions; (b) assigning a competent individual to oversee the services; (c) evaluating the adequacy of the services performed; (d) evaluating and accepting responsibility for the results of the services performed and (e) establishing and maintaining internal controls, including monitoring ongoing activities.

As part of our audit process, we will request from management and those charged with governance, written confirmation concerning representations made to us in connection with the audit.

OTHER

We understand that your employees will prepare all confirmations we request and will locate any documents or invoices selected by us for testing.

If you intend to publish or otherwise reproduce the financial statements and make reference to our firm, you agree to provide us with printers' proofs or masters for our review and approval before printing. You also agree to provide us with a copy of the final reproduced material for our approval before it is distributed.

During the course of the engagement, we may communicate with you or your personnel via fax or e-mail, and you should be aware that communication in those mediums contains a risk of misdirected or intercepted communications.

Christopher N. Herr, CPA, is the engagement partner for the audit services specified in this letter. His responsibilities include supervising Maillie LLP's services performed as part of this engagement and signing or authorizing another qualified firm representative to sign the audit report.

Our fees are based on the amount of time required by the individuals assigned to the engagement, plus direct out-of-pocket expenses. Invoices will be rendered as work progresses and expenses are incurred and are payable upon presentation. We estimate that our fee for the audit will be \$25,500. We will notify you immediately of any circumstances we encounter that could significantly affect this initial fee estimate.

In accordance with our firm policies, work may be suspended if your account becomes 30 days or more overdue and will not resume until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed complete upon written notification of termination, even if we have not completed our report. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination.

During the course of the audit, we may observe opportunities for economy in, or improved controls over, your operations. We will bring such matters to the attention of the appropriate level of management, either orally or in writing.



To the Board of Supervisors
c/o Mr. Larry Gregan, Township Manager
Montgomery Township

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December 3, 2019

The audit documentation for this engagement is the property of Maillie LLP and constitutes confidential information. However, we may be requested to make certain audit documentation available to various regulators pursuant to authority given to them by law or regulation, or to peer reviewers. If requested, access to such audit documentation will be provided under the supervision of Maillie LLP's personnel. Furthermore, upon request, we may provide copies of selected audit documentation to various regulators. The various regulators may intend, or decide, to distribute the copies of information contained therein to others, including other governmental agencies.

It is our policy to keep records related to this engagement for seven years. However, Maillie LLP does not keep any original records, so we will return those to you at the completion of the services rendered under this engagement. When records are returned to you, it is your responsibility to retain and protect your records for future possible use, including potential examination by government or regulatory agencies. By your signature below, you acknowledge and agree that upon the expiration of the seven year period, Maillie LLP shall be free to destroy our records related to this engagement.

At the conclusion of our audit engagement, we will communicate to those charged with governance the following significant findings from the audit:

- Our view about the qualitative aspects of the entity's significant accounting practices;
- Significant difficulties, if any, encountered during the audit;
- Uncorrected misstatements, other than those we believe are trivial, if any;
- Disagreements with management, if any;
- Other findings or issues, if any, arising from the audit that are, in our professional judgment, significant and relevant to those charged with governance regarding their oversight of the financial reporting process;
- Material, corrected misstatements that were brought to the attention of management as a result of our audit procedures;
- Representations we requested from management;
- Management's consultations with other accountants, if any; and
- Significant issues, if any, arising from the audit that were discussed, or the subject of correspondence, with management.



To the Board of Supervisors
c/o Mr. Larry Gregan, Township Manager
Montgomery Township

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December 3, 2019

Please sign and return the attached copy of this letter to indicate your acknowledgment of, and agreement with, the arrangements for our audit of the financial statements including our respective responsibilities.

We appreciate the opportunity to be your financial statement auditors and look forward to working with you and your staff.

Respectfully,

MAILLIE LLP

A handwritten signature in black ink, appearing to read 'Chris Herr', written over a faint, large watermark that says 'DRAFT'.

Christopher N. Herr, CPA

RESPONSE:

This letter correctly sets forth our understanding.

Acknowledged and agreed on behalf of the Montgomery Township by:

Title: _____



December 3, 2019

To the Board of Directors
c/o Mr. Larry Gregan, Treasurer
Fire Department of Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936-9605

You have requested that we audit the basic financial statements of the Fire Department of Montgomery Township, which comprise the statement of financial position as of December 31, 2019 and the related statements of activities, functional expenses and cash flows for the year then ended, and the related notes to the financial statements. We are pleased to confirm our acceptance and our understanding of this audit engagement by means of this letter. Our audit will be conducted with the objective of our expressing an opinion on the financial statements.

AUDITOR RESPONSIBILITIES

We will conduct our audit in accordance with auditing standards generally accepted in the United States of America (GAAS). Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the basic financial statements are free from material misstatement. An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to error, fraudulent financial reporting, misappropriation of assets, or violations of laws, governmental regulations, grant agreements, or contractual agreements. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

Because of the inherent limitations of an audit, together with the inherent limitations of internal control, an unavoidable risk that some material misstatements may not be detected exists, even though the audit is properly planned and performed in accordance with GAAS.

In making our risk assessments, we consider internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. However, we will communicate to you in writing concerning any significant deficiencies or material weaknesses in internal control relevant to the audit of the financial statements that we have identified during the audit.

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the Fire Department of Montgomery Township's compliance with certain provisions of laws, regulations, contracts and grants that could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions is not an objective of our audit, and, accordingly, we will not express such an opinion.



To the Board of Directors
c/o Mr. Larry Gegan, Treasurer
Fire Department of Montgomery Township

- 2 -

December 3, 2019

REPORTING

We will issue a written report upon completion of our audit of the Fire Department of Montgomery Township's basic financial statements. Our report will be addressed to the Board of Directors of the Fire Department of Montgomery Township. We cannot provide assurance that an unmodified opinion will be expressed. Circumstances may arise in which it is necessary for us to modify our opinion, add an emphasis-of-matter or other-matter paragraph(s), or withdraw from the engagement.

MANAGEMENT'S RESPONSIBILITIES

Our audit will be conducted on the basis that management and those charged with governance acknowledge and understand that they have responsibility:

1. For the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America;
2. For the design, implementation and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to error, fraudulent financial reporting, misappropriation of assets, or violations of laws, governmental regulations, grant agreements, or contractual agreements;
3. To provide us with:
 - a. Access to all information of which management is aware that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation and other matters;
 - b. Additional information that we may request from management for the purpose of the audit;
 - c. Unrestricted access to persons within the entity with whom we determine it necessary to obtain audit evidence.
4. For including the auditors' report in any document containing financial statements that indicates that such financial statements have been audited by the entity's auditor;
5. For identifying and ensuring that the entity complies with the laws and regulations applicable to its activities; and
6. For adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the current year under audit are immaterial, both individually and in the aggregate, to the financial statements as a whole.

We will perform the following nonattest services:

1. Preparation of financial statements based on your trial balances.
2. Preparation of depreciation schedules.



To the Board of Directors
c/o Mr. Larry Gregan, Treasurer
Fire Department of Montgomery Township

- 3 -

December 3, 2019

With respect to any nonattest services we perform, the Fire Department of Montgomery Township's management is responsible for (a) making all management decisions and performing all management functions; (b) assigning a competent individual to oversee the services; (c) evaluating the adequacy of the services performed; (d) evaluating and accepting responsibility for the results of the services performed and (e) establishing and maintaining internal controls, including monitoring ongoing activities.

As part of our audit process, we will request from management and those charged with governance, written confirmation concerning representations made to us in connection with the audit.

OTHER

We understand that your employees will prepare all confirmations we request and will locate any documents or invoices selected by us for testing.

If you intend to publish or otherwise reproduce the financial statements and make reference to our firm, you agree to provide us with printers' proofs or masters for our review and approval before printing. You also agree to provide us with a copy of the final reproduced material for our approval before it is distributed.

During the course of the engagement, we may communicate with you or your personnel via fax or e-mail, and you should be aware that communication in those mediums contains a risk of misdirected or intercepted communications.

Our firm may transmit confidential accounting and/or financial data, without the clients being specifically identified, to a third party, Sageworks, Inc., for statistical and/or industry research and/or benchmarking purposes only. In the course of this engagement, or thereafter, as long as you are a client of Maillie LLP, we may wish to provide your confidential data to that third party in such a format. You will not be identified in any way. By your signature on this letter, you expressly authorize us to make such disclosure of your confidential accounting and/or financial data, as we may elect within our discretion, with the understanding that, in doing so, you will not be specifically identified.

Christopher N. Herr, CPA, is the engagement partner for the audit services specified in this letter. His responsibilities include supervising Maillie LLP's services performed as part of this engagement and signing or authorizing another qualified firm representative to sign the audit report.

Our fees are based on the amount of time required by the individuals assigned to the engagement, plus direct out-of-pocket expenses. Invoices will be rendered as work progresses and expenses are incurred and are payable upon presentation. We estimate that our fee for the audit will be \$3,700. We will notify you immediately of any circumstances we encounter that could significantly affect this initial fee estimate.

In accordance with our firm policies, work may be suspended if your account becomes 30 days or more overdue and will not resume until your account is paid in full. Fire Department of Montgomery Township further acknowledges and agrees that in the event we stop work or withdraw from this engagement as a result of Fire Department of Montgomery Township's failure to pay on a timely basis for services rendered as required by this engagement letter, we shall not be liable for any damages that occur as a result of our ceasing to render services. If we elect to terminate our services for nonpayment, our engagement will be deemed complete upon written notification of termination, even if we have not completed our report. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination.



To the Board of Directors
c/o Mr. Larry Gregan, Treasurer
Fire Department of Montgomery Township

- 4 -

December 3, 2019

During the course of the audit, we may observe opportunities for economy in, or improved controls over, your operations. We will bring such matters to the attention of the appropriate level of management, either orally or in writing.

The audit documentation for this engagement is the property of Maillie LLP and constitutes confidential information. However, we may be requested to make certain audit documentation available to various regulators pursuant to authority given to them by law or regulation, or to peer reviewers. If requested, access to such audit documentation will be provided under the supervision of Maillie LLP's personnel. Furthermore, upon request, we may provide copies of selected audit documentation to various regulators. The various regulators may intend, or decide, to distribute the copies of information contained therein to others, including other governmental agencies.

It is our policy to keep records related to this engagement for seven years. However, Maillie LLP does not keep any original records, so we will return those to you at the completion of the services rendered under this engagement. When records are returned to you, it is your responsibility to retain and protect your records for future possible use, including potential examination by government or regulatory agencies. By your signature below, you acknowledge and agree that upon the expiration of the seven year period, Maillie LLP shall be free to destroy our records related to this engagement.

At the conclusion of our audit engagement, we will communicate to those charged with governance the following significant findings from the audit:

- Our view about the qualitative aspects of the entity's significant accounting practices;
- Significant difficulties, if any, encountered during the audit;
- Uncorrected misstatements, other than those we believe are trivial, if any;
- Disagreements with management, if any;
- Other findings or issues, if any, arising from the audit that are, in our professional judgment, significant and relevant to those charged with governance regarding their oversight of the financial reporting process;
- Material, corrected misstatements that were brought to the attention of management as a result of our audit procedures;
- Representations we requested from management;
- Management's consultation with other accountants, if any; and
- Significant issues, if any, arising from the audit that were discussed, or the subject of correspondence, with management.



To the Board of Directors
c/o Mr. Larry Gregan, Treasurer
Fire Department of Montgomery Township

- 5 -

December 3, 2019

Please sign and return the attached copy of this letter to indicate your acknowledgment of, and agreement with, the arrangements for our audit of the financial statements including our respective responsibilities.

We appreciate the opportunity to be your financial statement auditors and look forward to working with you and your staff.

Respectfully,

MAILLIE LLP

A handwritten signature in black ink, appearing to read "Chris Herr", is written over a faint, large watermark that says "ACCEPTED".

Christopher N. Herr, CPA

RESPONSE:

This letter correctly sets forth our understanding.

Acknowledged and agreed on behalf of the **Fire Department of Montgomery Township** by:

Title: _____



December 3, 2019

To the Board of Directors
c/o Mr. Larry Gregan, Treasurer
Fire Department of Montgomery Township Relief Association
1001 Stump Road
Montgomeryville, PA 18936-9605

You have requested that we audit the basic financial statements of the Fire Department of Montgomery Township Relief Association, which comprise the statement of financial position as of December 31, 2019, and the related statements of activities, functional expenses and cash flows for the year then ended, and the related notes to the financial statements. We are pleased to confirm our acceptance and our understanding of this audit engagement by means of this letter. Our audit will be conducted with the objective of our expressing an opinion on the financial statements.

AUDITOR RESPONSIBILITIES

We will conduct our audit in accordance with auditing standards generally accepted in the United States of America (GAAS). Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the basic financial statements are free from material misstatement. An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to error, fraudulent financial reporting, misappropriation of assets, or violations of laws, governmental regulations, grant agreements, or contractual agreements. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

Because of the inherent limitations of an audit, together with the inherent limitations of internal control, an unavoidable risk that some material misstatements may not be detected exists, even though the audit is properly planned and performed in accordance with GAAS.

In making our risk assessments, we consider internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. However, we will communicate to you in writing concerning any significant deficiencies or material weaknesses in internal control relevant to the audit of the financial statements that we have identified during the audit.

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the Fire Department of Montgomery Township Relief Association's compliance with certain provisions of laws, regulations, contracts and grants that could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions is not an objective of our audit, and, accordingly, we will not express such an opinion.



To the Board of Directors
c/o Mr. Larry Gregan, Treasurer
Fire Department of Montgomery Township
Relief Association

- 2 -

December 3, 2019

REPORTING

We will issue a written report upon completion of our audit of the Fire Department of Montgomery Township Relief Association's basic financial statements. Our report will be addressed to the Board of Directors of the Fire Department of Montgomery Township Relief Association. We cannot provide assurance that an unmodified opinion will be expressed. Circumstances may arise in which it is necessary for us to modify our opinion, add an emphasis-of-matter or other-matter paragraph(s), or withdraw from the engagement.

MANAGEMENT'S RESPONSIBILITIES

Our audit will be conducted on the basis that management and those charged with governance acknowledge and understand that they have responsibility:

1. For the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America;
2. For the design, implementation and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to error, fraudulent financial reporting, misappropriation of assets, or violations of laws, governmental regulations, grant agreements, or contractual agreements;
3. To provide us with:
 - a. Access to all information of which management is aware that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation and other matters;
 - b. Additional information that we may request from management for the purpose of the audit;
 - c. Unrestricted access to persons within the entity with whom we determine it necessary to obtain audit evidence.
4. For including the auditors' report in any document containing financial statements that indicates that such financial statements have been audited by the entity's auditor;
5. For identifying and ensuring that the entity complies with the laws and regulations applicable to its activities; and
6. For adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the current year under audit are immaterial, both individually and in the aggregate, to the financial statements as a whole.



To the Board of Directors
c/o Mr. Larry Gregan, Treasurer
Fire Department of Montgomery Township
Relief Association

- 3 -

December 3, 2019

We will perform the following nonattest services:

1. Preparation of financial statements based on your trial balances.
2. Preparation of depreciation schedules.

With respect to any nonattest services we perform, the Fire Department of Montgomery Township Relief Association's management is responsible for (a) making all management decisions and performing all management functions; (b) assigning a competent individual to oversee the services; (c) evaluating the adequacy of the services performed; (d) evaluating and accepting responsibility for the results of the services performed and (e) establishing and maintaining internal controls, including monitoring ongoing activities.

As part of our audit process, we will request from management and those charged with governance, written confirmation concerning representations made to us in connection with the audit.

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We understand that your employees will prepare all confirmations we request and will locate any documents or invoices selected by us for testing.

If you intend to publish or otherwise reproduce the financial statements and make reference to our firm, you agree to provide us with printers' proofs or masters for our review and approval before printing. You also agree to provide us with a copy of the final reproduced material for our approval before it is distributed.

During the course of the engagement, we may communicate with you or your personnel via fax or e-mail, and you should be aware that communication in those mediums contains a risk of misdirected or intercepted communications.

Our firm may transmit confidential accounting and/or financial data, without the clients being specifically identified, to a third party, Sageworks, Inc., for statistical and/or industry research and/or benchmarking purposes only. In the course of this engagement, or thereafter, as long as you are a client of Maillie LLP, we may wish to provide your confidential data to that third party in such a format. You will not be identified in any way. By your signature on this letter, you expressly authorize us to make such disclosure of your confidential accounting and/or financial data, as we may elect within our discretion, with the understanding that, in doing so, you will not be specifically identified.

Christopher N. Herr, CPA, is the engagement partner for the audit services specified in this letter. His responsibilities include supervising Maillie LLP's services performed as part of this engagement and signing or authorizing another qualified firm representative to sign the audit report.

Our fees are based on the amount of time required by the individuals assigned to the engagement, plus direct out-of-pocket expenses. Invoices will be rendered as work progresses and expenses are incurred and are payable upon presentation. We estimate that our fee for the audit will be \$4,100. We will notify you immediately of any circumstances we encounter that could significantly affect this initial fee estimate.



To the Board of Directors
c/o Mr. Larry Gregan, Treasurer
Fire Department of Montgomery Township
Relief Association

- 4 -

December 3, 2019

In accordance with our firm policies, work may be suspended if your account becomes 30 days or more overdue and will not resume until your account is paid in full. Fire Department of Montgomery Township Relief Association further acknowledges and agrees that in the event we stop work or withdraw from this engagement as a result of Fire Department of Montgomery Township Relief Association's failure to pay on a timely basis for services rendered as required by this engagement letter, we shall not be liable for any damages that occur as a result of our ceasing to render services. If we elect to terminate our services for nonpayment, our engagement will be deemed complete upon written notification of termination, even if we have not completed our report. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination.

During the course of the audit, we may observe opportunities for economy in, or improved controls over, your operations. We will bring such matters to the attention of the appropriate level of management, either orally or in writing.

The audit documentation for this engagement is the property of Maillie LLP and constitutes confidential information. However, we may be requested to make certain audit documentation available to various regulators pursuant to authority given to them by law or regulation, or to peer reviewers. If requested, access to such audit documentation will be provided under the supervision of Maillie LLP's personnel. Furthermore, upon request, we may provide copies of selected audit documentation to various regulators. The various regulators may intend, or decide, to distribute the copies of information contained therein to others, including other governmental agencies.

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At the conclusion of our audit engagement, we will communicate to those charged with governance the following significant findings from the audit:

- Our view about the qualitative aspects of the entity's significant accounting practices;
- Significant difficulties, if any, encountered during the audit;
- Uncorrected misstatements, other than those we believe are trivial, if any;
- Disagreements with management, if any;
- Other findings or issues, if any, arising from the audit that are, in our professional judgment, significant and relevant to those charged with governance regarding their oversight of the financial reporting process;
- Material, corrected misstatements that were brought to the attention of management as a result of our audit procedures;



To the Board of Directors
c/o Mr. Larry Gegan, Treasurer
Fire Department of Montgomery Township
Relief Association

- 5 -

December 3, 2019

- Representations we requested from management;
- Management's consultation with other accountants, if any; and
- Significant issues, if any, arising from the audit that were discussed, or the subject of correspondence, with management.

Please sign and return the attached copy of this letter to indicate your acknowledgment of, and agreement with, the arrangements for our audit of the financial statements including our respective responsibilities.

We appreciate the opportunity to be your financial statement auditors and look forward to working with you and your staff.

Respectfully,

MAILLIE LLP

A handwritten signature in black ink, appearing to read 'Chris Herr', written over a horizontal line.

Christopher N. Herr, CPA

RESPONSE:

This letter correctly sets forth our understanding.

Acknowledged and agreed on behalf of the **Fire Department of Montgomery Township Relief Association** by:

Title: _____

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

SUBJECT: Consider "Offer to Purchase Unimproved Property" Stump Road Bridge Project

MEETING DATE: December 16, 2019

ITEM NUMBER: #13

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

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

INITIATED BY: Lawrence J. Gregan
Township Manager



BOARD LIAISON: Candyce Fluehr Chimera,
Vice Chairman

BACKGROUND:

The Montgomery County Transportation Authority is undertaking a project to reconstruct the Stump Road Bridge #162 over the Little Neshaminy Creek which borders Township Property. Part of the project involves relocation of a PECO gas main as well elements of the bridge reconstruction. The work requires the acquisition by the County of a .239 Acre (10,390 sq.ft.) portion of the Township's property (Parcel # 46-00-01126-00-7) for required Right of Way for these improvements. Following a valuation of the property, the County is offering Just Compensation in the amount of \$16,300 for the Right of Way.

The Board is requested to accept the Offer of Just Compensation and approve the attached resolution authorizing the Township Manager to act on behalf of the Township in this matter.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT: None.

PREVIOUS BOARD ACTION: None.

ALTERNATIVES/OPTIONS: None.

BUDGET IMPACT: None.

RECOMMENDATION: Accept the offer of Just Compensation in the amount of \$16,300 and approve the attached resolution authorizing the Township Manager Authorize to act on behalf of the Township in this matter.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby accept the offer of Just Compensation from the Montgomery County Transportation Authority in the amount of \$16,300 for the .239 Acre (10,390 sq.ft.) portion of the Township's property Parcel # 46-00-01126-00-7 to be used for required Right of Way for the Stump Road Bridge Project #162 and further adopt the attached resolution authorizing the Township Manager to act on behalf of the Township in this matter.

MOTION: _____ SECOND: _____

ROLL CALL:

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

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



MCTA

Montgomery County Transportation Authority

P.O. Box 311 • Norristown, Pennsylvania • 19404-0311 • 610.278.3722 • Fax 610.278.3941

LPS - 16 (11/13)

FEDERAL PROJECT NO.	N/A
PROJECT NAME/ROUTE	T-375 Montgomery County Bridge # 162
COUNTY	Montgomery
MUNICIPALITY	Montgomery Township
PARCEL NO.	1
CLAIM NO.	N/A
CLAIMANT	The Township of Montgomery

Offer to Purchase Unimproved Property

Date: *November 15, 2019*

The Township of Montgomery
Attn: Michael J. Fox, Chairman
1001 Stump Road
Montgomeryville, PA 18936

Dear Chairman Fox:

Our appraisal of the effect of the above highway improvement on your property has now been completed. Accordingly, we are pleased to offer you the sum of \$16,300.00 for the right of way required from your property for the highway improvement. This offer is intended to provide just compensation for all interests in your property, including tenants, if any.

We hope you will indicate your acceptance of our offer to the Right of Way Representative who delivers this letter so that we can process your payment as soon as possible. If you are undecided about accepting the offer, the Representative will be glad to visit you again for further discussion of your claim.

Sincerely,

Matthew Edmond
MCTA Executive Director

Attachment: LPS - 19

Your Right of Way Representative is: Jocelyn Jones of Keystone Acquisition Services, Corp
Telephone: (267) 838-9600



MCTA

 Montgomery County Transportation Authority

P.O. Box 311 • Norristown, Pennsylvania • 19404-0311 • 610.278.3722 • Fax 610.278.3941

LPS – 19 (2/14)

FEDERAL PROJECT NO.	N/A
PROJECT NAME/ROUTE	T-375 Montgomery County Bridge # 162
COUNTY	Montgomery
MUNICIPALITY	Montgomery Township
PARCEL NO.	1
CLAIM NO.	N/A
CLAIMANT	The Township of Montgomery

SUMMARY OF JUST COMPENSATION

The County has completed a valuation of your property. The purpose of this valuation was to determine the compensation to be offered for the area required from you for construction of the above project.

The amount summarized below is offered as just compensation for land which must be utilized by the County to construct and/or maintain the proposed highway facility as delineated on the plans for the project. The offered amount also included compensation for all improvements located on the affected areas and loss in value, if any, to your remaining property.

The areas required are as follows:

Size of required area:
0.239 AC (10,390 SF)

Type of interest required:
Required Right-of-Way

The valuation and amount offered is summarized as follows:

1.	Direct Damages -	Compensation for your interest in the property to be acquired or utilized including improvements located thereon	\$16,300.00
2.	Indirect Damages -	Compensation for Loss in value to your remaining property (including cost of adjustment)	\$0.00
3.	Temporary Easements		\$0.00
TOTAL DAMAGES OFFERED (#1 PLUS #2 PLUS #3)			\$16,300.00

Located within the area to be acquired or utilized and included in Item 1 above are the following improvements listed here or on attached sheet.

* This offer **excludes** compensation for the following improvements owned by others for which you have disclaimed ownership listed here or on attached sheet.

N/A

The County will make every effort to assist you in realizing all the benefits to which you are entitled. If you have any questions concerning this offer, please contact your Right-of-Way Representative.

CERTIFICATE OF CORPORATE RESOLUTION
THE TOWNSHIP OF MONTGOMERY
MONTGOMERY COUNTY TRANSPORTATION AUTHORITY,

PARCEL NO. 1 – T-375 Montgomery County Bridge #162

The undersigned Secretary of The Township of Montgomery, a Township of the Second Class hereby certify that the following resolution was duly adopted by the Board of Supervisors of Montgomery Township ("Township") on this 16th day of December, 2019 and that such resolution has not been modified or rescinded as of this date hereof.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of Montgomery Township has authorized Carolyn McCreary, Township Manager (Designee) to act on behalf of the Township in the matter of Montgomery County Transportation Authority's acquisition of 0.239 AC (10,390 SF) of Required Right-of-Way within Parcel No. 1, T-375 Montgomery County Bridge #162.

FURTHER RESOLVED, that Carolyn McCreary, Township Manager (Designee) of The Township of Montgomery, is authorized and directed to do and perform any and all further acts or things to make, execute, acknowledge, and deliver all papers or documents necessary on behalf of the Township. She will carry out the intent of the foregoing resolution, including, but not limited to, engaging professional services and arranging for the payment of same, and executing documents of conveyance and granting of rights relative to the aforesaid Parcel No. 1.

Montgomery Township Board of Supervisors
(Name of Entity)

BY: _____ Date _____
Lawrence J. Gregan, Secretary

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Updates to Employee Handbook Policies

MEETING DATE: December 16, 2019

ITEM NUMBER: #14a.+b.

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

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

INITIATED BY: Ann M. Shade

Director of Administration & HR

BOARD LIAISON: Michael J. Fox,

Chairman

BACKGROUND:

Montgomery Township maintains an employee handbook of personnel policies that is provided to all employees. As laws, practices, and procedures change, the Township determines the need to update existing policies or to add new policies.

The following and attached policies are being presented for approval:

- **Whistleblower** - Delaware Valley Trusts has provided a model policy for members' use in order to comply with the Pennsylvania Whistleblower Law. This policy provides guidance in explaining protections from retaliation afforded to whistleblowers and the preservation of confidentiality in the reporting process. This policy coincides with our current policies related to Ethics and Standards of Conduct.
- **Drug & Alcohol Policy for Employees with Commercial Driver's License (CDL)** – updates have been made to the existing policy to be in compliance with new obligations regulated by the Federal Motor Carrier Safety Administration (FMCSA). The new Commercial Driver's License Drug and Alcohol Clearinghouse will require all drug and alcohol program violations to be reported in a central repository and require that employers query the system at least annually for violations that would prohibit the employee from performing safety-sensitive functions covered by the FMCSA and U.S. DOT drug and alcohol testing regulations. Also included are a revised Medication Disclosure Form, and a newly created General Consent form for employees to complete granting Montgomery Township the authority to run the necessary checks.

In preparation for Board of Supervisors approval, these policies have been reviewed by Delaware Valley Trusts and the Township Solicitor.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

Board of Supervisors Approval:

- Drug & Alcohol Policy for Employees with Commercial Driver's License (CDL) – October 14, 2008; June 13, 2016; April 23, 2018

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Consider the approval of the Whistleblower Policy and the Drug & Alcohol Policy for Employees with Commercial Driver's License (CDL) for distribution to employees and inclusion in the Montgomery Township Employee Handbook.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby approve the Whistleblower Policy and the Drug & Alcohol Policy for Employees with Commercial Driver's License (CDL) for distribution to employees and inclusion in the Montgomery Township Employee Handbook.

MOTION: _____ SECOND: _____

ROLL CALL:

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

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



Employee Handbook – Section 3

Employee and Township Responsibilities

Date Approved/Last Revised: October 14, 2008; June 13, 2016; April 23, 2018;

December 16, 2019 (*Pending Board of Supervisors Approval*)

DRUG & ALCOHOL POLICY FOR EMPLOYEES WITH COMMERCIAL DRIVER'S LICENSE (CDL)

Purpose

The Township has a commitment to provide a safe and healthy workplace for its employees and to ensure efficient provision of quality services to our businesses and our residents. To accomplish our goals, we must implement programs that will enable us to achieve our objectives in a cost-efficient manner.

The Township must make every reasonable attempt to establish a work environment that is free from the adverse effects of drug and alcohol abuse, both directly and indirectly.

This policy shall apply to all employees who are required as part of their job duties to have a Commercial Driver's License ("CDL"). This policy is enforced in order to assure fitness for duty and to protect Montgomery Township Employees from the risks posed by alcohol abuse and drug misuse. This policy complies with all applicable Federal regulations governing workplace anti-drug and alcohol programs. The Federal Motor Carrier Safety Administration (FMCSA) Federal Highway Administration (FHWA) [A1] of the United States Department of Transportation (DOT) has mandated in (49 CFR Part 382) comprehensive urine drug testing and breath and alcohol testing for safety sensitive positions, and prohibits the performance of safety sensitive functions when there is a positive test result. The DOT has also set standards for the collection and testing of urine and breath specimens (49 CFR Part 40). These rules build on and include all mandates established by The Drug Free Workplace Act of 1988 and the Omnibus Transportation Employee Testing Act of 1991. This policy incorporates all the requirements for safety sensitive positions, as mandated by the regulations and also applies to other positions, as specifically described.

If the terms of this policy conflict with the Federal or State regulations, the regulations will govern.

Objectives

The objectives of this policy are:

1. to create a workplace that is free from the unsafe and unhealthy effects of drug abuse and alcohol misuse;
2. to ensure that Township employees are fit to perform their work duties and to report for work regularly and on time;
3. to prohibit the manufacturing, distribution, dispensing and possession or use of controlled substances and alcohol;
4. to establish effective means to detect and to deal with drug and alcohol abuse and to encourage Township employees to seek professional assistance at any time to deal with personal problems, including drug and alcohol dependency; and
5. to comply with applicable state and federal law.



Employee Handbook – Section 3

Employee and Township Responsibilities

Date Approved/Last Revised: October 14, 2008; June 13, 2016; April 23, 2018;

December 16, 2019 (*Pending Board of Supervisors Approval*)

Substances Included

The prohibited substances addressed in this policy include illegally used controlled substances or drugs, legal drugs, and alcohol. The use of any illegal drug or any substance identified in Schedules I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812) and further defined by 21 CFR 1300.11 through 1300.15 is prohibited at all times unless a legal prescription has been written for the substance. This includes, but is not limited to:

- marijuana
- amphetamines
- opioids
- cocaine
- phencyclidine (PCP)
- the misuse and/or abuse of lawfully prescribed substances, whether such action takes the form of taking a substance for which the employee does not have a lawful prescription or taking a lawfully prescribed substance in a manner which has not been prescribed by a medical professional
- Any other illegal drugs as may be identified from time to time.

Prohibitions

Employees shall not engage in the manufacture, distribution, possession and/or use of prohibited substances on Township property or while on duty. No employee shall consume alcohol within four (4) hours of reporting to work or report for work under the influence of alcohol or a prohibited substance. An employee shall be deemed under the influence of alcohol at work if a subsequent test confirms the presence of alcohol within his body in a concentration of .04 or greater. A person shall be deemed to be under the influence of a controlled substance if the employee is found to have a quantifiable presence of a prohibited substance in his/her body above the minimum threshold defined in 49 CFR Part 40, as amended. In addition, no employee shall perform safety sensitive tasks or duties if the employee's blood/alcohol concentration is .02 or greater. An employee whose blood/alcohol concentration is .02 or greater but less than .04 will not be permitted to perform safety-sensitive functions for a minimum of twenty-four (24) hours and may be subject to discipline.

Application of the Policy

Montgomery Township is dedicated to assuring fair and equitable application of this policy. Therefore, supervisors and/or managers are required to use and apply all aspects of this policy in an unbiased manner and it shall be administered without regard to any protected characteristics of the employee. Any supervisor and/or manager who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy in regards to subordinates, shall be subject to disciplinary action, up to and including termination.



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TESTING PROCEDURES

Controlled Substance Testing

An initial drug screen will be performed on each specimen. Each positive specimen will be confirmed via Gas Chromatography/mass Spectrometry (GC/MS) testing. The test will be considered positive if the amounts present are above the minimum thresholds established in 49 CFR Part 40, as amended. All substance abuse testing results will be reported to the Medical Review Officer.

All urine specimens collected for drug testing are split into two parts. Any employee who questions the result of a required test may request that the split sample be tested. This test must be conducted at a different Department of Health and Human Services certified laboratory. The test must be conducted on the split sample that was provided by the employee at the same time as the original sample. The method of collecting, splitting, storing and testing of the split sample will be consistent with procedures set forth in 49 CFR Part 40 as amended. The employee's request for split sample testing must be made to the Medical Review Officer (MRO) within 72 hours of notice of the original sample's verified results. In the event that the split-sample test confirms the original test result, no further tests shall be conducted, and the employee shall pay the cost for the testing of the split sample. If the split sample tests negative for controlled substances or adulterates, the employee shall not be considered as testing positive, and the Township shall pay the cost of testing the split sample.

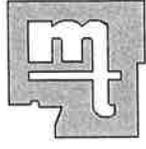
Alcohol Testing

Test for breath alcohol concentration will be conducted using a National Highway Traffic Safety Administration (NHTSA) approved device operated by a trained technician. If the initial test indicates an alcohol concentration of 0.02 or greater, a second test will be performed to confirm the results. The confirmatory test shall be performed only using NHTSA approved Evidential Breath Testing (EBT) device, by a trained breath and alcohol technician (BAT). An alcohol concentration of 0.04 or greater will be considered a positive alcohol test, in violation of this policy. All alcohol test results will be reported to the MRO.

Refusal to Test

Any employee covered by this policy who refuses to submit to testing, tampers or attempts to tamper with the testing will be treated as having tested positive and subject to discipline for violating this policy. An applicant who refuses to submit to a test will be considered as withdrawing his/her application for employment. A refusal to take a test shall include, but not be limited to, the following conduct:

1. Failing to appear for any test within a reasonable time, as determined by the Township, after being directed to do so by the Township;
2. Failing to remain at the collection site until the testing process is complete;
3. Failing to provide a urine specimen when required for a drug test or a breath specimen for an alcohol test;
4. In the case of a directly observed or monitored collection in a drug test, failing to



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permit directly observed or monitored collection;

5. Failing to provide a sufficient amount of urine or breath when directed, and when it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure;
6. Declining to take a second test as directed;
7. Failing to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process or as directed by the Township as part of the shy bladder procedures or insufficient breath situation;
8. Failing to cooperate with any part of the testing process; or
9. Ingesting or utilizing any item or substance to or in an attempt to dilute, distort or to otherwise conceal the presence of alcohol or drugs in the individual's urine or breath. An employee shall be treated as refusing to test if the employee uses such a substance or item, regardless of whether the possession or use of the substance or item is otherwise lawful.

ESTABLISHED TESTS

Pre-Employment Testing

All applicants for employment in positions that require a CDL shall undergo urine drug testing prior to being hired. Receipt of a negative drug test is required prior to any applicant being hired. Failure of a pre-employment drug test will rescind the conditional offer of employment. Any refusal or failure by the applicant to submit to the test shall be deemed a positive result. The Township shall bear the cost of pre-employment testing.

Reasonable Suspicion Testing

A Township employee will be subject to a fitness for duty drug evaluation and/or alcohol breath testing when there are reasons to believe that the employee is under the influence of drugs or alcohol. A reasonable suspicion referral for testing will be made on the basis of documented objective facts and circumstances which are consistent with the effects of drug or alcohol misuse. Examples of reasonable suspicion include but are not limited to:

1. Physical signs and symptoms consistent with prohibited substance use and alcohol misuse.
2. Evidence of the manufacture, distribution, dispensing, possession or use of controlled substances, drugs, alcohol or other prohibited substances.
3. Occurrence of a serious or potentially serious accident that may have been caused by prohibited substance abuse or alcohol misuse.
4. Physical fights, assaults and flagrant disregard of established safety, security and operating procedures.



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Reasonable suspicion referrals must be made by a supervisor who has been trained to detect the signs and symptoms of drug and alcohol abuse, and who reasonably concludes that an employee may be adversely affected or impaired in work performance due to the possible substance/alcohol misuse. All reasonable suspicion referrals will remain confidential.

Random Testing

In accordance with DOT regulations, the Township shall conduct unannounced random drug and alcohol testing of covered employees at the annual percentage rate set for the DOT regulations. The selection of covered employees for random alcohol and controlled substances testing shall be made by a scientifically valid method, such as a random number table or a computer-based random number generator that is matched with the covered employees' Social Security numbers, payroll identification numbers, or other comparable identifying numbers. Under the selection process used, each covered employee shall have an equal chance of being tested each time selections are made.

Post-Accident Testing

Post-accident testing is performed on all employees involved in an automobile accident that results in a traffic citation or fatality. The employee will be tested as soon as possible after the accident. However, testing must be performed within eight (8) hours for alcohol and thirty-two (32) hours for drugs. Any employee involved in a work-related motor vehicle accident must abstain from alcohol use for eight (8) hours or until a post-accident alcohol test is performed, whichever is sooner. Any employee who leaves the scene of an accident without justifiable explanation prior to submitting to drug and alcohol testing will be considered to have refused the test and their employment will be terminated. For purposes of this section, post-accident testing shall be mandatory in the following situations:

- a. When the accident involves loss of human life; or
- b. When a covered employee receives a citation under state or local law for a moving violation arising from the accident; if the accident involves either
 1. Bodily injury that requires a person to be transported away from the scene for medical treatment; or
 2. Damage to any vehicle that requires the vehicle to be towed away from the scene by a tow truck or another vehicle.

Any employee who is subject to post-accident testing and fails to remain readily available for such testing, including, but not limited to, notifying the Director of Administration and Human Resources of his/her location if he/she leaves the scene of an accident prior to such testing, will be classified as having refused to submit to testing. In no way is this post-accident test requirement intended to delay necessary medical treatment for injured people following an accident or to prohibit an employee from leaving the scene of an accident to obtain medical assistance for others or for personal medical assistance.

Return to Duty Testing



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All employees covered by this policy who previously tested positive on a drug or alcohol test must test negative (below 0.02 for alcohol and below the minimum threshold defined in 49 CFR Part 40, as amended for controlled substances) and be released for duty by the Certified Substance Abuse Professional (CSAP) before returning to work. Employees shall be solely responsible for the cost of any return to duty test.

Follow-up Testing

All employees covered by this policy who previously tested positive on a drug or alcohol test will be required to undergo unannounced follow-up testing following their return to duty. The follow-up testing will be performed as determined by the CSAP for a period of up to sixty (60) months, and, during the first twelve months, an employee returning to duty after testing positive for alcohol or a controlled substance shall be subject to at least six (6) tests. The follow-up testing under this paragraph shall be in addition to any instances in which the individual is selected randomly to participate in random drug or alcohol testing. Follow-up tests shall be conducted during normal business hours and on normal business days.

Test Results

Employees will be notified of a positive test result. Test results shall be retained by the MRO responsible for reviewing the testing. The results shall be held in confidence and shall be accessible only to the employee, the employer, and any other persons authorized by law.

Employees whose drug or alcohol test results are reported as a negative dilute specimen (i.e., creatinine concentration of the specimen is greater than or equal to 2 mg/dL but less than 20 mg/dL, and specific gravity is greater than 1.0010 but less than 1.0030 on a single aliquot) will be required to take a second test immediately. If directed by the MRO (for example, because the creatinine concentration of the specimen was equal to or greater than 2mg/dL, but less than or equal to 5 mg/dL), the second test will be under direct observation. An employee who declines to take a second test will be considered to have refused a test under this policy. The results of the second test will be the test of record. A second negative dilute specimen will be considered a negative test result.

Action for a Positive Drug or Alcohol Test

Any Township employee subject to this policy with a confirmed positive drug or alcohol test will be removed with pay from his/her position, and referred to a CSAP for assessment. After undergoing the assessment, the Township employee shall have the one-time option of electing to: (1) resign; or (2) undergo any and all courses of treatment recommended by the CSAP; test negative during a return to duty test; and submit to follow-up testing as set forth above. If the completion of any recommended treatment requires the employee to be absent from work, the employee will not be paid for such ongoing absences after the initial evaluation by the CSAP. The employee may elect to utilize any accrued but unused compensatory time or vacation time in order to continue to receive payment for the time off from work. In the event that the employee exhausts all accrued but unused vacation and compensatory time, the employee may then utilize any accrued sick leave, following which the employee will go into "no pay" status.

For any portion of the above treatment for which an employee's medical coverage does not satisfy the total cost of the treatment recommended by the CSAP, the Township shall pay the difference not covered by the employee's medical coverage.



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If the employee fails to complete any aspect of the course of treatment recommended by the CSAP, or after completing the above course of treatment and return-to-duty testing, the employee subsequently tests positive for alcohol or a controlled substance at any point in the future, the employee shall have the following options: (1) resign immediately; (2) be terminated by the Township.

Employee Assistance Program (EAP)

The Township recognizes that employees and their families can be faced with personal challenges. It is in our best interest to encourage employees and family members to seek appropriate assistance at the earliest possible opportunity. The Township encourages employees to take early advantage of the confidential, professional problem assessment, counseling and referral services available through the EAP (Employee Assistance Program). Reference the EAP policy for further information. Employees who voluntarily request drug or alcohol counseling prior to testing positive for such substances during one of the tests outlined above shall not be treated as testing positive for purposes of this policy.

Record Keeping

All of the records relating to the administration and results of the Township's alcohol and drug testing program for its CDL drivers will be maintained for a minimum period of five (5) years, except that individual negative tests will be maintained for a minimum of one (1) year.

Tests will be conducted by a licensed facility and will be analyzed by an MRO. The MRO, who is appointed, shall be a licensed doctor of medicine or osteopathy with knowledge of drug abuse disorders and who is employed by the Township or by a group of employers who have pooled together, to review alcohol and drug testing results in accordance with DOT regulations. The MRO shall retain the reports of individual test results for a minimum of five (5) years.

The Township shall retain in the driver's medical file information indicating only the following:

1. The employee submitted to a drug and/or alcohol test;
2. The date of the test;
3. The location of the test;
4. The identity of the person or entity performing the test; and
5. Whether the test finding was "positive or sub-negative." The Township will also maintain an annual (calendar) year summary of the records related to the administration and results of the testing program for its drivers under the federal regulations.

Montgomery Township has an obligation to report the following information into the FMCSA Drug & Alcohol Clearinghouse in accordance with 49 CFR § 382.601:

1. A verified positive, adulterated, or substituted drug test result;
2. An alcohol confirmation test with a concentration of 0.04 or higher;
3. A refusal to submit to any test required by subpart C of this part;
4. An employer's report of actual knowledge, as defined at §382.107:
 - i. On duty alcohol use pursuant to §382.205;
 - ii. Pre-duty alcohol use pursuant to §382.207;
 - iii. Alcohol use following an accident pursuant to §382.209; and



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- iv. Controlled substance use pursuant to §382.213;
- 5. A substance abuse professional (SAP as defined in §40.3 of this title) report of the successful completion of the return-to-duty process;
- 6. A negative return-to-duty test; and
- 7. An employer's report of completion of follow-up testing.

Montgomery Township is required to run queries through the FMCSA Clearinghouse to monitor for drug or alcohol violations on all employees that hold a CDL license or permit. Applicable employees must sign a General Consent for Limited Queries Form, granting the Township authorization to perform periodic queries.

Off-Duty Conduct

Employees are expected not to engage in any off-duty conduct or off-premises drug or alcohol-related conduct which may affect their work performance. Pursuant to the Department of Transportation guidelines, 49 CFR § 383.51, an employee who is convicted of being under the influence of alcohol and/or a controlled substance or who refuses a test for alcohol or a controlled substance shall also receive an automatic one year suspension of his/her Commercial Driver's License. In the event that a Township employee is convicted of any offense identified in Table 1 of 49 CFR § 383.51 (relating to driver disqualifications and penalties), even if such offense was off duty and did not involve a CDL vehicle, the Township, in its sole discretion, may take disciplinary action up to and including discharge for a first offense.

Duty To Report

1. Citations - An employee who is cited by law enforcement authorities for a drug or alcohol law violation while performing work duties must immediately notify the Department Head, who will notify Human Resources and the Township Manager.
2. Convictions related to motor vehicle use – an employee who is convicted of an offense identified in Table 1 of 49 CFR § 383.51 (relating to driver disqualifications and penalties), regardless of whether such offense occurred on or off duty and regardless of whether such offense involved the operation of vehicle for which a Commercial Driver's License is required must immediately report such conviction to the employee's Department Head who will notify Human Resources and the Township Manager.
3. Prescription and Over-the-Counter Drug Use - Whenever an employee is legally prescribed drugs or directed by a physician to use over-the-counter drugs, it is the employee's responsibility to ask the prescriber whether the drug or medicine, if taken as prescribed or directed, is likely to affect the employee's work performance in such a way that it would pose a direct threat to workplace safety. If so, the employee is obligated to report that fact to the Department Head, who will notify Human Resources and the Township Manager.

Additionally, if the employee is legally using an over-the-counter drug whose labeling indicates that its use is likely to pose a direct threat to safety, then the covered employee is obligated to report that fact to the Department Head. When required to report, an employee shall report their prescription and over-the-counter drug use via the Disclosure of Prescription and Over-The-Counter Drugs and Medication Evaluation form. This form



**Employee Handbook – Section 3
Employee and Township Responsibilities**

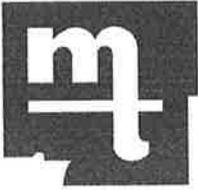
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~~requires the specific medication name, but is not required or asked to report his or her medical condition; the employee shall report that he or she is using medication that is likely to affect work performance in such a way that it would pose a direct threat to workplace safety.~~

The Township will then determine whether the employee may continue to work during the course of treatment and may seek a second opinion from a physician or pharmacist of its choice. The Township reserves its right to have the employee examined by a physician of its choice in order to preserve a safe and drug-free workplace.

Additionally, if the Township learns, through any means including a covered employee's job performance, that an employee is using prescription or other-the-counter drugs that have the potential to pose a direct threat to workplace safety, even if a physician has advised the employee that it will not, the Township may seek a second opinion from a physician and/or pharmacist of its choice. If the second opinion indicates such an effect on performance, the Township may rely on the second opinion rather than that of the employee's prescribing physician.



MONTGOMERY TOWNSHIP
1001 STUMP ROAD
MONTGOMERYVILLE, PA 18936-9605
Telephone: 215-393-6900 • HR Fax: 215-565-2665
www.montgomerytwp.org

**General Consent for Limited Queries of the
Federal Motor Carrier Safety Administration (FMCSA)
Drug and Alcohol Clearinghouse**

I, _____, hereby provide consent to Montgomery Township to conduct limited queries of the FMCSA Commercial Driver's License Drug and Alcohol Clearinghouse (Clearinghouse) to determine whether drug or alcohol violation information about me exists in the Clearinghouse. This consent allows Montgomery Township to run annual queries for the duration of my employment, as long as I continue to hold a CDL license or permit.

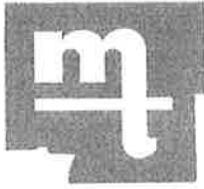
I understand that if the limited query conducted by Montgomery Township indicates that drug or alcohol violation information about me exists in the Clearinghouse, FMCSA will not disclose that information to Montgomery Township without first obtaining additional specific consent from me.

I further understand that if I refuse to provide consent to Montgomery Township to conduct limited queries of the Clearinghouse, Montgomery Township must prohibit me from performing safety-sensitive functions, including driving a commercial motor vehicle, as required by FMCSA's drug and alcohol program regulations.

Employee Signature

Date

December 16, 2019



MONTGOMERY TOWNSHIP
1001 Stump Road
Montgomeryville, PA 18936
Telephone: 215-393-6900

**DISCLOSURE OF PRESCRIPTION AND OVER-THE-COUNTER DRUGS
AND MEDICATION EVALUATION FORM**

Reference: Drug and Alcohol for Employees with Commercial Driver's License (CDL) and Substance Abuse Policies – for prescription and over-the-counter drug use, an employee is required to report usage if it is likely to affect work performance in such a way that it would pose a direct threat to workplace safety.

TO BE COMPLETED BY EMPLOYEE

I certify that I have reviewed my prescription(s) and over-the-counter medication(s) and that I have discussed any possible side effects (as applicable) that may affect my work performance with my prescribing medical provider. My signature below certifies that I have read and understand the Township's above-referenced policies and that, completion of this form complies with notification of any medication(s) I may be taking. I also understand that if more than one prescribing medical provider is responsible for my medication, a separate form must be completed from each provider. I also understand that if there are any changes to this certification with respect to my ongoing or periodic use of medications, I must complete and submit another form.

Employee Printed Name _____ **Date** _____

<i>Dates medication will be taken:</i>		<i>Type of Impairment from this Medication</i>
From:	To:	
From:	To:	

Employee Signature _____ **Date** _____

TO BE COMPLETED BY PHYSICIAN

By signing below, I acknowledge that I am aware of the above-named individual's job duties and that, in conjunction with over-the-counter or prescribing medication(s) currently being taken (do not list medication), I have made the following determination:

- | | |
|--------------------------|---|
| <input type="checkbox"/> | Employee may perform safety-sensitive duties while taking this medication without impairment to job performance. |
| <input type="checkbox"/> | Employee may not perform safety-sensitive duties while taking this medication due to the following potential impairments: |

Physician's Printed Name:

Physician's Signature:

Date:



Employee Handbook - **Section 2**
Work Environment

Date Approved: December 16, 2019 (*Pending Board of Supervisors Approval*)

WHISTLEBLOWER POLICY

Purpose

Montgomery Township requires supervisors, department heads and employees to observe high standards of professional and personal ethics in the conduct of their duties and responsibilities. As employees of Montgomery Township, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable policies, procedures, laws and regulations.

Reporting good faith concerns of wrongdoing or waste occurring within the Township could entitle you to protection as “whistleblower” (see definition, p. 2.12.4).

Objectives

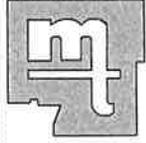
The objectives of Montgomery Township are to establish policies and procedures for:

- Employees to submit concerns regarding wrongdoing and waste by employees, supervisors, department heads and other stakeholders of the Township, in a confidential and anonymous manner to the greatest extent possible; and
- The protection of employees, supervisors and department heads who report such concerns from retaliation.¹

Types of Misconduct

Under Pennsylvania law, Montgomery Township expects all employees not to engage in unethical and illegal conduct. This includes ensuring that our employees do not engage in wrongdoing or waste, such as financial improprieties, fraud, financial misdealing and violations of law. Under the Pennsylvania Whistleblower Law, “wrongdoing” (see definition, p. 2.12.4) means a violation of a federal or state law, as well as a violation of an ordinance or regulation, or a code of conduct or ethics designed to protect the public or the Township. “Waste” means actions or inactions which cause a substantial abuse, misuse or loss of money or other resources of the state or the Township.

¹ The Whistleblower Law is not primarily designed to punish an employer for harboring retaliatory motives, but is, rather, chiefly a remedial measure intended to enhance openness in government and compel the government's compliance with the law by protecting those who inform authorities of wrongdoing. *See O'Rourke v. Dep't of Corr.*, 566 Pa. 161, 778 A.2d 1194 (Pa. 2001). In *O'Rourke*, high-ranking officials of the Department of Corrections were not entitled to summary judgment in suit alleging violations of the Whistleblower Law on the basis that they had no firsthand knowledge of, or active participation in, any of the alleged retaliation. The court found that the high- ranking officials, including the Commissioner of the Department of Corrections and the Superintendent of the institution involved, were ultimately responsible.



Employee Handbook - Section 2
Work Environment

Date Approved: December 16, 2019 (*Pending Board of Supervisors Approval*)

Reporting Responsibility

This Policy is intended to encourage and enable employees and others to raise serious concerns internally so that Montgomery Township can address and correct inappropriate conduct and actions. It is the responsibility of all employees, supervisors, and department heads to report good faith concerns about violations of Montgomery Township's Employee Handbook or suspected violations of law or regulations that govern Montgomery Township's operations.

No Retaliation²

It is contrary to the values of Montgomery Township for anyone to retaliate against any employee, supervisor, or department head who in good faith reports³ an ethics violation, or a suspected violation of law, such as a complaint of discrimination, or suspected fraud, or suspected violation of any regulation governing the operations of Montgomery Township. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment.

Reporting Policy and Procedure

Montgomery Township has an open door policy and strives to maintain a good work environment by encouraging open and direct communications between employees and their supervisors. Employees who have work-related ethical concerns or concerns about wrongdoing or waste are encouraged to speak with their immediate supervisor. If you are not comfortable speaking with your immediate supervisor or you are not satisfied with your immediate supervisor's response, you are encouraged to speak with the Appropriate Authority or the Appropriate Township Contact (see definitions, p. 2.12.3).

In turn, supervisors and department heads are required to report complaints or concerns about suspected ethical and legal violations in writing to Montgomery Township's Appropriate Township Contact, who has the responsibility to investigate all reported complaints.

² Summary judgment was denied to a county on an employee's claim for retaliatory termination under the Whistleblower Law, where the employee presented evidence of efforts made to alert superiors to governmental waste and wrongdoing. See *Brominski v. County of Luzerne*, 289 F. Supp. 2d 591 (M.D. Pa. 2003).

³ Where an employee alleged that employer terminated the employee for reporting Medicare double billing, the employee's retaliation claims under federal and state law failed to survive summary judgment because there was no evidence that the employee engaged in protected conduct since the employee (1) did not discover the billing problem, (2) had no independent knowledge of the problem, and (3) was not the one to report the problem. See *United States ex rel. Hartman v. Allegheny Gen. Hosp.*, 2005 U.S. Dist. LEXIS 18321 (W.D. Pa. Aug. 23, 2005).



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Work Environment

Date Approved: December 16, 2019 (*Pending Board of Supervisors Approval*)

Following an investigation, a final decision will be made as early as reasonably possible and reviewed with the employee. Montgomery Township will make every effort to settle an employee's problem and resolve any ethical or legal issues on a fair and equitable basis. Employees who use this open door reporting policy in good faith will not experience any retaliation.

Acting in Good Faith⁴

Anyone filing a complaint concerning a violation of ethics or law or a suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates wrongdoing or waste.

Confidentiality

Violations or suspected violations may be submitted on a confidential basis by the complainant. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

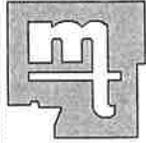
Application

This policy is intended to be consistent with the Pennsylvania Whistleblower Law.

Definitions

1. Appropriate Authority - A Federal, State or local government body, agency or organization having jurisdiction over criminal law enforcement, regulatory violations, professional conduct or ethics, or waste; or a member, officer, agent, representative or supervisory employee of the body, agency or organization.
2. Appropriate Township Contact – The Director of Administration and Human Resources or the Township Manager.

⁴ Good faith does *not* include filing a report of wrongdoing or waste for one's personal benefit. For example, a police officer failed to assert an actionable claim because he failed to allege or show that he made a good faith report of wrongdoing or waste, as required by. § 1423(a). The only report that the officer made was one alleging discrimination against him personally, and he filed the report seeking to gain a personal benefit. *See Lee v. City of Phila.*, 2008 U.S. Dist. LEXIS 52820 (E.D. Pa. July 3, 2008); *see also Mosley v. City of Pittsburgh Pub. Sch. Dist.*, 702 F. Supp. 2d 561 (W.D. Pa. 2010) (even though memorandum submitted by the employee in response to his supervisor's previous memorandum was a "report" for purposes of the Act, it was made in consideration of the employee's own personal benefit, and thus was not made in "good faith").



Employee Handbook - Section 2

Work Environment

Date Approved: December 16, 2019 (*Pending Board of Supervisors Approval*)

3. "Waste" is defined as "[a]n employer's conduct or omissions which result in substantial abuse, misuse, destruction or loss of funds or resources belonging to or derived from Commonwealth or political subdivision sources." Whistleblower Law at§ 1422.

4. A "whistleblower" is defined as "[a] A person who witnesses or has evidence of wrongdoing or waste while employed and who makes a good faith report of the wrongdoing or waste, verbally or in writing, to one of the person's superiors, to an agent of the employer or to an appropriate authority." Whistleblower Law at§ 1422.

5. As defined by the PA Whistleblower Law, 43 P.S. §§ 1421-1428, at§ 1422, "Wrongdoing" is "[a] violation which is not of a merely technical or minimal nature of a Federal or State statute or regulation, of a political subdivision ordinance or regulation or of a code of conduct or ethics designed to protect the interest of the public or the employer." Complaints concerning wrongdoing must involve laws that were designed to benefit or protect the general public. See Sharp v. Whitman Council, Inc., 2006 U.S. Dist. LEXIS 54582 (E.D. Pa. Aug. 3, 2006).

Related Policies

Standards of Conduct	Page 3.1
Ethics	Page 3.13

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Approval of Change Order #1 Curb and Sidewalk Project

MEETING DATE: December 16, 2019

ITEM NUMBER: #15.

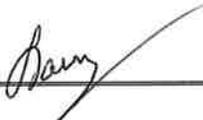
MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

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

INITIATED BY: Kevin A. Costello
Director of Public Works



BOARD LIAISON: Candyce Fluehr Chimera,
Vice Chairman

BACKGROUND:

On February 25, 2019 the Board of Supervisors awarded the contract for the 2019 Curb and Sidewalk Project to Drumheller Construction Company Inc. During 2019, the contractor experienced significant unforeseeable delays due to equipment repairs and wet weather conditions which hampered completion of the work within the original 150 Day contracted completion timetable. Township staff monitoring the project have advised that all work has been performed in a very satisfactory manner.

Attached is Change Order #1 to provide that the work under the contract shall be substantially completed, including the B-Bid quantities in accordance with Paragraph 14.04 of the General Condition of the contract no later than May 31, 2020 and completed and ready for final payment in accordance with Paragraph 14.07 of the General Conditions of the contract no later than June 26, 2020.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT: None.

PREVIOUS BOARD ACTION: Award of the contract on February 25, 2019 and authorized the B-Bid quantities on October 15, 2019.

ALTERNATIVES/OPTIONS: None.

BUDGET IMPACT: None.

RECOMMENDATION: Authorize execution of Change Order #1 Curb and Sidewalk Project.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby authorize execution of Change Order #1 extending the substantial and final completion dates for the 2019 Curb and Sidewalk Project Contract to May 31, 2020.

MOTION: _____ SECOND: _____

ROLL CALL:

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

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



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

December 10, 2019

File No. 18-08108

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

Reference: 2019 Curb and Sidewalk Project
Drumheller Construction Company, Inc. – Change Order 1

Dear Ms. Gregan:

Enclosed please find Change Order 1 associated with the above-referenced project. The change order proposes to revise Article 4.02.A of the executed Agreement, Document 00 52 00 to state the following: *Work shall be substantially completed, including the B-Bid quantities contained herewith in, in accordance with Paragraph 14.04 of the General Conditions no later than May 31, 2020, and completed and ready for final payment in accordance with Paragraph 14.07 of the General Conditions no later than June 26, 2020.*

If approved by the Board of Supervisors, please sign, date and return a copy of the executed change order to our office for distribution.

Should you have any questions, please do not hesitate to contact this office.

Sincerely,

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

Erin M. von Hacht, P.E.
Project Engineer
Gilmore & Associates, Inc.

JPD/EVH/sl

Enclosures: As referenced

cc: Carolyn McCreary, Township Manager Designee, Montgomery Township
Kevin Costello, Director of Public Works, Montgomery Township
Deborah A. Rivas, Administration Supervisor, Montgomery Township
Jody Zeleznick, Drumheller Construction Company, Inc.
Brian Dusault, Construction Services Manager, Gilmore & Associates, Inc.

65 East Butler Avenue | Suite 100 | New Britain, PA 18901 | Phone: 215-345-4330 | Fax: 215-345-8606

G GILMORE & ASSOCIATES, INC.

&A Change Order #1

CLIENT:
 Montgomery Township
PROJECT NAME:
 2019 Curb & Sidewalk Project - Bid A
PROJECT NUMBER:
 2018-08108

CONTRACTOR: Drumheller Construction Company, Inc.
 1176 Commerce Drive
 Pottstown, PA 19464
 Jody Zeleznick

DATE: December 10, 2019

Contract Summary:

Original Contract Sum	\$	439,944.75
Net Change by Previous Change Orders	\$	-
Net Change by Change Order #1	\$	-
Adjusted Contract Amount Based on Change Order #1	\$	439,944.75

Reason for Change:

Amend Article 4.02.A of the executed Agreement, Document 00 52 00, relative to the contract times associated with the Work.

Article 4.02.A of the executed Agreement, Document 00 52 00 shall be revised to state the following:
The Work shall be substantially completed, including the B-Bid quantities contained herewith in, in accordance with Paragraph 14.04 of the General Conditions no later than May 31, 2020, and completed and ready for final payment in accordance with Paragraph 14.07 of the General Conditions no later than June 26, 2020.

#	DESCRIPTION	SCHEDULE OF VALUES		TOTAL AMOUNT PAYABLE
		QUANTITY & UNITS	UNIT PRICE	
				\$ -
				\$ -
				\$ -
				\$ -
Total Amount of Change Order #1				\$ -

Recommended:

By: Jan P. Dancy Date: 12/10/19
 Engineer

Approved:

By: _____ Date: _____
 Owner

Accepted:

By: Jody Zeleznick Date: 12/10/2019
 Contractor

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Award of Bids – Municibid Online Surplus Asset Sale

MEETING DATE: December 16, 2019

ITEM NUMBER: #16.

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

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

INITIATED BY: Kevin A. Costello
Director of Public Works



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

BACKGROUND:

The Second Class Township Code provides that personal property owned by the Township, with an estimated fair market value of one thousand (\$1000.00) or more, may be only sold by public bid or on-line auction to the highest bidder after notice of advertisement. On October 28, 2019 the Board of Supervisors approved the sale of surplus public works equipment through Municibid On-Line Auction.

The following is a list of items along with the highest bidders as of the close of bids on December 3, 2019 at 3:00 pm:

- 1997 F-350 Small Dump Truck with Plow. The highest bidder was Dean Mazzotta with a bid amount of \$9,100.00. Total # of bids 62 with 1,442 views.
- 2008 F-350 Pickup Truck with lift gate and plow. The highest bidder was Doug Bray with a bid amount of \$6,350.00. Total # of bids 23 with 1,438 views.
- 2000 Case 590 Backhoe. The highest bidder was Michael Edmiston with a bid amount of \$16,700.00. Total # of bids 69 with 2,312 views.
- 2004 Jeep Liberty. The highest bidder was Dennis Devan with a bid amount of \$4,505.00. Total # of bids 51 with 1,488 views.
- 2001 John Deer 1445 Mower. The highest bidder was James Gaskill with a bid amount of \$4,100.00. Total # of bids 31 with 984 views.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

Authorized participation in Municibid for sale of public works surplus equipment on October 28, 2019.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

The Township will receive a total of \$40,755.00 for the sale of surplus assets within ten days of approval by the Board of Supervisors.

RECOMMENDATION:

It is recommended that the Board of Supervisors authorize the sale of the above stated equipment to the highest bidders as of the close of bidding on December 3, 2019.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby authorize the sale of the following equipment:

- 1997 F-350 with plow to Dean Mazzotta of Lansdale PA, in the amount of \$9,100.00.
- 2008 F-350 pickup truck with plow to Doug Bray of Dallastown PA, in the amount of \$6,350.00.
- 2000 Case 590 backhoe to Michael Edmiston of Woodbury PA, in the amount of \$16,700.00.
- 2004 Jeep Liberty to Dennis Devan of Catawissa PA, in the amount of \$4,505.00.
- John Deer 1445 mower to James Gaskill of Medford NJ, in the amount of \$ 4,100.00.

MOTION: _____

SECOND: _____

ROLL CALL:

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

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

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

SUBJECT: Consideration - Preliminary/Final Land Development Plan – Montgomery Realty Associated LLC. - 744 Bethlehem Pike - LDS #701

MEETING DATE: December 16, 2019 **ITEM NUMBER:** #17

MEETING/AGENDA: WORK SESSION ACTION XX NONE

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

INITIATED BY: Bruce Shoupe **BOARD LIAISON:** Michael J. Fox
Director of Planning and Zoning Chairman

BACKGROUND:

This property is located at 744 Bethlehem Pike, at Vilsmeier Road. The site has an existing right-in and right-out access driveway on the east side to Bethlehem Pike and a proposed right-in and right-out driveway off Vilsmeier Road. The site is approximately 1.8 acres within the C-Commercial Zoning District and partially within the R2-Residential District. The applicant purchased the adjoining split zoned residential/commercial property to the west, to allow a 12,240 square foot multi-tenant retail building. The Zoning Hearing Board granted relief to allow the intended multi-tenant retail/restaurant use building. The Zoning Hearing Board granted relief to allow a portion of the split zoned property to be utilized to meeting the C-Commercial code requirements with conditions.

The Township staff and consultants have reviewed this plan for compliance with Township Codes. Copies of the review letters are attached.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

The Applicant executed an indefinite extension form

PREVIOUS BOARD ACTION:

The Board of Supervisors granted Conditional approval for a 11,900 square foot multi-use building on 1.49 acres on December 16, 2014.

ALTERNATIVES/OPTIONS:

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

BUDGET IMPACT:

None.

RECOMMENDATION:

The resolution be adopted by the Board of Supervisors.

MOTION/RESOLUTION:

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

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

ROLL CALL:

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

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

RESOLUTION

MONTGOMERY TOWNSHIP

MONTGOMERY COUNTY, PENNSYLVANIA

A RESOLUTION GRANTING CONDITIONAL PRELIMINARY/FINAL APPROVAL OF THE APPLICATION FOR LAND DEVELOPMENT FOR THE MONTGOMERY REALTY ASSOCIATES, LLC - 744 BETHLEHEM PIKE – LDS# 701

The Board of Supervisors of Montgomery Township, Montgomery County, Pennsylvania, hereby resolves to grant conditional, preliminary/final approval of the land development application and plan for **Montgomery Realty Associates LLC, 744 Bethlehem Pike**, as more fully detailed on the plans listed on Exhibit "A" attached hereto and made part hereof and further conditioned upon the following being satisfied by the Applicant prior to the recording of the final plan:

1. Fulfilling all obligations and requirements of the following review letters and **any subsequent Consulting comments**. **Gilmore & Associates, Inc.** as set forth in letters dated December 14, 2018, July 25, 2019, September 18, 2019, October 24, 2019 for both Land Development and Accessibility; **Boucher & James, Inc.** letters dated December 14, 2018, revised December 17, 2018, January 30, 2019, July 11, 2019, September 17, 2019, October 25, 2019; **Montgomery Township Planning Commission** comments dated November 21, 2019; **Montgomery County Planning Commission** comments dated November 28, 2018, February 19, 2019, July 29, 2019, September 23, 2019; **Traffic Planning and Design, Inc.** letters dated January 10, 2019, February 12, 2019, July 25, 2019, September 20, 2019, October 25, 2019; **Montgomery Township Fire Marshal's Office** comments dated December 12, 2018, February 7, 2019, July 15, 2019; **Montgomery Township Police Department** comments dated January 22, 2019; **Montgomery Township Zoning Review** dated August 23, 2019; and **Kenneth Amey's** letters dated December 17, 2018, February 11, 2019, July 29, 2019, September 19, 2019.
2. Entering into a Land Development and Security Agreement and post financial security for all public improvements to the satisfaction of the Township Engineer and Township Solicitor for each phase of this development if required. As used herein, the term "public improvements" shall include, but shall not be limited to, streets, parking areas, drive aisles, curbs, water mains, sanitary sewer pipes, manholes and appurtenances thereto, storm water facilities, rain gardens (best management practice) and appurtenances, grading, erosion and sediment control, lighting, required trees, shrubs and landscape buffering, monuments, pins and sidewalks. The record plan shall indicate phasing if required. Public improvements shall require financial security be posted in the amount of 15% of the total public improvement cost, regardless of whether such public improvements are dedicated to the Township, for a period not less than 18 months after Township Engineer approval. If the end of maintenance period for trees and other plantings ends outside the time period specified in 205-49, the maintenance period shall be extended to comply with this requirement and the appropriate financial security shall be provided to the satisfaction of the Township Solicitor.
3. Paying all outstanding fees and costs related to the project before plans and agreements are recorded, including Township Consultant and Solicitor fees and all required fees-in-lieu referenced below in Paragraphs **5, 9, 10, 12, 13, 14 and 16** of this Resolution's Waiver section.

4. Satisfying all applicable requirements of the Township Codes, Township Municipal Sewer Authority ("MTMSA"), and North Wales Water Authority. A copy of the Authorities' permits and/or agreements from the above must be provided to the Township.
5. The Applicant shall be responsible for obtaining all other Regulatory Authority Permits having jurisdiction over this project.
6. Execute the required Storm Water Management Facilities Maintenance and Monitoring Agreement and Landscaping Declaration of Covenants and Restriction for its benefit and its successors and assigns, if required.
7. All future development of this parcel shall be subject to new application and approval by the Board of Supervisors.
8. All storm water inlets and outfall structures shall be identified in accordance with the PADEP Municipal Separate Storm Sewer Systems requirements.
9. Building permits will not be accepted for review until all conditions of approval have been complied with and plans and agreements have been recorded. Building permits shall not be issued until the parking lot(s) and/or roadway(s) are paved with all-weather pavement and operable fire hydrant(s) have been installed and approved by the Director of Fire Services.
10. The Applicant must comply with the Decision and Order of the Zoning Hearing Board dated November 13, 2013, October 23, 2018 (as it relates to the front parcel) and October 25, 2019 as it relates to the overall parcel. The relief granted by the Zoning Hearing Board must be listed on the record plan.
11. The Applicant acknowledges that Section 205-116 of the SALDO provides for the payment of a fee in lieu of the dedication of parkland for park and recreation purposes. The Applicant hereby agrees to accept the provisions of Section 205-116(A) (2) of the SALDO providing for the payment of \$.50 per square foot for nonresidential development or use up to 10,000 square feet and \$.25 per square foot over 10,000 square feet. This fee must be paid prior to the submission of an application for a building permit.

BE IT RESOLVED that the following waivers have been requested by the Applicant and are granted to the extent recommended by the Township consultants with payment of the fees-in-lieu amounts as set forth in Paragraphs 5, 9, 10, 12, 13, 14 and 16.

1. **SLDO Section 205-17: a waiver has been requested to permit 6-inch reveal curb within the on-site parking areas, in lieu of the required 8-inch curb reveal. The Consultants have no objection to this waiver. (granted/denied)**
2. **SLDO Section 205-18.D(3)(c): a waiver has been requested to permit a Rain Garden to utilize the Outlet Control Structure grate as an Emergency Spillway. The Consultants have no objection to this waiver. ((granted/denied)**

3. **SLDO Section 205-18.D(3)(d): a waiver has been requested to allow a Rain Garden facility with side slopes graded at 3H:1V in lieu of the required 4H:1V. The Consultants have no objection to this waiver. (granted/denied)**
4. **SLDO Section 205-18.D(3)(e): a waiver has been requested to permit a flat bottom Rain Garden facility in lieu of the required 2% bottom slope for detention basins. The Consultants have no objection to this waiver. (granted/denied)**
5. **SLDO Section 205-52.A(2)(a): a waiver has been requested “to permit two (2) street trees along Bethlehem Pike and two (2) street trees along Vilsmeier Road, in lieu of the required three (3) trees and nine (9) trees, respectively.” We have no objection to this waiver request provided a fee-in-lieu is provided. The proposed plan is deficient by eight (8) trees. 8 Street Trees x \$600 = \$4,800.00. It should be noted that the waiver request letter incorrectly states that five (5) street trees are proposed along Vilsmeier Road; three of the previously proposed street trees have been removed from the plans due to the location of proposed opaque fencing along Vilsmeier Road.**
6. **SLDO Section 205-52.B(2)(b): a waiver has been requested “to permit a softening buffer yard to be utilized for improvements including parking, lighting, and a retaining wall.” The Consultants have no objection to this waiver request, provided the waiver is limited to buffer areas adjoining non-residential properties. (granted/denied)**
7. **SLDO Section 205-52.B(2)(d): a waiver has been requested “to permit slopes of 3:1 within buffer areas, in lieu of the required 4:1.” As it appears the proposed steep slopes are to be appropriately stabilized. The Consultants have no objection to this waiver. (granted/denied)**
8. **SLDO Section 205-52.B(4)(a): a waiver has been requested “to permit smaller trees than required, due to the presence of existing overhead wires.” We have no objection to the use of ornamental trees in lieu of the required shade trees due to the presence of overhead utility lines. The Consultants have no objection to this waiver. (granted/denied)**
9. **SLDO Section 205-52.B(4)(a): a waiver has been requested “to permit twenty-seven (27) shrubs for a softening buffer along Bethlehem Pike, in lieu of the required six (6) shade trees and twelve (12) shrubs.” We have no objection to this waiver request provided a fee-in-lieu is provided. Based on an equivalency of ten (10) shrubs for each shade tree, the proposed plan is deficient by five (5) shade trees. 5 Shade Trees x \$600 = \$3,000.00. The Consultants have no objection to this waiver. (granted/denied)**
10. **SLDO Section 205-52.B(4)(a): a waiver has been requested “to permit thirty-four (34) shrubs for a softening buffer along Vilsmeier Road, in lieu of the required seventeen (17) shade trees and thirty-four (34) shrubs.” We have no objection to this waiver request provided a fee-in-lieu is provided. The proposed plan is deficient by seventeen (17) shade trees. 17 Shade Trees x \$600 = \$10,200.00. The Consultants have no objection to this waiver. (granted/denied)**

11. **SLDO 205-52.D(1)(d): a waiver has been requested “to permit two (2) internal parking islands to be striped with pavement markings to allow truck circulation, in lieu of the required raised planting beds.”** The Consultants have no objection to this waiver. (granted/denied)
12. **SLDO 205-52.D(1)(e): a waiver has been requested “to permit no shade trees for each 290 SF of planting island, in lieu of the required 8 shade trees.”** *We have no objection to this waiver request provided a fee-in-lieu is provided. The proposed plan is deficient by eight (8) shade trees. 8 Shade Trees x \$600 = \$4,800.00.* (granted/denied)
13. **SLDO 205-52.D(1)(f): a waiver has been requested “to permit a parking area without a continuous low hedge around the outside perimeter within 100 feet of a public street.”** *We have no objection to this waiver request provided a fee-in-lieu is provided. Twenty (20) parking spaces within 100’ of a public road are without a hedge. At three (3) shrubs per parking space, the plan is deficient by sixty (60) shrubs. 60 shrubs x \$90 = \$5,400.00.* (granted/denied)
14. **SLDO Table 1: a waiver has been requested “to permit one (1) shade tree per 5,000 square feet of floor area, in lieu of the required three (3) shade trees.”** *We have no objection to this waiver request provided a fee-in-lieu is provided. The proposed plan is deficient by two (2) shade trees. 2 Shade Trees x \$600 = \$1,200.00.* (granted/denied)
15. **SLDO 205-53.C(1): a waiver has been requested “to permit removal of existing trees, in lieu of the required 60% preservation for trees 8-23” and 23-48” in caliper.”** All trees on the site are proposed to be removed. *We have no objection to this waiver request.* (granted/denied)
16. **SLDO 205-53.C(4): a waiver has been requested “to permit removal of existing trees, without providing replacement trees.”** *We have no objection to this waiver request provided a fee-in-lieu is provided. The proposed plan is deficient by forty-nine (49) replacement trees. 49 Replacement Trees x \$500 = \$24,500.00.* (granted/denied)
17. **SLDO 205-78.B(1): a waiver is requested to “to permit an aerial exhibit providing property lines and names of owners, in lieu of a plan with the location of watercourses, sanitary sewers, storm drains, etc. within 400 feet of the site”.** (granted/denied)
18. **SLDO 206-11.1 & 206-14: a waiver has been requested to provide a design consistent with PADEP’s MRC requirements, but does not meet Township volume reduction requirements due to infeasibility of infiltration on-site.** The Consultants do not object to this waiver provided the applicant receive a NPDES Permit that meets all MRC requirements. (granted/denied)

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

DULY PRESENTED AND ADOPTED by the Board of Supervisors of Montgomery Township, Montgomery County, Pennsylvania, at a public meeting held this 16th day of December, 2019.

MOTION BY:

SECOND BY:

VOTE:

The content of this resolution, including the above conditions, is agreed to by the applicant

_____ day of _____, 2019.

MONTGOMERY REALTY ASSOCIATES, LLC

Applicant Signature

Print Name

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

EXHIBIT "A"

PLANS-STUDIES

<u>DESCRIPTION</u>	<u>ORIGINAL DATE</u>	<u>REVISED DATE</u>
1. Cover Sheet		09/23/19
2. Lot Consolidation Plan	09/23/19	
3. Site Plan	10/29/18	09/23/19
4. Existing Conditions/Demolition Plan	10/29/18	09/23/19
5. Grading Plan	10/29/18	09/23/19
6. Utility Plan	10/29/18	09/23/19
7. Landscape Plan	10/29/18	09/23/19
8. Landscape Details	10/29/18	09/23/19
9. Lighting Plan	10/29/18	09/23/19
10. Lighting Details	10/29/18	09/23/19
11. Lighting Details	10/29/18	09/23/19
12. Construction Details	10/29/18	09/23/19
13. ADA Enlargement & Construction Detail	10/29/18	09/23/19
14. Drainage Area Plan	10/29/18	09/23/19
15. Aerial Exhibit	10/29/18	09/23/19
16. Truck Turn Plan	10/29/18	09/23/19
17. Erosion & Sediment Control Plan	10/29/18	09/23/19
18. Erosion & Sediment Control Details	10/29/18	09/23/19
19. Post-Construction Stormwater Management Plan	10/29/18	09/23/19
20. Post-Construction Stormwater Management Details	10/29/18	09/23/19



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

October 24, 2019

File No. 2012-10063-01

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#701
Montgomery Realty Associates, LLC
744 Bethlehem Pike (S.R. 0309) & 1227 Vilsmeier Road
Tax Map Parcel Numbers 46-00-00388-00-7 & 46-00-04051-00-7

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. Preliminary/Final Land Development Plans for Montgomeryville Realty Associates, LLC (19 sheets), prepared by Bohler Engineering PA, LLC, dated October 29, 2018, last revised September 23, 2019.
- B. General Project Description and Stormwater Management Calculations (PCSWM Report) for Montgomery Realty Associates, LLC, prepared by Bohler Engineering PA, LLC, dated October 29, 2018, last revised September 23, 2019.
- C. Waiver Request Letter prepared by Bohler Engineering PA, LLC, dated October 7, 2019.
- D. Comment Response Letter prepared by Bohler Engineering PA, LLC, dated October 7, 2019.

II. GENERAL

The project comprises two lots: 744 Bethlehem Pike (Block/Unit 006B/041) and 1227 Vilsmeier Road (006B/043). Combined, the lots are approximately 85,899 sf (1.97 acres) in area. The Bethlehem Pike lot is within the C Commercial Zoning District and is currently vacant. The other lot is split zoned being within the C Commercial Zoning District as well as the R-2 Residential District and the current use is single family residential. The Applicant, Montgomery Realty Associates, LLC, proposes to construct a 12,240 square foot building, of which 8,740 square feet will be used for retail and 3,500 square feet will be used for a restaurant. The restaurant use includes an additional 358 square foot outdoor dining area as well. The applicant's proposal includes appurtenant parking, utilities, stormwater management, landscaping, etc. to support the proposed uses that are permitted in the C Commercial Zoning District. The building as well as the majority of the parking spaces will be on the Bethlehem lot, while the stormwater management BMP as well as the remainder of the parking spaces are shown on the Vilsmeier lot. The Applicant is proposing an increase in impervious coverage of 16,310 square feet. The applicant has obtained a special exception regarding the outdoor eating space and several variances, which are noted below.

III. REVIEW COMMENTS

A. Variances and Special Exceptions Granted to Zoning Ordinance (Chapter 230)

On November 13, 2013 the Montgomery Township Zoning Hearing Board approved the following variances from the Montgomery Township Zoning Ordinance for TMP No. 46-00-00388-00-7. Refer to the Zoning Hearing Board Decision and Order for details regarding the variances.

65 East Butler Avenue | Suite 100 | New Britain, PA 18901 | Phone: 215-345-4330 | Fax: 215-345-8606

1. §230-78.A – The approved variance permits a 3 foot landscape buffer along Vilsmeier Road.
2. §230-155 – The approved variance permits non-compliant landscaping, including the buffering and street tree requirements in the areas along Vilsmeier Road, the required street trees along Bethlehem Pike, and the side lot lines of the subject property.

On September 12, 2018 the Montgomery Township Zoning Hearing Board approved the following variances and special exception from the Montgomery Township Zoning Ordinance for TMP No. 46-00-00388-00-7. Refer to the Zoning Hearing Board Decision and Order for details regarding the variances and special exception.

1. §230-77.F – The approved variance permits an impervious coverage of 80% in lieu of the 75% maximum. It is noted that the proposed impervious coverage is 72.7% and that stormwater management has been designed for the impervious coverage maximum of 75% and not the 80% per the variance.
2. §230-77.G – The approved variance permits a green area of 20% in lieu of the 25% minimum. It is noted that the proposed green area coverage is 27.3%.
3. §230-78.A – The approved variance permits a 20 foot wide landscape buffer in lieu of the 25 foot minimum adjacent to an existing residential use. This is specifically conditioned on the buffer including at a minimum a solid fence and twelve-foot high dense shrubs, with a solid fence extending around to the first parking space along Vilsmeier Road on the southwest corner of the property.
4. §230-78.A – The approved variance permits a 3 foot wide landscape buffer in lieu of the 25 foot minimum along Vilsmeier Road.
5. §230-127.A(4)(a) – The approved variance permits a sign setback of 13 feet from the existing curb line in lieu of the required 15 feet.
6. §230-127.A(4)(b) – The approved variance permits a sign area of 60 square feet and a sign height of 20 feet in lieu of a 34 square feet area and 5 feet high.
7. Table 230-A – The approved special exception use permits an outdoor dining area as an accessory use to the principal restaurant use.

On September 11, 2019 the Montgomery Township Zoning Hearing Board approved the following variances from the Montgomery Township Zoning Ordinance for TMP Nos. 46-00-00388-00-7 & 46-00-04051-00-7. Refer to the Zoning Hearing Board Decision and Order for details regarding the variances.

1. §230-31 – The approved variance permits stormwater management facilities and improvements supporting a commercial use within the R-2 Residential Zoning District.
2. §230-155 - The approved variance permits non-compliant landscaping including buffering and street tree requirements.
3. §230-134.C(1) & (7) - The approved variance permits 94 parking spaces of the complying size rather than the required 100 spaces.
4. §230-33.H - The approved variance permits the portion of the property located in the R-2 Residential Zoning District to meet the impervious coverage and green area coverage requirements of the C-Commercial District.
5. §230-78.A - The approved variance permits a landscape buffer of less than 25 feet along the Vilsmeier Road frontage.
6. §230-48.B(2) & (3) - The approved variance permits a 6 foot opaque fence along a portion of the front yard of Vilsmeier Rd.

B. Zoning Ordinance (Chapter 230)

Based on our review, the plans appear to comply with the Montgomery Township Zoning Ordinance except where variances and special exceptions have been granted. Upon further development of the plans, additional items may become apparent. We defer review of proposed signs with regard to Article XVIII of the Zoning Ordinance to the Township Zoning Officer.

C. Waivers Requested from Subdivision & Land Development Ordinance (Chapter 205)

The Applicant has requested the following waivers from the Montgomery Township Subdivision & Land Development Ordinance (SALDO).

1. §205-17 – To permit a 6-inch curb reveal on-site, in lieu of the required 8-inch reveal.
2. §205-18.D(3)(c) – To permit a rain garden to utilize the Outlet Control Structure grate as an Emergency Spillway.
3. §205-18.D(3)(d) – To permit a rain garden facility with side slopes graded at 3H:1V in lieu of the required 4H:1V.
4. §205-18.D(3)(e) – To permit a flat bottom rain garden facility in lieu of the required 2% bottom slope for detention.
5. §205-52.A(2)(a) – To permit two street trees along Bethlehem Pike and five street trees along Vilsmeier Road, in lieu of the required three trees and nine trees, respectively.
6. §205-52.A(2)(b) – To permit small trees to be planted closer than five feet to a public sidewalk.
7. §205-52.B(2)(b) – To permit a softening buffer yard to be utilized for improvements including parking, lighting, and a retaining wall.
8. §205-52.B(2)(d) – To permit slopes of 3H:1V within buffer areas, in lieu of the required 4H:1V.
9. §205-52.B(4)(a) – To permit
 - a. 27 shrubs for a softening buffer along Bethlehem Pike, in lieu of the required six shade trees and 12 shrubs.
 - b. 34 shrubs for softening buffer along Vilsmeier, in lieu of the required one shade trees and 34 shrubs.
 - c. smaller trees than required, due to the presence of existing overhead wires.
10. §205-52.C(4) – To permit removal of existing trees, without providing replacement trees.
11. §205-52.D(1)(d) – To permit two internal parking islands to be striped with pavement markings to allow truck circulation, in lieu of the required raised planting islands.
12. §205-52.D(1)(e) – To permit no shade trees for each 290 sq. ft. of planting island, in lieu of the required eight shade trees.
13. §205-52.D(1)(f) – To permit a parking area without a continuous low hedge around the outside perimeter within 100 feet of a public street.
14. §205-53.C(1) – To permit removal of existing trees, in lieu of the required 60% preservation for trees 8 inch -23 inch and 23 inch – 48 inch in caliper.
15. Table 1 – To permit one shade tree per 5,000 square feet of floor area, in lieu of the required three shade trees.
16. §205-78.B(1) – To permit an aerial exhibit providing property lines and names of owners, in lieu of a plan with the location of watercourses, sanitary sewers, storm drains, etc. within 400 feet of the site.

D. Subdivision & Land Development Ordinance (Chapter 205)

Based on our review, the plans appear to comply with the Montgomery Township SALDO. Upon further development of the plans, additional items may become apparent.

E. Waiver Request from the Stormwater Management Ordinance (Chapter 206)

The Applicant has requested the following waiver from the Montgomery Township Stormwater Management Ordinance.

1. §206-11.I & §206-14 – To provide a design consistent with PADEP's MRC requirements, but does not meet Township volume reduction requirements due to infeasibility of infiltration on-site.

F. Stormwater Management Ordinance (Chapter 206)

Based on our review, the plans appear to comply with the Montgomery Township Stormwater Management Ordinance except where waivers have been requested. Upon further development of the plans, additional items may become apparent.

G. 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. A grading permit shall be obtained from the Township Zoning Officer upon recommendation of the Township Engineer prior to commencement of grading, excavation, fill, topsoil removal, or removal of vegetative cover.
3. A Trash Enclosure Detail shall be provided for review and approval.
4. Structural plans and analyses for any required fall protection and for walls 30 inches or greater in height shall be submitted for review and approval prior to construction.
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.

We note additional comments may be provided upon review of new or revised information submitted with future submissions. We request the applicant provide written response to each of our comments as well as noting any other revisions to the application when resubmitting. If you have any questions regarding the above, please contact this office.

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Sincerely,



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

JPD/SW/sl

cc: Lawrence J. Gegan, Manager – Montgomery Township
Carolyn McCreary, Manager Designee – Montgomery Township
Marianne McConnell, Deputy Zoning Officer – Montgomery Township
Mary Gambino, Project Coordinator – 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
Steve Muchnick – Montgomery Realty Associates, LLC
Matthew Chartrand, P.E. – Bohler Engineering PA, LLC
Russell S. Dunlevy, P.E., Senior Executive Vice President – Gilmore & Associates, Inc.



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

September 18, 2019

File No. 2012-10063-01

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#701
Montgomery Realty Associates, LLC
744 Bethlehem Pike (S.R. 0309) & 1227 Vilsmeier Road
Tax Map Parcel Numbers 46-00-00388-00-7 & 46-00-04051-00-7

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. Preliminary/Final Land Development Plans for Montgomeryville Realty Associates, LLC (19 sheets), prepared by Bohler Engineering PA, LLC, dated October 29, 2018, last revised August 20, 2019.
- B. General Project Description and Stormwater Management Calculations (PCSWM Report) for Montgomery Realty Associates, LLC, prepared by Bohler Engineering PA, LLC, dated October 29, 2018, last revised August 20, 2019.
- C. Erosion & Sediment Pollution Control Calculations for Montgomery Realty Associates, LLC, prepared by Bohler Engineering PA, LLC, dated January 25, 2019, last revised June 10, 2019.
- D. Waiver Request Letter prepared by Bohler Engineering PA, LLC, dated August 22, 2019.
- E. Comment Response Letter prepared by Bohler Engineering PA, LLC, dated August 22, 2019.

II. GENERAL

The project comprises two lots: 744 Bethlehem Pike (Block/Unit 006B/041) and 1227 Vilsmeier Road (006B/043). Combined, the lots are approximately 85,899 sf (1.97 acres) in area. The previous submission consisted of the Bethlehem Pike lot only. The Vilsmeier lot is newly added to this submission. The Bethlehem lot is within the C Commercial Zoning District and is currently vacant. The other lot is split zoned being within the C Commercial Zoning District as well as the R-2 Residential District and the current use is single family residential. With the inclusion of the additional parcel, the applicant proposes a larger building, and additional parking and storm water management areas compared to the previous submission. The Applicant, Montgomery Realty Associates, LLC, proposes to construct a 12,240 square foot building, of which 8,740 square feet will be used for retail and 3,500 square feet will be used for a restaurant. The restaurant use includes an additional 358 square foot outdoor dining area as well. The applicant's proposal includes appurtenant parking, utilities, stormwater management, landscaping, etc. to support the proposed uses that are permitted in the C Commercial Zoning District. The building as well as the majority of the parking spaces will be on the Bethlehem lot, while the stormwater management BMP as well as the remainder of the parking spaces are shown on the Vilsmeier lot. The Applicant is proposing an increase in impervious coverage of 16,310 square feet. The applicant has obtained a special exception regarding the outdoor eating space and several variances, which are noted below.

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Gilmore & Associates, Inc.
Building on a Foundation of Excellence
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III. REVIEW COMMENTS

A. Variances and Special Exceptions Granted to Zoning Ordinance (Chapter 230)

On November 13, 2013 the Montgomery Township Zoning Hearing Board approved the following variances from the Montgomery Township Zoning Ordinance for TMP No. 46-00-00388-00-7. Refer to the Zoning Hearing Board Decision and Order for details regarding the variances.

1. §230-78.A – The approved variance permits a 3 foot landscape buffer along Vilsmeier Road.
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1. §230-77.F – The approved variance permits an impervious coverage of 80% in lieu of the 75% maximum. It is noted that the proposed impervious coverage is 72.7%.
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3. §230-78.A – The approved variance permits a 20 foot wide landscape buffer in lieu of the 25 foot minimum adjacent to an existing residential use. This is specifically conditioned on the buffer including at a minimum a solid fence and twelve-foot high dense shrubs, with a solid fence extending around to the first parking space along Vilsmeier Road on the southwest corner of the property.
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1. §230-31 - to permit stormwater management facilities and improvements supporting a commercial use within the R-2 Residential Zoning District.
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B. Zoning Ordinance (Chapter 230)

Based on our review, the plans appear to comply with the following sections of the Montgomery Township Zoning Ordinance. Upon further development of the plans, additional items may become apparent. We defer review of proposed signs with regard to Article XVIII of the Zoning Ordinance to the Township Zoning Officer.

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12. §205-52.D(1)(e) – To permit no shade trees for each 290 sq. ft. of planting island, in lieu of the required eight shade trees.
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14. §205-53.C(1) – To permit removal of existing trees, in lieu of the required 60% preservation for trees 8 inch -23 inch and 23 inch – 48 inch in caliper.
15. Table 1 – To permit one shade tree per 5,000 square feet of floor area, in lieu of the required three shade trees.
16. §205-78.B(1) – To permit an aerial exhibit providing property lines and names of owners, in lieu of a plan with the location of watercourses, sanitary sewers, storm drains, etc. within 400 feet of the site.

D. Subdivision & Land Development Ordinance (Chapter 205)

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

1. §205-17 & §205-22 – All Concrete curb and sidewalk details shall include Aquaron 2000 sealing & curing agent.
2. §205-17.A(4) –The Standard Asphalt Pavement Detail on Sheet C-9 differs from the Township standard detail. The Proposed detail is adequate for on-site paving. However, any paving or road restoration with the Township right-of-way shall be per the Township standard. The Standard detail shall be depicted on the plans. The location where each detail is permitted shall be noted on the plans as well.

3. §205-18.D(3)(f) - Stormwater management facilities must be designed for the greater of either the total impervious cover or the maximum impervious surface ratio permitted within the respective zoning district per the Township Zoning Ordinance. The analysis in the PCSWM Report was based upon the proposed impervious coverage of 72.7% instead of the maximum allowable of 75%. The stormwater management facilities shall be based upon the maximum allowable impervious coverage of 75%.
4. §205-19 & 20 – Documentation from the water and sewer authorities shall be provided indicating that service and capacity are available and will be provided.
5. §205-24 – We defer lighting review to the Township Lighting Consultant.
6. §205-28 – No person shall commence or perform any grading, excavation, fill, topsoil removal or removal of vegetative cover without first having obtained a grading permit from the Township Zoning Officer upon recommendation of the Township Engineer.
7. §205-29 – An NPDES Permit shall be obtained from the Montgomery County Conservation District (MCCD) and/or the Pennsylvania Department of Environmental Protection (PADEP).
8. §205-48 thru 56 – We defer landscaping review to the Township Landscape Architect.

E. Waiver Request from the Stormwater Management Ordinance (Chapter 206)

The Applicant has requested the following waiver from the Montgomery Township Stormwater Management Ordinance.

1. §206-11.1 & §206-14 – To provide a design consistent with PADEP's MRC requirements, but does not meet Township volume reduction requirements due to infeasibility of infiltration on-site.

F. 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.D & 13 – An NPDES Permit shall be obtained from the Montgomery County Conservation District (MCCD) and/or the Pennsylvania Department of Environmental Protection (PADEP).
2. §206-32 – A Performance Guarantee to the satisfaction of the Township Solicitor shall be provided to the Township prior to construction for all stormwater related items.
3. §206-35 – An Operations and Maintenance Agreement to the satisfaction of the Township Solicitor shall be provided to the Township for review and approval.
4. Basin routing within the PCSWM Report appears to utilize basin storage to a bottom elevation of 456. However, the detail on Sheet C-16 depicts the underdrain entering the outlet structure at elevation 457. The void volume below the 457 contour is the Internal Water Storage (IWS) volume per the Managed Release Concept (MRC), which allows for up to 50% of the IWS void volume to be included (only for vegetated MRC BMPs) as available storage during hydrologic routings to demonstrate compliance with the standards for the release rate and peak flow attenuation. The analysis shall be revised to account for the void volume not available as storage.
5. The plans denote the underdrain piping at an invert 457.00 within the rain garden, which would be at the same invert elevation as the 0.6-inch orifice at the OCS. The applicant shall verify the elevations. It appears the underdrain pipe should be set at an elevation below 457 to account for the upturned elbow shown in the detail on Sheet C-16. The PCSWM Report and plans shall be modified accordingly.
6. Appendix C of the PCSWM Report includes the following statements:
 - a. "The MRC basin has been designed with Internal Water Storage of 2 feet below the invert elevation of the upturned elbow drilled orifice, in order to promote evapotranspiration."
 - b. "The underdrain has been designed with an upturned elbow, in order to provide 2 feet of IWS."

These statements do not appear to be consistent with the details on Sheet C-16 with regard to the thickness of the planting soil and the elevations of the underdrain and underdrain orifice. The soils thickness and elevations shall be verified and the plans and report shall be modified accordingly.

7. The proposed post and rail fence is noted on Sheet C-2. It is recommended that the fence be labeled on the enlarged basin plan on Sheet C-16 as well.

8. The top of berm elevation of 460.5 shall be noted on the enlarged basin plan on Sheet C-16.
9. It is recommended that all pertinent elevations be noted on the Managed Release Rain Garden Detail and Table on Sheet C-16 for clarity. The top and bottom elevation of the planting soil and invert elevations of the underdrain and underdrain orifice would be helpful.

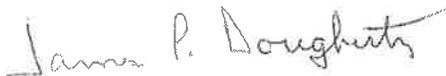
G. General

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. A detail for the bollard fence proposed around the outdoor seating area for the restaurant should be provided with the building permit plans for review and approval by the Township.
3. The Soil Amendment & Restoration sequence shall be verified. The ripping depth in the sequence (8 inch in step #2) is different from that of the detail (12 inch). 12 inch shall be used in both locations.
4. A detail shall be provided for the proposed planting media within the rain garden. If it is intended that the material in the rain garden is to be amended soils, it shall be a minimum of 24 inch deep.
5. A retaining wall detail shall be added to the plans. Wherever the wall is 30 inches or greater in height, fall protection shall be provided at the top of the wall. The detail shall include the fall protection proposed. Structural plans and analyses for any required fall protection and for walls 30 inches or greater in height shall be submitted to the Township for review and approval prior to construction.
6. A Trash Enclosure Detail shall be provided.
7. It is noted that the curb ramps along SR309 are included with the road widening plans by others and subject to PennDOT review and approval.
8. We defer review of all landscaping, lighting, and traffic requirements to the Township Landscape Architect, Township Lighting Consultant, and Township Traffic Engineer, respectively.
9. Site Accessibility review will be provided under separate cover.

We note additional comments may be provided upon review of new or revised information submitted with future submissions. We request the applicant provide written response to each of our comments as well as noting any other revisions to the application when resubmitting. If you have any questions regarding the above, please contact this office.

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.
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Steve Muchnick – Montgomery Realty Associates, LLC
Matthew Chartrand, P.E. – Bohler Engineering PA, LLC
Russell S. Dunlevy, P.E., Senior Executive Vice President – Gilmore & Associates, Inc.



July 25, 2019

File No. 2012-10063-01

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#701
Montgomery Realty Associates, LLC
744 Bethlehem Pike (S.R. 0309) & 1227 Vilsmeier Road
Tax Map Parcel Numbers 46-00-00388-00-7 & 46-00-04051-00-7

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. Preliminary/Final Land Development Plans for Montgomeryville Realty Associates, LLC (18 sheets), prepared by Bohler Engineering PA, LLC, dated October 29, 2018, revised May 20, 2019.
- B. General Project Description and Stormwater Management Calculations (PCSWM Report) for Montgomery Realty Associates, LLC, prepared by Bohler Engineering PA, LLC, dated October 29, 2018, revised May 3, 2019.

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2. §230-155 – The approved variance permits non-compliant landscaping, including the buffering and street tree requirements in the areas along Vilsmeier Road, the required street trees along Bethlehem Pike, and the side lot lines of the subject property.

On September 12, 2018 the Montgomery Township Zoning Hearing Board approved the following variances and special exception from the Montgomery Township Zoning Ordinance for TMP No. 46-00-00388-00-7. Refer to the Zoning Hearing Board Decision and Order for details regarding the variances and special exception.

1. §230-77.F – The approved variance permits an impervious coverage of 80% in lieu of the 75% maximum. It is noted that the proposed impervious coverage is 72.7%.
2. §230-77.G – The approved variance permits a green area of 20% in lieu of the 25% minimum. It is noted that the proposed green area coverage is 27.3%.
3. §230-78.A – The approved variance permits a 20 foot wide landscape buffer in lieu of the 25 foot minimum adjacent to an existing residential use. This is specifically conditioned on the buffer including at a minimum a solid fence and twelve foot high dense shrubs, with a solid fence extending around to the first parking space along Vilsmeier Road on the southwest corner of the property.
4. §230-78.A – The approved variance permits a 3 foot wide landscape buffer in lieu of the 25 foot minimum along Vilsmeier Road.
5. §230-127.A(4)(a) – The approved variance permits a sign setback of 13 feet from the existing curbline in lieu of the required 15 feet.
6. §230-127.A(4)(b) – The approved variance permits a sign area of 60 square feet and a sign height of 20 feet in lieu of a 34 square feet area and 5 foot height.
7. Table 230-A – The approved special exception use permits an outdoor dining area as an accessory use to the principal restaurant use.

B. Zoning Ordinance (Chapter 230)

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

1. §230-31 – The applicant proposes that improvements supporting the commercial uses be located within the R-2 zoned area of the Vilsmeier lot. We defer to the Township Zoning Officer to determine if relief from the Zoning Ordinance regarding the areas within the residential zoning district is needed.
2. §230-121 thru §230-121 – We defer review of proposed signs with regard to Article XVIII of the Zoning Ordinance to the Township Zoning Officer.
3. §230-148.B(1) - Boundary fences and walls shall be located within 5 feet of the property line. A dimension shall be provided denoting the setback of the proposed shadowbox fence from the rear property line. Additionally, a detail shall be provided.
4. §230-148.B(3) – Boundary fences shall not exceed 6 feet in height. The height of the shadow box fence proposed along the rear property line shall be indicated on the plan.

C. 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. §205-15 – Existing monuments and lot pins shall be identified on the plans. Additionally, new monuments and pins shall be added in accordance with this section.
2. §205-17.A(4) – All commercial, industrial, and multifamily driveways carrying mostly cars shall be constructed in accordance with the residential road standards or the alternate provided in this section. The Standard Asphalt Pavement Detail on Sheet C-9 meets the parking area requirement [§205-17.A(3)], but does not meet the Township specification for asphalt pavement in driveway areas. The detail shall be revised, a waiver requested, or an additional detail provided.

3. §205-18.A(3)(b) – Any closed conduit, when flowing full, shall have a minimum velocity of 3.5 feet per second and a maximum velocity of 15 feet per second. The PCSWM Report does not include pipe velocities. The report shall be revised accordingly.
4. §205-18.A(4) & (5) – A stormwater structure is required at all changes of direction. Additionally, pipes of 24 inches in diameter or less shall have structures at a maximum of 300 feet apart. An inlet or manhole shall be added where the roof drain pipe connects to the primary stormwater system.
5. §205-18.D(3)(f) - Stormwater management facilities must be designed for the greater of either the total impervious cover or the maximum impervious surface ratio permitted within the respective zoning district per the Township Zoning Ordinance. The applicant shall demonstrate that the proposed stormwater facilities have been designed to satisfy this requirement.
6. §205-19 & 20 – Documentation from the water and sewer authorities shall be provided indicating that service and capacity are available and will be provided.
7. §205-17 – Concrete curb shall consist of 4,000 psi concrete, include Aquaron 2000 sealer or approved equal, and have a reveal of 8 inches. Details on Sheet C-9 shall be revised accordingly.
8. §205-22 – Concrete sidewalk consist of 4,000 psi concrete and include Aquaron 2000 sealer or approved equal, and conform to Township standards. Additionally, sidewalk within the public right-of-way shall conform to PennDOT Publication 72M, RC-67 details, including but not limited to width, slope, detectable warning surfaces, etc.
9. §205-18.D(1)(a) – It is recommended that the outflow from the proposed basin be directed to the Vilsmeier Road gutter line. The proposed basin outlet consists of a level spreader located adjacent to the neighboring residential property (1225 Vilsmeier). We have concerns regarding the location of the level spreader and the impact to the neighboring property. The applicant shall provide additional information in order to verify that runoff will be conveyed safely and in the intended direction.
10. §205-18.D(3)(c) – The emergency spillway must be designed to carry a 100-year design storm after development. The basin shall be designed with an emergency spillway.
11. §205-18.D(3)(d) – Detention basin side slopes shall be gently graded to permit ease of maintenance and shall not exceed 4H:1V. The proposed basin has side slopes of 3H:1V. The grades shall be modified or a waiver obtained.
12. §205-18.D(3)(e) – The bottom slopes of detention basins should not be less than 2%. The Applicant is proposing a flat bottom basin. The grade shall be modified or a waiver obtained.
13. §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 provided and a detail added to the plans.
14. §205-22.D – Existing sidewalk and curb ramps that do not comply with current Township Standards and Specifications, and/or PennDOT Publication 72M, RC-67 details should be replaced.
15. §205-24 – We defer lighting review to the Township Lighting Consultant.
16. §205-28 – No person shall commence or perform any grading, excavation, fill, topsoil removal or removal of vegetative cover without first having obtained a grading permit from the Township Zoning Officer upon recommendation of the Township Engineer.
17. §205-29 – An Erosion & Sediment Control report shall be provided supporting the features proposed on the plan (Sheet C-13). An NPDES Permit shall be obtained from the Montgomery County Conservation District (MCCD) and/or the Pennsylvania Department of Environmental Protection (PADEP).
18. §205-48 thru 56 – We defer landscaping review to the Township Landscape Architect.
19. §205-78.B.(1) – The location, names and widths of streets and alleys, including existing streets; the location and names of railroads; the location of property lines and names of owners; and the location of watercourses, sanitary sewers, storm drains and similar features within 400 feet shall be included on the plan. The Applicant has provided an aerial, but has not shown all of this information. This information shall be provided or a waiver shall be requested. We would not object to the aerial replacing this information as long as the Applicant agreed, upon request, to provide information determined to be needed for review and approval.

20. §205-78.B & C – The proposed plan includes improvements on two parcels, TMP Nos. 46-00-04051-00-7 (Vilsmeier lot) and 46-00-00388-00-7 (Bethlehem lot). The existing property line between the two lots is not depicted on the plans. The Applicant shall provide documentation to the satisfaction of the Township demonstrating ownership of the Vilsmeier lot. The application shall include a lot consolidation plan, which shall be recorded.
21. §205-78.E, §205-79.A(3) & §205-79.B(3) – The applicant should review the enclosed information regarding Plan Recording Information and make any revisions necessary in order to record the plans.
22. §205-79.A(1)(b) – A utility profile shall be included as part of resubmission for all underground utilities and their relation to building and impervious surface elevations.

D. 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.D & 13 – An Erosion & Sediment Control report shall be provided supporting the features proposed on the plan (Sheet C-13). An NPDES Permit shall be obtained from the Montgomery County Conservation District (MCCD) and/or the Pennsylvania Department of Environmental Protection (PADEP).
2. §206-11.I & §206-14 – The proposed stormwater management system must address the volume control requirements of the Ordinance. The PCSWM Plan and Report shall be revised to address the volume reduction requirements. Runoff from the site is to be discharged to the gutter line of Vilsmeier Road (a residential area). Every effort should be made to comply with the volume control requirement given the proposed increase in impervious surface area and the nature of the downstream storm conveyance system. The applicant performed infiltration testing at the site on October 26, 2018, prior to the inclusion of the Vilsmeier lot in the application. While this lot is the proposed location of the stormwater BMP, no testing has been performed in this area.
3. §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. The PCSWM Report states that the above-ground rain garden has been designed to dewater the post-development 1-year 24-hour storm over a period of more than the minimum 24 hours. However, all design storms (i.e. 1 through 100-year storms) are to be evaluated. Dewatering calculations shall be provided to ensure compliance. It is noted that the design incorporates the managed release concept (MRC) (PADEP Managed Release Concept white paper – December 13, 2018). The drawdown time for MRC BMPs shall not exceed 72 hours for all design storms.
4. §206-15.C – Development sites located in each of the management districts must control proposed development conditions runoff rates to existing conditions runoff rates for the design storms in accordance with Table 206-15.1. In the Wissahickon Creek watershed the post-development 2-year, 5-year, 10-year, 25-year, 50-year, and 100-year design storms shall be reduced to the 1-year, 5-year, 2-year, 25-year, 10-year, and 100-year pre-development design storms, respectively. The Applicant shall revise the system accordingly and account for those changes in a revised PCSWM Report.
5. §206-32 – A Performance Guarantee to the satisfaction of the Township Solicitor shall be provided to the Township prior to construction for all stormwater related items.
6. §206-35 – An Operations and Maintenance Agreement to the satisfaction of the Township Solicitor shall be provided to the Township for review and approval.
7. §206-36 – Access easements for all stormwater BMPs to the satisfaction of the Township Solicitor shall be provided in favor of the Township.
8. The riprap apron to be included at the inflow to the above ground basin shall be designed to minimize erosion at this location. Information shall be provided supporting the selected riprap size.
9. The plans and PCSWM Report shall include documentation that the thirteen Managed Release Concept (MRC) design requirements found in the PADEP Managed Release Concept white paper (December 13, 2018) are addressed.

10. On Sheet C-15 it is noted that the drainage area to the vegetated swale is 0.28 acres. This area is not consistent with that on the drainage plans or the PCSWM Report.
11. On Sheets C-13 and C-15 the General Notes shall be revised to include the additional parcel.

E. 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. Sheet C-2 states that 74 parking spaces are required and 94 are proposed. 94 spaces are required. The typographical error shall be modified.
3. The plan shall be modified to reflect the individual dates of variance approval. Additionally, any waivers requested should also be added to the plan.
4. A detail for the bollard fence proposed around the outdoor seating area for the restaurant should be provided with the building permit plans for review and approval by the Township.
5. The Soil Amendment & Restoration Detail shall be verified. The compost depth in the sequence seems to differ from that of the detail. Additionally, a separate detail shall be provided for the planting media within the basin if it is intended that the material in the basin is to be amended as well.
6. Sheet C-4 depicts a retaining wall along the north boundary of the property. Top of wall and bottom of wall elevations shall be provided at all changes in direction and at least every 100 feet.
7. A retaining wall detail shall be added to the plans. Wherever the wall is 30 inches or greater in height, fall protection shall be provided at the top of the wall. The detail shall include the fall protection proposed. Structural plans and analyses for any required fall protection and for walls 30 inches or greater in height shall be submitted to the Township for review and approval prior to construction.
8. On Sheet C-4, additional spot elevations should be provided along the depressed curb at the accessible parking spaces so that the depression continues through the southern access/loading area.
9. Detectable warning surfaces (DWS) are required at all curb ramps within the public right-of-way. All ramps shall meet the PennDOT (Publication 72M, RC-67) and Township standards. Enlarged grading details (e.g. 10 scale) shall be provided for each ramp for review. Each detail shall provide sufficient information to adequately determine that they meet the applicable standards. Information shall include, but not be limited to, slopes and elevations for all ramp and level landing areas. The Township standard DWS is a wet-set replaceable tile.
10. A Trash Enclosure Detail shall be provided.
11. We recommend concrete wheel stops be provided at all parking spaces adjacent to the retaining wall.
12. We recommend that clean-outs be provided at each header connection for the proposed roof drain. The cleanout shall be rated for vehicle loads.
13. The Landscape Plan (Sheet C-6) shows the area of the basin to be seeded with the rain garden mixture. The notation should be duplicated on the PCSWM Plan (C-15).
14. The plans depict continental crosswalk pavement markings while the detail on Sheet C-9 shows parallel lines. The plans and details shall be made consistent and shall be in accordance with PennDOT and MUTCD standards.
15. Future submissions of the PCSWM Report should include an updated General Project Description (page 1) that includes the added residential lot.
16. We defer review of all landscaping, lighting, and traffic requirements to the Township Landscape Architect, Township Lighting Consultant, and Township Traffic Engineer, respectively.
17. Site Accessibility review will be provided under separate cover.

We note additional comments may be provided upon review of new or revised information submitted with future submissions. We request the applicant provide written response to each of our comments as well as noting any other revisions to the application when resubmitting. If you have any questions regarding the above, please contact this office.

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: Plan Recording Information

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
Steve Muchnick – Montgomery Realty Associates, LLC
Matthew Chartrand, P.E. – Bohler Engineering PA, LLC
Russell S. Dunlevy, P.E., Senior Executive Vice President – Gilmore & Associates, Inc.



December 14, 2018

File No. 2012-10063-01

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#701
Montgomery Realty Associates, LLC
744 Bethlehem Pike (S.R. 0309)
Tax Map Parcel Number 46-00-00388-00-7

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 as prepared for Montgomery Realty Associates, LLC, prepared by Bohler Engineering PA, LLC, received November 5, 2018.
- B. Preliminary/Final Land Development Plans for Montgomery Realty Associates, LLC (12 sheets), prepared by Bohler Engineering PA, LLC, dated October 29, 2018.
- C. General Description and Stormwater Management Calculations (PCSWM Report) for Montgomery Realty Associates, LLC, prepared by Bohler Engineering PA, LLC, dated October 29, 2018.

II. GENERAL

The project site has an area of 1.45 acres and is located at the intersection of Bethlehem Pike (S.R. 0309) and Vilsmeier Road, within the C Commercial Zoning District. The property is currently vacant. The Applicant, Montgomery Realty Associates, LLC, proposes to construct a 10,015 square foot building, of which 6,500 square feet will be used for retail and 3,500 square feet will be used for a restaurant. The restaurant use includes an additional 400 square foot outdoor dining area as well. The applicant's proposal includes appurtenant parking, utilities, stormwater management, landscaping, etc. to support the proposed uses that are permitted in the C Commercial Zoning District. The Applicant is proposing an increase in impervious coverage of 8,708 square feet. The applicant has obtained a special exception regarding the outdoor eating space and several variances, which are noted below.

III. REVIEW COMMENTS

A. Variances and Special Exceptions Granted to Zoning Ordinance (Chapter 230)

On September 12, 2018 the Montgomery Township Zoning Hearing Board approved the following variances and special exception from the Montgomery Township Zoning Ordinance. Refer to the Zoning Hearing Board Decision and Order for details regarding the variances and special exception.

- 1. §230-77.F The approved variance permits an impervious coverage of 79.7% in lieu of the 75% maximum.

2. §230-77.G – The approved variance permits a green area of 20.3% in lieu of the 25% minimum.
3. §230-78.A – The approved variance permits a 20 foot wide landscape buffer in lieu of the 25 foot minimum adjacent to an existing residential use.
4. §230-78.A – The approved variance permits a 3 foot wide landscape buffer in lieu of the 25 foot minimum along Vilsmeier Road.
5. §230-127.A(4)(a) – The approved variance permits a sign setback of 13'2" from the existing curbline in lieu of the required 15'.
6. §230-127.A(4)(b) – The approved variance permits a sign area of 60 square feet and a sign height of 20 feet in lieu of a 34 square feet area and 5 foot height.
7. §230-155 – The approved variance permits non-compliant landscaping, including the buffering and street tree requirements in the areas along Vilsmeier Road, the required street trees along Bethlehem Pike, and the side lot lines of the subject property.
8. Table 230-A – The approved special exception use permits an outdoor dining area as an accessory use to the principal restaurant use.

B. Zoning Ordinance (Chapter 230)

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

1. §230-121 thru §230-121 – We defer review of proposed sign with regard to Article XVIII of the Zoning Ordinance to the Township Zoning Officer.
2. §230-136 – A loading zone shall be denoted on the plan.
3. §230-138 – Parking spaces shall be 10 feet in width by 20 feet in length and have an area of 200 square feet. Parking spaces may be reduced to 18 feet in length when the forward curb is adjacent to a landscaped area at least 5 feet in width. The parking spaces adjacent to the 3-foot-high retaining wall in the northwest corner of the property are 18 feet long and will not provide the required landscape area adjacent to a forward curb for which a parked car may overhang when the required fall protection barrier is provided.
4. §230-148.B(1) - Boundary fences and walls shall be located within 5 feet of the property line. A dimension shall be provided denoting the setback of the proposed shadowbox fence from the rear property line.
5. §230-148.B(3) – The height of the shadow box fence proposed along the rear property line shall be indicated on the plan.

C. 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. §205-15 –Existing monuments and lot pins shall be identified on the plans. Additionally, new monuments and pins shall be added in accordance with this section.
2. §205-17.A(4) – All commercial, industrial, and multifamily driveways carrying mostly cars shall be constructed in accordance with the residential road standards or the alternate provided in this section. The Standard Asphalt Pavement Detail on Sheet C 9 of 12 meets the parking area requirement [§205-17.A(3)], but does not meet the Township specification for asphalt pavement in driveway areas. The detail shall be revised or a secondary detail provided accordingly.
3. §205-18.A(3)(b) – Any closed conduit, when flowing full, shall have a minimum velocity of 3.5 feet per second and a maximum velocity of 15 feet per second. The PCSWM Report does not include pipe velocities. The report shall be revised accordingly.

4. §205-19 & 20 – Documentation from the water and sewer authorities shall be provided indicating that service and capacity are available and will be provided.
5. §205-17.D & §205-22.B – Concrete curb and sidewalk constructed within the public right-of-way shall consist of 4,000 psi concrete and include Aquaron 2000 sealer or approved equal. Details on Sheet C-9 of 12 shall be revised accordingly.
6. §205-17.D & §205-22.B – Concrete curb and sidewalk constructed within the public right-of-way shall conform to Township Standards and PennDOT Publication 72M, RC-67 details, including but not limited to width, slope, detectable warning surfaces, etc.
7. §205-22.D – Existing sidewalk and curb ramps that do not comply with current Township Standards and Specifications, and/or PennDOT Publication 72M, RC-67 details should be replaced.
8. §205-24 – We defer lighting review to the Township Lighting Consultant.
9. §205-28 – No person shall commence or perform any grading, excavation, fill, topsoil removal or removal of vegetative cover without first having obtained a grading permit from the Township Zoning Officer upon recommendation of the Township Engineer.
10. §205-29 – An E&S control plan shall be provided. Permits shall be obtained from the Montgomery County Conservation District (MCCD).
11. §205-48 thru 56 – We defer landscaping review to the Township Landscape Architect.
12. §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.
13. §205-79.A(1)(b) – A utility profile shall be included as part of resubmission for all underground utilities and their relation to building and impervious surface elevations.

D. 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.D & 13 – An E&S Control Plan shall be included with the resubmitted plans. A sequence of construction as well as an operations and maintenance description shall be included with the plan. Review and approval of the plan by the MCCD is required.
2. §206-11.I & §206-14 – The proposed stormwater management system must address the volume control requirements of the Ordinance. The PCSWM Plan and Report shall be revised to include the volume control BMPs and address the reduction requirements. Runoff from the site is discharged to the gutter line of Vilsmeier Road (a residential area). Every effort should be made to comply with the volume control requirement given the proposed increase in impervious surface area and the nature of the downstream storm conveyance system. The applicant performed infiltration testing at the site on October 26, 2018, which was observed by G&A staff. The results of the testing were not provided with the PCSWM Report. The proposed BMP does not appear to include infiltration. The testing results shall be provided so that infiltration can be assessed as a means of volume control. It is noted that if infiltration is not possible, storage within stone voids below the proposed storm chambers cannot be included in the analysis unless the system is designed to drain this volume.
3. §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.
4. §206-15.C – Development sites located in each of the management districts must control proposed development conditions runoff rates to existing conditions runoff rates for the design storms in accordance with Table 206-15.1. In the Wissahickon Creek watershed the post-

development 2-year, 5-year, 10-year, 25-year, 50-year, and 100-year design storms shall be reduced to the 1-year, 5-year, 2-year, 25-year, 10-year, and 100-year pre-development design storms, respectively. The Applicant shall revise the system accordingly and account for those changes in a revised PCSWM Plan and Report.

5. §206-32 – A Performance Guarantee to the satisfaction of the Township Solicitor shall be provided to the Township prior to construction for all stormwater related items.
6. §206-35 – An Operations and Maintenance Agreement to the satisfaction of the Township Solicitor shall be provided to the Township for review and approval.
7. §206-36 – Access easements for all stormwater BMPs to the satisfaction of the Township Solicitor shall be provided in favor of the Township.

E. 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 applicant shall provide analysis and documentation indicating that the proposed underground stormwater BMP can support Township emergency services vehicle loads. The applicant shall coordinate with the Township Fire Marshal.
3. We recommend that a traffic circulation plan be provided demonstrating that large vehicles (e.g. fire truck, delivery trucks, trash collection, etc.) can safely enter and traverse the site.
4. A detail for the bollard fence proposed around the outdoor seating area for the restaurant shall be added to the plan.
5. Sheet C-4 of 12 shows top of wall and bottom of wall elevations along the north side of the building where no retaining wall is shown on the plan. Clarification shall be provided.
6. The top and bottom of curb spot elevation as well as the accessible parking space slopes along the east side of the building shown on Sheet C-4 of 12 shall be verified. The spot elevations seem to indicate the spaces slope toward the building while the spot elevations appear to show the opposite.
7. Detectable warning surfaces shall be provided at each driveway crossing within the public right-of-way.
8. A retaining wall detail shall be added to the plans. Wherever the wall is 30 inches or greater in height, fall protection shall be provided at the top of the wall. The detail shall include the fall protection proposed. Structural plans and analyses for any required fall protection and for walls 30 inches or greater in height shall be submitted to the Township for review and approval prior to construction.
9. Sheet C-9 of 12 contains a detail for a grease trap. The proposed location of the grease trap shall be provided on the plan. We defer review of the adequacy of the grease trap (e.g. capacity, performance, etc.) to the sewer authority.
10. The Trash Enclosure Detail provides two varying heights for the wall enclosure, 80 inches in elevation view and 84 inches in section 'A' (wall cap is difference). The detail shall be modified accordingly. We note both heights are below the maximum allowable height of 96 inches (8 feet).
11. Per the MUTCD STOP bars are to be located a minimum of 4 feet behind crosswalks. This dimension shall be added to the plans.
12. We recommend concrete wheel stops be used in the 10 parking spaces adjacent to the southeast retaining wall and 4 adjacent to the northwest retaining wall in order to protect the walls from being struck by vehicles. We also recommend wheel stops be provided at the 5 parking spaces along the south of the proposed building to prevent vehicle overhang blocking the walkway.

13. We recommend that clean-outs be provided at each change in direction of the roof drain header as well as a structure be provided where the header connects to the UG stormwater basin.
14. We defer review of all landscaping, lighting, and traffic requirements to the Township Landscape Architect, Township Lighting Consultant, and Township Traffic Engineer, respectively.
15. 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/si

Enclosure: Dischell Bartle Dooley Memorandum dated November 19, 2014 Re: Recording Requirements for Plans and for Notary Acknowledgments Generally

cc: Lawrence J. Gregan, Manager – Montgomery Township
Marianne McConnell, Deputy Zoning Officer – Montgomery Township
Richard Lesniak, Director of Fire Services – Montgomery Township
Frank R. Bartle, Esq., Solicitor – Dischell Bartle & Dooley, PC
Judith Stern Goldstein, ASLA, R.L.A. – Boucher & James, Inc.
Kevin Johnson, P.E. – Traffic Planning & Design, Inc.
Ken Amey, AICP
Steve Muchnick – Montgomery Realty Associates, LLC
Matthew Chartrand, P.E. – Bohler Engineering PA, LLC
Russell S. Dunlevy, P.E., Senior Executive Vice President – Gilmore & Associates, Inc.



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

October 24, 2019

File No. 12-10063-01

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

Reference: Preliminary/Final Land Development Application – LDS#701
Accessibility Review 4
744 Bethlehem Pike – Montgomery Realty Associates, LLC
Tax Map Parcel Number #46-00-00388-00-7

Dear Bruce:

Pursuant to your request, Gilmore & Associates, Inc. has reviewed the Preliminary/Final Land Development Plans for Montgomery Realty Associates, LLC, for 744 Bethlehem Pike (19 sheets), prepared by Bohler Engineering, dated October 29, 2018, last revised September 23, 2019.

The review was completed in accordance with the requirements of the current Pennsylvania Uniform Construction Code for the site only and did not include doors, doorways, means of egress, outdoor recreational areas, or any interior elements, which we defer to the Building Code Official for review.

Based upon our review, we offer no further comments with respect to the accessibility provisions of the Pennsylvania Uniform Construction Code, specifically the 2018 International Building Code (IBC) and/or the ICC/ANSI A117.1-2009 Accessible and Usable Buildings and Facilities (ICC) standards.

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

Sincerely,

Vincent J. Esposito, E.I.T.
Accessibility Inspector/Plans Examiner, Certification #06133
Gilmore & Associates, Inc.

VJE/sl

cc: Lawrence J. Gegan, Manager – Montgomery Township
Carolyn McCreary, Manager Designee – Montgomery Township
Marianne McConnell, Deputy Zoning Officer – Montgomery Township
Mary Gambino, Project Coordinator – Montgomery Township
Richard Lesniak, Director of Fire Services – Montgomery Township
Frank R. Bartle, Esq., Solicitor – Dischell Bartle & Dooley, PC
Kevin Johnson, P.E. – Traffic Planning & Design, Inc.
Judith Stern Goldstein, ASLA, R.L.A. – Boucher & James, Inc.
Ken Amey, AICP
Steve Muchnick, Applicant – Montgomery Realty Associates, LLC
Matthew Chartrand, P.E. – Bohler Engineering
Russell S. Dunlevy, P.E., Senior Executive Vice President – Gilmore & Associates, Inc.
James P. Dougherty, P.E., Senior Project Manager – Gilmore & Associates, Inc.

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September 18, 2019

File No. 12-10063-01

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

Reference: Preliminary/Final Land Development Application – LDS#701
Accessibility Review 3
744 Bethlehem Pike – Montgomery Realty Associates, LLC
Tax Map Parcel Number #46-00-00388-00-7

Dear Bruce:

Pursuant to your request, Gilmore & Associates, Inc. has reviewed the Preliminary/Final Land Development Plan submission for the above-referenced project for accessibility. The review was completed in accordance with the requirements of the current Pennsylvania Uniform Construction Code for the site only and did not include doors, doorways, means of egress, outdoor recreational or seating areas, or any interior elements, which we defer to the Building Code Official for review. We offer the following comments for consideration:

I. SUBMISSION

- A. Preliminary/Final Land Development Plans for Montgomery Realty Associates, LLC, for 744 Bethlehem Pike (19 sheets), prepared by Bohler Engineering, dated October 29, 2018, last revised August 20, 2019.
- B. ADA Curb Ramp Designs for Montgomery Realty Associates, LLC for 744 Bethlehem Pike (2 sheets), prepared by McMahan Associates, dated April 30, 2019, last revised July 23, 2019.

II. ACCESSIBILITY REVIEW COMMENTS

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

- 1. IBC §1104.1 – At least one accessible route within the site shall be provided from the public sidewalk to the accessible building entrance(s) served. The provided ADA Grading Enlargement provided on the Grading Plan, Sheet C-9A, shows a longitudinal slope exceeding the maximum allowable 5% between spot elevations 471.00 and 470.38 near the sidewalk connection to Bethlehem Pike. The spot elevations should be revised to meet the requirements of this section. In addition, the configuration that is shown in yellow on the Site Plan, Sheet C-2, does not correlate with the ADA Grading Enlargement. Further clarification should be provided to confirm an accessible route from the public sidewalk along Bethlehem Pike to the accessible building entrances will be provided.
- 2. IBC §1105.1.6 – At least one accessible entrance shall be provided to each tenant in a facility. Information should be added to the plan to define which entrances are to be used for each use (retail & restaurant) in order to determine if the requirements of this section are satisfied.
- 3. IBC §§1106.1 & 1106.6 – Accessible parking spaces shall be located on the shortest accessible route of travel to an accessible building entrance and dispersed to be located near the accessible entrances for each tenant space. The plans should be revised to confirm the proposed accessible parking spaces are on the shortest accessible route of travel to each tenant.

4. The proposed ADA reserved parking sign labels should be revised to indicate the southern two spaces are to be van accessible and include R7-8P signage.

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

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

Sincerely,



Vincent J. Esposito, E.I.T.
Accessibility Inspector/Plans Examiner, Certification #06133
Gilmore & Associates, Inc.

VJE/sl

cc: Lawrence J. Gegan, Manager – Montgomery Township
Marianne McConnell, Deputy Zoning Officer – Montgomery Township
Frank R. Bartle, Esq., Solicitor – Dischell Bartle & Dooley, PC
Kevin Johnson, P.E. – Traffic Planning & Design, Inc.
Judith Stern Goldstein, ASLA, R.L.A. – Boucher & James, Inc.
Ken Amey, AICP
Steve Muchnick, Applicant – Montgomery Realty Associates, LLC
Matthew Chartrand, P.E. – Bohler Engineering
Russell S. Dunlevy, P.E., Senior Executive Vice President – Gilmore & Associates, Inc.
James P. Dougherty, P.E., Senior Project Manager – Gilmore & Associates, Inc.



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

July 25, 2019

File No. 2012-10063-01

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

Reference: Preliminary/Final Land Development Application – LDS#701
Accessibility Review 2
744 Bethlehem Pike – Montgomery Realty Associates, LLC
TMP #46-00-00388-00-7

Dear Bruce:

Pursuant to your request, Gilmore & Associates, Inc. has reviewed the Preliminary/Final Land Development Plan submission for the above-referenced project for accessibility. The review was completed in accordance with the requirements of the current Pennsylvania Uniform Construction Code for the site only and did not include doors, doorways, means of egress, outdoor recreational or seating areas, or any interior elements, which we defer to the Building Code Official for review. We offer the following comments for consideration:

I. SUBMISSION

- A. Preliminary/Final Land Development Plans for Montgomery Realty Associates, LLC, 744 Bethlehem Pike (18 sheets), prepared by Bohler Engineering, dated October 29, 2018, last revised May 20, 2019.

II. ACCESSIBILITY REVIEW COMMENTS

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

1. IBC §1104.1 – At least one accessible route within the site shall be provided from the public sidewalk to the accessible building entrance(s) served. Additional grading information should be provided on the ADA Grading Enlargement provided on the Grading Plan, Sheet C-4, for the proposed crosswalk and sidewalk connection to Bethlehem Pike to confirm the requirements of this section are met. This includes spot elevations at corners, cross slopes, and running slopes.
2. IBC §§1104.2 & 1105.1 – At least 60 percent of all public entrances shall be accessible and at least one accessible route shall connect all accessible elements, including between accessible building entrances and parking spaces. The location of all proposed public and accessible building entrances shall be identified on the plans to confirm whether these requirements have been met.
3. IBC §1105.1.3 – Information should be provided to indicate whether any restricted entrances are proposed to determine whether the requirements of this section apply and have been satisfied. Where restricted entrances are proposed, at least one must be accessible. We note employee-only entrances are considered public entrances.
4. IBC §1105.1.5 – Information should be provided to indicate if any service entrances are proposed to determine whether the requirements of this section apply and have been satisfied. We note service entrances are not required to be accessible unless they are the only entrance to a building or tenant space in a single facility.
5. IBC §1105.1.6 – At least one accessible entrance shall be provided to each tenant in a facility. Information should be added to the plan to define which entrances are to be used for each use (retail & restaurant) in order to determine if the requirements of this section are satisfied.

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6. IBC §§1106.1 & 1106.6 – Accessible parking spaces shall be located on the shortest accessible route of travel to an accessible building entrance and dispersed to be located near the accessible entrances for each tenant space. All accessible entrances shall be identified on the plans to confirm whether these requirements have been met.
7. IBC §1111.1 & §1111.2 – If not all public entrances are accessible, the plans shall be revised to provide signage at all accessible public entrances and directional signage at inaccessible entrances, indicating the route to the nearest accessible entrance. The signage shall comply with ICC §703 and include the International Symbol of Accessibility.
8. ICC §§403 & 406 – Information shall be provided to confirm the slopes of all accessible routes comply with the walking surface and curb ramp requirements. This includes curb ramp designs near the proposed accessible parking spaces. The grading should be confirmed since the proposed spot elevations do not correlate with the grading patterns. Curb ramp designs which are being reviewed by PennDOT as part of a Highway Occupancy Permit do not need to be added to the land development plans.
9. ICC §502.7 – The Reserve Parking Space w/ Penalties & Van Accessible Signs detail on the Construction Details plan, Sheet C-9, shall be revised to indicate that the bottom of the van accessible sign (R7-8P) will be set a minimum of 60 inches above the floor of the parking space.
10. The plans should clarify if the proposed handicap parking signage will be placed within concrete bollards, as shown in the S17 detail on Sheet C-9, or if they are to stand alone.
11. The proposed ADA reserved parking sign labels should be revised to indicate which spaces are to be van accessible and include R7-8P signage.
12. The provided *Standard Crosswalk Detail* on Sheet C-9 is inconsistent with the crosswalks proposed on the plans. The detail for the proposed 6-foot wide crosswalk should be revised to correlate with the plans.
13. The *ADA Instructions to Contractors* on Sheet C-4 should also include a note stating the plans must comply with all PA UCC standards.

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

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

Sincerely,



Vincent J. Esposito, E.I.T.
Accessibility Inspector/Plans Examiner, Certification #06133
Gilmore & Associates, Inc.

VJE/sl

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



December 14, 2018

File No. 2012-10063-01

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

Reference: Preliminary/Final Land Development Application – LDS#701
Accessibility Review
744 Bethlehem Pike – Montgomery Realty Associates, LLC
TMP #46-00-00388-00-7

Dear Bruce:

Pursuant to your request, Gilmore & Associates, Inc. has reviewed the Preliminary/Final Land Development Plan submission for the above-referenced project for accessibility. The review was completed in accordance with the requirements of the current Pennsylvania Uniform Construction Code for the site only and did not include doors, doorways, means of egress, outdoor recreational or seating areas, or any interior elements, which we defer to the Building Code Official for review. We offer the following comments for consideration:

I. SUBMISSION

- A. Preliminary/Final Land Development Plans for Montgomery Realty Associates, LLC, 744 Bethlehem Pike (12 sheets), prepared by Bohler Engineering, dated October 29, 2018.

II. ACCESSIBILITY REVIEW COMMENTS

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

1. IBC §1104.1 – At least one accessible route within the site shall be provided from the public sidewalk to the accessible building entrance served. Detailed grading should be provided for the proposed crosswalk and sidewalk that will tie in to the existing sidewalk along Bethlehem Pike to confirm the requirements of this section are met. This includes spot elevations at corners, slopes, etc.
2. IBC §§1104.2 & 1105.1 – At least 60 percent of all public entrances shall be accessible and at least one accessible route shall connect all accessible elements, including between accessible building entrances and accessible parking spaces. The location of all proposed public and accessible building entrances shall be identified on the plans to confirm whether these requirements have been met.
3. IBC §1105.1.3 – Information should be provided to indicate whether any restricted entrances are proposed to determine whether the requirements of this section apply and have been met, as may be applicable. A restricted entrance is defined as an entrance made available for common use on a controlled basis where entry access is verified by security personnel. We note employee-only entrances are considered public entrances.
4. IBC §1105.1.5 – Information should be provided to indicate whether any service entrances are proposed. A service entrance is classified as an entrance used for the delivery of goods and services. We note service entrances are not required to be made accessible, unless it is the only entrance to a building or tenant space in a single facility.
5. IBC §1105.1.6 – At least one accessible entrance shall be provided to each tenant in a facility. Information should be added to the plan to define which entrances are to be used for each use (retail & restaurant) in order to determine if the requirements of this section are met.

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6. IBC §§1106.1 & 1106.6 – Accessible parking spaces shall be located on the shortest accessible route of travel to an accessible building entrance and dispersed to be located near the accessible entrances for each tenant space. All accessible entrances shall be identified on the plans to confirm whether these requirements have been met.
7. IBC §1111.1 & §1111.2 – If not all public entrances are accessible, the plans shall be revised to provide signage at all accessible public entrances and directional signage at inaccessible entrances, indicating the route to the nearest accessible entrance. The signage shall comply with ICC §703 and include the International Symbol of Accessibility.
8. ICC §§403 & 406 – Information shall be provided to confirm that the slopes of all accessible routes comply with the walking surface and curb ramp requirements. Curb ramp designs which are being reviewed by PennDOT as part of a Highway Occupancy Permit do not need to be added to the land development plans.
9. ICC §502.7 – The Reserve Parking Space w/ Penalties & Van Accessible Signs detail on the Construction Details plan, Sheet C-9, shall be revised to indicate that the bottom of the van accessible sign (R7-8P) will be set a minimum of 60 inches above the floor of the parking space.
10. The plans should clarify if the proposed handicap parking signage will be placed within concrete bollards. In the event the signs are to stand alone, we recommend they be placed within concrete bollards, as shown in the S17 detail on Sheet C-9, or wheel stops be added to the handicap parking spaces where there is depressed curb in order to prevent vehicle overhang into the accessible route.
11. The proposed ADA reserved parking sign labels should be revised to indicate which spaces are to be van accessible and include R7-8P signage.
12. A detail for the proposed 6-foot wide crosswalk should be added to the plans.
13. The *ADA Instructions to Contractors* on Sheet C-4 should also include a note stating the plans must comply with all PA UCC standards.

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

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

Sincerely,



Vincent J. Esposito, E.I.T.
Accessibility Inspector/Plans Examiner, Certification #06133
Gilmore & Associates, Inc.

VJE/sl

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



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October 25, 2019

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

**SUBJECT: MONTGOMERY REALTY ASSOCIATES, LLC
LAND DEVELOPMENT
TOWNSHIP NO. LD/S- NO. 701
PROJECT NO. 18-55-331R**

Dear Mr. Gregan:

Please be advised that we have reviewed the Preliminary/Final Land Development Plans for Montgomery Realty Associates, LLC prepared by Bohler Engineering dated October 29, 2018, last revised September 23, 2019.

The plans propose the consolidation of two lots, TMP# 46-00-00388-00-7 and TMP #46-00-04051-00-7. One of the lots is approximately 1.446 acres, is located at 744 Bethlehem Pike (SR 309), is located within the C – Commercial Zoning District, and previously contained a commercial garage that has since been demolished. The second lot is approximately 0.603 acres, is located at 1227 Vilsmeier Road, is located within the C – Commercial and R2 – Residential Zoning Districts and contains a single-family residential dwelling. The site has frontage along both Bethlehem Pike (SR 309) and Vilsmeier Road.

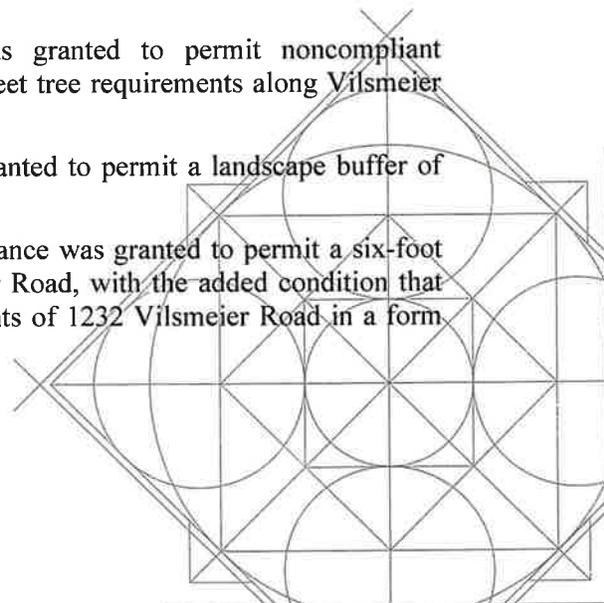
The applicant proposes the construction of a 12,240 SF commercial building, which will include 8,471 sf of retail use and 3,769 sf of restaurant use. Additional proposed improvements include parking areas, stormwater management and dumpster facilities. Proposed access to the site is from Bethlehem Pike (SR 309) and Vilsmeier Road.

We offer the following comments for your consideration.

1. Zoning Issues

A. At their regularly scheduled meeting on September 11, 2019, the Montgomery Township Zoning Hearing Board granted the following landscape-related relief to the subject application.

- 1) ZO Section 230-155 – a Variance was granted to permit noncompliant landscaping, specifically, buffering and street tree requirements along Vilsmeier Road and Bethlehem Pike.
- 2) ZO section 230-78.A – a Variance was granted to permit a landscape buffer of less than 25 feet along Vilsmeier Road.
- 3) ZO Section 230-148.B(2) and (3) – a Variance was granted to permit a six-foot opaque fence along a portion of Vilsmeier Road, with the added condition that the fence be extended to shield the residents of 1232 Vilsmeier Road in a form acceptable to the Township Engineers.



2. Landscape Plan Requirements

SLDO Section 205-51.A(18) requires a detailed cost estimate to be attached to the final landscape plan submission for the preparation of the land development agreement. This estimate shall show the value of all proposed landscaping. Unit costs for plant material shall include costs for materials, labor and guaranty and shall be so stated on the estimate provided. The applicant indicates in the Bohler Engineering response letter dated 10/7/19 that a detailed cost estimate will be provided upon acceptance of the proposed landscape design.

3. Planting Requirements

- A. SLDO Section 205-52.A(2)(a) requires the provision of three (3) street trees along SR 309 and nine (9) street trees along Vilsmeier Road. Two (2) street trees are proposed along SR 309 and two (2) street trees along Vilsmeier Road. A waiver has been requested.
- B. SLDO Section 205-52.B(2)(b) requires that the softening buffer area shall be used for no purpose other than the planting of trees, shrubs and lawn to meet buffer planting requirements. A waiver has been requested to permit the buffer yard area to be utilized for improvements including parking, lighting and a retaining wall.
- C. SLDO 205-52.B(2)(d) requires that within the buffer area, no slopes shall be steeper than one foot in height for each four feet in width. A waiver has been requested to permit slopes of 3:1 within the buffer area.
- D. SLDO Section 205-52.B(3)(a) requires that softening buffers shall be aligned adjacent and parallel to the entire property perimeter (within 20' of the property line), but may be sited on any position of the property if permitted by the Board of Supervisors. A number of the softening buffer plantings are proposed farther than 20' from the property line.
- E. SLDO Section 205-52.B(4)(a) requires the provision of shade trees to meet softening buffer requirements. Along the northern property line, ornamental trees are proposed to meet the shade tree requirement due to the presence of an overhead utility line. A waiver has been requested.
- F. SLDO Section 205-52.B(4)(a): six (6) shade trees and twelve (12) shrubs are required to meet softening buffer requirements along Bethlehem Pike. Twenty-seven (27) shrubs are proposed to meet this requirement. A waiver has been requested.
- G. SLDO Section 205-52.B(4)(a): seventeen (17) shade trees and thirty-four (34) shrubs are required to meet softening buffer requirements along Vilsmeier Road. Thirty-four (34) shrubs are proposed to meet this requirement. A waiver has been requested.
- H. Parking area landscaping
 - 1) SLDO Section 205-52.D(1)(d) requires that raised planter islands shall be placed at the end of each row of parking spaces beginning and/or terminating at an internal circulation drive. Two internal parking islands are proposed to be striped as opposed to curbed. A waiver has been requested.
 - 2) SLDO Section 205-52.D(1)(e) requires the provision of one shade tree for each 290 SF of planting island. Eight (8) shade trees are required. No shade trees are proposed to meet this requirement. A waiver has been requested.

- 3) SLDO Section 205-52.D(1)(f) requires that when parking areas are located within 100 feet of a public street, the perimeter of the parking area that is adjacent to the public street shall be softened by a continuous low hedge around the outside perimeter. A waiver has been requested.
 - I. SLDO Table 1 requires that, for Individual Lot Landscaping, one (1) shade tree be provided per 5,000 square feet of gross floor area. Three (3) trees are required. One (1) tree is proposed to meet this requirement. A waiver has been requested.
4. Preservation, Protection, and Replacement of Trees
 - A. SLDO Section 205-53.C(1) requires the preservation of 60% of the quantity of trees sized 8-23" in caliper and 60% of the caliper inch total of trees over 23" to 48" in caliper. It appears that all trees on the site are to be removed. A waiver has been requested.
 - B. SLDO Section 205-53.C(4) outlines tree replacement requirements. A total of forty-nine (49) replacement trees are required. No replacement trees are proposed to be planted. A waiver has been requested.
5. General Comments
 - A. SLDO Section 205-55 requires that no building permit shall be issued unless a performance bond or other surety approved by the Township Solicitor has been filed with the Township. The applicant shall submit the required information to the Township to demonstrate compliance.
 - B. A detailed response letter addressing the above noted comments and any other changes to the plans should be included with future submissions.

Sincerely,



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



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

JSG/vll/maw

ec: Board of Supervisors
Planning Commission
Bruce Shoupe, Director of Planning and Zoning
Marianne McConnell, Deputy Zoning Officer
Mary Gambino, Project Coordinator
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
Steve Muchnick, Montgomery Realty Associates, LLC
Matthew Chartrand, P.E., Bohler Engineering



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September 17, 2019

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

**SUBJECT: MONTGOMERY REALTY ASSOCIATES, LLC
LAND DEVELOPMENT
TOWNSHIP NO. LD/S- NO. 701
PROJECT NO. 18-55-331R**

Dear Mr. Gregan:

Please be advised that we have reviewed the Preliminary/Final Land Development Plans for Montgomery Realty Associates, LLC prepared by Bohler Engineering dated October 29, 2018, last revised August 20, 2019.

The plans propose the consolidation of two lots, TMP# 46-00-00388-00-7 and TMP #46-00-04051-00-7. One of the lots is approximately 1.446 acres, is located at 744 Bethlehem Pike (SR 309), is located within the C – Commercial Zoning District, and previously contained a commercial garage that has since been demolished. The second lot is approximately 0.603 acres, is located at 1227 Vilsmeier Road, is located within the C – Commercial and R2 – Residential Zoning Districts and contains a single-family residential dwelling. The site has frontage along both Bethlehem Pike (SR 309) and Vilsmeier Road.

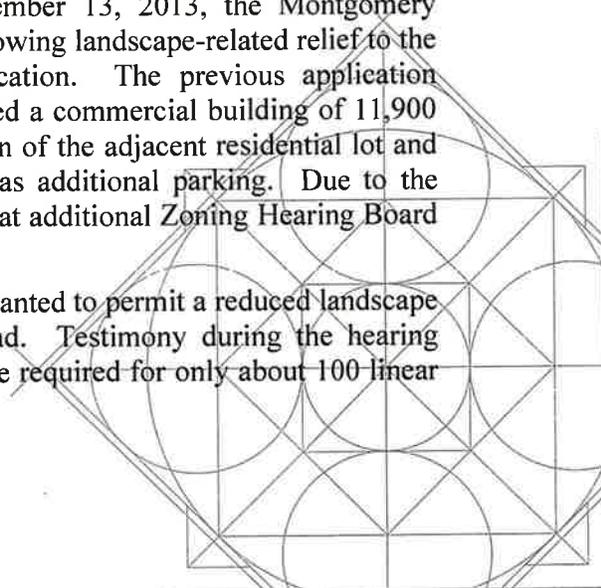
The applicant proposes the construction of a 12,240 SF commercial building, which will include 8,740 sf of retail use and 3,500 sf of restaurant use. Additional proposed improvements include parking areas, stormwater management and dumpster facilities. Proposed access to the site is from Bethlehem Pike (SR 309) and Vilsmeier Road.

We offer the following comments for your consideration.

1. Zoning Issues

A. At their regularly scheduled meeting on November 13, 2013, the Montgomery Township Zoning Hearing Board granted the following landscape-related relief to the previous Commerce Limited Partnership application. The previous application consisted of the commercial lot only and proposed a commercial building of 11,900 SF. The current application proposes the addition of the adjacent residential lot and 340 SF to the proposed building area, as well as additional parking. Due to the changes proposed to the application, it appears that additional Zoning Hearing Board relief may be required:

- 1) ZO Section 230-78.A – a Variance was granted to permit a reduced landscape buffer width of 8’ along Vilsmeier Road. Testimony during the hearing indicated that the reduced buffer would be required for only about 100 linear



feet along Vilsmeier Road, and that landscape quantities would not be reduced. It should be noted that the current plan proposes a reduced buffer for about 255 linear feet along Vilsmeier Road, the majority of which is less than 8' in width, and reduced plant quantities are proposed. A large portion of the buffer is proposed to be 3' in width, which is less than the previously approved variance. Due to the proposed changes in the application and the proposed expansion of the reduced buffer area it appears that a new variance may be required. It is our understanding that the Applicant is coordinating an application to the Zoning Hearing Board to request a variance from this requirement.

- 2) ZO Section 230-155 – a Variance was granted to permit non-compliant landscaping, including the buffering and street tree requirements in the areas along Vilsmeier Road, the required street trees along Bethlehem Pike, and the side lot lines of the subject property. Due to the proposed changes in the application, it appears that a new variance may be required. It is our understanding that the Applicant is coordinating an application to the Zoning Hearing Board to request a variance from this requirement.

B. At their regularly scheduled meeting on September 12, 2018, the Montgomery Township Zoning Hearing Board granted the following landscape-related relief. However, since that time the application has been modified to add the adjacent residential lot, additional building square footage, and additional parking. Due to the changes proposed to the application, it appears that additional Zoning Hearing Board relief may be required:

- 1) ZO Section 230-77.F – a Variance was granted to permit maximum impervious coverage of 80%. Due to the proposed changes in the application, it appears that a new variance may be required. It is our understanding that the Applicant is coordinating an application to the Zoning Hearing Board to request a variance from this requirement.
- 2) ZO Section 230-77.G – a Variance was granted to permit green area of 20%. Due to the proposed changes in the application, it appears that a new variance may be required. It is our understanding that the Applicant is coordinating an application to the Zoning Hearing Board to request a variance from this requirement.
- 3) ZO Section 230-78.A - a Variance was granted to permit a landscape buffer of twenty feet (adjacent the residential lot that is now part of the proposed land development) conditioned specifically on the buffer including at a minimum a solid fence and twelve foot high dense shrubs, with the solid fence extending around to the first parking space along Vilsmeier Road on the southwest corner of the property. Due to the proposed changes in the application, it appears that a new variance may be required. It is our understanding that the Applicant is coordinating an application to the Zoning Hearing Board to request a variance from this requirement.

2. Landscape Plan Requirements

- A. SLDO 205-52.A(9) requires that landscape plans provide the location of existing individual trees with trunks 8" in diameter or more. A number of trees of this size are located on the residential property but have not been labeled with sizes or included in the tree replacement calculations. It is our understanding that a landscape plan with updated tree survey information will be submitted under separate cover for review once the information has been obtained.
- B. SLDO Section 205-51.A(18) requires a detailed cost estimate to be attached to the final landscape plan submission for the preparation of the land development agreement. This estimate shall show the value of all proposed landscaping. Unit costs for plant material shall include costs for materials, labor and guaranty and shall be so stated on the estimate provided. The applicant indicates in the Bohler Engineering response letter dated 8/22/19 that a detailed cost estimate will be provided upon acceptance of the proposed landscape design.

3. Planting Requirements

- A. SLDO Section 205-52.A(2)(a) requires the provision of three (3) street trees along SR 309 and nine (9) street trees along Vilsmeier Road. Two (2) street trees are proposed along SR 309 and five (5) street trees along Vilsmeier Road. A waiver has been requested.
- B. SLDO Section 205-52.A(2)(b) requires that small street trees, where permitted, shall be planted no closer than five feet to any public sidewalk. Several small street trees are shown to be located approximately 2-3' from the proposed sidewalk. A waiver has been requested. We recommend that should the waiver be approved; root barrier be installed along the sidewalk in the vicinity of small street trees located closer than 5'.
- C. SLDO Section 205-52.B(2)(b) requires that the softening buffer area shall be used for no purpose other than the planting of trees, shrubs and lawn to meet buffer planting requirements. A waiver has been requested to permit the buffer yard area to be utilized for improvements including parking, lighting and a retaining wall.
- D. SLDO 205-52.B(2)(d) requires that within the buffer area, no slopes shall be steeper than one foot in height for each four feet in width. A waiver has been requested to permit slopes of 3:1 within the buffer area.
- E. SLDO Section 205-52.B(3)(a) requires that softening buffers shall be aligned adjacent and parallel to the entire property perimeter (within 20' of the property line), but may be sited on any position of the property if permitted by the Board of Supervisors. A number of the softening buffer plantings are proposed farther than 20' from the property line.
- F. SLDO Section 205-52.B(4)(a) requires the provision of shade trees to meet softening buffer requirements. Along the northern property line, ornamental trees are proposed to meet the shade tree requirement due to the presence of an overhead utility line. A waiver has been requested.

- G. SLDO Section 205-52.B(4)(a): six (6) shade trees and twelve (12) shrubs are required to meet softening buffer requirements along Bethlehem Pike. Twenty-seven (27) shrubs are proposed to meet this requirement. A waiver has been requested.
 - H. SLDO Section 205-52.B(4)(a): seventeen (17) shade trees and thirty-four (34) shrubs are required to meet softening buffer requirements along Vilsemeier Road. Thirty-four (34) shrubs are proposed to meet this requirement. A waiver has been requested.
 - I. SLDO Section 205-52.C(4)(a) requires that plant material used for screening buffers shall be at least 8' in height at the time of planting. The proposed Columnar Hetz Junipers to be used for screening the dumpster are specified at a height of 4-5'. The plans shall be revised to specify the screen buffer plants at the size required, or a waiver would be required.
 - J. Parking area landscaping
 - 1) SLDO Section 205-52.D(1)(d) requires that raised planter islands shall be placed at the end of each row of parking spaces beginning and/or terminating at an internal circulation drive. Two internal parking islands are proposed to be striped as opposed to curbed. A waiver has been requested.
 - 2) SLDO Section 205-52.D(1)(e) requires the provision of one shade tree for each 290 SF of planting island. Eight (8) shade trees are required. No shade trees are proposed to meet this requirement. A waiver has been requested.
 - 3) SLDO Section 205-52.D(1)(f) requires that when parking areas are located within 100 feet of a public street, the perimeter of the parking area that is adjacent to the public street shall be softened by a continuous low hedge around the outside perimeter. A waiver has been requested.
 - K. SLDO Table 1 requires that, for Individual Lot Landscaping, one (1) shade tree be provided per 5,000 square feet of gross floor area. Three (3) trees are required. One (1) tree is proposed to meet this requirement. A waiver has been requested.
4. Preservation, Protection, and Replacement of Trees
- A. SLDO Section 205-53.C(1) requires the preservation of 60% of the quantity of trees sized 8-23" in caliper and 60% of the caliper inch total of trees over 23" to 48" in caliper. It appears that all trees on the site are to be removed. A waiver has been requested.
 - B. SLDO Section 205-53.C(4) outlines tree replacement requirements. No replacement trees are proposed to be planted. A waiver has been requested. However, trees to be removed on the residential property have not been included in the tree replacement calculations. It is our understanding that the calculations are to be revised and resubmitted under separate cover with the Landscape Plan once updated tree survey information has been obtained. The calculations shall be revised to include all trees on the proposed site in order to determine the extent of the waiver requested.
5. General Comments
- A. SLDO Section 205-55 requires that no building permit shall be issued unless a performance bond or other surety approved by the Township Solicitor has been filed

Mr. Lawrence Gregan, Township Manager
Montgomery Realty Associates, LLC
September 17, 2019
Page 5 of 5

with the Township. The applicant shall submit the required information to the Township to demonstrate compliance.

- B. A detailed response letter addressing the above noted comments and any other changes to the plans should be included with future submissions.

Sincerely,



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



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

JSG/vll/kam

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July 11, 2019

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

**SUBJECT: MONTGOMERY REALTY ASSOCIATES, LLC
LAND DEVELOPMENT
TOWNSHIP NO. LD/S- NO. 701
PROJECT NO. 18-55-331R**

Dear Mr. Gregan:

Please be advised that we have reviewed the Preliminary/Final Land Development Plans for Montgomery Realty Associates, LLC prepared by Bohler Engineering dated October 29, 2018, last revised May 20, 2019.

The plans propose the consolidation of two lots, TMP# 46-00-00388-00-7 and TMP #46-00-04051-00-7. One of the lots is approximately 1.446 acres, is located at 744 Bethlehem Pike (SR 309), is located within the C – Commercial Zoning District, and previously contained a commercial garage that has since been demolished. The second lot is approximately 0.603 acres, is located at 1227 Vilsmeier Road, is located within the C – Commercial and R2 – Residential Zoning Districts and contains a single-family residential dwelling. The site has frontage along both Bethlehem Pike (SR 309) and Vilsmeier Road.

The applicant proposes the construction of a 12,250 SF commercial building, which will include 8,740 sf of retail use and 3,500 sf of restaurant use. Additional proposed improvements include parking areas, stormwater management and dumpster facilities. Proposed access to the site is from Bethlehem Pike (SR 309) and Vilsmeier Road.

We offer the following comments for your consideration.

1. Zoning Issues

A. At their regularly scheduled meeting on November 13, 2013, the Montgomery Township Zoning Hearing Board granted the following landscape-related relief to the previous Commerce Limited Partnership application. The previous application consisted of the commercial lot only and proposed a commercial building of 11,900 SF. The current application proposes the addition of the adjacent residential lot and 340 SF to the proposed building area, as well as additional parking. Due to the changes proposed to the application, it appears that additional Zoning Hearing Board relief may be required:

- 1) ZO Section 230-78.A – a Variance was granted to permit a reduced landscape buffer width of 8’ along Vilsmeier Road. Testimony during the hearing indicated that the reduced buffer would be required for only about 100 linear feet along Vilsmeier Road, and that landscape quantities would not be reduced. It should be noted that the current plan proposes a reduced buffer for about 255 linear feet along Vilsmeier Road, the majority of which is less

than 8' in width, and reduced plant quantities are proposed. A large portion of the buffer is proposed to be 3' in width, which is less than the previously approved variance. Due to the proposed changes in the application and the proposed expansion of the reduced buffer area it appears that a new variance may be required.

- 2) ZO Section 230-155 – a Variance was granted to permit non-compliant landscaping, including the buffering and street tree requirements in the areas along Vilsmeier Road, the required street trees along Bethlehem Pike, and the side lot lines of the subject property. Due to the proposed changes in the application, it appears that a new variance may be required.
- B. At their regularly scheduled meeting on September 12, 2018, the Montgomery Township Zoning Hearing Board granted the following landscape-related relief. However, since that time the application has been modified to add the adjacent residential lot, additional building square footage, and additional parking. Due to the changes proposed to the application, it appears that additional Zoning Hearing Board relief may be required:
- 1) ZO Section 230-77.F – a Variance was granted to permit maximum impervious coverage of 80%. Due to the proposed changes in the application, it appears that a new variance may be required.
 - 2) ZO Section 230-77.G – a Variance was granted to permit green area of 20%. Due to the proposed changes in the application, it appears that a new variance may be required.
 - 3) ZO Section 230-78.A - a Variance was granted to permit a landscape buffer of twenty feet (adjacent the residential lot that is now part of the proposed land development) conditioned specifically on the buffer including at a minimum a solid fence and twelve foot high dense shrubs, with the solid fence extending around to the first parking space along Vilsmeier Road on the southwest corner of the property. Due to the proposed changes in the application, it appears that a new variance may be required.

2. General Requirements

- A. SLDO Section 205-49.F: a note shall be added to the plans demonstrating compliance with the requirement that all plant material shall be pruned in accordance with ANSI A300 pruning standards.
- B. SLDO Section 205-49.G requires that a tree shall be considered dead when the main leader has died or 25% of the crown is dead. Any dead plant material shall be replaced and installed according to the approved planting practices. The applicant shall revise Landscape Specification Note 12 on the Landscape Details sheet to demonstrate compliance.
- C. SLDO 205-49.H: a note shall be added to the plans demonstrating compliance with the final inspection procedures outlined in this section.

3. Landscape Plan Requirements

- A. SLDO 205-52.A(9) requires that landscape plans provide the location of existing individual trees with trunks 8" in diameter or more. A number of trees of this size are located on the residential property but have not been labeled with sizes or included in

the tree replacement calculations. The plans shall be revised to provide the required information.

- B. SLDO Section 205-51.A(18) requires a detailed cost estimate to be attached to the final landscape plan submission for the preparation of the land development agreement. This estimate shall show the value of all proposed landscaping. Unit costs for plant material shall include costs for materials, labor and guaranty and shall be so stated on the estimate provided. The applicant shall submit the required cost estimate to demonstrate compliance.

4. Planting Requirements

- A. SLDO Section 205-52.A(2)(a) requires the provision of three (3) street trees along SR 309 and nine (9) street trees along Vilsmeier Road. Two (2) street trees are proposed along SR 309 and five (5) street trees along Vilsmeier Road. The Compliance Chart indicates that a waiver is requested.
- B. SLDO Section 205-52.A(2)(b) requires that small street trees, where permitted, shall be planted no closer than five feet to any public sidewalk. The plans shall be revised to demonstrate compliance with the ordinance requirements, or a waiver would be required.
- C. SLDO Section 205-52.B(2)(b) requires that the softening buffer area shall be used for no purpose other than the planting of trees, shrubs and lawn to meet buffer planting requirements. The plans shall be revised to demonstrate compliance with the ordinance requirement, or a waiver would be required.
- D. SLDO 205-52.B(2)(d) requires that within the buffer area, no slopes shall be steeper than one foot in height for each four feet in width. The plans shall be revised to demonstrate compliance with the ordinance requirements, or a waiver would be required.
- E. SLDO Section 205-52.B(3)(a) requires that softening buffers shall be aligned adjacent and parallel to the entire property perimeter (within 20' of the property line), but may be sited on any position of the property if permitted by the Board of Supervisors. A number of the softening buffer plantings are proposed farther than 20' from the property line.
- F. SLDO Section 205-52.B(4)(a) requires the provision of shade trees to meet softening buffer requirements. Along the northern property line, ornamental trees are proposed to meet the shade tree requirement due to the presence of an overhead utility line. The plans shall be revised to demonstrate compliance with the ordinance requirement, or a waiver would be required.
- G. SLDO Section 205-52.B(4)(a): six (6) shade trees and twelve (12) shrubs are required to meet softening buffer requirements along Bethlehem Pike. Twenty-seven (27) shrubs are proposed to meet this requirement. The Compliance Chart indicates that a waiver is requested.
- H. SLDO Section 205-52.B(4)(a): seventeen (17) shade trees and thirty-four (34) shrubs are required to meet softening buffer requirements along Vilsmeier Road. Thirty-four (34) shrubs are proposed to meet this requirement. The Compliance Chart indicates that a waiver is requested.

- I. SLDO Section 205-52.C(2)(b) requires that trash receptacles be screened from view in accordance with the standards for screen buffer size and type (Section 205-52C(4)(a) through (c)) which requires that screening shall consist of evergreen trees in double rows, staggered 10 to 15 feet on center (spacing depends on the type of tree used.) The plan currently proposes a single row of shrubs. The buffering for the dumpster screening shall be revised to demonstrate compliance with the standards for screen buffer size and type, or a waiver would be required.
 - J. **Parking area landscaping**
 - 1) SLDO Section 205-52.D(1)(a) and Table 1 require one (1) shade tree for each 10 parking spaces within the entire lot. Three (3) evergreen trees are proposed to be used to meet a portion of this requirement. The plans shall be revised to provide the required shade trees, or a waiver would be required.
 - 2) SLDO Section 205-52.D(1)(d) requires that raised planter islands shall be placed at the end of each row of parking spaces beginning and/or terminating at an internal circulation drive. Two internal parking islands are proposed to be striped as opposed to curbed. The Compliance Chart indicates that a waiver is requested.
 - 3) SLDO Section 205-52.D(1)(e) requires the provision of one shade tree for each 290 SF of planting island. Eight (8) shade trees are required. No shade trees are proposed to meet this requirement. The Compliance Chart indicates that a waiver is requested.
 - 4) SLDO Section 205-52.D(1)(f) requires that when parking areas are located within 100 feet of a public street, the perimeter of the parking area that is adjacent to the public street shall be softened by a continuous low hedge around the outside perimeter. The Compliance Chart on the plan indicates that a waiver is requested.
 - K. SLDO Table 1 requires that, for Individual Lot Landscaping, 1 shade tree be provided per 5,000 square feet of gross floor area. Three (3) trees are required. One (1) tree is proposed to meet this requirement. The Compliance Chart on the plan indicates that a waiver is requested.
5. **Preservation, Protection, and Replacement of Trees**
- A. SLDO Section 205-53.B(1) permits the root area within the dripline of any tree to be encroached upon to a minimum of $\frac{1}{4}$ of the total root area. One tree is shown on the plans as to be preserved. However, it appears that the proposed disturbance to this tree will exceed the permitted amount. The tree should be shown as to be removed and added to the tree replacement calculations. In addition, a note should be added to the plans stating this requirement.
 - B. SLDO Section 205-53.B(3): a note shall be added to the plans demonstrating compliance with the requirement that at the direction of the Township Engineer, Township Shade Tree Commission or Township Landscape Architect, existing trees which have not been adequately protected are to be removed and replaced.
 - C. SLDO Section 205-53.C(1) requires the preservation of 60% of the quantity of trees sized 8-23" in caliper and 60% of the caliper inch total of trees over 23" to 48" in caliper. All but one tree on the site are shown as to be removed. The Compliance Chart indicates that a waiver is requested.

Mr. Lawrence Gregan, Township Manager
Montgomery Realty Associates, LLC
July 11, 2019
Page 5 of 5

- D. SLDO Section 205-52.C(4) outlines tree replacement requirements. No replacement trees are proposed to be planted. The Compliance Chart indicates that a waiver is requested. However, trees to be removed on the residential property have not been included in the tree replacement calculations. The calculations shall be revised to include all trees on the proposed site in order to determine the extent of the waiver requested.

6. General Comments

- A. SLDO Section 205-55 requires that no building permit shall be issued unless a performance bond or other surety approved by the Township Solicitor has been filed with the Township. The applicant shall submit the required information to the Township to demonstrate compliance.
- B. A detailed response letter addressing the above noted comments and any other changes to the plans should be included with future submissions.

Sincerely,



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



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

JSG/vll/kam

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January 30, 2019

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

**SUBJECT: MONTGOMERY REALTY ASSOCIATES, LLC
LAND DEVELOPMENT
TOWNSHIP NO. LD/S- NO. 701
PROJECT NO. 18-55-331R**

Dear Mr. Gregan:

Please be advised that we have reviewed the Preliminary/Final Land Development Plans for Montgomery Realty Associates, LLC by Bohler Engineering dated October 29, 2018, last revised January 18, 2019.

The site, TMP# 46-00-00388-00-7, consists of approximately 1.4 acres, is located at 744 Bethlehem Pike (SR 309), and is within the C -Commercial Zoning District. Existing improvements on the site include a building and associated parking areas and driveway. The site has frontage along both Bethlehem Pike (SR 309) and Vilsmeier Road.

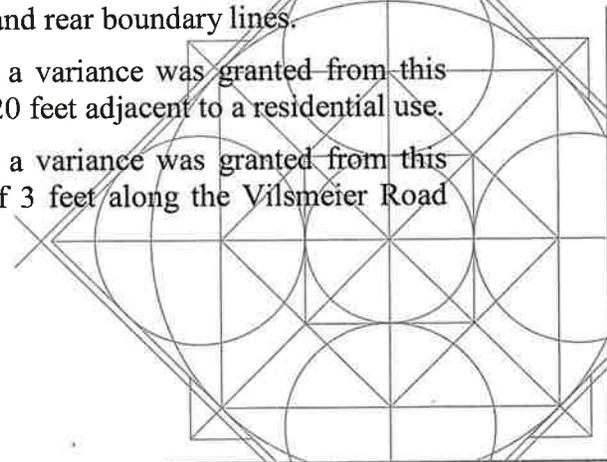
The applicant proposes to demolish the existing building and construct a 10,015-sf commercial building, which will include 6,500 sf of retail use and 3,500 sf of restaurant use. Additional proposed improvements include parking areas and stormwater management facilities. Proposed access to the site is from Bethlehem Pike (SR 309) and Vilsmeier Road.

We offer the following comments for your consideration.

1. Zoning

A. ZO Section 230-78.A requires that a planting area no less than 25 feet in width of grass, lawns, 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, and continuously maintained in a proper and attractive manner along all street frontages of property, exclusive of driveway and access areas, and along all sides and rear boundary lines.

1. A note on the Site Plan indicates that a variance was granted from this section to permit a landscape buffer of 20 feet adjacent to a residential use.
2. A note on the Site Plan indicates that a variance was granted from this section to permit a landscape buffer of 3 feet along the Vilsmeier Road frontage.



- B. ZO Section 230-155 requires that all landscaping and screening requirements pursuant to the provisions of this Chapter shall be in conformance with the landscaping and screening requirements of Article VI of Chapter 205, the Montgomery Township Subdivision Ordinance, No. 18. A note on the Site Plan indicates that a variance was granted from this section to permit non-compliant landscaping, including the buffering and street tree requirements in the areas along Vilsmeier Road, the required street trees along Bethlehem Pike and the side lot lines of the subject property.

2. General Requirements

- A. SLDO Section 205-49.G requires that a tree shall be considered dead when the main leader has died or 25% of the crown is dead. Any dead plant material shall be replaced and installed according to the approved planting practices. The applicant shall revise Landscape Specification Note 12 on the Landscape Details sheet to demonstrate compliance.
- B. SLDO Section 205-51.A(18) requires a detailed cost estimate to be attached to the final landscape plan submission for the preparation of the land development agreement. This estimate shall show the value of all proposed landscaping. Unit costs for plant material shall include costs for materials, labor and guaranty and shall be so stated on the estimate provided. The applicant shall submit the required cost estimate to demonstrate compliance.

3. Planting Requirements

- A. SLDO Section 205-52.A(2)(a) requires the provision of three (3) street trees along SR 309 and seven (7) street trees along Vilsmeier Road. Two (2) street trees are proposed along SR 309 and three (3) street trees along Vilsmeier Road. The Compliance Chart indicates that a waiver is requested.
- B. SLDO Section 205-52.B(4)(a) requires the provision of twelve (12) shade trees in the northern softening buffer, 6 shade trees in the Bethlehem Pike softening buffer, and thirteen (13) shade trees in the Vilsmeier Road softening buffer. Eight (8) flowering trees are proposed in the northern softening buffer and no shade trees are proposed in the Bethlehem Pike and Vilsmeier Road softening buffers. The Compliance Chart indicates that a waiver is requested.
- C. Parking area landscaping
 - 1. SLDO Section 205-52.D(1)(a) and Table 1 require one (1) shade tree for each 10 parking spaces within the entire lot. Eight (8) shade trees are required. Six (6) shade trees are proposed to meet this requirement. The Compliance Chart indicates that a waiver is requested.
 - 2. SLDO Section 205-52.D(1)(d) requires that raised planter islands shall be placed at the end of each row of parking spaces beginning and/or terminating at an internal circulation drive. Two internal parking islands are proposed to be striped as opposed to curbed. The Compliance Chart indicates that a waiver is requested.

3. SLDO Section 205-52.D(1)(e) requires the provision of one shade tree for each 290 SF of planting island. Seven (7) shade trees are required. No shade trees are proposed to meet this requirement. The Compliance Chart indicates that a waiver is requested.
 4. SLDO Section 205-52.D(1)(f) requires that when parking areas are located within 100 feet of a public street, the perimeter of the parking area that is adjacent to the public street shall be softened by a continuous low hedge around the outside perimeter. Required buffer shrubs may not be used to meet this requirement. The Compliance Chart on the plan indicates that a waiver is requested.
- D. SLDO Table 1 requires that, for Individual Lot Landscaping, 1 shade tree be provided per 5,000 square feet of gross floor area. Two (2) trees are required, however, none are proposed as noted on the Landscape Plan. The Compliance Chart on the plan indicates that a waiver is requested.
4. Preservation, Protection, and Replacement of Trees
- A. SLDO Section 205-53.C(1) requires the preservation of 60% of the quantity of trees sized 8-23" in caliper and 60% of the caliper inch total of trees over 23" to 48" in caliper. All trees on the site are proposed to be removed. The Compliance Chart indicates that a waiver is requested.
 - B. SLDO Section 205-52.C(4) outlines tree replacement requirements. A total of thirty-one (31) replacement trees are required. No replacement trees are proposed to be planted. The Compliance Chart indicates that a waiver is requested.
5. General Comments
- A. SLDO Section 205-55 requires that no building permit shall be issued unless a performance bond or other surety approved by the Township Solicitor has been filed with the Township. Such surety shall be in an amount equal to the cost of purchasing, planting, maintaining, and replacing all vegetative materials for a period of 18 months after written acceptance of the landscape installation by the Township. This condition may be satisfied through a land development agreement with sufficient and appropriate financial guaranties suitable to the Board of Supervisors. The applicant shall submit the required information to the Township to demonstrate compliance.
 - B. Plant Discrepancies and Conflicts:
 1. It appears that the Ilex Glabra 'Shamrock' labeled IGC in the Landscape Schedule are labeled with the key 'IGS' in the landscape plan. The plans shall be revised to correct this discrepancy.
 2. A grouping of Afterglow Winterberry in the southeastern corner of the site is labeled as having twenty-seven plants. However, twenty-six are shown. The plans shall be revised to correct this discrepancy.

Mr. Lawrence Gregan, Township Manager
Montgomery Realty Associates, LLC
January 30, 2019
Page 4 of 4

3. The Compliance Chart calculation for the parking lot perimeter shrubs shall be revised to show the correct quantity of perimeter parking spaces (47) and the correct required number of shrubs (141).
- C. A detailed response letter addressing the above noted comments and any other changes to the plans should be included with future submissions.

Sincerely,



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



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

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December 14, 2018

Revised December 17, 2018

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

**SUBJECT: MONTGOMERY REALTY ASSOCIATES, LLC
LAND DEVELOPMENT
TOWNSHIP NO. LD/S- NO. 701
PROJECT NO. 18-55-331R**

Dear Mr. Gregan:

Please be advised that we have reviewed the Preliminary/Final Land Development Plans for Montgomery Realty Associates, LLC by Bohler Engineering dated October 29, 2018.

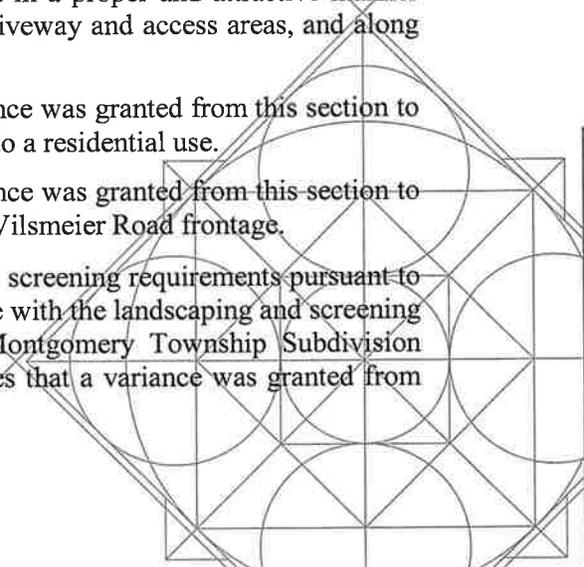
The site, TMP# 46-00-00388-00-7, consists of approximately 1.4 acres, is located at 744 Bethlehem Pike (SR 309), and is within the C -Commercial Zoning District. Existing improvements on the site include a building and associated parking areas and driveway. The site has frontage along both Bethlehem Pike (SR 309) and Vilsmeier Road.

The applicant proposes to demolish the existing building and construct a 10,015-sf commercial building, which will include 6,500 sf of retail use and 3,500 sf of restaurant use. Additional proposed improvements include parking areas and stormwater management facilities. Proposed access to the site is from Bethlehem Pike (SR 309) and Vilsmeier Road.

We offer the following comments for your consideration.

1. Zoning

- A. ZO Section 230-78.A requires that a planting area no less than 25 feet in width of grass, lawns, 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, and continuously maintained in a proper and attractive manner along all street frontages of property, exclusive of driveway and access areas, and along all sides and rear boundary lines.
 1. A note on the Site Plan indicates that a variance was granted from this section to permit a landscape buffer of 20 feet adjacent to a residential use.
 2. A note on the Site Plan indicates that a variance was granted from this section to permit a landscape buffer of 3 feet along the Vilsmeier Road frontage.
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 - b) 1 shade tree is required per each 290 square feet of planting island. 7 trees are required, however, none are proposed as noted on the Landscape Plan. The Compliance Chart on the plan indicates that a waiver is requested.
- D. SLDO Table 1 requires that, for Individual Lot Landscaping, 1 shade tree be provided per 5,000 square feet of gross floor area. Two (2) trees are required, however, none are proposed as noted on the Landscape Plan. The Compliance Chart on the plan indicates that a waiver is requested.
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5. Recommended Plant List and Planting Standards and Guidelines

- A. SLDO Section 205-56 outlines the recommended plant list. The Board of Supervisors may permit other planting types if they are hardy to the area, not subject to blight or disease and of the same general character and growth habit as those listed in this Section, and are not identified by the Pennsylvania Department of Conservation and Natural Resources (DCNR) as invasive. Plants included on the DCNR "watch list" as potentially invasive, and any associated varieties, hybrids, and cultivars of invasive species, will not be permitted.
1. The proposed Dwarf Golden Japanese Barberry (*Berberis thunbergii*) shrubs are listed as invasive. The applicant shall revise the plans to include a more appropriate non-invasive shrub.
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- C. Notes shall be provided demonstrating compliance with the quality standards for street trees, shade trees, evergreen trees, ornamental trees, and shrubs as shown in SLDO Sections 205-56.A, C, D, E, F, and G.

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1. Three (3) American Hornbeam trees are proposed as noted in the Landscape Schedule on the Landscape Plan. However, they are not shown on the plan. The applicant shall revise the plans, accordingly.
 2. Three (3) trees along Vilsmeier Road are not labeled on the Landscape Plan. The applicant shall revise the plans, accordingly.
 3. Three proposed shrubs are located on top of a proposed stormwater management pipe at the southwestern portion of the site. The applicant shall revise the plans to eliminate this conflict.

4. A proposed tree is located in close proximity to an existing sanitary lateral pipe along Vilsmeier Road. In general, trees should not be located closer than 10 feet from underground utility pipes. The applicant shall revise the plans, accordingly.
- C. Henry's Garnet Sweetspire (*Itea virginica* 'Henry's Garnet) shrubs and Weeping Cherry (*Prunus subhirtella* var. *pendula*) trees are proposed in the two islands at the Vilsmeier Road site entrance. The Sweetspire shrubs can generally grow to 4' in height or more, and the Weeping Cherry trees generally have branching that hangs down toward the ground. Both of these plants may obstruct the vision of motorists at this entrance. The applicant shall revise the plans to include more appropriate plants that do not obstruct vision, accordingly.
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- E. A detailed response letter addressing the above noted comments and any other changes to the plans should be included with future submissions.

Sincerely,



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



Michael L. Beuke, R.L.A.
Planner/Landscape Architect

JSG/mlb/kam

ec: Board of Supervisors
Planning Commission
Bruce Shoupe, Director of Planning and Zoning
Marianne McConnell, Deputy Zoning Officer
Mary Gambino, Project Coordinator
Frank R. Bartle, Esq., Dischell Bartle & Dooley, PC
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Steve Muchnick, Montgomery Realty Associates, LLC
Matthew Chartrand, P.E., Bohler Engineering



Boucher & James, Inc.
CONSULTING ENGINEERS

AN EMPLOYEE OWNED COMPANY
INNOVATIVE ENGINEERING

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1456 Ferry Road, Building 500
Daylestown, 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

December 14, 2018

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

**SUBJECT: MONTGOMERY REALTY ASSOCIATES, LLC
LAND DEVELOPMENT
TOWNSHIP NO. LD/S- NO. 701
PROJECT NO. 18-55-331R**

Dear Mr. Gregan:

Please be advised that we have reviewed the Preliminary/Final Land Development Plans for Montgomery Realty Associates, LLC by Bohler Engineering dated October 29, 2018.

The site, TMP# 46-00-00388-00-7, consists of approximately 1.4 acres, is located at 744 Bethlehem Pike (SR 309), and is within the C -Commercial Zoning District. Existing improvements on the site include a building and associated parking areas and driveway. The site has frontage along both Bethlehem Pike (SR 309) and Vilsmeier Road.

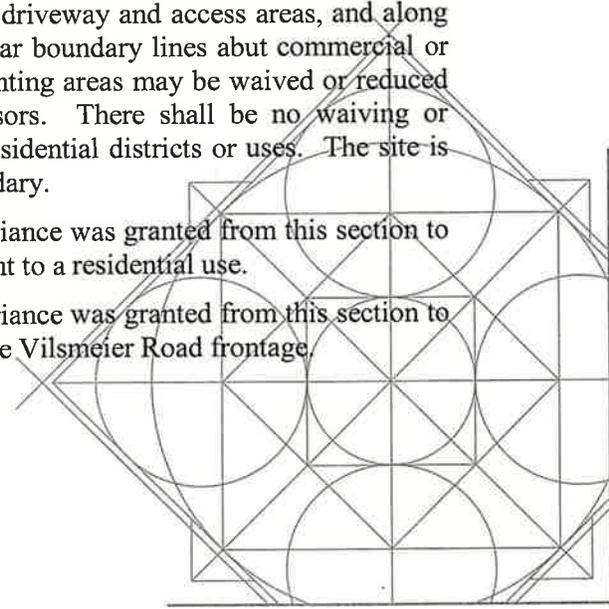
The applicant proposes to demolish the existing building and construct a 10,015-sf commercial building, which will include 6,500 sf of retail use and 3,500 sf of restaurant use. Additional proposed improvements include parking areas and stormwater management facilities. Proposed access to the site is from Bethlehem Pike (SR 309) and Vilsmeier Road.

We offer the following comments for your consideration.

1. Zoning

A. ZO Section 230-78.A requires that a planting area no less than 25 feet in width of grass, lawns, 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, and continuously maintained in a proper and attractive manner along all street frontages of property, exclusive of driveway and access areas, and along all sides and rear boundary lines. If the 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. There shall be no waiving or reduction of buffer areas when those areas abut residential districts or uses. The site is adjacent to a residential use along its western boundary.

1. A note on the Site Plan indicates that a variance was granted from this section to permit a landscape buffer of 20 feet adjacent to a residential use.
2. A note on the Site Plan indicates that a variance was granted from this section to permit a landscape buffer of 3 feet along the Vilsmeier Road frontage.



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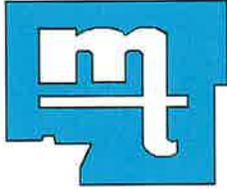
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Steve Muchnick, Montgomery Realty Associates, LLC
Matthew Chartrand, P.E., Bohler Engineering



MEMORANDUM

TO: Board of Supervisors

FROM: Planning Commission
Jay Glickman, Chairman

DATE: November 21, 2019

RE: Montgomery Realty Associates, LLC – LDS # 701

The Planning Commission has reviewed the above Land Development and would recommend to the Board of Supervisors that they be approved subject to compliance with reviews issued by staff and Township Consultants.

**MONTGOMERY COUNTY
BOARD OF COMMISSIONERS**

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KENNETH E. LAWRENCE, JR., VICE CHAIR
JOSEPH C. GALE, COMMISSIONER



**MONTGOMERY COUNTY
PLANNING COMMISSION**

MONTGOMERY COUNTY COURTHOUSE • PO BOX 311
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JODY L. HOLTON, AICP
EXECUTIVE DIRECTOR

September 23, 2019

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

Re: MCPC #18-0272-004
Plan Name: Montgomery Realty Associates, LLC
(2 lots comprising 2.049 acres)
Situate: 744 Bethlehem Pike, near Vilsmeier Road
Montgomery Township

Dear Mr. Shoupe:

We have reviewed the above-referenced land development plan in accordance with Section 502 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on July 1, 2019. We forward this letter as a report of our review.

BACKGROUND

The applicant, Montgomery Realty Associates, LLC, proposes to construct a 12,240-square foot building at the corner of Bethlehem Pike and Vilsmeier Road in the C-Commercial zone. The new building would have 8,740 square feet for retail use and 3,500 square feet for a restaurant. Right-in/right-out access to Bethlehem Pike is already available for the site; this proposal also adds a full-movement on Vilsmeier Road across from a driveway to the Verizon Wireless store. Ninety-four (94) parking spaces are proposed, in line with zoning requirements for retail and restaurant uses.

Review letters for this property were previously sent on November 28, 2018, February 19, 2019, and July 29, 2019; since the third submission, the applicant has formally listed the additional expected waivers and zoning relief requested to ensure their plan can be built.



COMPREHENSIVE PLAN COMPLIANCE

Montgomery Township's 2008 Comprehensive Plan Update Vision Plan identifies this area as part of a commercial strip along the southbound side of PA Route 309, connecting the Five Points intersection to North Wales Road. We believe that this project is generally compatible with the township's vision plan.

Montgomery County's comprehensive plan, *Montco 2040: A Shared Vision*, identifies this area on its Future Land Use map as part of the "Regional Mixed-Use Center". This project is compatible with *Montco 2040*.

RECOMMENDATION

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

REVIEW COMMENTS

STORMWATER MANAGEMENT

1. We would like to reiterate our comments from previous letters regarding stormwater management and the decisions the applicant has made to handle drainage. We specifically note that much of the site's eastern section (fronting Bethlehem Pike) does not drain into the basin but rather into a vegetated swale and out onto a non-curbed section of Vilsmeier Road without much (if any) detention, managed release, or water quality improvement. We strongly encourage the township to fully vet the stormwater design and monitor the area for issues if the proposal is constructed as is.

TRANSPORTATION

1. We would like to reiterate our comments from previous letters regarding installing new sidewalk along the entire southern edge of the parcel in order to ensure consistent width. This would tie in with the proposed sidewalk replacement along the eastern edge of the parcel, which will be installed by others.

CONCLUSION

We wish to reiterate that MCPC supports the applicant's proposal, but we believe that our suggested revisions will better achieve Montgomery Township's planning objectives for commercial development.

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. Please print the assigned MCPC number (#18-0272-004) on any plans submitted for final recording.

Sincerely,

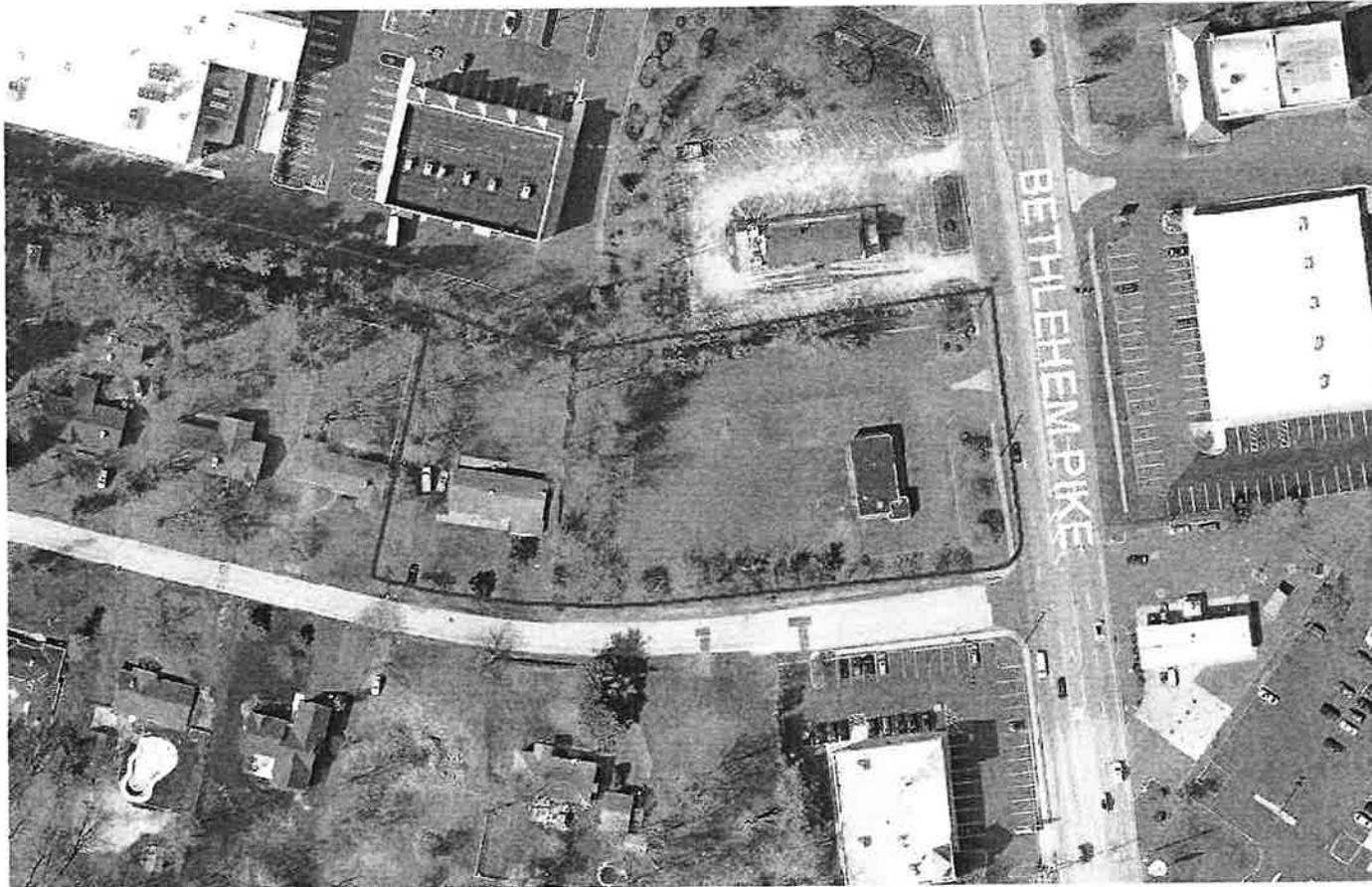


Matthew Popek, Senior Transportation Planner
mpopek@montcopa.org - 610-278-3730

c: Montgomery Realty Associates, LLC, Applicant
Steve Muchnick, Applicant's Representative
Lawrence Gregan, Twp. Manager
Jay Glickman, Chrm., Twp. Planning Commission

Attachments: Aerial Photograph of Site
Land Development Plan

Aerial – Montgomery Realty Associates, LLC, Montgomery Township



Montgomery Realty Associates, LLC
MCPC #180272003

Montgomery
County
Planning
Commission

Montgomery County Courthouse - Planning Commission
PO Box 311 • North Square PA 19424-0311
tel 610 278 3722 • fax 610 278 3947
www.montgomerycountypa.gov

Year 2018 aerial photography provided by the
Delaware Valley Regional Planning Commission



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JODY L. HOLTON, AICP
EXECUTIVE DIRECTOR

July 29, 2019

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

Re: MCPC #18-0272-003
Plan Name: Montgomery Realty Associates, LLC
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Review letters for this property was previously sent on November 28, 2018 and February 19, 2019; since the second submission, the applicant has expanded the size of the proposed building from 10,000 to 12,240 square feet, which has required a significant redesign of parking and stormwater features. In particular, the main stormwater management feature will now be an above-ground managed release bioinfiltration basin, located on the property immediately adjacent to the original lot, further west along Vilsmeier. This property (tax parcel ID 46-00-04051-00-7) has split zoning between Commercial and R-2 Residential and contains an existing one-story structure.



COMPREHENSIVE PLAN COMPLIANCE

Montgomery Township's 2008 Comprehensive Plan Update Vision Plan identifies this area as part of a commercial strip along the southbound side of PA Route 309, connecting the Five Points intersection to North Wales Road. We believe that this project is generally compatible with the township's vision plan.

Montgomery County's comprehensive plan, *Montco 2040: A Shared Vision*, identifies this area on its Future Land Use map as part of the "Regional Mixed-Use Center". This project is compatible with *Montco 2040*.

RECOMMENDATION

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

REVIEW COMMENTS

ADDITIONAL PARCEL

The recent changes to the size of the retail building have necessitated additional parking spaces and a reconfiguration of stormwater management practices, with the previously proposed underground BMP replaced with an above-ground managed release bioinfiltration basin, located on a different parcel from the remainder of the development.

1. No indications are shown that the parcel is under control of the applicant, or that the two parcels will be combined. While this is still the case, additional information should be provided regarding the adjacent parcel, including the tax parcel ID number, on the site plan.
2. The additional parcel has a split zoning condition between Commercial and R-2 Residential. The township should ensure that structures for commercial use can be located in a residential zoning area, and allow the applicant to pursue zoning relief if necessary.

PLAN CORRECTIONS

On the site plan (Sheet C-2), the number of required spaces is listed as 74. Per the parking requirements for retail and restaurant uses, the required number should be listed as 94. (The total proposed number is correctly listed as 94.)

STORMWATER MANAGEMENT

The new design of the stormwater management BMP will remove a vegetated swale that originally separated the two parcels under consideration.

1. A level spreader is provided for the managed release basin. The township should ensure that the design of this basin does not require any sort of spillway to accommodate stormwater overflow.
2. Plantings are proposed for the slope of the basin, including Swamp White Oaks shown to be planted near the top of the berm. The township should ensure that this is an appropriate location for trees to be planted that will not undermine the integrity of the basin slope.

3. The level spreader will manage much of the stormwater from the basin, but once water flows out of the level spreader, there is nothing stopping it from flowing in all directions, including onto the adjacent residential property. We strongly encourage the township to fully vet this design and encourage overflow runoff to flow towards the roadway.

TRANSPORTATION

1. Certain parts of the road frontage along Vilsmeier Road will have concrete sidewalk constructed as part of the project. We would encourage the applicant to install new sidewalk along the entire southern edge of the parcel in order to ensure consistent width. This would tie in with the proposed sidewalk replacement along the eastern edge of the parcel, which will be installed by others.
2. On the western side of the building, two rows of parking are proposed in the middle of the parking lot. The western row has landscape islands at either end, while the eastern row has painted striping as islands. While we acknowledge the need for some areas of striping in order to accommodate truck traffic (as shown with the truck turning templates), we believe the south part of the top island in the eastern row could be modified to include landscaping while still accommodating trucks.

CONCLUSION

We wish to reiterate that MCPC supports the applicant's proposal, but we believe that our suggested revisions will better achieve Montgomery Township's planning objectives for commercial development.

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. Please print the assigned MCPC number (#18-0272-003) on any plans submitted for final recording.

Sincerely,



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

c: Montgomery Realty Associates, LLC, Applicant
Bohler Engineering, Applicant's Engineer
Lawrence Gregan, Twp. Manager
Jay Glickman, Chrm., Twp. Planning Commission

Attachments: Aerial Photograph of Site
Land Development Plan

Aerial – Montgomery Realty Associates, LLC, Montgomery Township

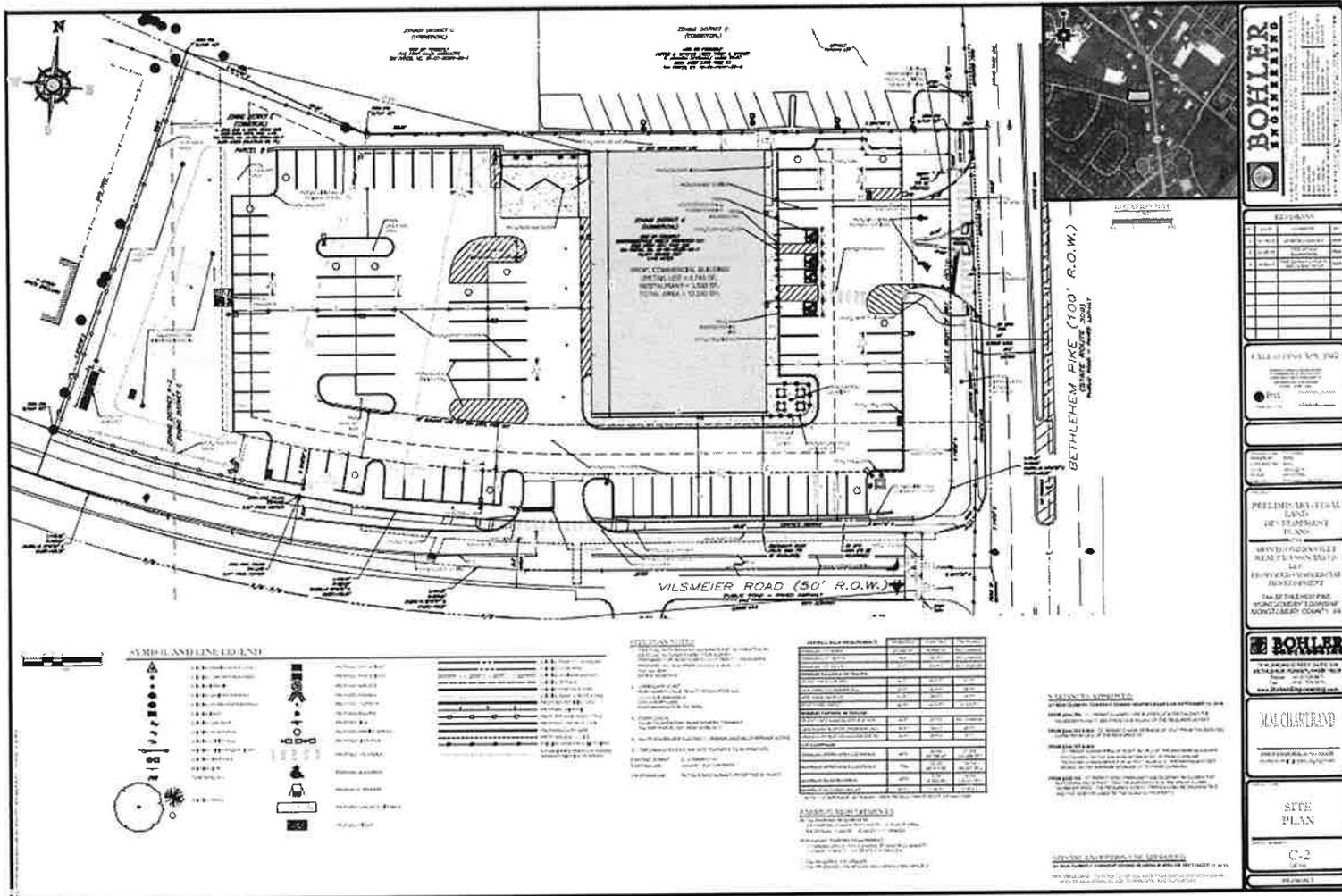


Montgomery Realty Associates, LLC
MCPC #180272003

Montgomery
County
Planning
Commission
Montgomery County Courthouse - Planning Commission
PO Box 311 • Norristown PA 19364-0311
tel: 610.275.3722 • fax: 610.274.3941
www.montco-pa.org/plan.com
Year 2015 aerial photography provided by the
Delaware Valley Regional Planning Commission



Site Plan – Montgomery Realty Associates, LLC, Montgomery Township



**MONTGOMERY COUNTY
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JOSEPH C. GALE, COMMISSIONER



**MONTGOMERY COUNTY
PLANNING COMMISSION**

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JODY L. HOLTON, AICP
EXECUTIVE DIRECTOR

February 19, 2019

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

Re: MCPC #18-0272-002
Plan Name: Montgomery Realty Associates, LLC
(1 lot comprising 1.45 acres)
Situate: 744 Bethlehem Pike, near Vilsmeier Road
Montgomery Township

Dear Mr. Shoupe:

We have reviewed the above-referenced land development plan in accordance with Section 502 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on November 7, 2018. We forward this letter as a report of our review.

BACKGROUND

The applicant, Montgomery Realty Associates, LLC, proposes to demolish an existing auto service building at the corner of Bethlehem Pike and Vilsmeier Road in the C-Commercial zone and replace it with a 10,000-square foot building near the northern edge of the property. The new building would have 6,500 square feet for retail use and 3,500 square feet for a restaurant. Right-in/right-out access to Bethlehem Pike is already available for the site; this proposal also adds a full-movement on Vilsmeier Road across from a driveway to the Verizon Wireless store. Seventy-seven (77) parking spaces are proposed, in line with zoning requirements for retail and restaurant uses. A number of variances and a special exception have already been approved by the Montgomery Township Zoning Hearing Board, including for exceeding 75% site impervious coverage and for "non-compliant landscaping" in street tree buffers.

A review letter for this property was previously sent on November 28, 2018; since the initial submission, the applicant has revised several items and responded to several suggestions from other reviewers via their engineer, although the MCPC review letter was not provided to the engineer until February 2019. These items include an explanation for requesting a waiver from planting islands "to allow for safe and adequate truck circulation", an explanation for requesting a waiver for meeting shade tree and buffer shrub SALDO requirements, a replacement of certain invasive or inappropriate plant species, the provision of a transportation impact study, and clarification of parking lot and street lighting operations.

RECOMMENDATION/COMMENTS

We wish to commend the applicant for satisfactorily addressing many of our concerns raised in our previous review letter. The modifications made improve the plan and we are pleased that the applicant agrees. Although some of our recommendations have been acted upon, we would like to reiterate that our additional concerns, largely pertaining to stormwater management and site landscaping, be considered prior to final plan approval. For a more detailed explanation of our prior comments, please refer to our letter dated November 28, 2018.

CONCLUSION

We wish to reiterate that MCPC supports the applicant's proposal, but we believe that our suggested revisions will better achieve Montgomery Township's planning objectives for commercial development.

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, Senior Transportation Planner
mpopek@montcopa.org - 610-278-3730

c: Montgomery Realty Associates, LLC, Applicant
Bohler Engineering, Applicant's Engineer
Lawrence Gregan, Twp. Manager
Jay Glickman, Chrm., Twp. Planning Commission

Attachments: Aerial Photograph of Site
Land Development Plan

Aerial – Montgomery Realty Associates, LLC, Montgomery Township



Montgomery Realty Associates, LLC
180272002

Montgomery
County
Planning
Commission
Montgomery County Courthouse • Planning Commission
PO Box 3711 • Norristown, PA 19384-0311
Tel: 610.278.3722 • Fax: 610.278.3345
www.montco.org/planning



Year: 2015 aerial photo taken or derived by the
Delaware Valley Regional Planning Commission

**MONTGOMERY COUNTY
BOARD OF COMMISSIONERS**

VALERIE A. ARKOOSH, MD, MPH, CHAIR
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**MONTGOMERY COUNTY
PLANNING COMMISSION**

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JODY L. HOLTON, AICP
EXECUTIVE DIRECTOR

November 28, 2018

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

Re: MCPC #18-0272-001
Plan Name: Montgomery Realty Associates, LLC
(1 lot comprising 1.45 acres)
Situate: 744 Bethlehem Pike, near Vilsmeier Road
Montgomery Township

Dear Mr. Shoupe:

We have reviewed the above-referenced land development plan in accordance with Section 502 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on November 7, 2018. We forward this letter as a report of our review.

BACKGROUND

The applicant, Montgomery Realty Associates, LLC, proposes to demolish an existing auto service building at the corner of Bethlehem Pike and Vilsmeier Road in the C-Commercial zone and replace it with a 10,000-square foot building near the northern edge of the property. The new building would have 6,500 square feet for retail use and 3,500 square feet for a restaurant. Right-in/right-out access to Bethlehem Pike is already available for the site; this proposal also adds a full-movement on Vilsmeier Road across from a driveway to the Verizon Wireless store. Seventy-seven (77) parking spaces are proposed, in line with zoning requirements for retail and restaurant uses. A number of variances and a special exception have already been approved by the Montgomery Township Zoning Hearing Board, including for exceeding 75% site impervious coverage and for "non-compliant landscaping" in street tree buffers.

RECOMMENDATION

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



REVIEW COMMENTS

STORMWATER MANAGEMENT/LANDSCAPING

- A. The Township Engineer should verify that the Township is comfortable with the applicant's proposal to maintain the flow of stormwater off of the property into a vegetated buffer at the southwest corner.
- B. We would recommend the applicant refer to our Sustainable Green Parking Lots reference manual (available at https://www.montcopa.org/DocumentCenter/View/9735/Green-Sustainable-Parking-Guide-2_10_2016-Web) for advice and recommendations for green parking islands, especially in the striped pavement areas to the west of the main building.
- C. The Township should ensure that the proposed underground basin has an established maintenance schedule and is inspected by a qualified inspector.
- D. The applicant should consider additional varieties of shrubs along the road frontages of Bethlehem Pike and Vilsmeier Road to protect against blight and promote more diverse and visually pleasing plantings.
- E. The Penn State Extension Service has identified the Dwarf Golden Japanese Barberry (*berberis thunbergii* "aurea nana") as an invasive species. We would strongly recommend that the applicant choose another deciduous shrub in place of the six barberry shrubs proposed for the front landscape area.

CONCLUSION

We wish to reiterate that MCPC supports the applicant's proposal but we believe that our suggested revisions will better achieve Montgomery Township's planning objectives for commercial development.

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, Senior Transportation Planner
mpopek@montcopa.org - 610-278-3730

c: Montgomery Realty Associates, LLC, Applicant
Steve Muchnick, Applicant's Representative
Lawrence Gregan, Twp. Manager
Jay Glickman, Chrm., Twp. Planning Commission

Attachments: Aerial Photograph of Site
Land Development Plan

Aerial – Montgomery Realty Associates, LLC, Montgomery Township





TRAFFIC PLANNING AND DESIGN, INC.

WWW.TRAFFICPD.COM

October 25, 2019

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

RE: Montgomery Realty Associates, LLC
744 Bethlehem Pike
Preliminary/Final Land Development Plan Review
Montgomery Township, Montgomery County, PA
Montgomery Township LD/S# 701
TPD No. MOTO-00129

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 in our office on August 27, 2019:

- Preliminary/Final Land Development Plans prepared by Bohler Engineering, dated October 29, 2018, last revised September 23, 2019;
- Response and Waiver request letters by Bohler Engineering, dated October 7, 2019.

Based on our review, we offer the following comments using the same numbering system as our January 10, 2018, February 12, 2019, July 25, 2019, and September 20, 2019 review letters for those comments not yet addressed. Comments that were addressed are not shown.

Previous Plan Comments

2. The widening along the property frontage to provide a separate southbound right turn lane on Bethlehem Pike at the intersection with Vilsmeier Road associated with PennDOT's Five Points intersection project has been shown on the plans as requested. However, the curbed section of the driveway throat for the right-in/right-out driveway on Bethlehem Pike will be significantly reduced to approximately 12 feet of curbed driveway between the relocated stop bar and the internal curblines along the front of the parking spaces. It appears that a curbed radius can be provided within the striped area without impacting emergency vehicle access or the adjacent parking space. In addition, a flush concrete median with a textured treatment should be provided between the raised channelized island and the internal parking aisle to help prevent entering vehicles from "cutting the corner" and crossing into the path of vehicles traveling northbound within the parking lot.

5. The traffic control signage for the proposed driveways is shown on the HOP plans. However, the internal site signage is not shown on the HOP plans and must be provided on the Land Development Plans. "Stop" signs (R1-1) must be provided on the eastbound and westbound parking aisle approaches to the Vilsmeier Road driveway. Without room to place a "Stop" sign, a painted stop bar and "STOP" legend must be provided on the southbound parking aisle approach to the intersection with the Vilsmeier Road driveway.
9. The plans show a small loading area, sized 10' x 25', located in a striped area at the end of the parking spaces on the west side of the building. However, the truck turning templates show a WB-40 design vehicle which has an overall length of approximately 46 feet. In addition, the templates do not demonstrate how the truck will access the loading area. Unless a larger loading area is provided that accommodates a delivery vehicle without blocking the drive aisle or parking spaces, deliveries will need to be made during non-business hours. A note should be provided in the General Notes and on the truck circulation plans indicating that the largest delivery vehicle that can be accommodated on site is a WB-40 design vehicle and the hours that deliveries will be permitted/restricted.

In order to preserve the functional integrity of Vilsmeier Road with the completion of the widening for the additional turning lane at the Route 309 intersection, it is our opinion that trucks larger than a WB-40 should be prohibited from stopping on Vilsmeier Road to make deliveries. Therefore, we recommend the posting of the PennDOT standard 'NO STOPPING OR STANDING' (R7-4a) signs at the western and eastern ends of the commercial properties on both sides of the road with the appropriate directional arrows. Besides prohibiting deliveries, these signs will also prohibit any usage of the commercial frontages on the public roads for patron parking or by ride services such as Uber and Lyft.

10. TPD will defer to the Township Fire Marshal regarding review of the fire truck turning templates with regard to compliance with applicable fire codes and Township requirements.
11. The sight distance triangles shown on the landscaping plan (Sheet C-06) must be consistent with the sight triangles shown on the HOP plans.

Previous Lighting Comments

12. The Lighting Plans were revised to provide a vertical illuminance calculation at the adjacent residential property line as directed. As discussed with Bohler on Oct. 21, 2019, the Uniformity Ratios within the Calculation Summary for "Residential Property Line 5' A.F.G." do not correspond to the Avg. Min., and Max. values so must be revised prior to final plan recording.
18. The Montgomery Township Street Lighting Specification Section 1.3.a specifies that "All outdoor light fixtures shall be shielded in such a manner that no light is emitted above a horizontal plane..." The proposed Hubbardton Forge Sconce light shall be confirmed to comply with this requirement, otherwise a complying alternative light shall be proposed, or a waiver shall be requested.

New Lighting Comments

20. As previously commented, per Chapter A237-1 Street Lighting (Amended by Ordinance #13-276); "Street Lighting shall be installed along each street in each subdivision and along each street front abutting a public street in each land development by the developer and at the expense of the developer, unless specifically waived by the Board of Supervisors." This waiver request has not been included in the Bohler Engineering letter dated October 7, 2019.

- a. TPD supports this waiver request along Bethlehem Pike (SR 0309), as existing lighting is not currently provided along the project site frontage.
- b. TPD supports this waiver request along Vilsmeier Road (T-400), as existing lighting is not currently provided along the project site frontage.

Requested Waivers

Based on our review, we offer the following opinions for the waiver requests pertaining to traffic:

1. *A waiver is requested from Section 205-52.D.(1)(d) which requires raised concrete curbing around all planting islands.*

TPD has no objections to the use of two (2) striped islands in lieu of curbed islands in the parking lot in the rear of the building to accommodate truck circulation. However, as indicated in Comment 2 above in the "Previous Plan Comments", the hatched areas within the parking lot separating the parking spaces from the driveway on Bethlehem Pike should be curbed to maximize the driveway throat length.

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

Sincerely,

TRAFFIC PLANNING AND DESIGN, INC.



Kevin L. Johnson, P.E.

President

kjohnson@TrafficPD.com

Mr. Bruce S. Shoupe

October 25, 2019

Page 4

cc: Larry Gregan, Township Manager
Carolyn McCreary, Township Manager Designee
Mary Gambino, Project Coordinator
Kevin Costello, Township Public Works Director
Russ Dunlevy, P.E., Township Engineer
Frank Falzone, P.E., TPD
Jerry Baker, P.E., TPD
Eric Hammond, TPD
Steve Muchnick
Matthew Chartrand, P.E.
Sandy Koza, P.E.



TRAFFIC PLANNING AND DESIGN, INC.

WWW.TRAFFICPD.COM

September 20, 2019

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

RE: Montgomery Realty Associates, LLC
744 Bethlehem Pike
Preliminary/Final Land Development Plan Review
Montgomery Township, Montgomery County, PA
Montgomery Township LD/S# 701
TPD No. MOTO-00129

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 in our office on August 27, 2019:

- Preliminary/Final Land Development Plans prepared by Bohler Engineering, dated October 29, 2018, last revised August 20, 2019;
- Waiver request letter prepared by Bohler Engineering, dated August 22, 2019.

Based on our review, we offer the following comments using the same numbering system as our January 10, 2018, February 12, 2019, and July 25, 2019 review letters for those comments not yet addressed. Comments that were addressed are not shown.

Previous Plan Comments

2. The widening along the property frontage to provide a separate southbound right turn lane on Bethlehem Pike at the intersection with Vilsmeier Road associated with PennDOT's Five Points intersection project has been shown on the plans as requested. However, the curbed section of the driveway throat for the right-in/right-out driveway on Bethlehem Pike will be less than one car length after the widening is completed. The hatched areas within the parking lot separating the parking spaces from the driveway should be curbed to maximize the driveway throat length.
4. A centerline profile is required for the driveway on Vilsmeier Road to demonstrate that sufficient slopes and changes in grade are provided. The profiles should include the following:

- a. roadway centerline;
- b. edge of existing roadway;
- c. edge of proposed widening;
- d. interior slope;
- e. legal and required right-of-way lines;
- f. existing and proposed elevations;
- g. roadway cross-slopes.

In addition, the cross-slope for the proposed crosswalks must meet ADA requirements.

5. All existing and proposed traffic control signage must be shown on the plans, including signs within the right-of-way and internal to the site.
9. The plans show a small loading area, sized 10' x 25', located in a striped area at the end of the parking spaces on the west side of the building. However, the truck turning templates show a WB-40 design vehicle which has an overall length of approximately 46 feet. In addition, the templates do not demonstrate how the truck will access the loading area. Unless a larger loading area is provided that accommodates a delivery vehicle without blocking the drive aisle or parking spaces, deliveries will need to be made during non-business hours. A note should be provided in the General Notes and on the truck circulation plans indicating that the largest delivery vehicle that can be accommodated on site is a WB-40 design vehicle and the hours that deliveries will be permitted/restricted.

In order to preserve the functional integrity of Vilsmeier Road with the completion of the widening for the additional turning lane at the Route 309 intersection, it is our opinion that trucks larger than a WB-40 should be prohibited from stopping on Vilsmeier Road to make deliveries. Therefore, we recommend the posting of the PennDOT standard "NO STOPPING OR STANDING" (R7-4a) signs at the western and eastern ends of the commercial properties on both sides of the road with the appropriate directional arrows. Besides prohibiting deliveries, these signs will also prohibit any usage of the commercial frontages for patron parking or by ride services such as Uber and Lyft.

10. The following comments pertain to the truck turning templates:
 - c. The plans should demonstrate how a fire truck will access the site after the PennDOT widening project is completed.
11. Sight distance triangles should be shown on the landscaping plan for the proposed driveway intersections with Bethlehem Pike and Vilsmeier Road indicating required and available sight distances.
12. The proposed channelization island on Vilsmeier Road should be shown on the land development plans consistent with the PennDOT HOP plans.

Previous Lighting Comments

2. As previously commented, please provide the Total LLF calculation for review.
10. As previously commented, please revise General Lighting Note No. 12 to state "...For Lighting proposed after 10 P.M., or after normal hours of operation, **whichever is earlier**, the lighting shall be..."
12. As previously commented, please provide vertical illuminance calculation(s) to confirm that illumination cast by a source or sources of light onto the adjacent residential property(ies) do not exceed 0.1 vertical foot-candle. Providing a vertical illuminance calculation at the adjacent residential property line shall suffice.
16. The provided Catalog Cut Sheets for the DSX1, DSXW1 and SSS Pole have been updated since the last revision dates noted. Please include the current manufacturer Catalog Cut Sheets on the final plans for recording. Additionally, add a note to the plans that the specifications for installation shall reflect the latest amended version of the Cut Sheets to allow for subsequent revisions between the time of approval and construction commencement.
17. As previously commented, a structural analysis for the light foundation, signed and sealed by a Professional Engineer, shall be submitted for review.

New Lighting Comments

18. Additional information regarding the Hubbardton Forge Sconce light shall be required for review. Please provided the fixture .ies file, light source (HID or LED), CCT (if LED), finish, and glass options. Please note that the CCT for all site lighting shall match and that the Township's Street Lighting Specification Section 1.2.b, lighting for horizontal tasks shall meet IESNA full-cutoff criteria.
19. The Truck Turning Plan has removed the proposed light locations previously requested to be depicted. Please revise to replace on plan.

Requested Waivers

Based on our review, we offer the following opinions for the waiver requests pertaining to traffic:

1. *A waiver is requested from Section 205-52.D.(1)(d) which requires raised concrete curbing around all planting islands.*

TPD has no objections to the use of two (2) striped islands in lieu of curbed islands in the parking lot in the rear of the building to accommodate truck circulation. However, as indicated in Comment 2 above in the "Previous Plan Comments", the hatched areas within the parking lot separating the parking spaces from the driveway on Bethlehem Pike should be curbed to maximize the driveway throat length.

Mr. Bruce S. Shoupe
September 20, 2019
Page 4

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. AND OF DESIGN, INC.



Kevin L. Johnson, P.E.

President

kjohnson@TrafficPD.com

cc: Larry Gregan, Township Manager
Mary Gambino, Project Coordinator
Kevin Costello, Township Public Works Director
Russ Dunlevy, P.E., Township Engineer
Frank Falzone, P.E., TPD
Jerry Baker, P.E., TPD
Eric Hammond, TPD
Steve Muchnick
Matthew Chartrand, P.E.
Sandy Koza, P.E.



TRAFFIC PLANNING AND DESIGN, INC.

WWW.TRAFFICPD.COM

July 25, 2019

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

RE: Montgomery Realty Associates, LLC
744 Bethlehem Pike
Preliminary/Final Land Development Plan Review
Montgomery Township, Montgomery County, PA
Montgomery Township LD/S# 701
TPD No. MOTO-00129

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 in our office on July 2, 2019:

- Preliminary/Final Land Development Plans prepared by Bohler Engineering, dated October 29, 2018, last revised May 20, 2019;

Based on our review, we offer the following comments using the same numbering system as our January 10, 2018 and February 12, 2019 review letters for those comments not yet addressed. Comments that were addressed are not shown.

Plan Comments

2. The widening along the property frontage to provide a separate southbound right turn lane on Bethlehem Pike at the intersection with Vilsmeier Road associated with PennDOT's Five Points intersection project has been shown on the plans as requested. However, the curbed section of the driveway throat for the right-in/right-out driveway on Bethlehem Pike will be less than one car length after the widening is completed. The hatched areas within the parking lot separating the parking spaces from the driveway should be curbed to maximize the driveway throat length.
4. A centerline profile should be provided for the driveway on Vilsmeier Road to demonstrate that sufficient slopes and changes in grade are provided. The profiles should include the following:
 - a. roadway centerline;
 - b. edge of existing roadway;
 - c. edge of proposed widening;
 - d. interior slope;

- e. legal and required right-of-way lines;
- f. existing and proposed elevations;
- g. roadway cross-slopes.

In addition, the cross-slope for the proposed crosswalks must be in accordance with ADA requirements. The response letter indicated that a centerline profile for Vilsmeier Road will be provided with the subsequent submission. However, a centerline profile should also be provided for the proposed driveway on Vilsmeier Road.

5. All existing and proposed traffic control signage must be shown on the plans, including signs within the right-of-way and internal to the site.
9. The plans show a small loading area, sized 10' x 25', located in a striped area at the end of the parking spaces on the west side of the building. However, the truck turning templates show a WB-40 design vehicle which has an overall length of approximately 46 feet. In addition, the templates do not demonstrate how the truck will access the loading area. Unless a larger loading area is provided that accommodates a delivery vehicle without blocking the drive aisle or parking spaces, deliveries will need to be made during non-business hours. A note should be provided in the General Notes and on the truck circulation plans indicating that the largest delivery vehicle that can be accommodated is a WB-40 design vehicle and the hours that deliveries will be permitted/restricted. In addition, the Township should determine if conditions pertaining to deliveries are required on the plan approval and/or lease documents.
10. The following comments pertain to the truck turning templates:
 - b. The plans should demonstrate how the trash truck will back up to the dumpster area.
 - c. The plans should demonstrate how a fire truck will access the site after the PennDOT widening project is completed.
11. Sight distance triangles should be shown on the landscaping plan for the proposed driveway intersections with Bethlehem Pike and Vilsmeier Road indicating required and available sight distances.

New Plan Comments

12. The proposed channelization island on Vilsmeier Road should be shown on the land development plans consistent with the PennDOT HOP plans.
13. The "Stop" sign detail on Sheet C-9 should be revised to indicate a 30" x 30" sign in lieu of 24" x 24".

Previous Lighting Comments New Plan Comments

2. As previously commented, please provide the Total LLF calculation for review.

Mr. Bruce S. Shoupe
July 25, 2019
Page 3

10. As previously commented, please revise General Lighting Note No. 12 to state "...For Lighting proposed after 10 P.M., or after normal hours of operation, **whichever is earlier**, the lighting shall be..."
12. As previously commented, please provide vertical illuminance calculation(s) to confirm that illumination cast by a source or sources of light onto the adjacent residential property(ies) do not exceed 0.1 vertical foot-candle. Providing a vertical illuminance calculation at the adjacent residential property line shall suffice.

New Lighting Comments

16. The provided Catalog Cut Sheets for the DSX1, DSXW1 and SSS Pole have been updated since the last revision dates noted. Please include the current manufacturer Catalog Cut Sheets on the final plans for recording. Additionally, add a note to the plans that the specifications for installation shall reflect the latest amended version of the Cut Sheets to allow for subsequent revisions between the time of approval and construction commencement.
17. A structural analysis for the light foundation, signed and sealed by a Professional Engineer, shall be submitted for review.

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

Sincerely,

TRAFFIC PLANNING AND DESIGN, INC.

Kevin L. Johnson, P.E.

President

kjohnson@TrafficPD.com

cc: Larry Gregan, Township Manager
Mary Gambino, Project Coordinator
Kevin Costello, Township Public Works Director
Russ Dunlevy, P.E., Township Engineer
Frank Falzone, P.E., TPD
Jerry Baker, P.E., TPD
Eric Hammond, TPD
Steve Muchnick
Matthew Chartrand, P.E.
Sandy Koza, P.E.



TRAFFIC PLANNING AND DESIGN, INC.

WWW.TRAFFICPD.COM

February 12, 2019

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

RE: Montgomery Realty Associates, LLC
744 Bethlehem Pike
Preliminary/Final Land Development Plan Review
Montgomery Township, Montgomery County, PA
Montgomery Township LD/S# 701
TPD No. MOTO-00129

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 in our office on January 22, 2019:

- Preliminary/Final Land Development Plans and Response letter prepared by Bohler Engineering, dated January 18, 2019;
- Transportation Impact Study for 744 Bethlehem Pike prepared by McMahon Associates, Inc., dated January 17, 2019;

In addition, I met with Fran Hanney of PennDOT on January 29, 2019 to discuss the intersection of Route 309 with Vilsmeier Road with development of this site. Numerous alternatives were discussed at this meeting including:

- Widening, restriping and signing Vilsmeier at the 309 intersection to provide a separate right turn exiting lane as recommended at the December 19, 2018 Township Staff Meeting and as shown on the Bohler plans. This alternative would be acceptable to Fran, but would need a channelizing splitter island to separate the right turn movement from the left and thru movement. The attached sketch on an aerial of the site shows such a splitter island separating the two movements. As indicated on the attached sketch, the addition of this splitter island will require a relocation of the curb radius and sidewalk on the southwest corner of the intersection along the Verizon store site into the grass area at the east end of the row of parking adjacent to Vilsmeier Road and into the grass area at the north end of the row of parking adjacent to Route 309. It will also require relocation of the utility pole and street light on this corner. Our research indicates that right-of-way (ROW) should exist on this corner. The plans for the Montgomery Realty Associates site show a 50 foot ROW on the

west side of Route 309 along the Verizon store property. The plans for Raymond and Augustine Au for LD/S 454 at this site prepared by Herbert H Metz, Inc. with a last revised date of April 26, 1995 with a Township Date Stamp of Received on May 26, 1995, indicates that 20 feet of additional ROW was dedicated along the Route 309 site frontage to create the 50 foot ROW on the west side of Route 309 along the Verizon store property. This ROW dedication is stated on both the plan sheet itself as well as on Note (1) of the ZONING SUMMARY. However, we need the applicant to confirm the property owner followed through with dedication of that ROW to PennDOT as is shown on the Bohler plans.

- Reconstructing the Route 309 median along the site frontage to create a two way center left turn lane (TWCLTL) that, while enabling left turning vehicles from Vilsmeier to enter northbound Route 309 using a two-step maneuver, could also be used by vehicles turning left into the Speedway gas station. However, both the separation distance between Vilsmeier and the RT In/RT Out driveway plus the 12 foot width of the combined striped and raised median would make such a TWCLTL too short to be practical.
- Adding NO LEFT TURN signs from Vilsmeier onto Route 309 either applicable at all times or with hourly restrictions.
- Doing nothing for now, but adding a condition statement to the PennDOT Highway Occupancy Permit that the applicant would complete a traffic study after the opening of the project to see which of the above alternatives, if any, need to be completed by the applicant.

In our opinion, the first of these four alternatives is the preferred alternative. As such, we have incorporated the discussion of this first alternative into the Plan Comments below.

Based on our review, we offer the following comments using the same numbering system as our January 10, 2019 review letter for those comments not yet addressed. Comments that were addressed are not shown.

Transportation Impact Study (TIS) Comments

1. Both the land development plans and the TIS show widening along the Vilsmeier Road site frontage to a width of 34 feet to enable striping for a separate left turn lane plus a shared thru/right turn lane from Vilsmeier Road onto Bethlehem Pike. However, due to the alignment of Vilsmeier Road with the northern access to the Speedway gas station on the opposite side of Route 309, the configuration must be changed to a separate right turn lane plus a shared left/thru lane from Vilsmeier Road onto Bethlehem Pike. In our opinion, such a change would also be preferable because the left and thru movements require simultaneous gaps in both directions on Route 309 while the right turn movement only requires a gap in the southbound direction. The TIS needs to be revised to address this change.

Plan Comments

1. The land development plans show widening along the Vilsmeier Road site frontage to a width of 34 feet. In our opinion, this cartway striping needs to be revised to provide a separate right turn lane plus a shared left/thru lane from Vilsmeier Road onto Bethlehem Pike. The applicant will need to prepare the Highway Occupancy Permit (HOP) plans and HOP application for this work to be submitted by them in the name of the Township for the work on a Township road.
2. The widening along the property frontage to provide a separate southbound right turn lane on Bethlehem Pike at the intersection with Vilsmeier Road associated with PennDOT's Five Points intersection project has been shown on the plans as requested. However, the curbed section of the driveway throat for the right-in/right-out driveway on Bethlehem Pike will be less than one car length after the widening is completed. The hatched areas within the parking lot separating the parking spaces from the driveway should be curbed to maximize the driveway throat length.
3. The response letter indicates that a PennDOT HOP is not required for the existing right-in/right-out driveway on Bethlehem Pike because no modifications are proposed to the driveway. However, it is unclear if there is a permit for the existing driveway. The Applicant should provide a copy of the existing permit to the Township and demonstrate that the proposed driveway volumes will be consistent with the permit. If a permit does not exist or the projected volumes will require a change in the driveway classification, a new HOP must be obtained from PennDOT.
4. A centerline profile should be provided for the driveway on Vilsmeier Road to demonstrate that sufficient slopes and changes in grade are provided. The profiles should include the following:
 - a. roadway centerline;
 - b. edge of existing roadway;
 - c. edge of proposed widening;
 - d. interior slope;
 - e. legal and required right-of-way lines;
 - f. existing and proposed elevations;
 - g. roadway cross-slopes.

In addition, the cross-slope for the proposed crosswalks must be in accordance with ADA requirements. The response letter indicated that a centerline profile for Vilsmeier Road will be provided with the subsequent submission. However, a centerline profile should also be provided for the proposed driveway on Vilsmeier Road.

5. All existing and proposed traffic control signage must be shown on the plans, including signs within the right-of-way and internal to the site.
9. The plans show a small loading area, sized 10' x 25', located in a striped area at the end of the parking spaces on the west side of the building. However, the truck turning templates show a WB-40 design vehicle which has an overall length of approximately 46 feet. In addition, the

templates do not demonstrate how the truck will access the loading area. Unless a larger loading area is provided that accommodates a delivery vehicle without blocking the drive aisle or parking spaces, deliveries will need to be made during non-business hours. A note should be provided in the General Notes and on the truck circulation plans indicating that the largest delivery vehicle that can be accommodated is a WB-40 design vehicle and the hours that deliveries will be permitted/restricted. In addition, the Township should determine if conditions pertaining to deliveries are required on the plan approval and/or lease documents.

10. The following comments pertain to the truck turning templates:

- a. Delivery trucks entering the site from Vilsmeier Road are shown crossing into oncoming traffic to enter the site. The driveway design and/or truck turning templates must be revised as necessary to accommodate a delivery truck entering the site without crossing into oncoming travel lanes on Vilsmeier Road.
- b. The plans should demonstrate how the trash truck will back up to the dumpster area.
- c. The plans should demonstrate how a fire truck will access the site after the PennDOT widening project is completed.

11. While a sight distance analysis is presented in the Transportation Impact Study, sight distance triangles should also be shown on the landscaping plan for the proposed driveway intersections with Bethlehem Pike and Vilsmeier Road indicating required and available sight distances.

Previous Lighting Comments

2. The provided LLF shall be revised to include all Light Loss Factors, specifically Maintenance Factors. As designed, the 0.92/0.93 total LLF only accounts for the LLD (Lamp Lumen Depreciation) based on LM-80 data by the Manufacturer. The total LLF shall be revised to account for the LDD (Luminaire Dirt Depreciation) value of 0.8 as previously requested. Please update the photometric analysis to accommodate the revised LLF of 0.74 and ensure the revised analysis meets applicable Township design criteria.
10. The reviewer acknowledges that Lighting General Note No. 11 has been added to the Lighting Plan (C-8), however, it shall be further revised to state "...For Lighting proposed after 10 P.M., or after normal hours of operation, **whichever is earlier**, the lighting shall be..."
12. The reviewer acknowledges that shields have been proposed on lights in proximity to adjoining properties, however, per Montgomery Township's Street Lighting Specification (Section 1.3.i), "In no case shall the illumination cast by a source or sources onto adjacent residential property exceed 0.1 vertical foot-candle measured line-of-sight, from any point on the adjacent residential property." Please review the photometric analysis at the residential property line to the west of the proposed site and verify that it is compliance with this requirement, or revise as needed to comply.

Mr. Bruce S. Shoupe
February 12, 2019
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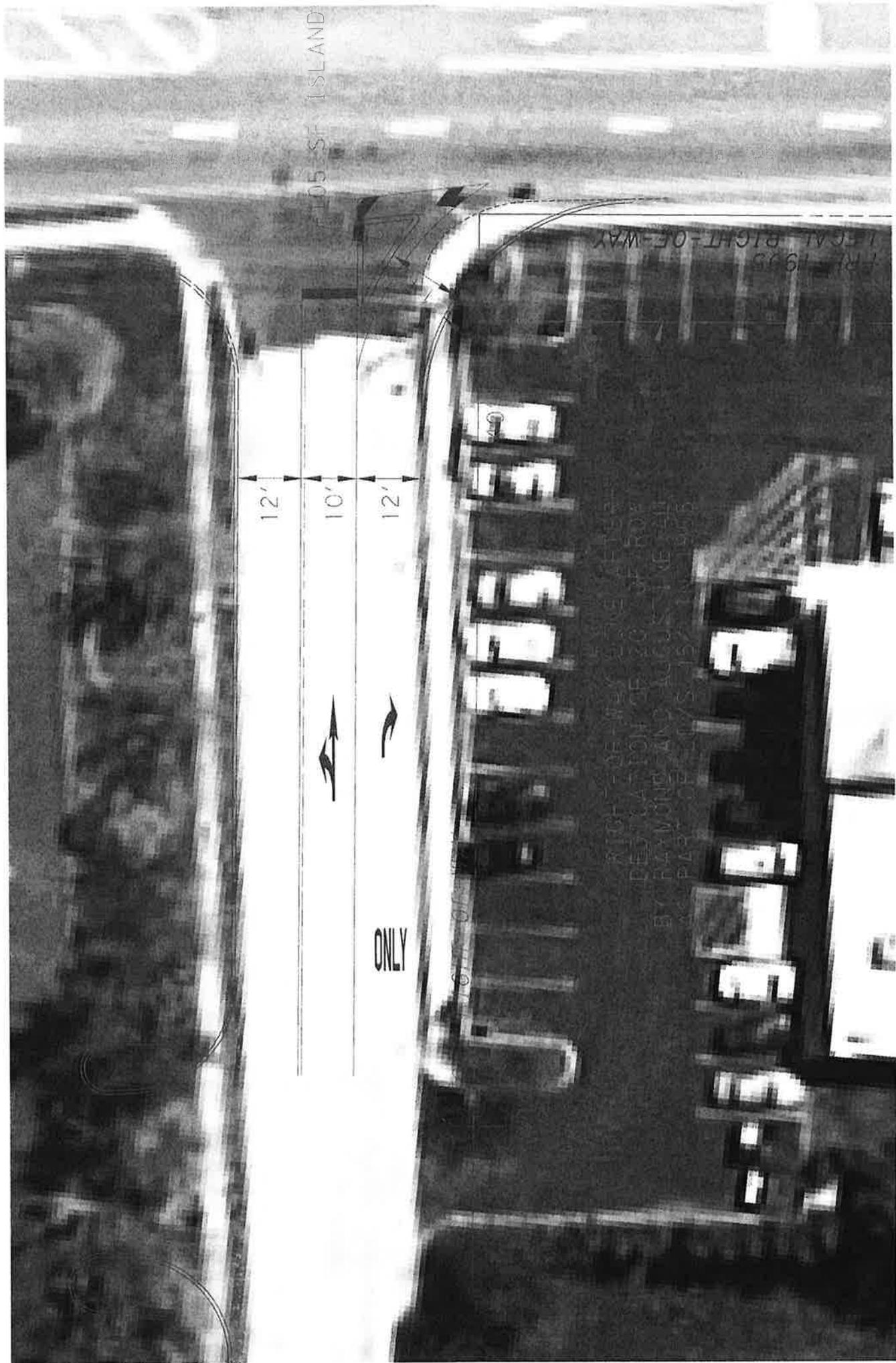
We reserve the right to make additional comments as additional information is submitted. Please call if you have any questions.

Sincerely,
TRAFFIC PLANNING AND DESIGN, INC.



Kevin L. Johnson, P.E.
President
kjohnson@TrafficPD.com

cc: Larry Gregan, Township Manager
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Sandy Koza, P.E.



105 SF ISLAND

12'

10'

12'



ONLY

APR 1993
LEGAL RIGHT-OF-WAY

RIGHT-OF-WAY

RIGHT-OF-WAY
EAST SIDE ONLY



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January 10, 2019

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

RE: Montgomery Realty Associates, LLC
744 Bethlehem Pike
Preliminary/Final Land Development Plan Review
Montgomery Township, Montgomery County, PA
Montgomery Township LD/S# 701
TPD No. MOTO-00129

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 in our office on November 7, 2018:

- Preliminary/Final Land Development Plans prepared by Bohler Engineering, dated October 29, 2018.

Based on our review, we offer the following comments:

Plan Comments

1. A traffic impact study must be provided. I met with the applicant, the applicant's Traffic Engineer (McMahon Associates), and Township Staff on November 28, 2018 to discuss the data collection efforts completed to date and the next steps in completing the traffic impact study and designing the site access. If the proposed left turn exit to Vilsmeier Road is retained, the applicant was asked to widen Vilsmeier Road along the site frontage to a width of at least 34 feet to enable striping for separate left and right turning lanes from Vilsmeier Road onto Bethlehem Pike.
2. It is our understanding that PennDOT's project for the Five Points intersection includes widening along the property frontage to provide a separate southbound right turn lane on Bethlehem Pike at the intersection with Vilsmeier Road. The PennDOT improvements should be shown on the plans to ensure that the site improvements do not conflict with or preclude the PennDOT improvements.

3. A PennDOT Highway Occupancy Permit (HOP) will be required for the proposed right-in/right-out driveway on Bethlehem Pike and for the widening of Vilsmeier Road at the intersection with Bethlehem Pike.
4. A centerline profile should be provided for the driveway on Vilsmeier Road to demonstrate that sufficient slopes and changes in grade are provided. The profiles should include the following:
 - a. roadway centerline;
 - b. edge of existing roadway;
 - c. edge of proposed widening;
 - d. interior slope;
 - e. legal and required right-of-way lines;
 - f. existing and proposed elevations;
 - g. roadway cross-slopes.

In addition, the cross-slope for the proposed crosswalks must be in accordance with ADA requirements.

5. All existing and proposed traffic control signage must be shown on the plans.
6. The sidewalk on the south side of the proposed building has varying widths that are as narrow as 3.9 feet. In addition, the sidewalk on the front of the building (east side) is as narrow as five (5) feet wide. The sidewalk adjacent to perpendicular parking should be a minimum of six (6) feet wide to ensure adequate width is provided for pedestrians if parked vehicles overhang the sidewalk.
7. The type of each handicap ramp should be labeled and all applicable details should be provided in accordance with PennDOT Standards for Roadway Construction, Publication 72M, RC-67M.
8. The following general notes should be included on the plan:
 - a. "Traffic control signs must be posted on PennDOT approved breakaway posts in accordance with the most recent version of the TC-8700 series in PennDOT Publication 111M."
 - b. "All traffic control signs shall be posted in accordance with the 2009 MUTCD and the most recent version of PennDOT Publication 236M, "Handbook of Approved Signs".
 - c. "All proposed pedestrian facilities reflected on these plans shall be constructed to comply with the following:
 - d. PennDOT Design Manual 2, Chapter 6.
 - e. PennDOT Standards for Roadway Construction, Publication 72M, RC-67M.
 - f. U.S. Access Board, Public Right of Way Accessibility Guidelines (PROWAG) and ADA Accessibility Guidelines for Buildings and Facilities (ADAAG)."

9. A loading area should be provided for the proposed restaurant and commercial uses. If deliveries are intended to be made from the parking aisle, a note should be provided in the General Notes and on the truck circulation plans indicating the hours that deliveries will be permitted/restricted. In addition, the Township should determine if conditions pertaining to deliveries are required on the plan approval and/or lease documents.
10. Truck turning templates must be provided for Montgomery Township's largest fire truck. In addition, truck turning templates must be provided demonstrating how delivery trucks will access the site how a trash truck will access the dumpster area.
11. Sight distance triangles should be shown on the landscaping plan for the proposed driveway intersections with Bethlehem Pike and Vilsmeier Road indicating required and available sight distances.

Lighting Comments

1. Confirm (and revise as needed) the proposed light locations are free of conflict with the largest anticipated design vehicle's movements traversing the site. Turning movements of the design vehicle ensuring clearances from proposed light locations will satisfy this comment.
2. Please verify the lighting design utilizing the applicable Light Loss Factors (LLF) for each luminaire. The usage of LLF = 0.9 in the Luminaire Schedule shall be confirmed to take into account real life conditions with degradation of the system over time.
 - a. It is suggested to utilize a LDD and LLD of 0.8 for a total LLF of 0.64 for an HPS fixture; and a LDD of 0.8 and an LLD based on manufacturer's data for LLD at 60,000-80,000 hours for an LED fixture.
3. Revise the Luminaire Schedule to include a column for BUG rating and the proposed light pole details (catalog cut number).
4. As stated in The Montgomery Township Street Lighting Specifications, Sections 1.3.k and 1.4.c, except as specifically approved by appropriate officers or agents of the Municipality, fixtures meeting IESNA full-cutoff criteria shall not be mounted in excess of twenty (20) feet above finished grade. Please revise the lighting fixture mounting heights as needed to comply with this requirement.
5. Complete catalog cut sheets for each proposed light fixture corresponding to the information included within the Luminaire Schedule shall be added to the plans.
6. Please revise the Light Pole Foundation Detail included on the Lighting Plan to reflect the proposed light fixture mounting heights.
7. Please revise the Lighting Plan to label and delineate the limits of the "Parking" calculation area within the Calculation Summary.

8. Please confirm ownership and maintenance responsibility of the site lighting. Elaborating on General Lighting Note No. 9 to indicate ownership entity will be sufficient.
9. Provide the anticipated hours of operation on the Lighting Plan.
10. As stated in The Montgomery Township Street Lighting Specifications, lighting for commercial, industrial, public recreational, and institutional applications shall be controlled by automatic switching devices such as time clocks or combination motion detectors and photocells, to permit extinguishing outdoor lighting fixtures between 10 P.M. and dawn. For lighting proposed after 10 P.M., or after normal hours of operation of a business, whichever is earlier, the lighting shall be reduced by at least 50% from then until dawn, unless supporting a specific purpose and approved by the appropriate officers or agents of the Municipality. A note indicating such shall be added to the Lighting Plan.
 - a. In addition to the note, please indicate the manner in which the 50% minimum reduction will be achieved. The Township would prefer a dimming situation in lieu of an individual light extinguishment to achieve a minimum 50% reduction. If an individual light extinguishment method is proposed, please indicate on the submitted lighting plan those fixtures to be extinguished to achieve a minimum 50% reduction.
11. As stated in The Montgomery Township Street Lighting Specifications, all illumination for advertising signs, building, and/or surrounding landscapes for decorative, advertising, or esthetic purposes is prohibited between 10 P.M. and sunrise, except that such lighting situated on the premises of a commercial establishment may remain illuminated while the establishment is actually open for business, and until one hour after closing. A note indicating such shall be added to the Lighting Plans.
12. All outside lighting, including sign lighting, shall be arranged, designed and shielded or directed so as to protect the abutting streets and highways and adjoining property from the glare of lights. Please verify that the proposed lighting is shielded from adjacent properties, streets, and highways to prevent light spillover. Adding the house-side shield option to the P4 and P5 lights proposed on the exterior of the parking lot shall suffice.
13. Verify that the proposed lighting locations are situated such that interference from the proposed and/or existing (to remain) landscaping does not result in an inefficient design. Adding a note indicating that all landscaping shall be trimmed as necessary to maintain required light levels will be sufficient.
14. The following notes shall be placed on the Lighting Plan(s):
 - a. The Developer and Contractor shall schedule a pre-construction meeting with all applicable Montgomery Township personnel and Consultants/Inspectors prior to commencing construction.

- b. Contractor to submit shop drawings and/or cut sheets for all proposed lights in accordance with the approved Land Development plans for approval by Montgomery Township Department of Public Works and the Municipal Street Lighting Engineer prior to installation.
 - 1. Prior to construction, the Contractor and Developer shall submit for review and approval to Montgomery Township any and all deviations from the approved lighting plans.
 - c. Lighting to be installed to meet all appropriate national and local codes.
 - d. All lighting to be installed according to manufacturers' recommendations.
 - e. The Developer shall be responsible for contacting the Lighting Consultant/Inspector for Montgomery Township at least 48 hours prior to the start of any site electric work. The Township's Lighting Consultant/Inspector must be contacted during both "rough" and "final" stages of construction. The Township's Consultant/Inspector must be given the opportunity to observe open trench and conduit prior to backfill. The Township's Consultant/Inspector shall also be contacted again at completion of site electrical construction (i.e. Final). The Developer shall arrange for the necessary electrical inspections at both phases of construction and provide evidence of compliance to Township.
 - 1. Provide separate electrical certifications for site parking lot lighting from site building inspections, if applicable.
 - f. All proposed light pole and fixture finishes shall match existing site fixtures.
 - g. Lighting fixtures and equipment shall be maintained so as to continuously meet Township requirements.
 - h. The Township reserves the right to conduct post-installation daytime and nighttime inspections to verify compliance with the Township lighting standards. If the inspection reveals a non-conformance to Township standards, the Township shall direct corrective action, which shall be executed by the property owner at no expense to the Township. Remedial action must be completed within thirty (30) days of notification from the Township.
15. Per Chapter A237-1 Street Lighting (Amended by Ordinance #13-276); "Street Lighting shall be installed along each street in each subdivision and along each street front abutting a public street in each land development by the developer and at the expense of the developer, unless specifically waived by the Board of Supervisors."
- a. TPD supports this waiver request along Bethlehem Pike (SR 0309), as existing lighting is provided only at public street intersections along this section of SR 309.
 - b. TPD supports this waiver request along Vilsmeier Road (T-400), as existing lighting is not provided along Vilsmeier Road except at its termini intersections with two state highways.

Mr. Bruce S. Shoupe
January 10, 2019
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We reserve the right to make additional comments as additional information is submitted. Please call if you have any questions.

Sincerely,
TRAFFIC PLANNING AND DESIGN, INC.

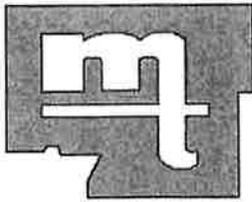


Kevin L. Johnson, P.E.

President

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RICHARD M. LESNIAK
DIRECTOR OF FIRE SERVICES
FIRE MARSHAL
EMERGENCY MANAGEMENT
COORDINATOR

FIRE MARSHALS OFFICE:
215-393-6936

July 15, 2019

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

Re: Montgomery Realty Associates, LLC

Dear Bruce:

Thank you for allowing the Fire Marshal's Office to comment on the proposed land development plans of the Montgomery Realty Associates, LLC

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

- 1. 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. Our apparatus is designed such that a unit pressure of not greater than 75 psi will be exerted over the ground contact area. Our outrigger stabilization plates are 24 inches by 24 inches.
- 2. 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. The applicant provided a vehicle movement plan as part of the revisions dated January 18, 2019.
- 3. 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 directed above. Said signage should be installed on the west (rear) side of the building. The signs should be mounted perpendicular to the building so that they can be easily seen by a motorist. Please see attached site plan for location.

4. **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 (1.27 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.
5. **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: Applicant should provide the construction type to determine the minimum fire-flow and flow duration. This information will also be used to determine the number of fire hydrants and required spacing between same.
6. **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.
7. **912.0 Fire Department Connection(s).** Fire department connections shall be installed in accordance with the NFPA standard applicable to the system design and shall comply with Sections 912.2 through 912.6. A fire hydrant shall be located within 100 feet of Fire Department Connection (FDC).
Comment: The fire department connection should be installed on the west (rear) side of the building closest to Vilsmeier Road. Please see attached site plan for location.
8. **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
July 15, 2019
Page 3

GENERAL COMMENTS

9. Any gas services that are accessible/vulnerable to vehicular traffic SHALL have approved vehicle impact protection installed.
10. All buildings that are 5,000 square feet or more shall be fully sprinklered and the Fire Department Connection shall be shown to indicate exact location.
11. 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.
12. Fire Department key boxes (Knox Box) SHALL be provided on buildings at an approved location. Knox Box forms are available through the Fire Marshal or Code Enforcement Office.
13. 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
Ken Amey, AICP
Judith Stern Goldstein, ASLA, R.L.A. – Boucher & James, Inc.
Kevin Johnson, P.E. – Traffic Planning & Design, Inc.
James Dougherty, P.E., - Gilmore & Associates, Inc.



MONTGOMERY TOWNSHIP
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RICHARD M. LESNIAK
DIRECTOR OF FIRE SERVICES
FIRE MARSHAL
EMERGENCY MANAGEMENT
COORDINATOR

FIRE MARSHALS OFFICE:
215-393-6936

February 7, 2019

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

Re: Montgomery Realty Associates, LLC

Dear Bruce:

Thank you for allowing the Fire Marshal's Office to comment on the proposed land development plans of the Montgomery Realty Associates, LLC

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

1. **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. Our apparatus is designed such that a unit pressure of not greater than 75 psi will be exerted over the ground contact area. Our outrigger stabilization plates are 24 inches by 24 inches.
2. **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. The applicant provided a vehicle movement plan as part of the revisions dated January 18, 2019.
3. **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 directed above. Said signage should be installed on the west (rear) side of the building. The signs should be mounted perpendicular to the building so that they can be easily seen by a motorist. Please see attached site plan for location.

4. **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.
5. **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: Applicant should provide the construction type to determine the minimum fire-flow and flow duration. This information will also be used to determine the number of fire hydrants and required spacing between same.
6. **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.
7. **912.0 Fire Department Connection(s).** Fire department connections shall be installed in accordance with the NFPA standard applicable to the system design and shall comply with Sections 912.2 through 912.6. A fire hydrant shall be located within 100 feet of Fire Department Connection (FDC).
Comment: The fire department connection should be installed on the west (rear) side of the building closest to Vilsmeier Road. Please see attached site plan for location.
8. **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.

GENERAL COMMENTS

9. Any gas services that are accessible/vulnerable to vehicular traffic SHALL have approved vehicle impact protection installed.
10. All buildings that are 5,000 square feet or more shall be fully sprinklered and the Fire Department Connection shall be shown to indicate exact location.
11. 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.
12. Fire Department key boxes (Knox Box) SHALL be provided on buildings at an approved location. Knox Box forms are available through the Fire Marshal or Code Enforcement Office.
13. 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. Gegan, Manager – Montgomery Township
Marianne McConnell, Deputy Zoning Officer – Montgomery Township
Ken Amey, AICP
Judith Stern Goldstein, ASLA, R.L.A. – Boucher & James, Inc.
Kevin Johnson, P.E. – Traffic Planning & Design, Inc.
James Dougherty, P.E., - Gilmore & Associates, Inc.



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

RICHARD M. LESNIAK
DIRECTOR OF FIRE SERVICES
FIRE MARSHAL
EMERGENCY MANAGEMENT
COORDINATOR

FIRE MARSHALS OFFICE:
215-393-6936

December 12, 2018

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

Re: Montgomery Realty Associates, LLC

Dear Bruce:

Thank you for allowing the Fire Marshal's Office to comment on the proposed land development plans of the Montgomery Realty Associates, LLC

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

- 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. Our apparatus is designed such that a unit pressure of not greater than 75 psi will be exerted over the ground contact area. Our outrigger stabilization plates are 24 inches by 24 inches.
- 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.
- 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 directed above.

4. **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.

5. **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: Applicant should provide the construction type to determine the minimum fire-flow and flow duration. This information will also be used to determine the number of fire hydrants and required spacing between same.

6. **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.

7. **912.0 Fire Department Connection(s).** Fire department connections shall be installed in accordance with the NFPA standard applicable to the system design and shall comply with Sections 912.2 through 912.6. A fire hydrant shall be located within 100 feet of Fire Department Connection (FDC).
Comment: The applicant shall indicate the location of the FDC on the plan. Once the FDC is shown on the plan, the Fire Marshal's Office will then provide direction on the installation of any additional fire hydrants.

8. **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.

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

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

GENERAL COMMENTS

11. Any gas services that are accessible/vulnerable to vehicular traffic SHALL have approved vehicle impact protection installed.
12. All buildings that are 5,000 square feet or more shall be fully sprinklered and the Fire Department Connection shall be shown to indicate exact location.
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 Amey, 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.



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: January 22, 2019

Re: LD/S #: 701
744 Bethlehem Pike

A review of the above-referenced subdivision/land development 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 subdivision/land development. Please contact me if you have any issues or concerns.

**ZONING ORDINANCE
PLAN REVIEW
744 Bethlehem Pike – LDS 701**

DATE: August 23, 2019

PLAN REVIEW – Montgomery Realty – 744 Bethlehem Pike
LD/S # 701 – Preliminary/Final Approval Requested – Amended Plan

DEVELOPMENT NAME: Montgomery Realty

LOCATION: 744 Bethlehem Pike LOT NUMBER & SUBDIVISION: 2

ZONING DISTRICT: C- Commercial

PROPOSED USE: Retail/Restaurant

ZONING HEARING BOARD APPROVAL REQUIRED? YES ZHB Appl.

CONDITIONAL USE APPROVAL REQUIRED? No

	Proposed	Required	Approved	Not Approved	WAIVER
USE	Retail/Restaurant		X		
HEIGHT	30 feet	Max 30 ft.	X		
LOT SIZE	85,899 sf	Min 25,000 SF	X		
SETBACKS					
FRONT	91 ft **	60 ft.	X		
SIDES	54/10 ft	10/35 ft.	X		
REAR	213.6 ft	40 ft.	X		
BUFFERS					
SOFTENING	25 feet	25 ft. front	X		
SCREENING	25 ft north 25 ft south 25 ft rear 25 ft east - new lots**	25 ft. Perimeter	Yes/No		Prior BOS Waiver needs **ZHB for additional lot
BUILDING COVERAGE	14.2 %	Max 20%			
IMPERVIOUS COVERAGE	Max 72.7%*	Max 75%			*ZHB if using R2
GREEN AREA	Min 27.3% *	Min 25%			*ZHB if use R2

ADDITIONAL COMMENTS

If using R2 zoned area to comply with Commercial requirements, the ZHB approval is required.
230-78A repealed on 6.25.18 – ZHB relief required for new area.
Fence in front yard – ZHB relief required.


ZONING OFFICER

8.23.19
DATE

KENNETH AMEY, AICP
professional land planner

September 19, 2019

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

Re: Montgomery Realty Associates, LLC
Preliminary/Final Land Development Plans
744 Bethlehem Pike & 1227 Vilsmeier Rd.
Township File #LD/S 701

Dear Bruce:

As requested, I have reviewed the above referenced land development plan, consisting of 19 sheets prepared by Bohler Engineering PA, LLC, dated October 29, 2018 with a last revision date of August 20, 2019. The subject property is located on the northwest corner of the intersection of Vilsmeier Road and Bethlehem Pike and was the subject of a previous submission. The application now includes an additional parcel, 1227 Vilsmeier Road, which is split-zoned between the C-Commercial and R-2 Residential Districts. The original property is zoned C-Commercial and is currently vacant. The applicant proposes to redevelop both properties for commercial use, comprising 8,740 square feet of retail and 3,500 square feet of restaurant space. The restaurant will also have 358 square feet of outdoor seating.

The applicant appeared before the Zoning Hearing Board on September 11, 2019 and received additional relief for the project. Details of that relief should be added to the record plan prior to recording.

Based upon the plan revisions and the Zoning Hearing Board relief received, all of the comments in my July 29, 2019 review letter have been satisfactorily addressed.

Please let me know if there are any questions regarding this review.

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: Larry Gregan, Township Manager
Marianne McConnell, Deputy Zoning Officer
Mary Gambino, Project Coordinator
Frank Bartle, Esq., Township Solicitor
James Dougherty, PE
Kevin Johnson, PE
Judith Stern Goldstein, ASLA, RLA
Richard Lesniak, Director of Fire Services
Matt Chartrand, PE, Bohler Engineering

July 29, 2019

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

Re: Montgomery Realty Associates, LLC
Preliminary/Final Land Development Plans
744 Bethlehem Pike & 1227 Vilsmeier Rd.
Township File #LD/S 701

Dear Bruce:

As requested, I have reviewed the above referenced land development plan, consisting of 18 sheets prepared by Bohler Engineering PA, LLC, dated October 29, 2018 with a last revision date of May 20, 2019. The subject property is located on the northwest corner of the intersection of Vilsmeier Road and Bethlehem Pike and was the subject of a previous submission. The application now includes an additional parcel, 1227 Vilsmeier Road, which is split-zoned between the C-Commercial and R-2 Residential Districts. The original property is zoned C-Commercial and is currently vacant. The applicant proposes to redevelop both properties for commercial use, comprising 8,740 square feet of retail and 3,500 square feet of restaurant space. The restaurant will also have 358 square feet of outdoor seating.

The applicant appeared before the Zoning Hearing Board on September 12, 2018 and received a special exception for the outdoor dining space as well as variances for impervious cover, width of landscape buffers, location and size of the free-standing sign, and general buffering requirements.

The following comments apply to this plan submission:

1. Any approval granted for this proposal should require consolidation of the two parcels involved.
2. Improvements supporting the commercial use have been located in the residential district. The Zoning Officer should determine if zoning relief is needed to allow these improvements in the R-2 district.
3. The sidewalk along Vilsmeier Road should be extended through the subject properties to the adjacent property line (Block 68, Unit 44).

1122 Old Bethlehem Pike
Lower Gwynedd, PA 19002



phone: 215.283.9619
fax: 215.646.3458
kenamey@aol.com

Plans should be revised in accordance with the above comments prior to consideration by the Board of Supervisors.

Please let me know if there are any questions regarding this review.

Very truly yours,

A handwritten signature in black ink, appearing to read "Amey", with a large, stylized flourish at the end. To the left of the signature is a simple arrow pointing to the left.

Kenneth Amey

cc: Larry Gregan, Township Manager
Marianne McConnell, Deputy Zoning Officer
Mary Gambino, Project Coordinator
Frank Bartle, Esq., Township Solicitor
James Dougherty, PE
Kevin Johnson, PE
Judith Stern Goldstein, ASLA, RLA
Richard Lesniak, Director of Fire Services
Matt Chartrand, PE, Bohler Engineering

KENNETH AMEY, AICP
professional land planner

February 11, 2019

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

Re: Montgomery Realty Associates, LLC
Preliminary/Final Land Development Plans
744 Bethlehem Pike
Township File #LD/S 701

Dear Bruce:

As requested, I have reviewed revised plans for the above referenced land development, prepared by Bohler Engineering PA, LLC, dated October 29, 2018 and last revised January 18, 2019.

The revised plans and accompanying letter from Bohler Engineering adequately address all of the comments in my December 17, 2018 review and I have no further planning comments at this time

Please let me know if you have any questions.

Very truly yours,



Kenneth Amey

cc: Larry Gregan, Township Manager
Marianne McConnell, Deputy Zoning Officer
Mary Gambino, Project Coordinator
Frank Bartle, Esq., Township Solicitor
James Dougherty, PE
Kevin Johnson, PE
Judith Stern Goldstein, ASLA, RLA
Richard Lesniak, Director of Fire Services
Matt Chartrand, PE, Bohler Engineering

1122 Old Bethlehem Pike
Lower Gwynedd, PA 19002



phone: 215.283.9619
fax: 215.646.3458
kenamey@aol.com

December 17, 2018

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

Re: Montgomery Realty Associates, LLC
Preliminary/Final Land Development Plans
744 Bethlehem Pike
Township File #LD/S 701

Dear Bruce:

As requested, I have reviewed the above referenced land development plan, consisting of 12 sheets prepared by Bohler Engineering PA, LLC, dated October 29, 2018. The subject property is located on the northwest corner of the intersection of Vilsmeier Road and Bethlehem Pike. The property is zoned C-Commercial and is currently vacant. The applicant proposes to redevelop the site with a 10,015 square foot building; 6,500 square feet of which will be used for retail and the balance for a restaurant. The restaurant will also have 400 square feet of outdoor seating.

The applicant appeared before the Zoning Hearing Board on September 12, 2018 and received a special exception for the outdoor dining space as well as variances for impervious cover, width of landscape buffers, location and size of the free-standing sign, and general buffering requirements.

The following comments apply to this plan submission:

1. The required loading space has not been shown.
2. Parking spaces may be reduced to 18 feet in length when adjacent to a 5 foot wide landscaped area which allows for vehicle overhang. Four parking spaces perpendicular to the northern property line do not provide the required overhang area. These spaces should be revised to be 20 feet long.
3. The sidewalk along Vilsmeier Road should be extended to the adjacent property line (Block 68, Unit 43).
4. It is not clear how delivery trucks, trash trucks or emergency vehicles will access the site. A truck circulation sheet should be added to the plan set.

1122 Old Bethlehem Pike
Lower Gwynedd, PA 19002



phone: 215.283.9619
fax: 215.646.3458
kenamey@aol.com

Plans should be revised in accordance with the above comments and resubmitted for further review prior to consideration by the Board of Supervisors.

If there are any questions, please let me know.

Very truly yours,

A handwritten signature in black ink, appearing to read "K. Amey". The signature is fluid and cursive, with a large loop at the end.

Kenneth Amey

cc: Larry Gregan, Township Manager
Marianne McConnell, Deputy Zoning Officer
Mary Gambino, Project Coordinator
Frank Bartle, Esq., Township Solicitor
James Dougherty, PE
Kevin Johnson, PE
Judith Stern Goldstein, ASLA, RLA
Richard Lesniak, Director of Fire Services
Matt Chartrand, PE, Bohler Engineering

**IN AND BEFORE THE ZONING HEARING BOARD OF
MONTGOMERY TOWNSHIP, PENNSYLVANIA
APPLICATION NO. 18070001
AN APPLICATION BY MONTGOMERYVILLE REALTY ASSOCIATES, LLC
FOR SPECIAL EXCEPTION PURSUANT TO SECTION 230-75 & TABLE 230-A, AND
VARIANCES FROM SECTIONS 230-77.F, 230-77.G, 230-78.A, 230-155, 230-127.A(4)(a), and
230-127.A(4)(b)**

OPINION AND ORDER

Pursuant to proper legal advertisement in Montgomery Newspapers on July 17, 2018 and July 24, 2018, a public meeting was held at 7:30 pm on August 1, 2018 at the Montgomery Township Administration Building, 1001 Stump Road, Montgomeryville, PA 18936. A second public hearing was held on September 12, 2018 at the Montgomery Township Administration Building, 1001 Stump Road, Montgomeryville, PA 18936 after proper legal advertisement in Montgomery Newspapers on August 28, 2018 and September 4, 2018.

Present at the Hearing were the following members of the Zoning Hearing Board: Edward Diasio, Chairman; L. Vincent Roth, III, Vice Chairman and Deborah Grasso, Member. Mary Kay Kelm, Esquire was present as the Solicitor for the Zoning Hearing Board. Robert L. Brant, Jr., Esquire represented the Applicant. Bruce Shoupe, Director of Planning and Zoning for Montgomery Township and Marianne McConnell, Deputy Zoning Officer were also in attendance. The Notes of Testimony were taken by Thomas P. Corcoran, Official Registered Court Reporter, on August 1, 2018 and by Mark Manjardi, Official Registered Court Reporter, on September 12, 1998.

EXHIBITS

- | | |
|-----|--|
| A-1 | Cirriculum Vitae of Matt Chartrand, P.E. |
| A-2 | Deed dated May 16, 2017 |
| A-3 | 6 photographs |

- A-4 Zoning plan
- A-5 ZHB Opinion dated November 13, 2013
- A-6 Landscape plan
- A-7 Sign plan
- A-8 Google Earth photographs
- A-9 Plan and letter dated August 22, 2018

- B-1 Proofs of publication dated 7/17/18, 7/24/18, 8/28/18, & 9/4/18
- B-2 Postings of Neighboring Properties dated 7/19/18 & 8/31/18
- B-3 Notices to Residents dated 7/19/18 & 8/31/18

FINDINGS OF FACT

1. The subject property is located at 744 Bethlehem Pike, Montgomery Township, Montgomery Township, Pennsylvania and is 1.804 acres. It is presently vacant, but was formerly used as an auto service business. A 2,100 square foot building was recently demolished as it had been unused for many years and was in a blighted condition. (N.T., 8/1/18 p.5 & Application).

2. The property is owned by Montgomeryville Realty Associates, LLC and is in the C-Commercial District. (N.T., 8/1/18 p. 4).

3. The Applicant proposes to develop the Property as a 10,000 square foot mixed use commercial building containing retail space and a restaurant. *Id.*

4. The applicant presented the testimony of Matt Chartrand, from Bohler Engineering, who was qualified as an expert witness in the field of land development, subdivision, and zoning. (N.T., 8/1/18 p. 6-7).

5. The Applicant proposes to use an existing right in/right out driveway from Route 309 and to install a new driveway off Vilsmeier Road, directly across the street from the Verizon store that presently exists. The sidewalk will remain along Vilsmeier Road. (N.T., 8/1/18 p. 10).

6. The applicant proposes seventy-seven parking spaces in the front and rear of the building, which is compliant with the Ordinance. (N.T., 8/1/18 p. 10).

7. In 2013, the Zoning Hearing Board granted variances from Ordinance Section 230-78.A and 230-155 related to parking and landscaping. Since more than eighteen months had passed from the prior grant of variances, the applicant requested the same relief again. (N.T., 8/1/18 p. 11).

8. The expert witness testified that this was a narrow lot, which made the property unique and unable to be developed in strict conformity with the Zoning Ordinance. (N.T., 9/12/18 at p. 21).

9. The western side of the site abuts a residentially zoned area, so the applicant proposes to install a solid fence and dense landscaping, to replace an existing chain link fence. (N.T., 8/1/18 p. 13).

10. At the hearing, the applicant amended its requested relief to provide a twenty foot buffer on the side of the property closest to the residences, rather than the twelve foot buffer initially requested in the application. (N.T., 8/1/18 p. 57 and N.T., 9/12/18 at p. 5).

11. The twenty foot buffer on the property line closest to the residences is a full twenty-five feet towards the southern part of the line, and is twenty feet towards the northern part of the line. (N.T., 9/12/18 at p. 8).

12. The Applicant proposes a small 400 square foot outdoor seating area for the restaurant envisioned, which will also be enclosed by a fence or other physical barrier. (N.T., 8/1/18 p. 14).

13. There will be no outdoor entertainment, only a limited amount of outdoor seating in addition to indoor seating. (N.T., 8/1/18 p. 15).

14. The Applicant requests impervious coverage of 79.7% where a maximum of 75% is permitted, to accommodate all 77 parking spaces away from the outer edges of the site which abut the residential area. (N.T., 8/1/18 p. 15 & N.T., 9/12/18 at 7).

15. Due to the increase in impervious coverage, the green area decreases to 20.3% in lieu of the Ordinance's required 25%. (N.T., 8/1/18 p.16).

16. The Applicant's expert witness testified that the increase in impervious coverage and corresponding decrease in green area were *de minimis* and not noticeable to the naked eye. *Id.*

17. The expert witness testified that the relief requested would not have any adverse impact on storm water runoff. (N.T., 8/1/18 p. 17).

18. A sign pole exists on the property presently, without a physical sign which was previously taken down. It is located thirteen feet, two inches away from the existing curb on Bethlehem Pike. Applicant desires to reuse the existing sign pole. (N.T., 8/1/18 p. 18).

19. The Applicant proposes to install two panels measuring five feet wide by six feet high, or thirty square feet per panel, for a total of sixty square feet. The panels will be used to identify the restaurant and retail uses on the site. (N.T., 8/1/18 p. 19).

20. The expert witness testified that other signs in the immediate area of the parcel were set back from the curb of Bethlehem Pike the same distance or less. (N.T., 8/1/18 p. 20-21).

21. Mr. Chartrand testified that the requested variances were not detrimental to the public health, safety and welfare of the residents of the Township. (N.T., 8/1/18 p. 23).

22. Mr. Chartrand testified that the variances were in keeping with the essential character of the Commercial district. *Id.*

23. Mr. Chartrand testified that the granting of the variances would not impair the use or development of adjacent properties. *Id.*

24. Mr. Chartrand testified that the requested variances were the minimum relief necessary in order to reasonably develop the site. *Id.*

25. With regard to the special exception proposed for the outdoor dining, Mr. Chartrand testified that it would not create traffic hazards onsite, would be adequately screened, would be in keeping with the character of the neighborhood, would not imply the supply of light and air to adjacent properties, and would not adversely affect public facilities. (N.T., 8/1/18 p. 24).

26. Ms. Teresa Li-Follis of 1232 Vilsmeier Road appeared and offered comment against the requested relief due to noise and traffic concerns. (N.T., 8/1/18 p. 46-49).

27. Ms. Melissa Northup of 1213 Vilsmeier Road appeared and offered comment against the requested relief. (N.T., 8/1/18 p. 49-51).

28. Ms. Kate Galinus of 1213 Vilsmeier Road appeared and opined that it would be a detriment to increase impervious coverage and reduce the landscape buffer. (N.T., 8/1/18 p. 51).

29. Ms. Joan Outland of 1220 Vilsmeier Road appeared and voiced concerns about the application. (N.T., 8/1/18 p. 52).

CONCLUSIONS OF LAW

30. The Zoning Hearing Board has the authority to grant special exceptions and pursuant to §230-185 of the Montgomery Township Zoning Ordinance shall be guided by the following standards:

A. The proposed use is one permitted by special exception.

B. The proposed use is permitted, and it will conform to the applicable regulations of the district in which it is located or any district regulations which may relate to or apply to the use, including but not limited to setbacks, building coverage, open space and buffering.

C. The proposed use will conform to the regulations applicable according to use and/or district, including but not limited to regulations contained in Article XIX, off-Street Parking and Loading; Article XX, Nonconforming Uses; and Article XXI, Miscellaneous Provisions.

D. Points of vehicular access to the lot are provided at a distance from intersections and other points of access and in number sufficient to prevent undue traffic hazards and obstruction to the movement of traffic.

E. The location of the site with respect to the existing public roads giving access to it is such that the safe capacity of the public roads is not exceeded by the estimated traffic attracted or generated by the proposed use, and the traffic generated or attracted is not out of character with the normal traffic using said public roads.

F. A determination that the proposed use will not have an unwarranted impact on traffic in the area, either creating significant additional congestion in an area of existing congestion or posing a threat of significant additional congestion where there is a high probability of future congestion. In addition, the Board shall consider whether the proposed use will create any traffic hazard dangerous to the public safety.

G. Screening of the proposed use from adjacent uses is sufficient to prevent the deleterious impact of the uses upon each other, considering the type, dimension and character of the screening.

H. The suitability of the property for the proposed use.

I. The proposed use not adversely affect or contradict the Comprehensive Plan of the municipality.

J. The general purpose and intent of this chapter.

K. The Board will be guided by sound subdivision practice, sound land use planning and the preservation and conservation of natural resources.

L. The suitability of the proposed use to the character of the neighborhood and the uses of the surrounding properties.

M. The proposed use will not impair an adequate supply of light and air to adjacent property.

N. The proposed use will not adversely affect the public health, safety or general welfare.

O. The proposed use will not adversely affect transportation or unduly burden water, sewer, school, park or other public facilities.

P. The presence or absence of protestants against the proposed use shall not be dispositive, but the Board may weigh such presence or absence of protestants as evidence of the effect that the proposed use may be deemed to have.

Q. The proposed use shall not overcrowd land or create undue concentration of population or undue intensity of use.

31. The Zoning Hearing Board is satisfied that the testimony and evidence establishes that the proposed outdoor seating on the site satisfies the above criteria in that it is a very small area, adequately screened, not likely to adversely affect light and air to adjacent properties, and customary to the commercial district.

32. In order to grant the applicant's requested variances, the ZHB must make the following findings:

(1) that there are unique physical circumstances or conditions, including irregularity ... and that the unnecessary hardship is due to such conditions;

(2) because of such physical circumstances or conditions there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property;

(3) that such unnecessary hardship has not been created by the Applicant;

(4) that the variance will not alter the essential character of the neighborhood ... nor substantially or permanently impair the appropriate use or development of the property nor be detrimental to the public welfare; and

(5) that the variance will represent the minimum variance that will afford relief.

33. The Zoning Hearing Board is satisfied that the testimony and evidence establishes that the property is narrow and contains unique physical circumstances preventing it from being developed in strict conformity with the Ordinance, and that the applicant has gone to great effort to accommodate the requests of the neighbors, including requesting a smaller sized building that that earlier approved, increasing landscape buffering, and demolishing the former building which had been in substantial disrepair.

34. The Zoning Hearing Board finds that the requested variances will not alter the commercial character of the neighborhood and recognizes that this site is part of a busy commercial corridor fronting Route 309, rather than part of a residential neighborhood. While the back portion of the parcel abuts a commercially zoned property which is being used residentially, the vast majority of the site is part of a commercial/retail neighborhood and has been so for many years.

35. The Zoning Hearing Board finds that the requested variances are *de minimis* in scope, and will not be detrimental to the public health, safety or welfare.

ORDER

AND NOW, this 23rd day of October, 2018, the Zoning Hearing Board of Montgomery Township grants a special exception to Montgomeryville Realty Associates, LLC for outdoor seating attendant to a restaurant use at 744 Bethlehem Pike, Montgomeryville, Pennsylvania. The Zoning Hearing Board further grants variances as follows:

1. A variance from Montgomery Township Zoning Code Section 230-77.F to permit maximum impervious coverage of 80%;
2. A variance from Montgomery Township Zoning Code Section 230-77.G to permit green area of 20%;
3. A variance from Montgomery Township Zoning Code Section 230-78.A to permit a landscape buffer of twenty feet conditioned specifically on the buffer including at a minimum a solid fence and twelve foot high dense shrubs, with the solid fence extending around to the first parking space along Vilsmeier Road on the southwest corner of the property;
4. Variances from Montgomery Township Zoning Code Section 230-127.A (4) (a) and Section 230-127.A (4) (b) to permit installation of a sixty square foot sign, twenty feet high, set back thirteen feet from the curb line of Route 309.

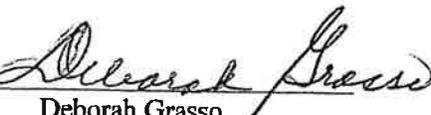
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The special exception and variances are granted subject to Applicant's strict compliance with the testimony and evidence offered at the hearing and contained in its Application and supplemental letter of August 22, 2018.

**MONTGOMERY TOWNSHIP
ZONING HEARING BOARD**

By: 
Edward Diasio
Chairman

By: 
L. Vincent Roth, III
Vice Chairman

By: 
Deborah Grasso
Member

**IN AND BEFORE THE ZONING HEARING BOARD OF
MONTGOMERY TOWNSHIP, PENNSYLVANIA
APPLICATION NO. 18070001
AN APPLICATION BY MONTGOMERYVILLE REALTY ASSOCIATES, LLC
FOR SPECIAL EXCEPTION PURSUANT TO SECTION 230-75 & TABLE 230-A, AND
VARIANCES FROM SECTIONS 230-77.F, 230-77.G, 230-78.A, 230-155, 230-127.A(4)(a), and
230-127.A(4)(b)**

OPINION AND ORDER

Pursuant to proper legal advertisement in Montgomery Newspapers on July 17, 2018 and July 24, 2018, a public meeting was held at 7:30 pm on August 1, 2018 at the Montgomery Township Administration Building, 1001 Stump Road, Montgomeryville, PA 18936. A second public hearing was held on September 12, 2018 at the Montgomery Township Administration Building, 1001 Stump Road, Montgomeryville, PA 18936 after proper legal advertisement in Montgomery Newspapers on August 28, 2018 and September 4, 2018.

Present at the Hearing were the following members of the Zoning Hearing Board: Edward Diasio, Chairman; L. Vincent Roth, III, Vice Chairman and Deborah Grasso, Member. Mary Kay Kelm, Esquire was present as the Solicitor for the Zoning Hearing Board. Robert L. Brant, Jr., Esquire represented the Applicant. Bruce Shoupe, Director of Planning and Zoning for Montgomery Township and Marianne McConnell, Deputy Zoning Officer were also in attendance. The Notes of Testimony were taken by Thomas P. Corcoran, Official Registered Court Reporter, on August 1, 2018 and by Mark Manjardi, Official Registered Court Reporter, on September 12, 1998.

EXHIBITS

- | | |
|-----|--|
| A-1 | Cirriculum Vitae of Matt Chartrand, P.E. |
| A-2 | Deed dated May 16, 2017 |
| A-3 | 6 photographs |

- A-4 Zoning plan
- A-5 ZHB Opinion dated November 13, 2013
- A-6 Landscape plan
- A-7 Sign plan
- A-8 Google Earth photographs
- A-9 Plan and letter dated August 22, 2018

- B-1 Proofs of publication dated 7/17/18, 7/24/18, 8/28/18, & 9/4/18
- B-2 Postings of Neighboring Properties dated 7/19/18 & 8/31/18
- B-3 Notices to Residents dated 7/19/18 & 8/31/18

FINDINGS OF FACT

1. The subject property is located at 744 Bethlehem Pike, Montgomery Township, Montgomery Township, Pennsylvania and is 1.804 acres. It is presently vacant, but was formerly used as an auto service business. A 2,100 square foot building was recently demolished as it had been unused for many years and was in a blighted condition. (N.T., 8/1/18 p.5 & Application).

2. The property is owned by Montgomeryville Realty Associates, LLC and is in the C-Commercial District. (N.T., 8/1/18 p. 4).

3. The Applicant proposes to develop the Property as a 10,000 square foot mixed use commercial building containing retail space and a restaurant. *Id.*

4. The applicant presented the testimony of Matt Chartrand, from Bohler Engineering, who was qualified as an expert witness in the field of land development, subdivision, and zoning. (N.T., 8/1/18 p. 6-7).

5. The Applicant proposes to use an existing right in/right out driveway from Route 309 and to install a new driveway off Vilsmeier Road, directly across the street from the Verizon store that presently exists. The sidewalk will remain along Vilsmeier Road. (N.T., 8/1/18 p. 10).

6. The applicant proposes seventy-seven parking spaces in the front and rear of the building, which is compliant with the Ordinance. (N.T., 8/1/18 p. 10).

7. In 2013, the Zoning Hearing Board granted variances from Ordinance Section 230-78.A and 230-155 related to parking and landscaping. Since more than eighteen months had passed from the prior grant of variances, the applicant requested the same relief again. (N.T., 8/1/18 p. 11).

8. The expert witness testified that this was a narrow lot, which made the property unique and unable to be developed in strict conformity with the Zoning Ordinance. (N.T., 9/12/18 at p. 21).

9. The western side of the site abuts a residentially zoned area, so the applicant proposes to install a solid fence and dense landscaping, to replace an existing chain link fence. (N.T., 8/1/18 p. 13).

10. At the hearing, the applicant amended its requested relief to provide a twenty foot buffer on the side of the property closest to the residences, rather than the twelve foot buffer initially requested in the application. (N.T., 8/1/18 p. 57 and N.T., 9/12/18 at p. 5).

11. The twenty foot buffer on the property line closest to the residences is a full twenty-five feet towards the southern part of the line, and is twenty feet towards the northern part of the line. (N.T., 9/12/18 at p. 8).

12. The Applicant proposes a small 400 square foot outdoor seating area for the restaurant envisioned, which will also be enclosed by a fence or other physical barrier. (N.T., 8/1/18 p. 14).

13. There will be no outdoor entertainment, only a limited amount of outdoor seating in addition to indoor seating. (N.T., 8/1/18 p. 15).

14. The Applicant requests impervious coverage of 79.7% where a maximum of 75% is permitted, to accommodate all 77 parking spaces away from the outer edges of the site which abut the residential area. (N.T., 8/1/18 p. 15 & N.T., 9/12/18 at 7).

15. Due to the increase in impervious coverage, the green area decreases to 20.3% in lieu of the Ordinance's required 25%. (N.T., 8/1/18 p.16).

16. The Applicant's expert witness testified that the increase in impervious coverage and corresponding decrease in green area were *de minimis* and not noticeable to the naked eye. *Id.*

17. The expert witness testified that the relief requested would not have any adverse impact on storm water runoff. (N.T., 8/1/18 p. 17).

18. A sign pole exists on the property presently, without a physical sign which was previously taken down. It is located thirteen feet, two inches away from the existing curb on Bethlehem Pike. Applicant desires to reuse the existing sign pole. (N.T., 8/1/18 p. 18).

19. The Applicant proposes to install two panels measuring five feet wide by six feet high, or thirty square feet per panel, for a total of sixty square feet. The panels will be used to identify the restaurant and retail uses on the site. (N.T., 8/1/18 p. 19).

20. The expert witness testified that other signs in the immediate area of the parcel were set back from the curb of Bethlehem Pike the same distance or less. (N.T., 8/1/18 p. 20-21).

21. Mr. Chartrand testified that the requested variances were not detrimental to the public health, safety and welfare of the residents of the Township. (N.T., 8/1/18 p. 23).

22. Mr. Chartrand testified that the variances were in keeping with the essential character of the Commercial district. *Id.*

23. Mr. Chartrand testified that the granting of the variances would not impair the use or development of adjacent properties. *Id.*

24. Mr. Chartrand testified that the requested variances were the minimum relief necessary in order to reasonably develop the site. *Id.*

25. With regard to the special exception proposed for the outdoor dining, Mr. Chartrand testified that it would not create traffic hazards onsite, would be adequately screened, would be in keeping with the character of the neighborhood, would not imply the supply of light and air to adjacent properties, and would not adversely affect public facilities. (N.T., 8/1/18 p. 24).

26. Ms. Teresa Li-Follis of 1232 Vilsmeier Road appeared and offered comment against the requested relief due to noise and traffic concerns. (N.T., 8/1/18 p. 46-49).

27. Ms. Melissa Northup of 1213 Vilsmeier Road appeared and offered comment against the requested relief. (N.T., 8/1/18 p. 49-51).

28. Ms. Kate Galinus of 1213 Vilsmeier Road appeared and opined that it would be a detriment to increase impervious coverage and reduce the landscape buffer. (N.T., 8/1/18 p. 51).

29. Ms. Joan Outland of 1220 Vilsmeier Road appeared and voiced concerns about the application. (N.T., 8/1/18 p. 52).

CONCLUSIONS OF LAW

30. The Zoning Hearing Board has the authority to grant special exceptions and pursuant to §230-185 of the Montgomery Township Zoning Ordinance shall be guided by the following standards:

A. The proposed use is one permitted by special exception.

B. The proposed use is permitted, and it will conform to the applicable regulations of the district in which it is located or any district regulations which may relate to or apply to the use, including but not limited to setbacks, building coverage, open space and buffering.

C. The proposed use will conform to the regulations applicable according to use and/or district, including but not limited to regulations contained in Article XIX, off-Street Parking and Loading; Article XX, Nonconforming Uses; and Article XXI, Miscellaneous Provisions.

D. Points of vehicular access to the lot are provided at a distance from intersections and other points of access and in number sufficient to prevent undue traffic hazards and obstruction to the movement of traffic.

E. The location of the site with respect to the existing public roads giving access to it is such that the safe capacity of the public roads is not exceeded by the estimated traffic attracted or generated by the proposed use, and the traffic generated or attracted is not out of character with the normal traffic using said public roads.

F. A determination that the proposed use will not have an unwarranted impact on traffic in the area, either creating significant additional congestion in an area of existing congestion or posing a threat of significant additional congestion where there is a high probability of future congestion. In addition, the Board shall consider whether the proposed use will create any traffic hazard dangerous to the public safety.

G. Screening of the proposed use from adjacent uses is sufficient to prevent the deleterious impact of the uses upon each other, considering the type, dimension and character of the screening.

H. The suitability of the property for the proposed use.

I. The proposed use not adversely affect or contradict the Comprehensive Plan of the municipality.

J. The general purpose and intent of this chapter.

K. The Board will be guided by sound subdivision practice, sound land use planning and the preservation and conservation of natural resources.

L. The suitability of the proposed use to the character of the neighborhood and the uses of the surrounding properties.

M. The proposed use will not impair an adequate supply of light and air to adjacent property.

N. The proposed use will not adversely affect the public health, safety or general welfare.

O. The proposed use will not adversely affect transportation or unduly burden water, sewer, school, park or other public facilities.

P. The presence or absence of protestants against the proposed use shall not be dispositive, but the Board may weigh such presence or absence of protestants as evidence of the effect that the proposed use may be deemed to have.

Q. The proposed use shall not overcrowd land or create undue concentration of population or undue intensity of use.

31. The Zoning Hearing Board is satisfied that the testimony and evidence establishes that the proposed outdoor seating on the site satisfies the above criteria in that it is a very small area, adequately screened, not likely to adversely affect light and air to adjacent properties, and customary to the commercial district.

32. In order to grant the applicant's requested variances, the ZHB must make the following findings:

(1) that there are unique physical circumstances or conditions, including irregularity ... and that the unnecessary hardship is due to such conditions;

(2) because of such physical circumstances or conditions there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property;

(3) that such unnecessary hardship has not been created by the Applicant;

(4) that the variance will not alter the essential character of the neighborhood ... nor substantially or permanently impair the appropriate use or development of the property nor be detrimental to the public welfare; and

(5) that the variance will represent the minimum variance that will afford relief.

33. The Zoning Hearing Board is satisfied that the testimony and evidence establishes that the property is narrow and contains unique physical circumstances preventing it from being developed in strict conformity with the Ordinance, and that the applicant has gone to great effort to accommodate the requests of the neighbors, including requesting a smaller sized building that that earlier approved, increasing landscape buffering, and demolishing the former building which had been in substantial disrepair.

34. The Zoning Hearing Board finds that the requested variances will not alter the commercial character of the neighborhood and recognizes that this site is part of a busy commercial corridor fronting Route 309, rather than part of a residential neighborhood. While the back portion of the parcel abuts a commercially zoned property which is being used residentially, the vast majority of the site is part of a commercial/retail neighborhood and has been so for many years.

35. The Zoning Hearing Board finds that the requested variances are *de minimis* in scope, and will not be detrimental to the public health, safety or welfare.

ORDER

AND NOW, this 23rd day of October, 2018, the Zoning

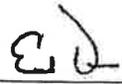
Hearing Board of Montgomery Township grants a special exception to Montgomeryville Realty Associates, LLC for outdoor seating attendant to a restaurant use at 744 Bethlehem Pike, Montgomeryville, Pennsylvania. The Zoning Hearing Board further grants variances as follows:

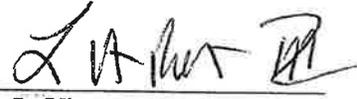
1. A variance from Montgomery Township Zoning Code Section 230-77.F to permit maximum impervious coverage of 80%;
2. A variance from Montgomery Township Zoning Code Section 230-77.G to permit green area of 20%;
3. A variance from Montgomery Township Zoning Code Section 230-78.A to permit a landscape buffer of twenty feet conditioned specifically on the buffer including at a minimum a solid fence and twelve foot high dense shrubs, with the solid fence extending around to the first parking space along Vilsmeier Road on the southwest corner of the property;
4. Variances from Montgomery Township Zoning Code Section 230-127.A (4) (a) and Section 230-127.A (4) (b) to permit installation of a sixty square foot sign, twenty feet high, set back thirteen feet from the curb line of Route 309.

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The special exception and variances are granted subject to Applicant's strict compliance with the testimony and evidence offered at the hearing and contained in its Application and supplemental letter of August 22, 2018.

**MONTGOMERY TOWNSHIP
ZONING HEARING BOARD**

By: 
Edward Diasio
Chairman

By: 
L. Vincent Roth, III
Vice Chairman

By: 
Deborah Grasso
Member

ZONING HEARING BOARD OF MONTGOMERY TOWNSHIP
APPEAL NO. 13100005

APPLICATION OF COMMERCE LIMITED PARTNERSHIP #9231
744 BETHLEHEM PIKE

OPINION AND ORDER

Pursuant to proper legal advertising, a public hearing was held on November 13, 2013 commencing at 7:30 p.m. at the Montgomery Township Administration Building, 1001 Stump Road, Montgomeryville, Pennsylvania. The Notes of Testimony for the hearing were taken by Mark Manjardi, an Official Court Reporter.

Present for the Zoning Hearing Board at the hearing were Mary Kay Kelm, Chairperson, Kenneth Souder, Member and Laurence Poli, Alternate. George B. Ditter, Esquire was present as Solicitor at the hearing. Also present was Bruce S. Shoupe, Director of the Township's Planning and Zoning Department.

EXHIBITS

The following Exhibits were marked and received in evidence:

- B-1 Proof of Publication on October 30, 2013 and November 5, 2013
- B-2 Posting on October 29, 2013
- B-3 Notification to Residents on October 29, 2013
- A-1 Curriculum Vitae of Anthony J. Hibbeln
- A-2 Application
- A-3 Plot Plan
- A-4 Deed dated February 21, 1997
- A-5 Letter from Township Solicitor

- A-6 Three exterior photographs of Property
- A-7 Montgomeryville Fabric Center Decision
- A-8 Montgomeryville Realty Partnership Decision

FINDINGS OF FACT

1. Commerce Limited Partnership #9231 ("Commerce") is the owner of premises located 744 Bethlehem Pike, Montgomery Township (the "Premises").
2. The Premises consists of a lot with an area of 1.804 acres, located at the corner of Vilsmeier Road and Bethlehem Pike.
3. The Premises are zoned C Commercial.
4. Commerce proposes to construct a single story commercial building with an area of 11,900 square feet for potential multiple tenant use.
5. Commerce seeks variances from: (a) Sections 230-78.G, 230-134.D and 230-138 to permit parking spaces with a width of 9 feet and a length of 18 feet and area of 162 square feet instead of required 10 foot width 20 foot length and 200 square feet area requirements; or in the alternative, a variance from Section 230-134.C.(1) to permit 71 parking spaces of the complying size instead of the required 78 spaces; and (b) Sections 230-78.A. and 230-155 relating to landscaping, including the buffering and street tree requirements in the areas along Vilsmeier Road, the required street trees along Bethlehem Pike, and the side lot lines of the subject property.

DISCUSSION

All of the requested variances by Commerce relate to dimensional requirements under the Zoning Ordinance and not to use regulations. A lesser degree of hardship is required to permit a dimensional variance than for a use variance. Hetzberg v. Zoning Hearing Board of Adjustment

of the City of Pittsburgh, 554 Pa 249 (1998). Under Hertzberg, there is a "... more relaxed standard for establishing unnecessary hardship for a dimensional variance, as opposed to a use variance." Mitchell v. Zoning Hearing Board, 838 A.2d 819, 828 (Pa. Cmwlth. 2003).

Commerce requests a variance from Sections 230-78.G, 230-134.D and 230-138 to permit some parking spaces with a width of 9 feet and a length of 18 feet and area of 162 square feet instead of required 10 foot width 20 foot length and 200 square feet area requirements; or in the alternative, a variance from Section 230-134.C.(1) to permit 71 parking spaces of the complying size instead of the required 78 spaces. The Board of Supervisors of the Township, by a letter from the Township Solicitor, offered an opinion that the Supervisors would prefer fewer parking spaces, but with the larger area for each space. (Exhibit A-5). Commerce has offered testimony that in its experience the type of commercial store that would use the proposed building generally does not generate much use of the parking areas. (N.T. November 13, 2013, pp 29-30).

In addition, Commerce requests a variance from Sections 230-78.A. and 230-155 relating to landscaping, including the buffering and street tree requirements in the areas along Vilsmeier Road, the required street trees along Bethlehem Pike, and the side lot lines of the subject property. Section 230-78.A.requires a 25 foot wide buffer area. Commerce proposes to comply with this requirement except for a distance of about 100 feet along Vilsmeier Road where the buffer would be reduced to about 8 feet. The adjacent property across Vilsmeier Road has no buffering of its parking area. (Exhibit A-6). Commerce does not propose to reduce the amount of plantings only the area for such plantings. (N.T. November 13, 2013, pp. 18-19).

Accordingly the following order will be entered.

ORDER

AND NOW, this ____ day of November, 2013, at a duly advertised meeting of the Zoning Hearing Board of Montgomery Township, the application of Commerce Limited Partnership #9231 for a variance from Section 230-134.C.(1) to permit 71 parking spaces of the complying size instead of the required 78 spaces; and for variances from Sections 230-78.A. and 230-155 relating to dimensional requirements for landscaping, including the buffering and street tree requirements in the areas along Vilsmeier Road, the required street trees along Bethlehem Pike, and the side lot lines of the subject property are granted.

This relief is subject to the condition that all material representations made at the hearing to induce the grant of the relief requested, are deemed to be conditions of the grant of such relief.

**MONTGOMERY TOWNSHIP
ZONING HEARING BOARD**

By: _____
Mary Kay Kelm, Chairperson

By: _____
Kenneth Souder, Member

By: _____
Laurence Poli, Alternate

Mailing Date _____

ORDER

AND NOW, this ___ day of November, 2013, at a duly advertised meeting of the Zoning Hearing Board of Montgomery Township, the application of Commerce Limited Partnership #9231 for a variance from Section 230-134.C.(1) to permit 71 parking spaces of the complying size instead of the required 78 spaces; and for variances from Sections 230-78.A. and 230-155 relating to dimensional requirements for landscaping, including the buffering and street tree requirements in the areas along Vilmarier Road, the required street trees along Bethlehem Pike, and the side lot lines of the subject property are granted.

This relief is subject to the condition that all material representations made at the hearing to induce the grant of the relief requested, are deemed to be conditions of the grant of such relief.

MONTGOMERY TOWNSHIP
ZONING HEARING BOARD

By: *Mary Kay Keim*
Mary Kay Keim, Chairperson

By: *Kenneth Soudor*
Kenneth Soudor, Member

By: *Laurence Poli*
Laurence Poli, Alternate

Mailing Date 12/20/2013

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

Resolution #

SUBJECT: Consideration – Conditional Final Land Development Plan date 10.24.19 –
ProReal Ventures, LLC – LDS 699

MEETING DATE: December 16, 2019

ITEM NUMBER: # 18

MEETING/AGENDA: WORK SESSION ACTION XX NONE

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

INITIATED BY: Bruce Shoupe **BOARD LIAISON:** Michael J. Fox
Director of Planning and Zoning Chairman

BACKGROUND:

ProReal Ventures, LLC was granted Conditional Use approval on April 23, 2019 and Conditional Preliminary approval on July 22, 2019. The applicant, ProReal Ventures LLC, is now seeking Final approval to construct a 4,594 square foot automatic car wash on 1.816-acre lot at the northeast corner of DeKalb Pike and Welsh Road, the former Atomic Tire property.

The property is currently zoned C-Commercial and the Applicant proposes to provide car stacking for approximately 66 vehicles and parking for employees and customers totaling 32 spaces. Access to the site is shown as a "right in only" driveway entrance at an existing curb cut located on the Welsh Road frontage of the site and a "right in only movement" driveway entrance on DeKalb Pike. The exit only from the property is through an existing curb cut located in Peco's easement on the DeKalb Pike. This exit allows for right and left only movement on to DeKalb Pike and shares an entrance for "Peco Employees" only, which is to be approximately 190 feet north of the proposed right-in only entrance on DeKalb Pike.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

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

PREVIOUS BOARD ACTION: The Board granted Conditional Use approval on April 23, 2018 and Conditional Preliminary approval on July 22, 2019.

ALTERNATIVES/OPTIONS:

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

BUDGET IMPACT:

None

RECOMMENDATION:

The resolution be adopted by the Board of Supervisors.

MOTION/RESOLUTION:

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

MOTION _____ SECOND _____ VOTE _____

ROLL CALL:

Tanya 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 #
MONTGOMERY TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA
A RESOLUTION GRANTING CONDITIONAL FINAL APPROVAL OF THE
APPLICATION FOR SUBDIVISION AND LAND DEVELOPMENT FOR PRO REAL
VENTURES, LLC – LDS 699

The Board of Supervisors of Montgomery Township, Montgomery County, Pennsylvania, hereby resolves to grant conditional, Final approval of the subdivision and land development application and plan for **Pro Real Ventures, LLC**, as more fully detailed on the plans listed on Exhibit "A" attached hereto and made part hereof and further conditioned upon the following being satisfied by the Applicant prior to the recording of the final plan:

1. Fulfilling all obligations and requirements of the following review letters and any subsequent Consultant comments. Gilmore & Associates, Inc. letters dated October 31, 2019 and October 31, 2019 Accessibility; Boucher & James, Inc. letters dated November 18, 2019; Traffic Planning and Design, Inc. emails dated December 9, 2019, November 22, 2019 with PECO pole exhibit dated November 20, 2019 and November 6, 2019; Montgomery Township Planning Commission comments dated November 21, 2019; Police Department comments dated November 4, 2019.
2. Entering into a Land Development and Security Agreement and post financial security for all public improvements to the satisfaction of the Township Engineer and Township Solicitor for each phase of this development if required. As used herein, the term "public improvements" shall include, but shall not be limited to, streets, parking areas, drive aisles, curbs, water mains, sanitary sewer pipes, manholes and appurtenances thereto, storm water facilities, rain gardens (best management practice) and appurtenances, grading, erosion and sediment control, lighting, required trees, shrubs and landscape buffering, monuments, pins, as-builts and sidewalks. The record plan shall indicate phasing if required. Public improvements shall require financial security be posted in the amount of 15% of the total public improvement cost, regardless of whether such public improvements are dedicated to the Township, for a period not less than 18 months after Township Engineer approval. If the end of maintenance period for trees and other plantings ends outside the time period specified in 205-49, the maintenance period shall be extended to comply with this requirement and the appropriate financial security shall be provided to the satisfaction of the Township Solicitor.
3. Paying all outstanding Township Consultant and Solicitor fees related to the project before plans and agreements are recorded.
4. Satisfying all applicable requirements of the Township Codes, Township Municipal Sewer Authority ("MTMSA"), North Wales Water Authority and PennDOT. A copy of the Authorities' permits and/or agreements from the above must be provided to the Township.
5. The Applicant shall be responsible for obtaining all other Regulatory Authority Permits having jurisdiction over this project.
6. Comply with Conditional Use order for Application C-68 issued on March 26, 2018 and Resolution #5 dated April 23, 2018 waiving of Section 230-78A reducing the required 25-foot buffer to 8.5 feet.

7. Executing the required Storm Water Management Facilities Maintenance and Monitoring Agreement, Highway Occupancy Permit Subsurface Storm water Facilities Agreement and Tree/Landscaping Declaration of Covenants and Restriction for its benefit and its successors and assigns
8. All future development of this parcel shall be subject to new application and approval by the Board of Supervisors.
9. All storm water inlets and outfall structures shall be identified in accordance with the PADEP Municipal Separate Storm Sewer Systems requirements.
10. Building permits will not be accepted for review until all conditions of approval have been complied with and plans and agreements have been recorded. Building permits shall not be issued until the interior driveway/roadways are paved with all-weather pavement and operable fire hydrant(s) have been installed and approved by the Director of Fire Services.
11. The Applicant acknowledges that Section 205-116 of the SALDO provides for the payment of a fee in lieu of the dedication of parkland for park and recreation purposes. The Applicant hereby agrees to accept the provisions of Section 205-116(A) (2) of the SALDO. This fee must be paid prior to the submission of building permits.
12. The Applicant shall revise the land development plans to be consistent with the PennDOT HOP plans. The PennDOT HOP plans need to be resubmitted to the Township for review and approval by the Township Traffic Engineer and Fire Marshal before recording of plans.
13. The Applicant shall be responsible for approval, installation, ownership, maintenance and all cost associated with the luminaire to be installed on PECO pole #32304.
14. All signage shown on the plan need a separate permit and are not approved.
15. Comply with all the conditions and requirements in the Conditional Preliminary Approval Resolution #5 dated July 22, 2019.

BE IT RESOLVED that the following waivers have been requested by the Applicant and are granted to the extent recommended by the Township consultants with payment of the fees-in-lieu amounts as set forth in Paragraphs 3.

1. **Waiver Request – Landscape Softening Buffer:** A waiver from Section 205-52.B (2) (b) to allow a proposed dumpster, level spreader, sidewalks and parking within the Landscape Softening Buffer. *(The Consultants have no objection to this waiver request as sufficient vegetation is proposed to offset these intrusions into the buffer area.) (Granted/Denied)*
2. **Waiver Request – Chapter A237 Street Lighting:** A waiver is requested from Section A237-1 requiring street lighting to be installed along each public street, whereas PECO will not allow street lighting within their Easement area along DeKalb Pike. The applicant has agreed to install a luminaire on PECO pole # 32304, outside of their easement in accordance with the Montgomery Township Street Lighting Specifications Section 1.1. *(The Consultants have no objection to this waiver request) (Granted/Denied)*

Resolution #
Page 3 of 4

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

DULY PRESENTED AND ADOPTED by the Board of Supervisors of Montgomery Township, Montgomery County, Pennsylvania, at a public meeting held this 16th day of December, 2019.

MOTION BY:

SECOND BY:

VOTE:

The above conditions are agreed to by the applicant this _____ day of _____, 2019.

Pro Real Ventures, LLC

Applicant Signature

Applicant Print Name

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

EXHIBIT "A"

PLANS

<u>DESCRIPTION</u>	<u>ORIGINAL DATE</u>	<u>REVISED DATE</u>
1. Cover Sheet	07/06/18	10/24/19
2. Legend and Notes	07/06/18	10/24/19
3. Existing Conditions Plan	07/06/18	10/24/19
4. Demolition Plan	07/06/18	10/24/19
5. Site Layout Plan	07/06/18	10/24/19
6. Grading & Drainage Plan	07/06/18	10/24/19
7. Utility Plan	07/06/18	10/24/19
8. Off-Site Sanitary Sewer Improvements	07/06/18	10/24/19
9. Post Construction Storm water Management Landscaping Plan	07/06/18	10/24/19
10. Soil Erosion & Sediment Control Plan	07/06/18	10/24/19
11. Post Construction Storm water Management Plan	07/06/18	10/24/19
12. Site Construction Details	07/06/18	10/24/19
13. Site Construction Details	07/06/18	10/24/19
14. Post Construction Storm water Management Storm Details	07/06/18	10/24/19
15. Post Construction Storm water Management Storm Details	07/06/18	10/24/19
16. E & S Details	07/06/18	10/24/19
17. E & S Details	07/06/18	10/24/19
18. Post Construction Storm water Management Details	07/06/18	10/24/19
19. Post Construction Storm water Management Details	07/06/18	10/24/19
20. Sanitary Sewer Details	07/06/18	10/24/19
20A. Sanitary Sewer Details	07/06/18	10/24/19
21. Water Line Details	07/06/18	10/24/19
22. Post Construction Storm water Management Landscape Details	07/06/18	10/24/19
23. Storm & Sanitary Sewer Profiles	07/06/18	10/24/19
24. ADA Ramps & Vacuum Bays Construction Details	07/06/18	10/24/19
25. ADA Ramps & Vacuum Bays Construction Details	07/06/18	10/24/19
26. ADA Ramps & vacuum Bays Construction Details	07/06/18	10/24/19
27. Lighting Plan	07/06/18	10/24/19
PennDOT HOP Plan Set	04/09/19	08/15/19



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

October 31, 2019

File No. 2018-01153-01

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

Reference: Final Land Development – LDS#699-F
ProReal Ventures, LLC - Carwash
Tax Map Parcel Numbers: 46-00-00745-00-1, Block 11 – Unit 25
1274 Welsh Road

Dear Bruce:

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

I. SUBMISSION

- A. Final Land Development Plans for Pro Real Ventures, LLC (28 Sheets), prepared by T & M Associates, dated July 6, 2018, last revised October 24, 2019.
- B. Waiver Request Letter, prepared by T & M Associates, dated October 24, 2019.
- C. Post Construction Stormwater Management Report prepared for Pro Real Ventures, LLC, prepared by T & M Associates, dated March 25, 2019, last revised October 24, 2019.
- D. Erosion and Sediment Control Narrative prepared for Pro Real Ventures, LLC, prepared by T & M Associates, dated March 1, 2019, last revised October 24, 2019.
- E. Comment Response Letter for Pro Real Ventures, LLC, prepared by T & M Associates, dated October 24, 2019.

II. GENERAL

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

The Township Board of Supervisors granted Conditional Use approval, as well as a variance from certain landscape buffer requirements from Section 230-78.A of the Zoning Ordinance at a public meeting held April 23, 2018. Refer to Resolutions #4 and #5 of 2018, respectively, for details. The Township Board of Supervisors granted Preliminary Plan Approval at a public meeting held July 22, 2019. Refer to Resolution #5 of 2019 for details.

65 East Butler Avenue | Suite 100 | New Britain, PA 18901 | Phone: 215-345-4330 | Fax: 215-345-8606

III. REVIEW COMMENTS

A. Zoning Ordinance (Chapter 230)

Based on our review, the plans appear to comply with the Montgomery Township Zoning Ordinance. Upon further development of the plans, additional items may become apparent.

B. Subdivision and Land Development Ordinance (Chapter 205)

The following waivers were granted by the Montgomery Township Board of Supervisors as part of the Preliminary Approval of the project on July 22, 2019.

1. §205-10.G(6) – To permit a driveway width greater than 26 feet.
2. §205-10.H(4) – To permit drive aisles less than 22' wide for one way vehicular traffic.
3. §205-52.A(2)(a) – To permit installation of nine (9) street trees where twelve (12) are required.
4. §205-52.B(2)(b) -- To permit the dumpster, level spreader, sidewalks, and parking area to be located within the Landscape Softening Buffer.
5. §205-52.B(4)(a) -- To permit no shade trees or shrubs where four (4) and eight (8) are required, respectively.
6. §A237-1 – To not require street lighting to be installed along each public street.

Based on our review, the final plans appear to comply with the Montgomery Township Subdivision and Land Development Ordinance and the Preliminary Plan approval. Upon further development of the plans, additional items may become apparent.

C. Stormwater Management Ordinance (Chapter 206)

The following waiver was granted by the Montgomery Township Board of Supervisors as part of the Preliminary Approval of the project on July 22, 2019.

1. §206-11.K -- To permit the stormwater management facility to drain fully beyond the required 72 hour maximum in accordance with PADEP's Managed Release Concept.

Based on our review, the final plans appear to comply with the Montgomery Township Stormwater Management Ordinance (Chapter 206) and the Preliminary Plan approval. Upon further development of plans, additional items may become apparent.

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. We defer review of all landscaping, lighting, and traffic requirements to the Township Landscape Architect, Township Lighting Consultant, and Township Traffic Engineer, respectively.
3. Site Accessibility review 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. Grogan, Manager – Montgomery Township
Carolyn McCreary, Manager Designee – Montgomery Township
Marianne McConnell, Deputy Zoning Officer – Montgomery Township
Mary Gambino, Project Coordinator – Montgomery Township
Montgomery Township Department of Fire Services
Frank R. Bartle, Esq., Solicitor – Dischell Bartle & Dooley, PC
Kevin Johnson, P.E. – Traffic Planning & Design, Inc.
Judith Stern Goldstein, ASLA, R.L.A. – Boucher & James, Inc.
Ken Amey, AICP
Andrey Shalaurov, Applicant – Pro Real Ventures, LLC
Paul F. Boettinger, P.E., – T&M Associates
Russell S. Dunlevy, P.E., Senior Executive Vice President – Gilmore & Associates, Inc.



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

October 31, 2019

File No. 18-01153-01

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

Reference: Final Land Development – LD/S#699-F
Pro Real Ventures, LLC – Car Wash
Tax Map Parcel Numbers: 46-00-00745-00-1, Block 11 – Unit 25
1274 Welsh Road

Dear Bruce:

Pursuant to your request, Gilmore & Associates, Inc. completed an accessibility review of the Final Land Development Plans for Pro Real Ventures, LLC 1274 Welsh Road (27 sheets), prepared by T&M Associates, dated July 6, 2018, last revised October 24, 2019.

The review was completed in accordance with the requirements of the current Pennsylvania Uniform Construction Code for the site only and did not include doors, doorways, means of egress, outdoor recreational areas, or any interior elements, which we defer to the Building Code Official for review.

Based upon our review, we offer no further comments with respect to the accessibility provisions of the Pennsylvania Uniform Construction Code, specifically the 2018 International Building Code (IBC) and/or the ICC/ANSI A117.1-2009 Accessible and Usable Buildings and Facilities (ICC) standards. We defer review of the ramps within the right-of-way to the jurisdictional agency.

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

Sincerely,

Vincent J. Esposito, E.I.T.
Accessibility Inspector/Plans Examiner, Certification #06133
Gilmore & Associates, Inc.

VJE/JPD/si

cc: Lawrence J. Gregan, Manager – Montgomery Township
Marianne McConnell, Deputy Zoning Officer – Montgomery Township
Mary Gambino, Project Coordinator - Montgomery Township
Montgomery Township Department of Fire Services
Frank R. Bartle, Esq., Solicitor – Dischell Bartle & Dooley, PC
Kevin Johnson, P.E. – Traffic Planning & Design, Inc.
Judith Stern Goldstein, ASLA, R.L.A. – Boucher & James, Inc.
Ken Amey, AICP
Andrey Shalaurov, Applicant – Pro Real Ventures, LLC
Paul F. Boettinger, P.E., – T&M Associates
Russell S. Dunlevy, P.E., Senior Executive Vice President – Gilmore & Associates, Inc.
James P. Dougherty, P.E., Senior Project Manager – Gilmore & Associates, Inc.

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Boucher & James, Inc.
CONSULTING ENGINEERS

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Fax 610-419-9408

www.bjengineers.com

November 18, 2019
Revised November 18, 2019

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

**SUBJECT: PRO REAL VENTURES, LLC, SPARKLES XPRESS CAR WASH
FINAL LAND DEVELOPMENT PLANS
TOWNSHIP NO. LD/S- NO. 699
PROJECT NO. 1855320R**

Dear Mr. Gregan:

Please be advised that we have reviewed the Final Land Development Plans for the proposed Sparkles Xpress Car Wash. The submitted plan set was prepared by T and M Associates, is dated July 6, 2018 and last revised October 24, 2019. The site is located at the northeast corner of the intersection of DeKalb Pike and Welsh Road, within the C Commercial District and the ECPOD Expressway Corridor Preservation Overlay District.

The applicant proposes the construction of a 4,594 SF Car Wash Building with associated circulation drives, pay stations, vacuum bays, parking spaces, and stormwater management areas. Since the first submission, an additional entry/exit has been added to the plans and is proposed within an expanded easement on the adjacent PECO property.

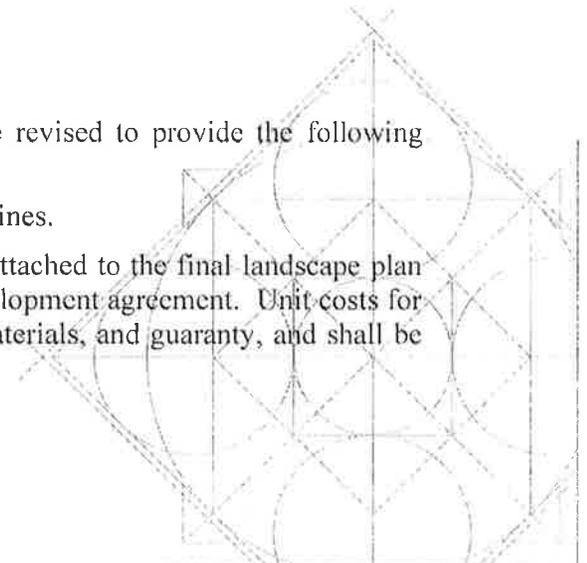
At their regularly scheduled meeting on April 23, 2018, the Montgomery Township Board of Supervisors approved the Conditional Use application to permit the proposed automatic car wash use within the C Commercial District. At that same meeting, the Board of Supervisors also granted a waiver to permit a reduction of the required 25-foot screening buffer planting area dimension along the western and a portion of the northern property lines.

We offer the following comments for your consideration.

1. Landscape Plan Requirements

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

- a. Section 13: All existing and proposed contour lines.
- b. Section 18: A detailed cost estimate shall be attached to the final landscape plan submission for the preparation of the land development agreement. Unit costs for plant material shall include costs for labor, materials, and guaranty, and shall be so stated on the estimate.



Mr. Lawrence Gregan, Township Manager
Pro Real Ventures, LLC Car Wash
November 18, 2019
Revised November 18, 2019
Page 2 of 2

2. Planting Requirements

SLDO 205-52.B(2)(b): Softening buffer areas shall be used for no purpose other than planting of trees, shrubs and lawn to meet planting requirements. A level spreader is proposed within the softening buffer area along the eastern property line, a dumpster is proposed within the softening buffer along the northern property line, and parking spaces are proposed within the buffer area along the western property line. A waiver has been requested.

3. General Comments

A detailed response letter addressing the above noted comments and any other changes to the plans should be included with future submissions.

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/kam

Cc: 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
Andrey Shalaurov, Pro Real Ventures, LLC
Paul F. Boettinger, P.E., T and M Associates

Bruce S. Shoupe

From: Falzone, Frank <ffalzone@trafficpd.com>
Sent: Monday, December 9, 2019 10:35 AM
To: 'Gregory Rishel'
Cc: Paul F. Boettinger; Johnson, Kevin
Subject: RE: ProReal Ventures Carwash - PECO Review of Township Lighting Request (Proposed Carwash at Dekalb Pike and Welsh Road, Montgomery Township, Montgomery County)
Attachments: 2010-09 Montgomery Township Street Lighting Specification (With March 2011 Catalog Numbers).pdf

Greg and Paul,

The Montgomery Township Street Lighting Specification states that lighting fixtures shall not be mounted in excess of 20 feet above grade. I have attached a copy of the Specification for your reference.

4K CCT is typically what is requested but I am confirming with the DVRPC team on the upcoming Township-wide project so that this installation will match. I will follow up to this email with the correct CCT, if not 4K.

Thank you,
Frank

Frank G. Falzone, P.E.

Project Manager

From: Gregory Rishel
Sent: Monday, December 09, 2019 9:45 AM
To: Falzone, Frank
Cc: Paul F. Boettinger
Subject: FW: ProReal Ventures Carwash - PECO Review of Township Lighting Request (Proposed Carwash at Dekalb Pike and Welsh Road, Montgomery Township, Montgomery County)

Frank – Regarding the new LED streetlight for the Carwash, I'm assuming there is flexibility in mounting height. Is there a maximum height that would apply here? Are there any requirements for color temperature?



GREGORY RISHEL, RLA
SUPERVISING LANDSCAPE ARCHITECT

1700 Market Street, Suite 3110, Philadelphia, PA 19103
T 215.282.7850 D + 215.486.4369 C + 856.217.9175
GRISHEL@TANDMASSOCIATES.COM | TANDMASSOCIATES.COM

From: Paul F. Boettinger <PBoettinger@tandmassociates.com>
Sent: Monday, December 9, 2019 7:41 AM
To: Gregory Rishel <GRishel@tandmassociates.com>

Subject: FW: ProReal Ventures Carwash - PECO Review of Township Lighting Request (Proposed Carwash at Dekalb Pike and Welsh Road, Montgomery Township, Montgomery County)

Greg,

In the email below, TPD/Frank specified the lighting for the PECO Pole. Can you please coordinate with the lighting consultant to have this added and update the lighting plans/details for the next submission to the Township.

Thank You,
Paul



PAUL F. BOETTINGER, PE
SUPERVISING ENGINEER

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PBOETTINGER@TANDESSOCIATES.COM | TANDESSOCIATES.COM

From: Paul F. Boettinger

Sent: Monday, December 9, 2019 7:39 AM

To: 'Andrey Shalaurov' <starwashexpress@outlook.com>

Subject: FW: ProReal Ventures Carwash - PECO Review of Township Lighting Request (Proposed Carwash at Dekalb Pike and Welsh Road, Montgomery Township, Montgomery County)

Andrey,

We received the information from TPD regarding the light on the pole. I will have this added onto the lighting plans based on the manufacturer specifications.

Thank You,
Paul



PAUL F. BOETTINGER, PE
SUPERVISING ENGINEER

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From: Falzone, Frank <ffalzone@trafficpd.com>

Sent: Friday, December 6, 2019 4:16 PM

To: Paul F. Boettinger <PBoettinger@tandmassociates.com>

Subject: RE: ProReal Ventures Carwash - PECO Review of Township Lighting Request (Proposed Carwash at Dekalb Pike and Welsh Road, Montgomery Township, Montgomery County)

Paul,

The DVRPC RSLPP is proposing to install 106W Signify Roadfocus Medium fixtures (RFM-108W48LED) on Dekalb Pike and Welsh Road. An iteration of this Signify Roadfocus Medium fixture (wattage and distribution may vary) to maximize the illumination of the proposed driveway to Dekalb should be provided. Supporting analysis shall also be provided for review/approval by Montgomery Township.

Thanks and have a great weekend.
Frank

Frank G. Falzone, P.E.

Project Manager

From: Falzone, Frank <ffalzone@trafficpd.com>

Sent: Tuesday, December 03, 2019 2:53 PM

To: 'Paul F. Boettinger' <PBoettinger@tandmassociates.com>

Subject: RE: ProReal Ventures Carwash - PECO Review of Township Lighting Request (Proposed Carwash at Dekalb Pike and Welsh Road, Montgomery Township, Montgomery County)

Paul,

I believe that Montgomery Township is updating all of their street lights to LED through the DVRPC's upcoming Regional Streetlighting Procurement Program. I will reach out to that design team to confirm the Cobrahead Mfg. and wattage proposed for similar installations and let you know as soon as possible. Of the top of my head, I believe they're going with Signify RoadFocus fixtures.

In advance of receiving that information, I think whatever is selected will need to provide the maximum illumination feasible for the location.

Once we have developed a solution, we can reply all to the email further down in this chain.

Thanks,
Frank

Frank G. Falzone, P.E.

Project Manager

From: Paul F. Boettinger

Sent: Tuesday, December 03, 2019 2:43 PM

To: Falzone, Frank

Subject: RE: ProReal Ventures Carwash - PECO Review of Township Lighting Request (Proposed Carwash at Dekalb Pike and Welsh Road, Montgomery Township, Montgomery County)

Frank,

I did not include all recipients on the prior email because this is more technical a question in nature and did not want to clutter all their inboxes, but if you want I will resend this email to the whole chain below. I'd rather just reply all once I have your preferred design thought so the group knows.

For the luminaire on the existing guy pole, is there a particular wattage to be utilized? The client is coordinating with PECO new business group, and the form to initiate the process we need to provide PECO service characteristics, etc. Do you know the preferred wattage for the proposed luminaire?

Thank You,
Paul



PAUL F. BOETTINGER, PE
SUPERVISING ENGINEER

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PBOETTINGER@TANDMASSOCIATES.COM | TANDMASSOCIATES.COM

From: Falzone, Frank <ffalzone@trafficpd.com>
Sent: Friday, November 22, 2019 5:38 PM
To: Paul F. Boettinger <PBoettinger@tandmassociates.com>; Bruce S. Shoupe (bshoupe@montgomerytwp.org) <bshoupe@montgomerytwp.org>
Cc: Andrey Shalurov <starwashexpress@outlook.com>; Freimuth, Kimberly A. <KFreimuth@foxrothschild.com>; Johnson, Kevin <kjohnson@trafficpd.com>; Christopher Jensen <CJensen@tandmassociates.com>
Subject: RE: ProReal Ventures Carwash - PECO Review of Township Lighting Request (Proposed Carwash at Dekalb Pike and Welsh Road, Montgomery Township, Montgomery County)

Paul,

Following up on the various emails regarding this issue; since the luminaire to be placed on the existing utility guy pole is the result of the waiver and will be servicing the Carwash site, the Developer/Project Owner will be responsible for ownership, maintenance, and any PECO billing.

Thank you,
Frank Falzone, PE

Frank G. Falzone, P.E.
Project Manager



Traffic Planning and Design, Inc.

2500 E. High Street, Ste 650
Pottstown, PA 19464
610.326.3100

www.TrafficPD.com

Connect with us!



From: Paul F. Boettinger <PBoettinger@tandmassociates.com>
Sent: Friday, November 22, 2019 10:10 AM

To: Bruce S. Shoupe (bshoupe@montgomerytwp.org) <bshoupe@montgomerytwp.org>; Falzone, Frank <ffalzone@trafficpd.com>
Cc: Andrey Shalaurov <starwashexpress@outlook.com>; Freimuth, Kimberly A. <KFreimuth@foxrothschild.com>; Johnson, Kevin <kjohnson@trafficpd.com>; Christopher Jensen <CJensen@tandmassociates.com>
Subject: FW: ProReal Ventures Carwash - PECO Review of Township Lighting Request (Proposed Carwash at Dekalb Pike and Welsh Road, Montgomery Township, Montgomery County)

Good Morning Bruce and Frank,

Per the email response below from Clifford Patton of PECO, he agrees with the submitted bullet-points in my email sent regarding the lighting comments from Traffic, Planning and Design for the PECO parcel and associated drive aisles and egress to Dekalb Pike.

Please let me know if you have any questions, or require any additional communications about this waiver request.

Thank You,
Paul



Paul F. Boettinger, PE
Supervising Engineer

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T 215.282.7850 D + 215.486.4371 C + 215.692.3942
PBOETTINGER@TANDMASSOCIATES.COM | TANDMASSOCIATES.COM

From: Patton, Clifford A:(PECO)
Sent: Friday, November 22, 2019 7:25 AM
To: Paul F. Boettinger
Subject: RE: ProReal Ventures Carwash - PECO Review of Township Lighting Request (Proposed Carwash at Dekalb Pike and Welsh Road, Montgomery Township, Montgomery County)

I agree with the bullets points below

From: Paul F. Boettinger <PBoettinger@tandmassociates.com>
Sent: Thursday, November 21, 2019 11:25 AM
To: Patton, Clifford A:(PECO) <clifford.patton@exeloncorp.com>
Subject: [EXTERNAL] FW: ProReal Ventures Carwash - PECO Review of Township Lighting Request (Proposed Carwash at Dekalb Pike and Welsh Road, Montgomery Township, Montgomery County)

Good Morning Cliff,

I appreciate your timely response to my inquiry based on the Township consultant's comment.

To summarize our phone call this morning, I have bullet-points listed below:

- PECO will allow the applicant to install a Township approved luminaire on existing PECO Pole #32304 located in the PennDOT Right-of-Way.

- The Township and applicant with need to coordinate the installation of the luminaire on PECO Pole #32304 with the PECO New Business Group.
- PECO will not allow any street lights to be installed in the easement granted to the applicant on the PECO Parcel.
 - PECO does not want any street lights due to the existing overhead transmission lines in this area.

Please confirm that these are the conditions we discussed over the phone today. I would like to update Montgomery Township and their reviewing agencies of PECO's direction.

Thank You,
Paul



Paul F. Boettinger, PE
Supervising Engineer

1700 Market Street, Suite 3110, Philadelphia, PA 19103
T 215.282.7850 D + 215.486.4371 C + 215.692.3942
PBOETTINGER@TANDEMASSOCIATES.COM | TANDEMASSOCIATES.COM

From: Paul F. Boettinger

Sent: Wednesday, November 20, 2019 4:28 PM

To: clifford.patton@exeloncorp.com

Cc: Natale, Lori A:(PECO) <Lori.Natale@exeloncorp.com>

Subject: ProReal Ventures Carwash - PECO Review of Township Lighting Request (Proposed Carwash at Dekalb Pike and Welsh Road, Montgomery Township, Montgomery County)

Good Afternoon Cliff,

I wanted to thank you for your time in reviewing this project in preparation of the Montgomery Township Planning Commission Meeting scheduled for Thursday, November 21st. As I mentioned in our phone call, the Township Lighting Consultant, Traffic Planning & Design, has requested that the applicant for the carwash coordinate the installation of a luminaire on an existing PECO Pole. That existing PECO Pole is #32304 based on the survey plan completed.

Attached are selected Land Development plans for the proposed carwash which is currently going through the Montgomery Township approval process. PECO has reviewed the current plan set and offered no objection to the current land development design based on the easement granted by PECO to the applicant for egress from the carwash to Dekalb Pike. Lori Natale and John Pede completed the PECO review.

The attached plans have been redlined/highlighted to facilitate your review.

Traffic Planning and Design provided the following in an email which provides their thought and a Google street view of the existing pole:

In an effort to provide some illumination of the egress driveway to Dekalb, please investigate the placement of a luminaire on the existing utility pole just north of the driveway. See the google street view link and image below.

[https://www.google.com/maps/@40.2214685,-](https://www.google.com/maps/@40.2214685,-75.2482715,3a,75y,1.64h,94.81t/data=!3m6!1e1!3m4!1s6suPZwW8JMZrHbPeMdzBrg!2e0!7i13312!8i6656?hl=en)

[75.2482715,3a,75y,1.64h,94.81t/data=!3m6!1e1!3m4!1s6suPZwW8JMZrHbPeMdzBrg!2e0!7i13312!8i6656?hl=en](https://www.google.com/maps/@40.2214685,-75.2482715,3a,75y,1.64h,94.81t/data=!3m6!1e1!3m4!1s6suPZwW8JMZrHbPeMdzBrg!2e0!7i13312!8i6656?hl=en)

In the ongoing coordination process with Traffic Planning and Design, the following is from another email regarding the installation of a luminaire on the existing PECO Pole.

As it was previously requested to provide some illumination at the exiting driveway, TPD cannot support this waiver without the placement of a street light on the existing utility pole in proximity to the exit driveway to Dekalb Pike. Additional supporting documentation shall be provided to the Township and TPD from PECO confirming that luminaires cannot be installed within the PECO Easement area as well as that a bracket arm and luminaire cannot be installed on the existing guy pole, powered from the utility lines across Dekalb Pike. Since the existing utility pole is already in place, there would be no need for any ground disturbance to install a luminaire oriented toward the exit driveway to provide illumination.

Per the direction from Traffic Planning and Design, we will require direction from PECO regarding the installation of a luminaire on the existing PECO pole.

I will contact you in the morning to review this with you and assist in addressing any questions.

Thank You,
Paul



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any copyright or any other legal right by Email communication. Exelon will not accept any liability in respect of such communications. -EXCIP

Bruce S. Shoupe

From: Falzone, Frank <ffalzone@trafficpd.com>
Sent: Friday, November 22, 2019 5:38 PM
To: 'Paul F. Boettinger'; Bruce S. Shoupe
Cc: Andrey Shalaurov; Freimuth, Kimberly A.; Johnson, Kevin; Christopher Jensen
Subject: RE: ProReal Ventures Carwash - PECO Review of Township Lighting Request (Proposed Carwash at Dekalb Pike and Welsh Road, Montgomery Township, Montgomery County)

Paul,

Following up on the various emails regarding this issue; since the luminaire to be placed on the existing utility guy pole is the result of the waiver and will be servicing the Carwash site, the Developer/Project Owner will be responsible for ownership, maintenance, and any PECO billing.

Thank you,
Frank Falzone, PE

Frank G. Falzone, P.E.
Project Manager



Traffic Planning and Design, Inc.

2500 E. High Street, Ste 650
Pottstown, PA 19464
610.326.3100

www.TrafficPD.com

Connect with us!



From: Paul F. Boettinger <PBoettinger@tandmassociates.com>
Sent: Friday, November 22, 2019 10:10 AM
To: Bruce S. Shoupe (bshoupe@montgomerytwp.org) <bshoupe@montgomerytwp.org>; Falzone, Frank <ffalzone@trafficpd.com>
Cc: Andrey Shalaurov <starwashexpress@outlook.com>; Freimuth, Kimberly A. <KFreimuth@foxrothschild.com>; Johnson, Kevin <kjohnson@trafficpd.com>; Christopher Jensen <CJensen@tandmassociates.com>
Subject: FW: ProReal Ventures Carwash - PECO Review of Township Lighting Request (Proposed Carwash at Dekalb Pike and Welsh Road, Montgomery Township, Montgomery County)

Good Morning Bruce and Frank,

Per the email response below from Clifford Patton of PECO, he agrees with the submitted bullet-points in my email sent regarding the lighting comments from Traffic, Planning and Design for the PECO parcel and associated drive aisles and egress to Dekalb Pike.

Please let me know if you have any questions, or require any additional communications about this waiver request.

Thank You,
Paul



Paul F. Boettinger, PE
Supervising Engineer

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PBOETTINGER@TANDMASSOCIATES.COM | TANDMASSOCIATES.COM

From: Patton, Clifford A:(PECO)
Sent: Friday, November 22, 2019 7:25 AM
To: Paul F. Boettinger
Subject: RE: ProReal Ventures Carwash - PECO Review of Township Lighting Request (Proposed Carwash at Dekalb Pike and Welsh Road, Montgomery Township, Montgomery County)

I agree with the bullets points below

From: Paul F. Boettinger <PBoettinger@tandmassociates.com>
Sent: Thursday, November 21, 2019 11:25 AM
To: Patton, Clifford A:(PECO) <clifford.patton@exeloncorp.com>
Subject: [EXTERNAL] FW: ProReal Ventures Carwash - PECO Review of Township Lighting Request (Proposed Carwash at Dekalb Pike and Welsh Road, Montgomery Township, Montgomery County)

Good Morning Cliff,

I appreciate your timely response to my inquiry based on the Township consultant's comment.

To summarize our phone call this morning, I have bullet-points listed below:

- PECO will allow the applicant to install a Township approved luminaire on existing PECO Pole #32304 located in the PennDOT Right-of-Way.
 - The Township and applicant with need to coordinate the installation of the luminaire on PECO Pole #32304 with the PECO New Business Group.
- PECO will not allow any street lights to be installed in the easement granted to the applicant on the PECO Parcel.
 - PECO does not want any street lights due to the existing overhead transmission lines in this area.

Please confirm that these are the conditions we discussed over the phone today. I would like to update Montgomery Township and their reviewing agencies of PECO's direction.

Thank You,
Paul



Paul F. Boettinger, PE
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From: Paul F. Boettinger
Sent: Wednesday, November 20, 2019 4:28 PM
To: clifford.patton@exeloncorp.com
Cc: Natale, Lori A:(PECO) <Lori.Natale@exeloncorp.com>
Subject: ProReal Ventures Carwash - PECO Review of Township Lighting Request (Proposed Carwash at Dekalb Pike and Welsh Road, Montgomery Township, Montgomery County)

Good Afternoon Cliff,

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Traffic Planning and Design provided the following in an email which provides their thought and a Google street view of the existing pole:

In an effort to provide some illumination of the egress driveway to Dekalb, please investigate the placement of a luminaire on the existing utility pole just north of the driveway. See the google street view link and image below.
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Per the direction from Traffic Planning and Design, we will require direction from PECO regarding the installation of a luminaire on the existing PECO pole.

I will contact you in the morning to review this with you and assist in addressing any questions.

Thank You,
Paul



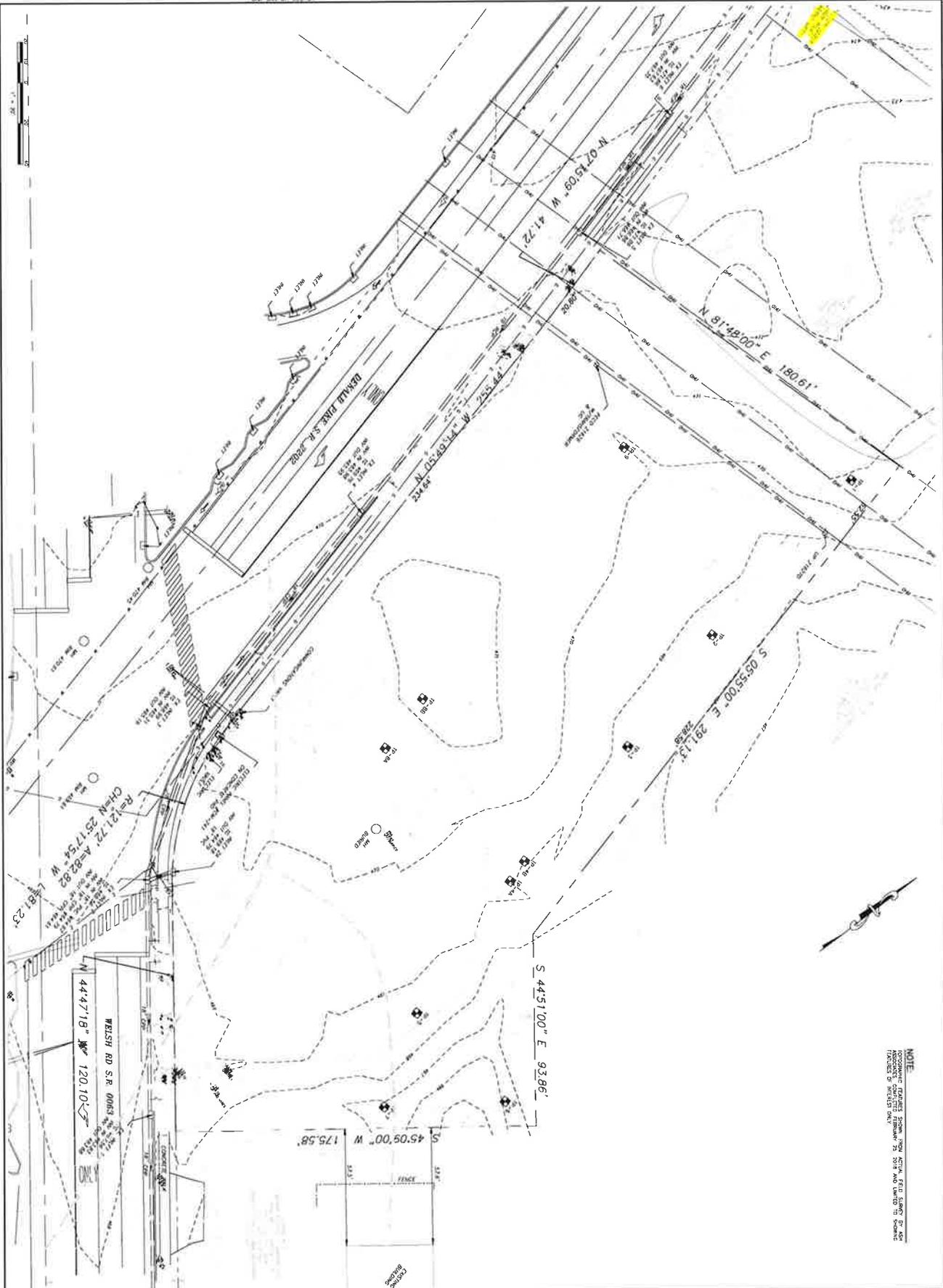
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NOTE:
 THIS PLAN IS A PRELIMINARY PLAN AND IS NOT TO BE USED FOR CONSTRUCTION. THE FINAL PLAN SHALL BE THE ONE APPROVED BY THE LOCAL AUTHORITY. THE LOCAL AUTHORITY SHALL BE THE FINAL AUTHORITY ON ALL MATTERS RELATING TO THIS PLAN.

IAW
 IAW ASSOCIATES, INC.
 1700 MARKET ST. SUITE 210
 PHILADELPHIA, PA 19103
 TEL: 215-262-7600
 WWW.IAWASSOCIATES.COM

TOUR GOALS, OUR MISSION
 1700 MARKET ST. SUITE 210
 PHILADELPHIA, PA 19103
 TEL: 215-262-7600
 WWW.IAWASSOCIATES.COM

DATE: 10/24/2018
 TIME: 10:54:25 AM
 USER: paul.boettinger

3
 EX-1

FINAL LAND DEVELOPMENT
 PRO REAL VENTURES, LLC
 SPARKLES X-PRESS CAR WASH
 MONTGOMERY TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA

EXISTING CONDITIONS PLAN



PAUL F. BOETTINGER, P.E.
 LICENSED PROFESSIONAL ENGINEER

COMMONWEALTH OF PENNSYLVANIA
 LICENSE NO. 020817

NO.	DATE	DESCRIPTION	BY
1	10/24/2018	REVISED PER COMMENTS FROM LOCAL AUTHORITY	PAUL BOETTINGER
2	10/24/2018	REVISED PER COMMENTS FROM LOCAL AUTHORITY	PAUL BOETTINGER
3	10/24/2018	REVISED PER COMMENTS FROM LOCAL AUTHORITY	PAUL BOETTINGER
4	10/24/2018	REVISED PER COMMENTS FROM LOCAL AUTHORITY	PAUL BOETTINGER
5	10/24/2018	REVISED PER COMMENTS FROM LOCAL AUTHORITY	PAUL BOETTINGER
6	10/24/2018	REVISED PER COMMENTS FROM LOCAL AUTHORITY	PAUL BOETTINGER
7	10/24/2018	REVISED PER COMMENTS FROM LOCAL AUTHORITY	PAUL BOETTINGER
8	10/24/2018	REVISED PER COMMENTS FROM LOCAL AUTHORITY	PAUL BOETTINGER
9	10/24/2018	REVISED PER COMMENTS FROM LOCAL AUTHORITY	PAUL BOETTINGER
10	10/24/2018	REVISED PER COMMENTS FROM LOCAL AUTHORITY	PAUL BOETTINGER

NOTE
 A HIGHWAY OCCUPANCY PERMIT IS REQUIRED FOR THIS PROJECT. THE APPLICANT WILL SUBMIT TO PENNDOT UNDER SEPARATE COVER.

SIGN DATA			
Description / Nomenclature	Sign Type / Description	Width	Height
R1-1	Stop Sign	30"	30"
R5-1	Do Not Enter	30"	30"
RT-5-FM	No Parking Fire Lane By Order of Fire Marshal	12"	18"
R7-2	Reserved Parking Sign	12"	18"
R7-5P	Reserved Parking Placards Sign	12"	18"
R7-5P	Van Accessible (placard)	12"	6"
W11-2	Pedestrian Crossing	30"	30"
W16-1R	Diagonal Downward Pointing Arrow Right (placard)	24"	12"
W16-1L	Diagonal Downward Pointing Arrow Left (placard)	24"	12"
OM1-3	Type 1 Object Marker	24"	12"
R5-1R	One Way Pointing Right	18"	18"

EASEMENT GRANTED BY PECO TO THE CLIENT JUNE 12, 2019

AREA ALLOCATED FOR FUTURE ACCESS ONLY TO BE CURBED AND PAVED BY APPLICANT AND/OR ITS SUCCESSORS. WHEN PECO PARCELS APN 48-00-00706004 AND/OR APN 48-00-00463-001 LOCATED NORTH OF THE 13-FOOT-WIDE EGRESS ARE DEVELOPED

DEKALB PINE S.R. 2202

WELSH RD S.R. 0063

NO.	DATE	BY	REVISION
1	06/12/19	PAUL F. BOETTINGER	ISSUED FOR PERMITTING
2	06/12/19	PAUL F. BOETTINGER	REVISED FOR THE PROPOSED CURB AND RAMP
3	06/12/19	PAUL F. BOETTINGER	REVISED FOR THE PROPOSED CURB AND RAMP
4	06/12/19	PAUL F. BOETTINGER	REVISED FOR THE PROPOSED CURB AND RAMP
5	06/12/19	PAUL F. BOETTINGER	REVISED FOR THE PROPOSED CURB AND RAMP
6	06/12/19	PAUL F. BOETTINGER	REVISED FOR THE PROPOSED CURB AND RAMP
7	06/12/19	PAUL F. BOETTINGER	REVISED FOR THE PROPOSED CURB AND RAMP
8	06/12/19	PAUL F. BOETTINGER	REVISED FOR THE PROPOSED CURB AND RAMP
9	06/12/19	PAUL F. BOETTINGER	REVISED FOR THE PROPOSED CURB AND RAMP
10	06/12/19	PAUL F. BOETTINGER	REVISED FOR THE PROPOSED CURB AND RAMP

PAUL F. BOETTINGER, P.E.
 LICENSED PROFESSIONAL ENGINEER
 COMMONWEALTH OF PENNSYLVANIA
 CONTRACT NO. 15-0000000000000000



FINAL LAND DEVELOPMENT
 PRO REAL VENTURES, LLC
 SPARKLES EXPRESS CAR WASH
 MONTGOMERY TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA



1700 MARKET ST. SUITE 2110
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DATE: 06/12/19
 SHEET: 5
 OF 27

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Bruce S. Shoupe

From: Baker, Jerry <jbaker@trafficpd.com>
Sent: Wednesday, November 6, 2019 4:31 PM
To: 'Paul F. Boettinger'
Cc: 'Robert Pelke'; Falzone, Frank
Subject: RE: ProReal Venture Carwash - TPD Initial Review prior to PennDOT Submission

Paul,

TPD has reviewed the Land Development Plans, Lighting Plans, and revised study. Below are the outstanding comments based on our review using the same numbering system as our April 26, 2019 review letter:

PREVIOUS PLAN COMMENTS

- Comment 16 –
 - The stop signs on the bail-out lane approach to the intersection with the egress driveway should be located closer to the intersection. In addition, a stop bar should be provided on the bail-out lane since the approach is wide and the curb lines on the egress driveway do not align through the intersection.
 - The purpose of the box located between the bail out lane and vacuum stall is unclear. Please verify that this will not block sight distance for drivers exiting the bail out lane.

NEW SITE LIGHTING COMMENTS

2. Reviewer acknowledges that Waiver No. 4 has been granted by the Montgomery Township Board of Supervisors on July 22, 2019 regarding street lighting along the property frontage per Ordinance Section A237-1 (Amended by Ordinance #13-276).
3. Revise the lighting design and/or calculation areas to provide calculation results that are in-line with the Township and IES standards. A waiver shall be required if the design does not meet the Township recommended values.
 - The "Recommended Maintained Illuminance Values for Parking Lots," according to IESNA RP-8-18 (Table 17-2), indicates a Minimum Horizontal Illuminance of 0.5 fc and a Uniformity (Max:Min) Ratio of 15:1. Please revise the Drive Aisles and Parking Areas design to comply with the minimum horizontal illuminance of 0.5 fc.
4. Has horizontal and vertical illuminance analysis been considered for pedestrian/vehicle conflict areas (i.e. ADA ramps, sidewalks, crosswalks)? If not, please provide an update to the Lighting Calculation Summary for those areas.
5. Site Lighting shall be provided for the egress drive aisle and driveway exiting to Dekalb Pike (SR 2202).
6. Site Lighting shall be provided for the ingress access driveways on Dekalb Pike (SR 2202) and Welsh Road (SR 0063).
7. Please revise the Lighting Plan to label and delineate the limits of each calculation area within the Lighting Calculation Summary.
8. Lighting Note No. 1 shall be revised to add "Refer to separate electrical engineering plans for circuitry design and specifications."
9. The Final Lighting Plans for recording shall be signed and sealed by a design professional licensed in the State of Pennsylvania.
10. Please expand Lighting Note. No. 6 to indicate the manner in which the 50% minimum reduction will be achieved. The Township prefers a dimming situation in lieu of an individual light extinguishment to achieve a minimum 50% reduction.
11. The Lighting Plan shall be revised to indicate which light foundations will be provided with 30" reveal or dimension those located at least 5' outside of pavement. It is suggested to provide a minimum of 3" reveal for those foundations located at least 5' outside of pavement.

12. Provide documentation supporting the Delivered Lumens for each luminaire prior to approval.
13. If the luminaire mounting heights are to be 20', the resultant light pole length shall vary depending on the foundation reveal, please resolve the Luminaire Schedule to reflect the correct light pole length.
14. The proposed site lighting locations should be shown on the Truck Turning plans to confirm no conflict with vehicle movements or vehicle body overhang.
15. Revise the Luminaire Schedule to provide the Manufacturer and Photometric File Name and confirm the CCT for the P2+4 Light Fixtures.
16. Add the following columns to the Luminaire Schedule
 - Mounting Height
 - BUG Rating
 - Pole Catalog No.
17. Supporting calculations and documentation shall be submitted to support the usage of a 0.90 LLF (light loss factor), otherwise revise the proposed LLF to reflect LDD (luminaire dirt depreciation) of 0.8 and LLD (lamp lumen depreciation) based on manufacturer's data for LLD at 60,000 hours.
18. The provided Catalog Cut Sheets for VLL-LED luminaire have been updated since the last revision dates noted. Please include the current manufacturer Catalog Cut Sheets on the final plans for recording. Additionally, add a note to the plans that the specifications for installation shall reflect the latest amended version of the Cut Sheets to allow for subsequent revisions between the time of approval and construction commencement.
19. Confirm the Catalog Numbers presented in the Luminaire Schedule match the format of the Luminaire Spec/Ordering Information within the Catalog Cut Sheet.
20. All landscaping shall be placed and maintained as necessary to ensure that required illumination levels are provided at all times. For example, confirmation from the landscape architect should be obtained that the proposed "GS" and "GB" trees will not conflict with the desired luminaire distribution.

It is my understanding that the goal is to have all of the comments addressed by **November 15** so that we can issue a clean review letter at that time. Please let Frank or me know if you have any questions.

Thanks,
Jerry

Gerald T. Baker, P.E.

Project Manager

From: Baker, Jerry

Sent: Thursday, October 10, 2019 2:24 PM

To: 'Paul F. Boettinger'

Subject: RE: ProReal Venture Carwash - TPD Initial Review prior to PennDOT Submission

Paul,

I don't see any issues with submitting concurrently to PennDOT and the Township. I think the biggest concern I have is whether there are signal timings proposed. If there are, we'll have to review the signal plans. Otherwise, I think everything else is pretty simple revisions/clarification.

Jerry

Gerald T. Baker, P.E.

Project Manager

From: Paul F. Boettinger [<mailto:PBoettinger@tandmassociates.com>]

Sent: Thursday, October 10, 2019 2:10 PM

To: Baker, Jerry <jbaker@trafficpd.com>

Subject: RE: ProReal Venture Carwash - TPD Initial Review prior to PennDOT Submission

Jerry,

Thank You for the return call and email below providing direction for the plans. Upon T&M's revision of the plans based on your direction, are we permitted to submit to PennDOT and submit an FTP Site for you or will your office require another submission to review?

Additionally, we are planning to submit to the Township in the upcoming days and we are addressing the TPD Comments in that submission as expected.

Thank You,
Paul



PAUL F. BOETTINGER, PE
SUPERVISING ENGINEER

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PBOETTINGER@TANDMASSOCIATES.COM | TANDMASSOCIATES.COM

From: Baker, Jerry <jbaker@trafficpd.com>

Sent: Thursday, October 10, 2019 1:40 PM

To: Paul F. Boettinger <PBoettinger@tandmassociates.com>

Cc: Johnson, Kevin <kjohnson@trafficpd.com>; Robert Pelke <RPelke@tandmassociates.com>; Falzone, Frank <ffalzone@trafficpd.com>

Subject: RE: ProReal Venture Carwash - TPD Initial Review prior to PennDOT Submission

Paul,

As requested, I have reviewed the draft response letters/plans and offer the following comments:

August 15, 2019 response to PennDOT comments

- General Comment 2 – A copy of the 7/22/19 Resolution is being included with this submission to PennDOT. However, the 7/22/19 Resolution references the 7/18/19 TPD review letter regarding the waiver requests. It is recommended that the attached 7/18/19 TPD letter also be included in the PennDOT submission so they do not request the letter.
- The response to the TIA comments indicates that a supplemental analysis has been provided. I did not see a copy of this in the submission. Can you please forward it to us? Also, are there any timing changes proposed in the analysis?

- It may be helpful to provide additional information to clarify the response for Comment 2 under Plan Presentation. I would suggest either adding a note to the HOP plan or referencing the Land Development Plans which clearly indicate that the access to the adjacent property is not proposed to be constructed at this time. I would also suggest adding a note that the utility pole will be relocated as necessary if/when the access is constructed. As currently shown on the HOP plan, it appears that the access will be constructed now and PennDOT might just repeat the comment if additional clarification is not provided.

September 27, 2019 response to TPD comments

- Comment 6 – Truck turning templates still need to be provided even if deliveries will occur during non-business hours. We need to confirm that the delivery truck, trash truck, and fire truck can be accommodated. Also, I’m not sure if the fire marshal will accept the fire truck crossing parking spaces since we don’t know if an emergency would occur during business or non-business hours.
- Comment 11 – It appears that there may be a typo in the response. I think you are saying that you concur that there is a possible need for additional signage. The Condition Statement should be sent to TPD for review.
- Comment 14 – The curb detail on Sheet 12 indicates should indicate 4000 psi concrete in lieu of Class A.
- Comment 16 –
 - An additional stop sign should be provided on the right hand side of the bail-out lane approach to the intersection with the egress driveway
 - “Pedestrian Crossing” signs and downward diagonal arrow signs should be provided on both sides of the crosswalk since the crosswalk will be located prior to the stop sign.
 - The purpose of the box located between the bail out lane and vacuum stall is unclear. Please verify that this will not block sight distance for drivers exiting the bail out lane.
 - The stop sign on the PECO driveway should be 36” x 36” in lieu of the standard 30” x 30” since it is located on a multi-lane approach.
- Lighting Comments – Lighting plans were not received for review.

Please let me know if you have any questions.

Jerry

Gerald T. Baker, P.E.
Project Manager



Traffic Planning and Design, Inc.
Offices serving the eastern United States
Office Locations
610.326.3100

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From: Paul F. Boettinger [<mailto:PBoettinger@tandmassociates.com>]

Sent: Friday, October 04, 2019 10:57 AM

To: Baker, Jerry <jbaker@trafficpd.com>

Cc: Johnson, Kevin <kjohnson@trafficpd.com>; Robert Pelke <RPelke@tandmassociates.com>

Subject: ProReal Venture Carwash - TPD Initial Review prior to PennDOT Submission

Good Morning Jerry,

We have completed the revisions to the plans and would like to resubmit to PennDOT. We will be submitting to the Township Land Development Plans and the TPD review will be included in that submission but I thought it best for you to have both our current response letters to previous TPD and PennDOT review letters. We will not submit to PennDOT until you have authorized us to do so as stipulated by the Township.

The DRAFT review letters are attached and the FTP Site Link for the DRAFT plans is provided to you below.

If you have any questions, please contact me to discuss.

Thank You,
Paul

From: Robert Pelke

Date: 10/04/19 at 10:17 am EDT

PORV0001_10-4-2019_Revisions (66.33 MB) in:

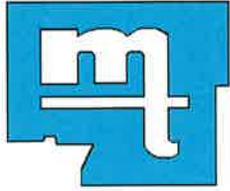
<https://tandmassociates.filetransfers.net/downloadPublic/99xgehkymlqrwv>

This link will expire on **10/19/19 at 10:17 am EDT**



PAUL F. BOETTINGER, PE
SUPERVISING ENGINEER

1700 Market Street, Suite 3110, Philadelphia, PA 19103
T 215.282.7850 D + 215.486.4371 C + 215.692.3942
PBOETTINGER@TANDMASSOCIATES.COM | TANDMASSOCIATES.COM



MEMORANDUM

TO: Board of Supervisors

FROM: Planning Commission
Jay Glickman, Chairman

DATE: November 21, 2019

RE: Pro Real Ventures, LLC LDS 699

The Planning Commission has reviewed the above Land Development and would recommend to the Board of Supervisors that they be approved subject to compliance with reviews issued by staff and Township Consultants.



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: November 4, 2019

Re: LDS #: 699-F
1274 Welsh Road
Date of Plan: July 6, 2018

A review of the above-referenced subdivision/land development 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 subdivision/land development. Please contact me if you have any issues or concerns.

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: 11/25/2019

Development: Water Tower Square Redevelopment - LDS-697
Release #: 1

G&A Project #: 2018-03056-01

Dear Mr. Dougherty:

This is an escrow release request in the amount of \$429,611.50. Enclosed is a copy of our escrow spreadsheet with the quantities noted.

ESCROW RELEASE REQUESTS ARE LIMITED TO ONE PER MONTH.

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

Date: 12/10/2019

Dear Mr. Gregan:

We have reviewed the developer's request for an escrow release. We therefore, recommend that \$429,611.50 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 12/10/2019
James P. Dougherty, P.E., Senior Project Manager, Gilmore & Associates, Inc.

Resolution # _____

WHEREAS, a request for release of escrow was received from Water Tower Square Associates for Water Tower Square Redevelopment - LDS-697, in the amount of \$429,611.50, 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 \$429,611.50; NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we do hereby authorize release of \$429,611.50; 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 Performance Bond with Montgomery Township in total sum of \$501,722.65 pursuant to a signed Land Development Agreement and that \$0.00 has previously been released from escrow. Therefore, the action of the Board releasing said sum leaves a new balance of \$72,111.15 in escrow.

MOTION BY: _____

VOTE: _____

SECOND BY: _____

DATED: _____

RELEASED BY: _____

Department Director

PROJECT NAME	Water Tower Square Redevelopment	TOTAL ENGIN/SP/LEGAL (CASH ESCROW)	\$ 40,000.00	MONTGOMERY TOWNSHIP
PROJECT OWNER:	Water Tower Square Associates	TOTAL ADMINISTRATION (CASH ESCROW):	\$ 5,000.00	TOWNSHIP NO.: LDS-697
ESCROW AGENT:	North American Specialty			G&A PROJECT NO.: 2018-03056-01
TYPE OF SECURITY:	Performance Bond	MAINTENANCE BOND AMOUNT (15%):	\$ 68,416.73	AGREEMENT DATE: 17-Dec-2018

SUMMARY OF IMPROVEMENT ESCROW ACCOUNT	TOTAL COST	RELEASE REQUESTS			BALANCE
		CURRENT	PRIOR	TOTAL	
CONSTRUCTION	\$456,111.50	\$ 429,611.50	\$ -	\$ 429,611.50	\$ 26,500.00
CONTINGENCY (10%)	\$ 45,611.15	\$ -	\$ -	\$ -	\$ 45,611.15
TOTAL	\$501,722.65	\$ 429,611.50	\$ -	\$ 429,611.50	\$72,111.15

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. SOIL EROSION AND SEDIMENT CONTROL												
1. Construction Entrance	SF	2,500	\$ 1.00	\$ 2,500.00	2,500	\$ 2,500.00	\$ -	\$ -	2,500	\$ 2,500.00	\$ -	\$ -
2. 18" Silt Fence	LF	496	\$ 3.75	\$ 1,860.00	496	\$ 1,860.00	\$ -	\$ -	496	\$ 1,860.00	\$ -	\$ -
3. Filter Sock	LF	226	\$ 3.75	\$ 847.50	226	\$ 847.50	\$ -	\$ -	226	\$ 847.50	\$ -	\$ -
4. Inlet Protection	EA	9	\$ 250.00	\$ 2,250.00	9	\$ 2,250.00	\$ -	\$ -	9	\$ 2,250.00	\$ -	\$ -
5. Dust Control	LS	1	\$ 5,000.00	\$ 5,000.00	1	\$ 5,000.00	\$ -	\$ -	1	\$ 5,000.00	\$ -	\$ -
6. Tree Protection Fence	LF	600	\$ 2.75	\$ 1,650.00	600	\$ 1,650.00	\$ -	\$ -	600	\$ 1,650.00	\$ -	\$ -
7. Remove E&S Measures	LS	1	\$ 1,000.00	\$ 1,000.00	1	\$ 1,000.00	\$ -	\$ -	1	\$ 1,000.00	\$ -	\$ -
C. EARTHWORK												
1. Cut to Fill	CY	120	\$ 4.00	\$ 480.00	120	\$ 480.00	\$ -	\$ -	120	\$ 480.00	\$ -	\$ -
2. Strip Topsoil, 6 inch Depth	CY	260	\$ 6.00	\$ 1,560.00	260	\$ 1,560.00	\$ -	\$ -	260	\$ 1,560.00	\$ -	\$ -
3. Temporary Seeding	SF	14,050	\$ 0.50	\$ 7,025.00	14,050	\$ 7,025.00	\$ -	\$ -	14,050	\$ 7,025.00	\$ -	\$ -
4. Fine Grading	SY	812	\$ 1.00	\$ 812.00	812	\$ 812.00	\$ -	\$ -	812	\$ 812.00	\$ -	\$ -
D. STORM SEWER												
1. 3 inch HDPE Pipe	LF	38	\$ 27.00	\$ 1,026.00	38	\$ 1,026.00	\$ -	\$ -	38	\$ 1,026.00	\$ -	\$ -
2. 4 inch HDPE Pipe	LF	18	\$ 30.00	\$ 540.00	18	\$ 540.00	\$ -	\$ -	18	\$ 540.00	\$ -	\$ -
3. 5 inch HDPE Pipe	LF	108	\$ 33.00	\$ 3,564.00	108	\$ 3,564.00	\$ -	\$ -	108	\$ 3,564.00	\$ -	\$ -
4. 6 inch HDPE Pipe (Underdrain)	LF	151	\$ 35.00	\$ 5,285.00	151	\$ 5,285.00	\$ -	\$ -	151	\$ 5,285.00	\$ -	\$ -
5. 15 inch HDPE Pipe	LF	319	\$ 50.00	\$ 15,950.00	319	\$ 15,950.00	\$ -	\$ -	319	\$ 15,950.00	\$ -	\$ -
6. 24 inch HDPE Pipe	LF	97	\$ 60.00	\$ 5,820.00	97	\$ 5,820.00	\$ -	\$ -	97	\$ 5,820.00	\$ -	\$ -
7. 42 inch HDPE Pipe	LF	264	\$ 120.00	\$ 31,680.00	264	\$ 31,680.00	\$ -	\$ -	264	\$ 31,680.00	\$ -	\$ -
8. Inlet	EA	7	\$ 2,500.00	\$ 17,500.00	7	\$ 17,500.00	\$ -	\$ -	7	\$ 17,500.00	\$ -	\$ -
9. Manhole	EA	2	\$ 2,500.00	\$ 5,000.00	2	\$ 5,000.00	\$ -	\$ -	2	\$ 5,000.00	\$ -	\$ -
10. Outlet Control Structure	EA	2	\$ 5,000.00	\$ 10,000.00	2	\$ 10,000.00	\$ -	\$ -	2	\$ 10,000.00	\$ -	\$ -
11. Connect to Existing Storm	EA	1	\$ 1,500.00	\$ 1,500.00	1	\$ 1,500.00	\$ -	\$ -	1	\$ 1,500.00	\$ -	\$ -
12. Cleanout	EA	6	\$ 350.00	\$ 2,100.00	6	\$ 2,100.00	\$ -	\$ -	6	\$ 2,100.00	\$ -	\$ -
13. Bioretention Soil	CY	69	\$ 50.00	\$ 3,450.00	69	\$ 3,450.00	\$ -	\$ -	69	\$ 3,450.00	\$ -	\$ -
E. SITE IMPROVEMENTS												
1. Concrete Curb (w/4 inch stone base)	LF	1,592	\$ 15.00	\$ 23,880.00	1,592	\$ 23,880.00	\$ -	\$ -	1,592	\$ 23,880.00	\$ -	\$ -
2. Concrete Sidewalk (4,000 psi Concrete)	SY	434	\$ 35.00	\$ 15,190.00	434	\$ 15,190.00	\$ -	\$ -	434	\$ 15,190.00	\$ -	\$ -
3. ADA/PennDOT Compliant Ramp	EA	11	\$ 3,000.00	\$ 33,000.00	7	\$ 21,000.00	\$ -	\$ -	7	\$ 21,000.00	4.00	\$ 12,000.00
4. 1.5 in. Wearing Course	SY	5,122	\$ 8.00	\$ 40,976.00	5,122	\$ 40,976.00	\$ -	\$ -	5,122	\$ 40,976.00	\$ -	\$ -
5. 1.5 in. Base Course	SY	5,122	\$ 9.00	\$ 46,098.00	5,122	\$ 46,098.00	\$ -	\$ -	5,122	\$ 46,098.00	\$ -	\$ -
6. 8 in. 2A Stone	SY	1,140	\$ 10.00	\$ 11,400.00	1,140	\$ 11,400.00	\$ -	\$ -	1,140	\$ 11,400.00	\$ -	\$ -
7. 10 in. 2A Stone	SY	3,982	\$ 12.00	\$ 47,784.00	3,982	\$ 47,784.00	\$ -	\$ -	3,982	\$ 47,784.00	\$ -	\$ -
8. Trash Enclosure	EA	1	\$ 16,000.00	\$ 16,000.00	1	\$ 16,000.00	\$ -	\$ -	1	\$ 16,000.00	\$ -	\$ -
9. Traffic Control Signs Mounted on Poles	EA	26	\$ 250.00	\$ 6,500.00	26	\$ 6,500.00	\$ -	\$ -	26	\$ 6,500.00	\$ -	\$ -

PROJECT NAME: Water Tower Square Redevelopment	TOTAL ENGINEERING (CASH ESCROW): \$ 40,000.00	MONTGOMERY TOWNSHIP
PROJECT OWNER: Water Tower Square Associates	TOTAL ADMINISTRATION (CASH ESCROW): \$ 5,000.00	TOWNSHIP NO. LDS-697
ESCROW AGENT: North American Specialty		G&A PROJECT NO. 2018-03056-01
TYPE OF SECURITY: Performance Bond	MAINTENANCE BOND AMOUNT (15%): \$ 68,416.73	AGREEMENT DATE 17-Dec-2018

SUMMARY OF IMPROVEMENT ESCROW ACCOUNT	TOTAL COST	RELEASE REQUESTS			BALANCE
		CURRENT	PRIOR	TOTAL	
CONSTRUCTION	\$458,111.50	\$ 429,611.50	\$ -	\$ 429,611.50	\$ 26,500.00
CONTINGENCY (10%)	\$ 45,611.15	\$ -	\$ -	\$ -	\$ 45,611.15
TOTAL	\$501,722.65	\$ 429,611.50	\$ -	\$ 429,611.50	\$72,111.15

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
F. LIGHTING & LANDSCAPING												
Lights												
1. Pole Mounted Area Light	EA	3	\$ 3,000.00	\$ 9,000.00		\$ -		\$ -			3.00	\$ 9,000.00
2. Wall Mounted Area Light	EA	1	\$ 500.00	\$ 500.00		\$ -		\$ -			1.00	\$ 500.00
Shade Trees												
3. Acer rubrum 'October Glory' (3 inch cal. min.)	EA	7	\$ 600.00	\$ 4,200.00	7.00	\$ 4,200.00		\$ -	7.00	\$ 4,200.00		\$ -
4. Acer saccharum (3 inch cal. min.)	EA	6	\$ 600.00	\$ 3,600.00	6.00	\$ 3,600.00		\$ -	6.00	\$ 3,600.00		\$ -
5. Gleditsia triacanthos var. inermis (3 inch cal. min.)	EA	2	\$ 600.00	\$ 1,200.00	2.00	\$ 1,200.00		\$ -	2.00	\$ 1,200.00		\$ -
6. Nyssa sylvatica (3 inch cal. min.)	EA	4	\$ 600.00	\$ 2,400.00	4.00	\$ 2,400.00		\$ -	4.00	\$ 2,400.00		\$ -
7. Zelkova serrata 'Green Vase' (3 inch cal. min.)	EA	2	\$ 600.00	\$ 1,200.00	2.00	\$ 1,200.00		\$ -	2.00	\$ 1,200.00		\$ -
Evergreen Trees												
8. Ilex opaca (6 ft. - 8 ft. Ht.)	EA	6	\$ 550.00	\$ 3,300.00	6.00	\$ 3,300.00		\$ -	6.00	\$ 3,300.00		\$ -
Evergreen Shrubs												
9. Ilex x meserveae 'China Girl' (30 - 36 in. Ht.)	EA	2	\$ 90.00	\$ 180.00	2.00	\$ 180.00		\$ -	2.00	\$ 180.00		\$ -
10. Ilex glabra compacta (24 - 30 in. Ht.)	EA	85	\$ 90.00	\$ 7,650.00	85.00	\$ 7,650.00		\$ -	85.00	\$ 7,650.00		\$ -
11. Myrica pensylvanica (30 - 36 in. Ht.)	EA	5	\$ 90.00	\$ 450.00	5.00	\$ 450.00		\$ -	5.00	\$ 450.00		\$ -
Deciduous Shrubs												
12. Aronia melanocarpa (30 - 36 in. Ht.)	EA	19	\$ 90.00	\$ 1,710.00	19.00	\$ 1,710.00		\$ -	19.00	\$ 1,710.00		\$ -
13. Clethra alnifolia 'Hummingbird' (30 - 36 in. Ht.)	EA	46	\$ 90.00	\$ 4,140.00	46.00	\$ 4,140.00		\$ -	46.00	\$ 4,140.00		\$ -
14. Ceanothus americanus (30 - 36 in. Ht.)	EA	51	\$ 90.00	\$ 4,590.00	51.00	\$ 4,590.00		\$ -	51.00	\$ 4,590.00		\$ -
15. Fothergilla gardenii (30 - 36 in. Ht.)	EA	6	\$ 90.00	\$ 540.00	6.00	\$ 540.00		\$ -	6.00	\$ 540.00		\$ -
16. Hydrangea paniculata 'Little Lime' (30 - 36 in. Ht.)	EA	27	\$ 90.00	\$ 2,430.00	27.00	\$ 2,430.00		\$ -	27.00	\$ 2,430.00		\$ -
17. Itea virginica 'Henry's Garnet'	EA	9	\$ 90.00	\$ 810.00	9.00	\$ 810.00		\$ -	9.00	\$ 810.00		\$ -
18. Ilex verticillata 'Jim Dandy' (30 - 36 in. Ht.)	EA	9	\$ 90.00	\$ 810.00	9.00	\$ 810.00		\$ -	9.00	\$ 810.00		\$ -
19. Ilex verticillata 'Red Sprite' (30 - 36 in. Ht.)	EA	62	\$ 90.00	\$ 5,580.00	62.00	\$ 5,580.00		\$ -	62.00	\$ 5,580.00		\$ -
20. Viburnum acerifolium (30 - 36 in. Ht.)	EA	27	\$ 90.00	\$ 2,430.00	27.00	\$ 2,430.00		\$ -	27.00	\$ 2,430.00		\$ -
Ground Cover, Perennials, & Ornamental Grasses												
21. Liriope spicata (1 Gal.)	EA	982	\$ 12.00	\$ 11,784.00	982.00	\$ 11,784.00		\$ -	982.00	\$ 11,784.00		\$ -
22. Calamintha nepeta 'White Cloud' (1 gal.)	EA	125	\$ 20.00	\$ 2,500.00	125.00	\$ 2,500.00		\$ -	125.00	\$ 2,500.00		\$ -
23. Pennisetum alopecuroides 'Hamel' (1 gal.)	EA	278	\$ 10.00	\$ 2,780.00	278.00	\$ 2,780.00		\$ -	278.00	\$ 2,780.00		\$ -
G. MISCELLANEOUS												
1. Striping	LS	1	\$ 4,600.00	\$ 4,600.00	1.00	\$ 4,600.00		\$ -	1.00	\$ 4,600.00		\$ -
2. Construction Stakeout	LS	1	\$ 3,500.00	\$ 3,500.00	1.00	\$ 3,500.00		\$ -	1.00	\$ 3,500.00		\$ -
3. As-Built Plans	LS	1	\$ 5,000.00	\$ 5,000.00		\$ -		\$ -		\$ -	1.00	\$ 5,000.00
H. CONTINGENCY												
1. 10% Contingency	LS	1	\$ 45,611.15	\$ 45,611.15		\$ -		\$ -		\$ -	1.00	\$ 45,611.15
(Released upon certification of completion and receipt of Maintenance Bond)												



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

November 18, 2019

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

**SUBJECT: WATER TOWER SQUARE REDEVELOPMENT
START OF MAINTENANCE INSPECTION 01
TOWNSHIP NO. LD/S- NO. 697
PROJECT NO. 1855327R**

Dear Mr. Dougherty:

Please be advised that on November 14, 2019, I conducted an inspection of plant material installed at the Miller Ale House land development, in accordance with the approved plans, prepared by Langan Engineering and Environmental Services, Inc. dated April 23, 2018 and last revised August 6, 2018, and as requested on November 4, 2019 by John Williamson of the Goldenberg Group.

All landscape material has been provided in accordance with the approved landscape plans, and is of acceptable size, species and condition to begin the maintenance period, with the exception of the basin seed mix. It is our understanding that the basin has been seeded with a winter mix at this time and the basin seed mix is to be installed in the spring in accordance with the manufacturer's recommendations. A copy or photo of the seed tag shall be provided at the time of the seed installation to confirm the planting of the required seed mix. In addition, one (1) additional Zelkova tree has been added to the perimeter of the property to offset several undersized trees planted at the site.

The maintenance period for landscaping will not begin until authorization is granted by the Board of Supervisors at their regularly scheduled meeting. If you have questions or require additional information, please do not hesitate to contact me.

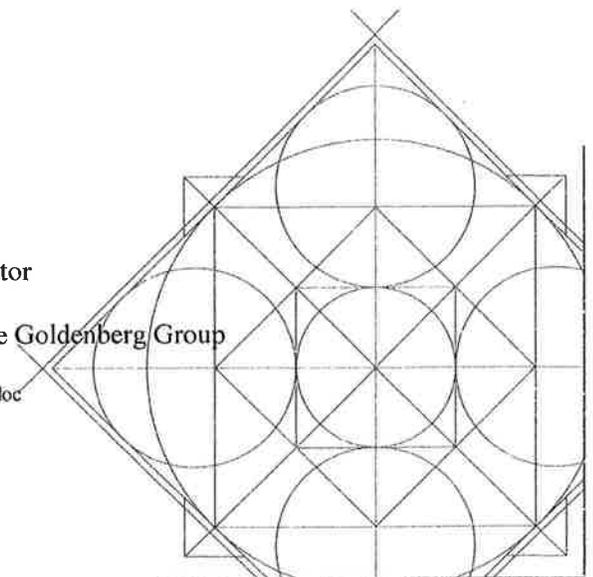
Sincerely,

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

VLL/kam

ec: Board of Supervisors
Bruce Shoupe, Director of Planning and Zoning
Mary L. Gambino, Project Coordinator/ Permits Administrator
Marianne McConnell, Deputy Zoning Officer
Robert W. Freedman, Esq., Water Tower Associates c/o The Goldenberg Group
John Williamson, The Goldenberg Group

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TRAFFIC PLANNING AND DESIGN, INC.

WWW.TRAFFICPD.COM

December 5, 2019

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’s Ale House)
Site Lighting Substitution Observations
Montgomery Township, Montgomery County, PA
TPD No. MOTO.00121

Dear Bruce:

In our role as Township Traffic/Street Lighting Engineer, Traffic Planning and Design, Inc. (TPD) was tasked with completing visual lighting observations of Water Tower Square’s Miller’s Ale House site lighting installations to-date. The visual observations were conducted on December 4, 2019 with TPD performing daytime and nighttime observations. Based on TPD’s visual observations, we offer the following comments:

All site lighting locations are based off plans for Water Tower Square Redevelopment prepared by Langan; last revised October 9, 2019.

Site Lighting Observations

- Three (3) pole mounted Type “A” lights and one (1) wall mounted Type “B” luminaire were observed to be installed.
 - The installed Type “A” lights were observed not to comply with the “Light Pole Foundation” detail on sheet LL-501 concerning offset from the curbline.
 - In our opinion, this is acceptable as the foundations extend at least 30” above the adjacent pavement, complying with the Montgomery Township Street Lighting Specification Section 1.4.b.
 - Per the lighting plan, last revised October 9, 2019, one (1) wall mounted Type “C” luminaire was observed not to be installed.
 - See Picture No. 1 enclosed with this letter.
 - One (1) wall luminaire identified as Type “B” at the western side of the building was observed to be installed at a mounting height lower than the 16’ mounting height indicated within the Site Lighting Schedule.
 - TPD recommends an as-built lighting analysis be prepared accounting for the Type “B” fixture modeled at its installed mounting height in relation to the surrounding grade.
 - See Picture No. 2 enclosed with this letter.

Mr. Bruce S. Shoupe
December 5, 2019
Page 2

- Wall mounted luminaires, not shown on the latest plan, were observed on the north and east sides of the building. Note that if an as-built lighting analysis is to be performed, please include these and all as-built lighting fixtures.
 - The Montgomery Township Street Lighting Specification Section 1.2.c states that the use of fixtures not meeting IESNA full-cutoff criteria shall be permitted only with the approval of the Municipality.
 - See Picture Nos. 1 and 3 enclosed with this letter.
- Site Lights were observed to be on and operating after normal hours of operation at 1:00 AM.
 - This operation does not comply with lighting note #5, on the latest approved plan sheet LL-101.
- Advertising signs and building signs were observed to be on and operating after normal hours of operation at 1:00 AM.
 - This operation does not comply with lighting note #6, on the latest approved plan sheet LL-101.
- All landscaping shall be maintained as necessary to ensure that required illumination levels are provided at all times.
 - See Picture Nos. 4 & 5 enclosed with this letter.

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

Sincerely,



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

Encl. TPD Observations Pictures

CC: Larry Gregan, Township Manager
Carolyn McCreary, Township Manager Designee
Mary Gambino, Township Project Coordinator
Kevin Costello, Township Public Works Director
Russ Dunlevy, P.E., Township Engineer
Kevin Johnson, P.E., TPD
Jerry Baker, P.E., TPD
Eric Hammond, TPD
Brian Conlon, P.E., Langan
Scott Denlinger, Esq., Wisler Pearlstine, LLP

Mr. Bruce S. Shoupe
December 5, 2019
Page 3

Picture No .1



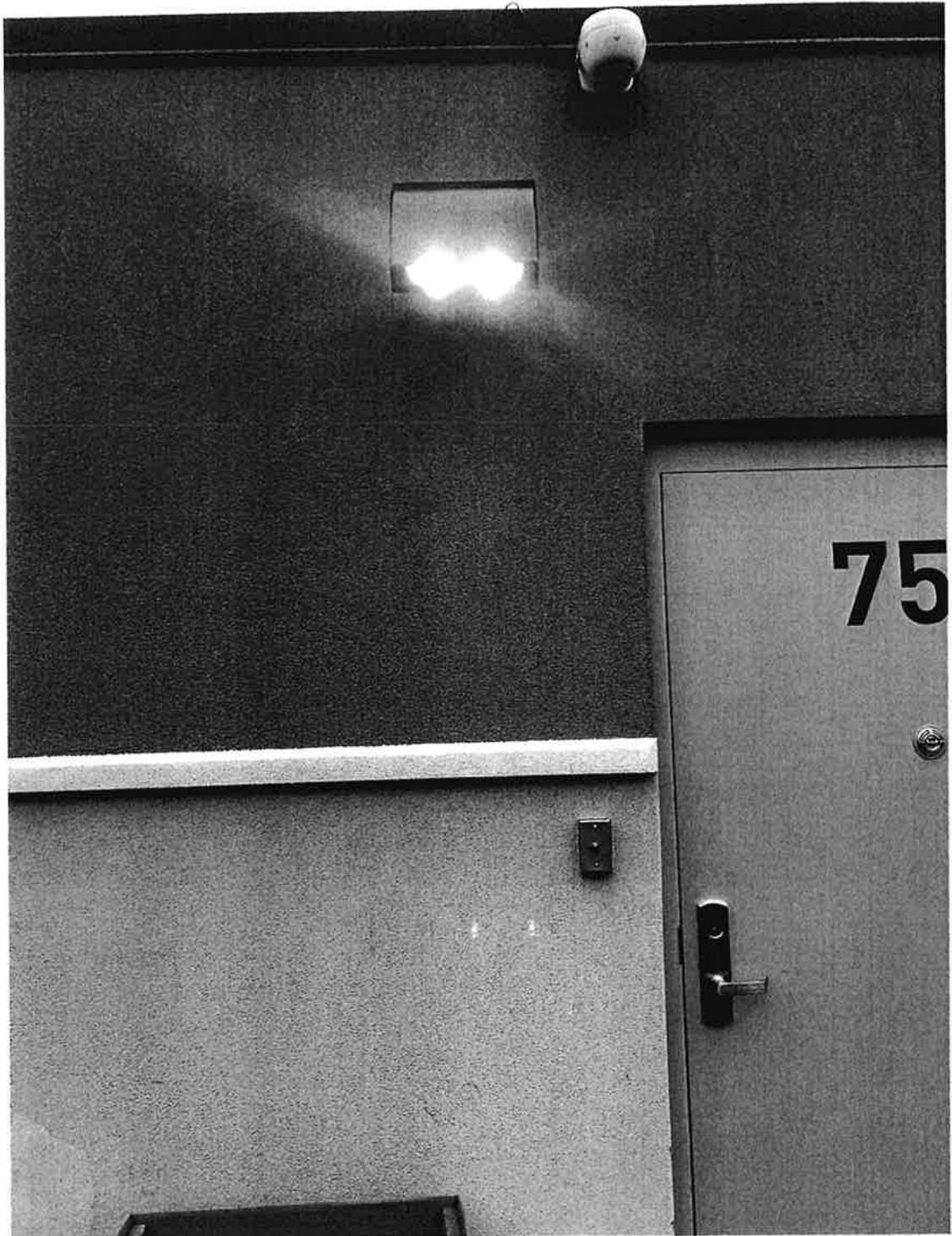
Mr. Bruce S. Shoupe
December 5, 2019
Page 4

Picture No. 2



Mr. Bruce S. Shoupe
December 5, 2019
Page 5

Picture No. 3



Mr. Bruce S. Shoupe
December 5, 2019
Page 6

Picture No. 4



Mr. Bruce S. Shoupe
December 5, 2019
Page 7

Picture No. 5



MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Escrow Release 1 – M-17-99 - RMS Development Company, LP –
150 Domorah Drive

MEETING DATE: December 16, 2019

ITEM NUMBER: # 20

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: Michael J. Fox
Chairman

BACKGROUND:

Attached is a construction escrow release requested by RMS Development Company, LP, as recommended by the Township Engineer.

The original amount of the construction escrow for was \$ 176,744.89, held as a cash escrow with the Township. This is the first release for in the amount of \$ 152,177.17. The new balance would be \$ 24,567.72.

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 \$ 152,177.17, as recommended by the Township Engineer for the RMS Development Company, LP.

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.



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

December 10, 2019

File No. 2018-01170

Lawrence J. Gregan, Manager
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936-9605

Reference: Timberlane, Inc. / RMS Development Company, LP – #M-17-99
Escrow Release 1

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 \$152,177.17 have been completed. Please find enclosed a copy of our escrow calculations and the application for release of funds for your use.

We recommend that prior to any future releases that the Developer provide an as-built for review and approval, repair the forebay, and provide maintenance security in the amount of \$24,101.58.

Please be advised that these improvements will be subject to a final inspection at the end of the maintenance period. Any deficiencies will be required to be corrected by the developer.

Should you have any further questions or require any additional information, please do not hesitate to contact our office.

Sincerely,

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

JPD/si

Enclosure: Release of Escrow Form (12/10/19), Summary of Improvement Escrow Account (12/10/19),
Boucher & James Start of Maintenance and Escrow Release Inspection 1 letter (12/6/19)

cc: Carolyn McCreary, Township Manager Designee
Bruce S. Shoupe, Director of Planning and Zoning
Marianne McConnell, Deputy Zoning Officer – Montgomery Township
Mary Gambino, Project Coordinator - Montgomery Township
Frank R. Bartle, Esq., Solicitor – Dischell Bartle & Dooley, PC
Judith Stern Goldstein, ASLA, R.L.A. – Boucher & James, Inc.
Rick Skidmore – Timberlane, Inc.
Christen G. Pionzio, Esq. – HRMM&L
Russell S. Dunlevy, P.E., Senior Executive Vice President – Gilmore & Associates, Inc.
Brian Dusault, Construction Services Manager - Gilmore & Associates, Inc.

65 East Butler Avenue | Suite 100 | New Britain, PA 18901 | Phone: 215-345-4330 | Fax: 215-345-8606

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: 12/02/2019

Development: 150 Domorah Drive - Parking Lot Improvements - M-17-99
Release #: 1

G&A Project #: 2018-01170

Dear Mr. Dougherty:

This is an escrow release request in the amount of \$152,177.17. Enclosed is a copy of our escrow spreadsheet with the quantities noted.

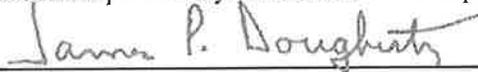
ESCROW RELEASE REQUESTS ARE LIMITED TO ONE PER MONTH.

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

Date: 12/10/2019

Dear Mr. Gregan:

We have reviewed the developer's request for an escrow release. We therefore, recommend that \$152,177.17 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.



12/10/19

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

Resolution # _____

WHEREAS, a request for release of escrow was received from Timberlane, Inc. for 150 Domorah Drive - Parking Lot Improvements - M-17-99, in the amount of \$152,177.17, 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 \$152,177.17; NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we do hereby authorize release of \$152,177.17; in accordance with the developer's request, and the officers of the Township are authorized to take the necessary action to obtain release of said sum. BE IT FURTHER RESOLVED that Township records indicate that escrow has been deposited via Cash with Montgomery Township in total sum of \$176,744.89 pursuant to a signed Land Development Agreement and that \$0.00 has previously been released from escrow. Therefore, the action of the Board releasing said sum leaves a new balance of \$24,567.72 in escrow.

MOTION BY: _____

VOTE: _____

SECOND BY: _____

DATED: _____

RELEASED BY: _____

Department Director



ESCROW RELEASE NO. 1
DATE PREPARED: 10-Dec-2019

PROJECT NAME: 150 Dornorah Drive - Parking Lot Improvements	TOTAL ENG/INS/LEGAL (CASH ESCROW): \$ 16,100.00	MONTGOMERY TOWNSHIP
PROJECT OWNER: Timberlane, Inc.	TOTAL ADMINISTRATION (CASH ESCROW): \$ 3,000.00	TOWNSHIP NO.: M-17-99
ESCROW AGENT: Montgomery Township		G&A PROJECT NO.: 2018-01170
TYPE OF SECURITY: Cash	MAINTENANCE BOND AMOUNT (15%): \$ 24,101.58	AGREEMENT DATE: 7-Jun-2019

SUMMARY OF IMPROVEMENT ESCROW ACCOUNT	TOTAL COST	RELEASE REQUESTS			BALANCE
		CURRENT	PRIOR	TOTAL	
CONSTRUCTION	\$ 160,677.17	\$ 152,177.17	\$ -	\$ 152,177.17	\$ 8,500.00
CONTINGENCY (10%)	\$ 16,067.72	\$ -	\$ -	\$ -	\$ 16,067.72
TOTAL	\$ 176,744.89	\$ 152,177.17	\$ -	\$ 152,177.17	\$ 24,567.72

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
A. SOIL EROSION AND SEDIMENT CONTROL												
1. Construction Entrance	SF	1,250	\$ 1.00	\$ 1,250.00	1,250	\$ 1,250.00	\$ -	\$ -	1,250	\$ 1,250.00	\$ -	\$ -
2. 12 in. Filter Sock	LF	123	\$ 3.75	\$ 461.25	123	\$ 461.25	\$ -	\$ -	123	\$ 461.25	\$ -	\$ -
3. 18 in. Filter Sock	LF	213	\$ 5.75	\$ 1,224.75	213	\$ 1,224.75	\$ -	\$ -	213	\$ 1,224.75	\$ -	\$ -
4. Temporary Seed Stockpiles	SF	790	\$ 0.04	\$ 31.60	790	\$ 31.60	\$ -	\$ -	790	\$ 31.60	\$ -	\$ -
5. Tree Protection Fence	LF	875	\$ 2.75	\$ 2,406.25	875	\$ 2,406.25	\$ -	\$ -	875	\$ 2,406.25	\$ -	\$ -
6. Remove E&S Measures	LS	1	\$ 500.00	\$ 500.00	1	\$ 500.00	\$ -	\$ -	1	\$ 500.00	\$ -	\$ -
B. STORMWATER												
1. 15 in. HDPE Pipe	LF	32	\$ 38.00	\$ 1,216.00	32	\$ 1,216.00	\$ -	\$ -	32	\$ 1,216.00	\$ -	\$ -
2. 24 in. HDPE Pipe	LF	154	\$ 49.00	\$ 7,546.00	154	\$ 7,546.00	\$ -	\$ -	154	\$ 7,546.00	\$ -	\$ -
3. UG Detention System (StormTank ST-24) 24 in. ht.	SF	1600	\$ 30.00	\$ 48,000.00	1,500	\$ 45,000.00	\$ -	\$ -	1,500	\$ 45,000.00	100	\$ 3,000.00
4. Inspection Port	EA	3	\$ 300.00	\$ 900.00	3	\$ 900.00	\$ -	\$ -	3	\$ 900.00	\$ -	\$ -
5. Type 'C' Inlet	EA	1	\$ 2,500.00	\$ 2,500.00	1	\$ 2,500.00	\$ -	\$ -	1	\$ 2,500.00	\$ -	\$ -
6. Storm Manhole	EA	2	\$ 2,665.00	\$ 5,330.00	2	\$ 5,330.00	\$ -	\$ -	2	\$ 5,330.00	\$ -	\$ -
7. Outlet Control Structure (OS-1)	EA	1	\$ 3,250.00	\$ 3,250.00	1	\$ 3,250.00	\$ -	\$ -	1	\$ 3,250.00	\$ -	\$ -
8. Connect to Existing Endwall	LS	1	\$ 1,000.00	\$ 1,000.00	1	\$ 1,000.00	\$ -	\$ -	1	\$ 1,000.00	\$ -	\$ -
9. Construct Forebay	LS	1	\$ 2,500.00	\$ 2,500.00		\$ -	\$ -	\$ -		\$ -	1	\$ 2,500.00
10. Split Rail Fence & Gate	LF	375	\$ 18.00	\$ 6,750.00	375	\$ 6,750.00	\$ -	\$ -	375	\$ 6,750.00	\$ -	\$ -
C. SITE IMPROVEMENTS												
1. Concrete Curb	LF	206	\$ 20.00	\$ 4,120.00	206	\$ 4,120.00	\$ -	\$ -	206	\$ 4,120.00	\$ -	\$ -
2. Concrete Wheel Stop	EA	12	\$ 125.00	\$ 1,500.00	12	\$ 1,500.00	\$ -	\$ -	12	\$ 1,500.00	\$ -	\$ -
3. Fine Grade Parking Area	SY	942	\$ 3.50	\$ 3,297.00	942	\$ 3,297.00	\$ -	\$ -	942	\$ 3,297.00	\$ -	\$ -
4. 8 inch 2A Stone Subbase	SY	942	\$ 10.00	\$ 9,420.00	942	\$ 9,420.00	\$ -	\$ -	942	\$ 9,420.00	\$ -	\$ -
5. 3 inch 25.0mm Base Course	SY	942	\$ 9.50	\$ 8,949.00	942	\$ 8,949.00	\$ -	\$ -	942	\$ 8,949.00	\$ -	\$ -
6. Sweep & Tack	SY	942	\$ 1.00	\$ 942.00	942	\$ 942.00	\$ -	\$ -	942	\$ 942.00	\$ -	\$ -
7. 1.5 inch 9.5mm Wearing Course	SY	942	\$ 8.50	\$ 8,007.00	942	\$ 8,007.00	\$ -	\$ -	942	\$ 8,007.00	\$ -	\$ -
D. LANDSCAPING												
<i>Shade Trees</i>												
1. Ginkgo biloba 'Princeton Sentry' 3 in. cal.	EA	3	\$ 600.00	\$ 1,800.00	3	\$ 1,800.00	\$ -	\$ -	3	\$ 1,800.00	\$ -	\$ -
2. Melaleuca glyptostroboides 3 in. cal.	EA	5	\$ 600.00	\$ 3,000.00	5	\$ 3,000.00	\$ -	\$ -	5	\$ 3,000.00	\$ -	\$ -
3. Zelkova serrata 3 in. cal.	EA	5	\$ 600.00	\$ 3,000.00	5	\$ 3,000.00	\$ -	\$ -	5	\$ 3,000.00	\$ -	\$ -
<i>Evergreen Trees</i>												
4. Picea pungens 8 - 10 ft. ht.	EA	6	\$ 656.37	\$ 3,938.22	6	\$ 3,938.22	\$ -	\$ -	6	\$ 3,938.22	\$ -	\$ -
5. Thuja occidentalis 'Emerald Green' 8 - 10 ft. ht.	EA	12	\$ 550.00	\$ 6,600.00	12	\$ 6,600.00	\$ -	\$ -	12	\$ 6,600.00	\$ -	\$ -
<i>Shrubs</i>												
6. Ilex glabra 24 in. ht.	EA	26	\$ 90.00	\$ 2,340.00	26	\$ 2,340.00	\$ -	\$ -	26	\$ 2,340.00	\$ -	\$ -
7. Itea virginica 30 in. ht.	EA	13	\$ 90.00	\$ 1,170.00	13	\$ 1,170.00	\$ -	\$ -	13	\$ 1,170.00	\$ -	\$ -
8. Spiraea japonica 'Anthony Waterer' 30 in. ht.	EA	6	\$ 90.00	\$ 540.00	6	\$ 540.00	\$ -	\$ -	6	\$ 540.00	\$ -	\$ -
9. Cornus sericea 30 in. ht.	EA	8	\$ 90.00	\$ 720.00	8	\$ 720.00	\$ -	\$ -	8	\$ 720.00	\$ -	\$ -
10. Aronia arbutifolia 30 in. ht.	EA	6	\$ 90.00	\$ 540.00	6	\$ 540.00	\$ -	\$ -	6	\$ 540.00	\$ -	\$ -
11. Clethra alnifolia 30 in. ht.	EA	6	\$ 90.00	\$ 540.00	6	\$ 540.00	\$ -	\$ -	6	\$ 540.00	\$ -	\$ -



ESCROW RELEASE NO. 1

DATE PREPARED: 10-Dec-2019

PROJECT NAME: 150 Dornotah Drive - Parking Lot Improvements	TOTAL ENGINEERING (CASH ESCROW): \$ 16,100.00	MONTGOMERY TOWNSHIP
PROJECT OWNER: Timberlane, Inc.	TOTAL ADMINISTRATION (CASH ESCROW): \$ 3,000.00	TOWNSHIP NO.: M-17-99
ESCROW AGENT: Montgomery Township		G&A PROJECT NO.: 2018-01170
TYPE OF SECURITY: Cash	MAINTENANCE BOND AMOUNT (15%): \$ 24,101.58	AGREEMENT DATE: 7-Jun-2019

SUMMARY OF IMPROVEMENT ESCROW ACCOUNT	TOTAL COST	RELEASE REQUESTS		TOTAL	BALANCE
		CURRENT	PRIOR		
CONSTRUCTION	\$ 160,677.17	\$ 152,177.17	\$ -	\$ 152,177.17	\$ 8,500.00
CONTINGENCY (10%)	\$ 16,067.72	\$ -	\$ -	\$ -	\$ 16,067.72
TOTAL	\$ 176,744.89	\$ 152,177.17	\$ -	\$ 152,177.17	\$ 24,567.72

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
D. LANDSCAPING (continued)												
12 Viburnum dentatum	30 in. H.	EA	8 \$ 90.00	\$ 720.00	8.00	\$ 720.00		\$ -	8.00	\$ 720.00		\$ -
<i>Other</i>												
13. Aged hardwood bark mulch		SY	250 \$ 9.49	\$ 2,372.50	250.00	\$ 2,372.50		\$ -	250.00	\$ 2,372.50		\$ -
14. Planting soil & Baxfill Mixture		CY	30 \$ 41.31	\$ 1,239.30	30.00	\$ 1,239.30		\$ -	30.00	\$ 1,239.30		\$ -
15. Excavating/Planting Pits/Planting Beds		CY	30 \$ 61.71	\$ 1,851.30	30.00	\$ 1,851.30		\$ -	30.00	\$ 1,851.30		\$ -
16. Tree Guying/Staking		EA	21 \$ 75.00	\$ 1,575.00	21.00	\$ 1,575.00		\$ -	21.00	\$ 1,575.00		\$ -
17. Tree Removal		EA	2 \$ 315.00	\$ 630.00	2.00	\$ 630.00		\$ -	2.00	\$ 630.00		\$ -
E. MISCELLANEOUS												
1. Signage & Striping		LS	1 \$ 1,500.00	\$ 1,500.00	1.00	\$ 1,500.00		\$ -	1.00	\$ 1,500.00		\$ -
2. Construction Stakeout		LS	1 \$ 2,500.00	\$ 2,500.00	1.00	\$ 2,500.00		\$ -	1.00	\$ 2,500.00		\$ -
3. As-Built Plans		LS	1 \$ 3,000.00	\$ 3,000.00		\$ -		\$ -		\$ -	1.00	\$ 3,000.00
F. CONTINGENCY												
1. 10% Contingency		LS	1	\$ 16,067.72		\$ -		\$ -		\$ -	1.00	\$ 16,067.72
<small>(Released upon certification of completion and receipt of Maintenance Bond)</small>												



Boucher & James, Inc.
CONSULTING ENGINEERS

AN EMPLOYEE OWNED COMPANY
INNOVATIVE ENGINEERING

Fountainville Professional Building
1456 Ferry Road, Building 509
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

December 6, 2019

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

**SUBJECT: 150 DOMORAH DRIVE – TIMBERLANE, INC.
START OF MAINTENANCE AND ESCROW RELEASE INSPECTION 1
TOWNSHIP NO. M-17-99
PROJECT NO. 1855322R**

Dear Mr. Dougherty:

Please be advised that on Wednesday December 4, 2019 I conducted an inspection of plant material installed at the Timberlane Land Development, 150 Domorah Drive, in accordance with the approved plans prepared by Renew Design Group, dated January 24, 2018 and last revised October 23, 2018, and as requested by the property owner on December 2, 2019.

All landscape material has been provided in accordance with the approved landscape plans, and is of acceptable size, species and condition to begin the maintenance period, with the exception of the following two work items, which the Landscape Contractor has requested he be permitted to perform in spring of 2020:

1. Bindings and burlap must be removed from the top of all tree root balls. The contractor has requested to perform this work in spring due to his concerns with removing these items when the trees are dormant.
2. Plug plants must be installed in the basin area. It is our understanding that the plug plantings have not been installed due to dewatering issues with the basin. Escrow has not been established for these plug plantings.

Based on our review of this escrow release request, we recommend an escrow release amount of **Thirty-Four Thousand Nine Hundred Eighty-Two Dollars and Fifty-Seven Cents (\$34,983.57)** which is the full amount of escrow established for landscaping for this project. In addition, we recommend that the land development be permitted to enter the maintenance period, conditional upon the requirement that the two items discussed above be addressed during the spring planting season of 2020, as the 15% cash surety held for the maintenance period is sufficient to cover these minor items.

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

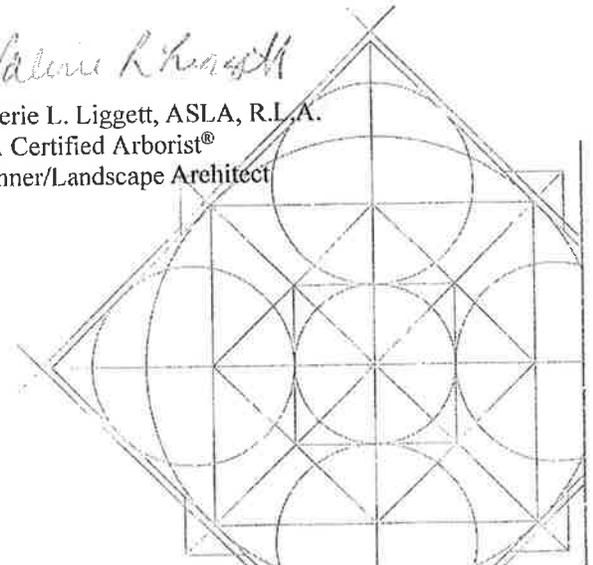
Sincerely,

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

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

JSG/vll/kam

- cc: Board of Supervisors
Bruce Shoupe, Director of Planning and Zoning
Marianne McConnell, Deputy Zoning Officer
Mary Gambino, Project Coordinator
Christen G. Pionzio, Esq., HRMM&L
Rick Skidmore, Timberlane, Inc.
James Nieves-Sosa, JNS Contracting Inc.
David Plechner, Penn Outdoor Services



MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Escrow Release 2 – 309 Automall Properties, L.P. - Montgomeryville Nissan
LDS 697

MEETING DATE: December 16, 2019

ITEM NUMBER: # 21 .

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: Michael J. Fox
Chairman



BACKGROUND:

Attached is a construction escrow release requested by 309 Automall Properties, L.P. for Montgomeryville Nissan as recommended by the Township Engineer.

The original amount of the construction escrow for was \$ 570,323.82, held as a Letter of Credit with Univest Bank. This is the 2nd release in the amount of \$ 67,381.50. The new balance will be \$ 453,422.12.

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 \$ 67,381.50, as recommended by the Township Engineer for 309 Automall Properties, L.P.

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.



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

December 11, 2019

File No. 2016-08012

Lawrence J. Gregan, Manager
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936-9605

Reference: 309 Automall Properties, L.P. - Montgomeryville Nissan – LDS#691
Escrow Release 2

Dear Bruce:

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 **\$67,381.50** have been completed. Please find enclosed a copy of our escrow calculations and the application for release of funds for your use.

Please be advised that these improvements will be subject to a final inspection prior to dedication and again at the end of the maintenance period. Any deficiencies will be required to be corrected by the developer.

Should you have any further questions or require any additional information, please do not hesitate to contact our office.

Sincerely,

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

JPD/SW/sl

Enclosure: as noted

cc: Carolyn McCreary, Township Manager Designee
Bruce S. Shoupe, Director of Planning and Zoning
Marianne McConnell, Deputy Zoning Officer – Montgomery Township
Mary Gambino, Project Coordinator - 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.
Allan I Nappen – Nappen & Associates
Russell S. Dunlevy, P.E., Senior Executive Vice President – Gilmore & Associates, Inc.
Brian Dusault, Construction Services Manager - Gilmore & Associates, Inc.

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: 12/06/2019

Development: Montgomeryville Nissan - LD/S#691
Release #: 2

G&A Project #: 2016-08012

Dear Mr. Dougherty:

This is an escrow release request in the amount of \$67,381.50. Enclosed is a copy of our escrow spreadsheet with the quantities noted.

ESCROW RELEASE REQUESTS ARE LIMITED TO ONE PER MONTH.

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

Date: 12/11/2019

Dear Mr. Gregan:

We have reviewed the developer's request for an escrow release. We therefore, recommend that \$67,381.50 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 12/11/19
James P. Dougherty, P.E., Senior Project Manager, Gilmore & Associates, Inc.

Resolution # _____

WHEREAS, a request for release of escrow was received from Nappen & Associates for Montgomeryville Nissan - LD/S#691, in the amount of \$67,381.50, 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 \$67,381.50; NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we do hereby authorize release of \$67,381.50; 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 \$570,323.82 pursuant to a signed Land Development Agreement and that \$49,520.20 has previously been released from escrow. Therefore, the action of the Board releasing said sum leaves a new balance of \$453,422.12 in escrow.

MOTION BY: _____
SECOND BY: _____
DATED: _____
RELEASED BY: _____
Department Director

VOTE: _____



ESCROW STATUS REPORT

SUMMARY OF ESCROW ACCOUNT

RELEASE NO.: 2
RELEASE DATE: 11-Dec-2019

PROJECT NAME: Montgomeryville Nissan	TOTAL CONSTRUCTION: \$ 518,476.20	ORIGINAL CONSTRUCTION AMOUNT: \$ 570,323.82
PROJECT NO.: 2016-08012	TOTAL CONSTRUCTION CONTINGENCY (10%): \$ 51,847.62	
TOWNSHIP NO.: LD/S#691	TOTAL CONSTRUCTION ESCROW POSTED: \$ 570,323.82	AMOUNT OF THIS RELEASE: \$ 67,381.50
PROJECT OWNER: Nappen & Associates		
MUNICIPALITY: Montgomery Township	TOTAL ENG/INSP/LEGAL (CASH ACCOUNT): \$ 45,000.00	PRIOR CONSTRUCTION RELEASED: \$ 49,520.20
ESCROW AGENT: Univest	TOTAL ADMINISTRATION (CASH ACCOUNT): \$ 4,500.00	TOTAL CONSTRUCTION RELEASED TO DATE: \$ 116,901.70
TYPE OF SECURITY: Letter of Credit		BALANCE AFTER CURRENT RELEASE: \$ 453,422.12
AGREEMENT DATE: 9-Nov-2017	MAINTENANCE BOND AMOUNT (15%): \$ 77,771.43	

ESCROW TABULATION					CURRENT RELEASE		RELEASED TO DATE (including current release)		AVAILABLE FOR RELEASE		RELEASE REQ # 3
CONSTRUCTION ITEMS	UNITS	QUANTITY	UNIT PRICE	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY
A. EROSION CONTROL											
1. Construction Entrance	EA	1	\$ 1,750.00	\$ 1,750.00	1.00	\$ 1,750.00	1.00	\$ 1,750.00		\$ -	
2. Concrete Wash Out	EA	1	\$ 500.00	\$ 500.00	1.00	\$ 500.00	1.00	\$ 500.00		\$ -	
3. 18 inch Silt Fence	LF	120	\$ 4.00	\$ 480.00	120.00	\$ 480.00	120.00	\$ 480.00		\$ -	
4. 12" Silt Sock	LF	620	\$ 6.00	\$ 3,720.00	620.00	\$ 3,720.00	620.00	\$ 3,720.00		\$ -	
5. Inlet Protection	EA	5	\$ 125.00	\$ 625.00		\$ -		\$ -	5.00	\$ 625.00	
6. E&S Maintenance & Removal	LS	1	\$ 700.00	\$ 700.00		\$ -		\$ -	1.00	\$ 700.00	
B. DEMOLITION & CLEARING											
1. Remove Concrete Curb	LF	547	\$ 4.00	\$ 2,188.00	417.00	\$ 1,668.00	547.00	\$ 2,188.00		\$ -	
2. Remove Concrete Pavement	SY	1,550	\$ 12.70	\$ 19,685.00		\$ -		\$ -	1,550.00	\$ 19,685.00	
3. Remove Brick Pavers	SF	556	\$ 2.00	\$ 1,112.00		\$ -		\$ -	556.00	\$ 1,112.00	
4. Tree Protection Fence	LF	320	\$ 2.75	\$ 880.00	320.00	\$ 880.00	320.00	\$ 880.00		\$ -	
5. Tree Removal	LS	1	\$ 500.00	\$ 500.00	1.00	\$ 500.00	1.00	\$ 500.00		\$ -	
6. Remove Light	EA	2	\$ 250.00	\$ 500.00	1.00	\$ 250.00	2.00	\$ 500.00		\$ -	
7. Remove Asphalt	SY	718	\$ 6.35	\$ 4,559.30		\$ -	546.00	\$ 3,467.10	172.00	\$ 1,092.20	
C. EARTH WORK											
1. Cut to Fill	CY	1,850	\$ 6.00	\$ 11,100.00	1,768.00	\$ 10,608.00	1,850.00	\$ 11,100.00		\$ -	
2. Import Topsoil	CY	125	\$ 25.00	\$ 3,125.00		\$ -		\$ -	125.00	\$ 3,125.00	
3. Grading	LS	1	\$ 1,000.00	\$ 1,000.00	0.50	\$ 500.00	0.50	\$ 500.00	0.50	\$ 500.00	
4. Permanent Stabilization	LS	1	\$ 500.00	\$ 500.00	0.50	\$ 250.00	0.50	\$ 250.00	0.50	\$ 250.00	
E. STORM SEWER											
1. 15" HDPE	LF	264	\$ 42.50	\$ 11,220.00	85.00	\$ 3,612.50	264.00	\$ 11,220.00		\$ -	
2. 6" PVC Roof Drain	LF	64	\$ 32.50	\$ 2,080.00		\$ -		\$ -	64.00	\$ 2,080.00	
3. 4" Perforated PVC Underdrain	LF	45	\$ 28.00	\$ 1,260.00		\$ -		\$ -	45.00	\$ 1,260.00	
4. Type 'M' Inlet	EA	3	\$ 2,000.00	\$ 6,000.00		\$ -	3.00	\$ 6,000.00		\$ -	
5. Outlet Structure	EA	1	\$ 2,000.00	\$ 2,000.00	1.00	\$ 2,000.00	1.00	\$ 2,000.00		\$ -	
6. Doghouse Storm Manhole	EA	1	\$ 2,000.00	\$ 2,000.00	1.00	\$ 2,000.00	1.00	\$ 2,000.00		\$ -	
7. Connect to Existing Inlet	EA	1	\$ 490.00	\$ 490.00		\$ -	1.00	\$ 490.00		\$ -	



ESCROW STATUS REPORT

SUMMARY OF ESCROW ACCOUNT

RELEASE NO.: 2
RELEASE DATE: 11-Dec-2019

PROJECT NAME: Montgomeryville Nissan	TOTAL CONSTRUCTION: \$ 518,476.20	ORIGINAL CONSTRUCTION AMOUNT: \$ 570,323.82
PROJECT NO.: 2016-08012	TOTAL CONSTRUCTION CONTINGENCY (10%): \$ 51,847.62	
TOWNSHIP NO.: LD/S#691	TOTAL CONSTRUCTION ESCROW POSTED: \$ 570,323.82	AMOUNT OF THIS RELEASE: \$ 67,381.50
PROJECT OWNER: Nappen & Associates		
MUNICIPALITY: Montgomery Township	TOTAL ENG/INSP/LEGAL (CASH ACCOUNT): \$ 45,000.00	PRIOR CONSTRUCTION RELEASED: \$ 49,520.20
ESCROW AGENT: Univest	TOTAL ADMINISTRATION (CASH ACCOUNT): \$ 4,500.00	TOTAL CONSTRUCTION RELEASED TO DATE: \$ 116,901.70
TYPE OF SECURITY: Letter of Credit		BALANCE AFTER CURRENT RELEASE: \$ 453,422.12
AGREEMENT DATE: 9-Nov-2017	MAINTENANCE BOND AMOUNT (15%): \$ 77,771.43	

ESCROW TABULATION					CURRENT RELEASE		RELEASED TO DATE (including current release)		AVAILABLE FOR RELEASE		RELEASE REQ # 3
CONSTRUCTION ITEMS	UNITS	QUANTITY	UNIT PRICE	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY
E. STORM SEWER (continued)											
8. Rain Garden (Complete)	SF	1,500	\$ 20.00	\$ 30,000.00					1,500.00	\$ 30,000.00	
F. SITE WORK											
1. 1.5" 9.5mm Wearing Course	SY	1,602	\$ 8.00	\$ 12,816.00			440.00	\$ 3,520.00	1,162.00	\$ 9,296.00	
2. 5" 25MM Binder Course	SY	1,602	\$ 21.00	\$ 33,642.00	444.00	\$ 9,324.00	884.00	\$ 18,564.00	718.00	\$ 15,078.00	
3. 3" 2A Modified Stone	SY	1,602	\$ 7.25	\$ 11,614.50	444.00	\$ 3,219.00	884.00	\$ 6,409.00	718.00	\$ 5,205.50	
4. Milling	SY	1,744	\$ 5.50	\$ 9,592.00			904.00	\$ 4,972.00	840.00	\$ 4,620.00	
5. 1.5" 9.5MM Wearing Overlay	SY	1,744	\$ 8.00	\$ 13,952.00			904.00	\$ 7,232.00	840.00	\$ 6,720.00	
6. Sweep & Tack Coat	SY	3,346	\$ 1.15	\$ 3,847.90			904.00	\$ 1,039.60	2,442.00	\$ 2,808.30	
7. Concrete Curb	LF	800	\$ 16.50	\$ 13,200.00				\$ -	800.00	\$ 13,200.00	
8. Curb Joint Seal	LF	800	\$ 0.30	\$ 240.00				\$ -	800.00	\$ 240.00	
9. Concrete Sidewalk, 4" Thick	SF	3,032	\$ 8.00	\$ 24,256.00				\$ -	3,032.00	\$ 24,256.00	
10. Concrete Sidewalk, 6" Thick	SF	3,270	\$ 9.50	\$ 31,065.00				\$ -	3,270.00	\$ 31,065.00	
11. ADA Ramp DWS	EA	3	\$ 400.00	\$ 1,200.00				\$ -	3.00	\$ 1,200.00	
12. Bollards	EA	8	\$ 375.00	\$ 3,000.00			4.00	\$ 1,500.00	4.00	\$ 1,500.00	
G. LANDSCAPING											
Street Trees											
1. Acer Rubrum 'Red Sunset', 3" cal.	EA	3	\$ 540.00	\$ 1,620.00				\$ -	3.00	\$ 1,620.00	
Deciduous/Evergreen Trees											
2. Acer Rubrum 'Red Sunset', 3" cal.	EA	4	\$ 540.00	\$ 2,160.00				\$ -	4.00	\$ 2,160.00	
3. Quercus Bicolor, 3" cal.	EA	3	\$ 540.00	\$ 1,620.00				\$ -	3.00	\$ 1,620.00	
4. Amelanchier x Grandiflora 'Autumn Brilliance', 6" Tall	EA	5	\$ 375.00	\$ 1,875.00				\$ -	5.00	\$ 1,875.00	
5. Nyssa Sylvatica, 3" cal.	EA	1	\$ 540.00	\$ 540.00				\$ -	1.00	\$ 540.00	
6. Prunus subhirtella var. autumnalis, 8" Tall	EA	2	\$ 375.00	\$ 750.00				\$ -	2.00	\$ 750.00	
7. Zelkova Serrata 'Green Vase', 3" cal.	EA	12	\$ 540.00	\$ 6,480.00				\$ -	12.00	\$ 6,480.00	
Deciduous/Evergreen Shrubs											
8. Ilex Glabra 'Shanrock', 24" Tall	EA	23	\$ 100.00	\$ 2,300.00				\$ -	23.00	\$ 2,300.00	
9. Juniperus Chinensis var. Sargentii, 18" Tall	EA	13	\$ 65.00	\$ 845.00				\$ -	13.00	\$ 845.00	
Perennials & Groundcovers											
10. Hemerocallis 'Pardon Me', 1 gal.	EA	9	\$ 35.00	\$ 315.00				\$ -	9.00	\$ 315.00	
11. Sedum Spurius 'Dragon Blood', 1 gal.	EA	21	\$ 35.00	\$ 735.00				\$ -	21.00	\$ 735.00	



ESCROW STATUS REPORT

SUMMARY OF ESCROW ACCOUNT

RELEASE NO.: 2
RELEASE DATE: 11-Dec-2019

PROJECT NAME: Montgomeryville Nissan	TOTAL CONSTRUCTION: \$ 518,476.20	ORIGINAL CONSTRUCTION AMOUNT: \$ 570,323.82
PROJECT NO.: 2016-08012	TOTAL CONSTRUCTION CONTINGENCY (10%): \$ 51,847.62	
TOWNSHIP NO.: LD/S#691	TOTAL CONSTRUCTION ESCROW POSTED: \$ 570,323.82	AMOUNT OF THIS RELEASE: \$ 67,381.50
PROJECT OWNER: Nappen & Associates		PRIOR CONSTRUCTION RELEASED: \$ 49,520.20
MUNICIPALITY: Montgomery Township	TOTAL ENG/INSP/LEGAL (CASH ACCOUNT): \$ 45,000.00	TOTAL CONSTRUCTION RELEASED TO DATE: \$ 116,901.70
ESCROW AGENT: Univest	TOTAL ADMINISTRATION (CASH ACCOUNT): \$ 4,500.00	BALANCE AFTER CURRENT RELEASE: \$ 453,422.12
TYPE OF SECURITY: Letter of Credit		
AGREEMENT DATE: 9-Nov-2017	MAINTENANCE BOND AMOUNT (15%): \$ 77,771.43	

ESCROW TABULATION					CURRENT RELEASE		RELEASED TO DATE (including current release)		AVAILABLE FOR RELEASE		RELEASE REQ # 3
CONSTRUCTION ITEMS	UNITS	QUANTITY	UNIT PRICE	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY
G. LANDSCAPING (continued)											
<i>Perennials & Groundcovers</i>											
12. Yucca filamentosa 'Gold Sword', 5 gal.	EA	3	\$ 60.00	\$ 180.00	\$ -	\$ -	3.00	\$ 180.00			
13. Amsonia 'Blue Ice', LP32	EA	100	\$ 5.25	\$ 525.00	\$ -	\$ -	100.00	\$ 525.00			
14. Aster Novae-Angliae 'Purple Dome', LP50	EA	220	\$ 5.25	\$ 1,155.00	\$ -	\$ -	220.00	\$ 1,155.00			
15. Carex Pennsylvanica, LP32	EA	400	\$ 5.25	\$ 2,100.00	\$ -	\$ -	400.00	\$ 2,100.00			
16. Chelone Obliqua 'Hot Lips', LP50	EA	120	\$ 5.25	\$ 630.00	\$ -	\$ -	120.00	\$ 630.00			
17. Coreopsis Verticillata, LP50	EA	110	\$ 5.25	\$ 577.50	\$ -	\$ -	110.00	\$ 577.50			
18. Iris Versicolor, LP50	EA	220	\$ 5.25	\$ 1,155.00	\$ -	\$ -	220.00	\$ 1,155.00			
19. Rudbeckia Fulgida var. Fulgida, LP50	EA	170	\$ 5.25	\$ 892.50	\$ -	\$ -	170.00	\$ 892.50			
20. Tiarella Cordifolia 'Running Tapestry', LP32	EA	110	\$ 5.25	\$ 577.50	\$ -	\$ -	110.00	\$ 577.50			
21. Mulch	CY	25	\$ 80.00	\$ 2,000.00	\$ -	\$ -	25.00	\$ 2,000.00			
22. River Stone, 4"-8"	TON	18	\$ 125.00	\$ 2,250.00	\$ -	\$ -	18.00	\$ 2,250.00			
H. WATER											
1. 16"x16" Tapping Sleeve	EA	1	\$ 6,120.00	\$ 6,120.00	1.00	\$ 6,120.00	1.00	\$ 6,120.00			
2. Meter Pit	EA	1	\$ 20,000.00	\$ 20,000.00	1.00	\$ 20,000.00	1.00	\$ 20,000.00			
3. 6" DIP	LF	158	\$ 55.00	\$ 8,690.00	\$ -	\$ -	158.00	\$ 8,690.00			
4. 1" Copper	LF	160	\$ 41.00	\$ 6,560.00	\$ -	\$ -	160.00	\$ 6,560.00			
5. Stone Backfill	TON	88	\$ 15.50	\$ 1,364.00	\$ -	\$ -	88.00	\$ 1,364.00			
6. Trench Restoration	SY	10	\$ 175.00	\$ 1,750.00	\$ -	\$ -	10.00	\$ 1,750.00			
I. LIGHTING											
1. 2 LED Fixtures @ 20' Height (Existing Poles)	EA	27	\$ 4,775.00	\$ 128,925.00	\$ -	\$ -	27.00	\$ 128,925.00			
2. 3 LED Fixtures @ 20' Height (New Base & Pole)	EA	3	\$ 5,285.00	\$ 15,855.00	\$ -	\$ -	3.00	\$ 15,855.00			
3. Wall Mounted LED	EA	7	\$ 840.00	\$ 5,880.00	\$ -	\$ -	7.00	\$ 5,880.00			
J. S.R. 309 SIDEWALK											
1. 5 ft wide Asphalt path between Nissan and Acura	SY	128	\$ 18.00	\$ 2,300.00	\$ -	\$ -	127.78	\$ 2,300.00			
2. Curb Ramps and DWS	EA	2	\$ 2,000.00	\$ 4,000.00	\$ -	\$ -	2.00	\$ 4,000.00			



ESCROW STATUS REPORT

SUMMARY OF ESCROW ACCOUNT

PROJECT NAME: Montgomeryville Nissan
 PROJECT NO.: 2016-08012
 TOWNSHIP NO.: LD/S#691
 PROJECT OWNER: Nappen & Associates

TOTAL CONSTRUCTION: \$ 518,476.20
 TOTAL CONSTRUCTION CONTINGENCY (10%): \$ 51,847.62
 TOTAL CONSTRUCTION ESCROW POSTED: \$ 570,323.82

RELEASE NO.: 2
 RELEASE DATE: 11-Dec-2019
 ORIGINAL CONSTRUCTION AMOUNT: \$ 570,323.82

MUNICIPALITY: Montgomery Township
 ESCROW AGENT: Univest
 TYPE OF SECURITY: Letter of Credit
 AGREEMENT DATE: 9-Nov-2017

TOTAL ENG/INSP/LEGAL (CASH ACCOUNT): \$ 45,000.00
 TOTAL ADMINISTRATION (CASH ACCOUNT): \$ 4,500.00
 MAINTENANCE BOND AMOUNT (15%): \$ 77,771.43

AMOUNT OF THIS RELEASE: \$ 67,381.50
 PRIOR CONSTRUCTION RELEASED: \$ 49,520.20
 TOTAL CONSTRUCTION RELEASED TO DATE: \$ 116,901.70
 BALANCE AFTER CURRENT RELEASE: \$ 453,422.12

ESCROW TABULATION					CURRENT RELEASE		RELEASED TO DATE (including current release)		AVAILABLE FOR RELEASE		RELEASE REQ # 3
CONSTRUCTION ITEMS	UNITS	QUANTITY	UNIT PRICE	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY
K. MISCELLANEOUS											
1. Site Pavement Markings	LS	1	\$ 3,000.00	\$ 3,000.00		\$ -		\$ -	1.00	\$ 3,000.00	
2. ADA Parking Signs	EA	4	\$ 250.00	\$ 1,000.00		\$ -		\$ -	4.00	\$ 1,000.00	
3. ADA Building Signs	EA	7	\$ 150.00	\$ 1,050.00		\$ -		\$ -	7.00	\$ 1,050.00	
4. Traffic Signs	EA	39	\$ 200.00	\$ 7,800.00		\$ -		\$ -	39.00	\$ 7,800.00	
5. As-Built Drawings	LS	1	\$ 3,500.00	\$ 3,500.00		\$ -		\$ -	1.00	\$ 3,500.00	
6. Construction Inspection & Testing	LS	1	\$ 3,000.00	\$ 3,000.00		\$ -		\$ -	1.00	\$ 3,000.00	
L. CONTINGENCY (10%)	LS	1		\$ 51,847.62		\$ -		\$ -	1.00	\$ 51,847.62	
<i>(Released upon certification of completion and receipt of Maintenance Bond)</i>											

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Appointment of Acting Township Manager

MEETING DATE: December 16, 2019

ITEM NUMBER: # 22 .

MEETING/AGENDA: ACTION MEETING

ACTION XX

NONE

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

INITIATED BY: Lawrence J. Gregan
Township Manager

BOARD LIAISON: Candyce Fluehr Chimera,
Vice Chairman

BACKGROUND:

With the pending retirement of the Township Manager, it is recommended that the Board appoint Carolyn McCreary, Township Manager Designee, as Acting Township Manager for the period from December 17, 2019 through the Reorganization Meeting scheduled for Monday January 6, 2020. As Acting Township Manager, Ms. McCreary would be responsible to perform the duties of Township Manager as outlined in Chapter 26 Township Manager Section 26-4 of the Montgomery Township Code.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT: None.

PREVIOUS BOARD ACTION: Ms. McCreary was appointed as Township Manager Designee on August 12, 2019.

ALTERNATIVES/OPTIONS: None.

BUDGET IMPACT: None.

RECOMMENDATION: Approve appointment.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby appoint Carolyn McCreary, Township Manager Designee, to serve as Acting Township Manager for the period from December 17, 2019 through the Reorganization Meeting scheduled for Monday January 6, 2020 with authority to perform the duties and responsibilities of Township Manager as outlined in Chapter 26 Township Manager, Section 26-4 Duties and Responsibilities.

MOTION: _____ SECOND: _____

ROLL CALL:

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

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

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Payment of Bills

MEETING DATE: December 16, 2019

ITEM NUMBER: #23.

MEETING/AGENDA: WORK SESSION ACTION XX NONE

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

INITIATED BY: Lawrence J. Gregan
Township Manager *Rary*

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

BACKGROUND:

Please find attached a list of bills for your review.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Approval all bills as presented.

MOTION/RESOLUTION:

I move that we approve the December 16, 2019 bills as submitted.

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

Check Date	Bank	Check	Vendor	Vendor Name	Amount
Bank 01 UNIVEST CHECKING					
12/13/2019	01	34(S)	00001852	G.L. SAYRE, INC.	0.00
11/26/2019	01	76896	00001601	CDW GOVERNMENT, INC.	3,360.00
12/09/2019	01	76897	00000072	CANON FINANCIAL SERVICES, INC	1,622.00
12/09/2019	01	76898	00000363	COMCAST	407.95
12/09/2019	01	76899	00000335	COMCAST CORPORATION	657.80
12/09/2019	01	76900	00001993	PORTER & CURTIS, LLC	39,354.00
12/09/2019	01	76901	00000040	VERIZON	144.99
12/09/2019	01	76902	00000040	VERIZON	266.43
12/09/2019	01	76903	00000038	VERIZON WIRELESS SERVICES, LLC	1,231.72
12/11/2019	01	76904	03214643	UNWINED & PAINT	330.00
12/13/2019	01	76905	00000496	21ST CENTURY MEDIA NEWSPAPERS LLC	838.34
12/13/2019	01	76906	00000006	ACME UNIFORMS FOR INDUSTRY	307.70
12/13/2019	01	76907	100000892	ADAM ZWISLEWSKI	180.00
12/13/2019	01	76908	00000340	ADVENT SECURITY CORPORATION	114.00
12/13/2019	01	76909	00001020	AIR CLEANING SYSTEMS INC.	966.32
12/13/2019	01	76910	00001202	AIRGAS, INC.	258.87
12/13/2019	01	76911	00002032	ALBURTIS AUTO INC.	157.50
12/13/2019	01	76912	100000876	ALEXANDER J. DEANGELIS	15.00
12/13/2019	01	76913	100000814	AMAZON.COM SERVICES, INC	609.03
12/13/2019	01	76914	100000888	ANDREW WEINER	60.00
12/13/2019	01	76915	00000027	ARMOUR & SONS ELECTRIC, INC.	330.00
12/13/2019	01	76916	00000030	ASSOCIATED TRUCK PARTS	521.05
12/13/2019	01	76917	100000915	AUSTIN NEDWICK	15.00
12/13/2019	01	76918	00001997	AUTOMATIC SYNC TECHNOLOGIES, LLC	225.96
12/13/2019	01	76919	00000417	BARNSIDE FARM COMPOST FACILITY	1,245.60
12/13/2019	01	76920	00000043	BERGEY'S	1,537.60
12/13/2019	01	76921	00000209	BOUCHER & JAMES, INC.	21,129.64
12/13/2019	01	76922	100000979	BRANDON UZDZIENSKI	75.00
12/13/2019	01	76923	100001063	BRIAN ALLEN	30.00
12/13/2019	01	76924	100001080	BRIAN GRABER	30.00
12/13/2019	01	76925	100000405	C.E.S.	640.78
12/13/2019	01	76926	100000850	CALIBRE PRESS	259.00
12/13/2019	01	76927	100000878	CARL HERR	105.00
12/13/2019	01	76928	00000335	COMCAST CORPORATION	447.64
12/13/2019	01	76929	00000602	CONRAD SIEGEL	750.00
12/13/2019	01	76930	00903100	COURIER TIMES, INC.	1,010.15
12/13/2019	01	76931	100001209	DALE ALDERFER	100.00
12/13/2019	01	76932	00000111	DAVID H. LIGHTKEP, INC.	88.84
12/13/2019	01	76933	100001208	DEBORAH EDWARDS	40.00
12/13/2019	01	76934	00000118	DEL-VAL INTERNATIONAL TRUCKS, INC.	366.12
12/13/2019	01	76935	100000213	DOG TOWN	144.99
12/13/2019	01	76936	100000893	DONALD TUCKER	45.00
12/13/2019	01	76937	00001166	DRUMHELLER CONSTRUCTION, INC.	60,389.28
12/13/2019	01	76938	00000967	DVHT - DELAWARE VALLEY HEALTH TRUST	175,342.81
12/13/2019	01	76939	00000120	DVWCT - DELAWARE VALLEY WC TRUST	342.22
12/13/2019	01	76940	00906057	E.M. GRANT	1,025.00
12/13/2019	01	76941	00001332	EAGLE POWER & EQUIPMENT CORP	425.00
12/13/2019	01	76942	00000152	ECKERT SEAMANS CHERIN &	1,952.50
12/13/2019	01	76943	00000171	FAST SIGNS	144.00
12/13/2019	01	76944	00000169	FEDEX	65.62
12/13/2019	01	76945	00000174	FISHER & SON COMPANY, INC.	2,089.00
12/13/2019	01	76946	100000408	FSSOLUTIONS	59.70
12/13/2019	01	76947	00000611	FUN EXPRESS LLC	284.28
12/13/2019	01	76948	100001171	FUNDAMENTAL TENNIS, LLC	780.00
12/13/2019	01	76949	100001171	FUNDAMENTAL TENNIS, LLC	1,300.00
12/13/2019	01	76950	00000188	GALLS, AN ARAMARK CO., LLC	188.95
12/13/2019	01	76951	00000191	GENERAL CODE, LLC	2,965.00
12/13/2019	01	76952	00000193	GEORGE ALLEN PORTABLE TOILETS, INC.	621.00
12/13/2019	01	76953	00000817	GILMORE & ASSOCIATES, INC.	38,096.00
12/13/2019	01	76954	00000817	VOID	0.00
12/13/2019	01	76955	00000198	GLASGOW, INC.	10,975.28
12/13/2019	01	76956	00001323	GLICK FIRE EQUIPMENT COMPANY INC	659.43
12/13/2019	01	76957	00001784	GOOGLE INC.	31.53
12/13/2019	01	76958	00000608	GOOSE SQUAD L.L.C.	900.00
12/13/2019	01	76959	00001709	GOULDEY WELDING & FABRICATIONS, INC	104.65
12/13/2019	01	76960	00000229	GRAINGER	60.18
12/13/2019	01	76961	00000331	HATFIELD TOWNSHIP	74,666.45
12/13/2019	01	76962	100000162	HERMAN GOLDNER COMPANY, INC.	3,001.00
12/13/2019	01	76963	00000903	HOME DEPOT CREDIT SERVICES	601.84
12/13/2019	01	76964	00441122	HORSHAM CAR WASH	204.00
12/13/2019	01	76965	00000102	INTERSTATE BATTERY SYSTEMS OF	175.90
12/13/2019	01	76966	00001388	IPMA-HR INTERNATIONAL PUBLIC	1,464.50
12/13/2019	01	76967	100000882	JACOB MILLEVOI	75.00
12/13/2019	01	76968	100000889	JACOB WELTMAN	60.00
12/13/2019	01	76969	100000155	JAKE HUGHES	50.00
12/13/2019	01	76970	100000821	JANICE ELGEDAWY	105.00
12/13/2019	01	76971	00001932	JEFFREY SARNOCINSKI	50.00
12/13/2019	01	76972	100000881	JOHN H. MOGENSEN	165.00

Check Date	Bank	Check	Vendor	Vendor Name	Amount
12/13/2019	01	76973	100000887	JON WASHINGTON	300.00
12/13/2019	01	76974	00000148	JONATHAN S. BEER	1,925.00
12/13/2019	01	76975	100000904	JULIUS MACK	70.00
12/13/2019	01	76976	100000844	KATIE KOLLAR	1,059.00
12/13/2019	01	76977	00000264	KENCO HYDRAULICS, INC.	1,488.72
12/13/2019	01	76978	00000574	KEVIN CARNEY	100.00
12/13/2019	01	76979	03214591	KIMBALL MIDWEST	332.04
12/13/2019	01	76980	00003009	LIFE FITNESS	195.34
12/13/2019	01	76981	00000284	LIZELL OFFICE FURNITURE	2,146.00
12/13/2019	01	76982	00001706	LOWE'S COMPANIES INC.	196.26
12/13/2019	01	76983	00000689	MARY KAY KELM, ESQUIRE	900.00
12/13/2019	01	76984	100000883	MARY NEWELL	115.00
12/13/2019	01	76985	00000201	MASTERTECH AUTO SERVICE, LLC	4,832.22
12/13/2019	01	76986	100000877	MATTHEW GIORGIO	80.00
12/13/2019	01	76987	00000974	MCCARTHY AND COMPANY, PC	2,312.50
12/13/2019	01	76988	100000875	MICHAEL BEAN	90.00
12/13/2019	01	76989	100000885	MICHAEL SHEARER	75.00
12/13/2019	01	76990	00000540	MYSTIC PIZZA	334.00
12/13/2019	01	76991	00000157	NATURAL LANDS	250.00
12/13/2019	01	76992	00000376	NORTH PENN SCHOOL DISTRICT	15.00
12/13/2019	01	76993	00001134	OFFICE DEPOT, INC	285.72
12/13/2019	01	76994	100000867	PATROL PC	890.00
12/13/2019	01	76995	100000890	PAUL MOGENSEN	195.00
12/13/2019	01	76996	00000397	PECO ENERGY	13,355.32
12/13/2019	01	76997	00000399	PECO ENERGY	8,763.24
12/13/2019	01	76998	00000595	PENN VALLEY CHEMICAL COMPANY	169.76
12/13/2019	01	76999	00000388	PENNSYLVANIA ONE CALL SYSTEM, INC.	124.88
12/13/2019	01	77000	00001358	PENNSYLVANIA RECREATION AND PARK	150.00
12/13/2019	01	77001	100000754	PETROLEUM TRADERS CORP.	3,418.57
12/13/2019	01	77002	100000755	PETROLEUM TRADERS CORP.	1,973.61
12/13/2019	01	77003	00000009	PETTY CASH	211.19
12/13/2019	01	77004	00001171	PHILA OCCEALTH/DBA WORKNET OCC	185.60
12/13/2019	01	77005	00000446	PHISCON ENTERPRISES, INC.	400.00
12/13/2019	01	77006	00000446	PHISCON ENTERPRISES, INC.	500.00
12/13/2019	01	77007	00000345	PRINTWORKS & COMPANY, INC.	376.05
12/13/2019	01	77008	00000252	PURE CLEANERS	500.50
12/13/2019	01	77009	100000662	QUICK LANE	408.94
12/13/2019	01	77010	100001010	RACHEL GIBSON	135.00
12/13/2019	01	77011	100000886	RACHEL TROUTMAN	45.00
12/13/2019	01	77012	00002033	REPUBLIC SERVICES NO. 320	14,767.85
12/13/2019	01	77013	100000445	RICHARD BALDINI	371.00
12/13/2019	01	77014	00001662	RICHARD GRIER	50.00
12/13/2019	01	77015	MISC	RS MARTIN VARNER SYSTEMS INC.	284.85
12/13/2019	01	77016	100000873	RYAN ALLISON	60.00
12/13/2019	01	77017	100000884	RYAN RUDELL	60.00
12/13/2019	01	77018	00000452	S&S WORLDWIDE	434.80
12/13/2019	01	77019	00000653	SCATTON'S HEATING & COOLING, INC.	200.00
12/13/2019	01	77020	00000041	SCOTT STUTZMAN	100.00
12/13/2019	01	77021	100000874	SEAN ALLISON	60.00
12/13/2019	01	77022	00001939	SERVICE TIRE TRUCK CENTERS	2,433.00
12/13/2019	01	77023	00001030	SIGNAL CONTROL PRODUCTS, INC.	1,693.99
12/13/2019	01	77024	100001113	SIMPLEX WELLNESS	6,560.47
12/13/2019	01	77025	100000411	SPENCER D. BORINE	175.00
12/13/2019	01	77026	00000015	SPRINT	192.02
12/13/2019	01	77027	100000701	STAPLES BUSINESS CREDIT	706.39
12/13/2019	01	77028	00003015	STEPHEN A. SPLENDIDO	15.00
12/13/2019	01	77029	00000485	SYRENA COLLISION CENTER, INC.	5,663.34
12/13/2019	01	77030	MISC	TESLA ENERGY OPERATIONS INC	9.00
12/13/2019	01	77031	100001207	TESSA TREMBLAY	96.00
12/13/2019	01	77032	00002020	THOMSON REUTERS	220.50
12/13/2019	01	77033	100001210	TIMBERLANE, INC	152,177.17
12/13/2019	01	77034	00002036	TIMBERLINK CONSULTING LLC	2,100.00
12/13/2019	01	77035	00001984	TRAFFIC PLANNING AND DESIGN, INC.	28,219.54
12/13/2019	01	77036	00001984	VOID	0.00
12/13/2019	01	77037	00001984	TRAFFIC PLANNING AND DESIGN, INC.	9,813.20
12/13/2019	01	77038	00001984	TRAFFIC PLANNING AND DESIGN, INC.	12,787.21
12/13/2019	01	77039	100000391	TRAINING FORCE USA	199.00
12/13/2019	01	77040	00000506	TRANS UNION LLC	75.00
12/13/2019	01	77041	100000897	TREVOR DALTON	30.00
12/13/2019	01	77042	398	UNITED STATES TREASURY	732.55
12/13/2019	01	77043	00000040	VERIZON	264.87
12/13/2019	01	77044	00000040	VERIZON	187.79
12/13/2019	01	77045	00000038	VERIZON WIRELESS SERVICES, LLC	480.12
12/13/2019	01	77046	100000854	VINAY SETTY	165.00
12/13/2019	01	77047	100000891	VINCENT ZIRPOLI	30.00
12/13/2019	01	77048	00001329	WELDON AUTO PARTS	418.91
12/13/2019	01	77049	100001013	WILLIAM F. WIEGMAN III	300.00
12/13/2019	01	77050	100001042	ZACHARY EIDEN	60.00

01 TOTALS:

12/13/2019 10:07 AM
User: msanders
DB: Montgomery Twp

CHECK REGISTER FOR MONTGOMERY TOWNSHIP
CHECK DATE FROM 11/26/2019 - 12/16/2019

Page: 3/3

Check Date	Bank	Check	Vendor	Vendor Name	Amount
(2 Checks Voided)					
Total of 154 Disbursements:					750,537.17

Check List
For Checks Dated 11/25/2019 - 12/16/2019

Check Date	Vendor Name	Description	Amount
11/27/19	US Treasury	941 Payment	\$ 153,619.53
11/27/19	BCG 401	401 Payment	\$ 15,393.26
11/27/19	BCG 457	457 Payment	\$ 11,614.26
11/27/19	PBA	PBA Payment	\$ 1,250.00
11/27/19	PA SCU	Withholding Payment	\$ 470.02
12/02/19	US Treasury	945 Payment	\$ 7,491.33
12/02/19	ICMA	DROP Payment	\$ 5,536.68
12/03/19	State of PA	State Tax Payment	\$ 8,949.02
12/12/19	US Treasury	941 Payment	\$ 153,619.53
12/12/19	BCG 401	401 Payment	\$ 18,782.02
12/12/19	BCG 457	457 Payment	\$ 11,661.45
12/12/19	PBA	PBA Payment	\$ 1,231.00
12/12/19	PA SCU	Withholding Payment	\$ 470.02
Total Checks: 13			\$ 390,088.12