

**AGENDA**  
**MONTGOMERY TOWNSHIP**  
**BOARD OF SUPERVISORS**  
**April 13, 2015**

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

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

Lawrence J. Grogan  
Township Manager

**ACTION MEETING – 8:00 PM**

1. Call to Order by Chairman
2. Pledge of Allegiance
3. Public Comment
4. Announcement of Executive Session
5. Consider Approval of Minutes of March 23, 2015 Meeting
6. Consider Appointment to Township Boards and Commissions
7. Welcome Matt Reimel, Athletics and Recreation Coordinator
8. Consider Approval of 2015 Autumn Festival Solicitation Letter
9. Recognize Citizen Donation-Police Canine Vest
10. Consider Authorization to Auction Surplus Assets- Police and Administrative Vehicles
11. Consider Authorization to Submit Applications – Traffic Signal Upgrades
  - a. SR 309 Bethlehem Pike and Hartman Rd – Add “No U-Turn” Sign
  - b. SR 309 Bethlehem Pike and English Village/Gwynedd Crossing – Add “No U Turn” Sign
  - c. SR 0463 Horsham Rd and Upper State Rd (SR2012) – Add “Keep Off Shoulder” Sign
12. Consider Authorization for the Purchase of Phone System – Community and Recreation Center
13. Consider Award of Bid – Spray Park and Accessible Playground
14. Consider Approval to Submit Letter of Support for SEPTA Service Extension
15. Consider Decision and Order - Conditional Use Application #C-63 – Wilkinson Five Point Limited Partnership – BJ's Fuel Station – Five Points Plaza – 640 Cowpath Road
16. Consider Approval of LDS #682 - Preliminary/Final Land Development Plan– BJ's Fuel Station – Five Points Plaza – 640 Cowpath Road
17. Consider Approval of Waiver of Formal Land Developments Application – #M-15-71 - Goodman Properties – North Wales Crossing Shopping Center
18. Consider Approval of LDS #683– Minor Subdivision/Lot Line Adjustment– 512 Bethlehem Pike
19. Consider Proclamation of Arbor Day for Tree City USA

20. Consider Acceptance of PennDOT Offer to Purchase Right-of-Way from Montgomery Township for the 5 Points Intersection Project:

- a. Parcel No. 45 Horsham Road and Bethlehem Pike
- b. Parcel No. 46 - Horsham Road

21. Consider Construction Escrow Releases

- a. Montgomery Walk - Phase IIB - LDS 627R-B - Release #5
- b. Montgomery Preserve - Phase I - LDS 653A - Release #8

22. Consider Payment of Bills

23. Other Business

24. Adjournment

**Future Public Hearings/Meetings:**

04-15-2015 @ 6:00PM - Sewer Authority (Eureka Plant)  
04-15-2015 @ 7:30PM - Shade Tree Commission  
04-15-2015 @ 7:30PM - Public Safety Committee  
04-16-2015 @ 7:00PM - Pension Committee  
04-16-2015 @ 7:30PM - Planning Commission  
04-20-2015 @ 7:30PM - Finance Committee  
04-21-2015 @ 12:30PM - Business Development Partnership  
04-27-2015 @ 8:00PM - Board of Supervisors

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Public Comment

MEETING DATE: April 13, 2015

ITEM NUMBER: #3

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

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

INITIATED BY: Lawrence J. Gregan  
Township Manager

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



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BACKGROUND:

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

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

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

None.

MOTION/RESOLUTION:

None.

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

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT:      Announcement of Executive Session

MEETING DATE:      April 13, 2015      ITEM NUMBER: **#4**

MEETING/AGENDA: WORK SESSION      ACTION   XX      NONE

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

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

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BACKGROUND:

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

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

None.

MOTION/RESOLUTION:

None.

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



MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY


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SUBJECT: Consider Approval of Minutes for March 23, 2015

MEETING DATE: April 13, 2015 ITEM NUMBER: #5

MEETING/AGENDA: WORK SESSION ACTION XX NONE

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

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

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BACKGROUND:

Please contact Deb Rivas on Monday, April 13, 2015 before noon with any changes to the minutes.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

None.

MOTION/RESOLUTION:

None.

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

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

Chairman Michael Fox called the work session meeting to order at 5:30 p.m. In attendance were Supervisors Robert Birch, Candyce Fluehr Chimera, Jeffrey McDonnell and Joseph Walsh. Also in attendance were Frank Bartle, Esquire, Lawrence Gegan, Shannon Drosnock, Ann Shade, Stacy Crandell, Sharon Tucker, Bruce Shoupe, Brian Forman, Rich Grier, Ralph Schurr, John Holsinger and Jim Kelly. The Montgomery Township Community and Recreation Center construction progress, operating hours, fees, programming and other matters were discussed.

Chairman Michael Fox called the executive session meeting to order at 7:30 p.m. In attendance were Supervisors Robert Birch, Candyce Fluehr Chimera, Jeffrey McDonnell and Joseph Walsh. Also in attendance were Frank Bartle, Esquire and Lawrence Gegan.

Chairman Michael Fox called the action meeting to order at 8:00 p.m. In attendance were Supervisors Robert Birch, Candyce Fluehr Chimera, Jeffrey McDonnell and Joseph Walsh. Also in attendance were Frank Bartle, Esquire, Lawrence Gegan, Scott Bendig, Rick Lesniak, Shannon Drosnock, Ann Shade, Stacy Crandell, Bruce Shoupe, Kevin Costello, Brian Forman, Rich Grier, Kelsey McMeans and Deb Rivas.

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

Township Solicitor Frank Bartle, Esquire reported that the Board had met in an executive session earlier in the evening at 7:30 p.m. to discuss seven matters of litigation. The litigation matters included the Airport Square Associates Land Use Appeal, Mirabella v. Montgomery Township et al., Brogan-Lesinski v. Montgomery Township, EEOC Complaint – Deborah Lamb, the Marvin Cohen Zoning Appeal, the Commerce Group Board of View and Land Development

Plan, and the Zehr Tract Board of View. Mr. Bartle stated that these matters are legitimate subjects of executive session pursuant to Pennsylvania's Sunshine Law.

Supervisor Joseph Walsh made a motion and Supervisor Robert Birch seconded the motion to approve the minutes of the March 9, 2015 Board meeting. The minutes of the meeting were unanimously approved as submitted.

Chief of Police Scott Bendig introduced the Township's newest Recruit Police Officer, Anthony Long. Mr. Long was selected as a top candidate from a recruiting process that included a written examination, a physical agility test, police oral review board, a background investigation, including a polygraph examination, neighborhood interviews, employer interviews, and a Public Safety Committee oral interview. Resolution #1 made by Supervisor Michael Fox, seconded by Vice Chairman Candyce Fluehr Chimera and adopted unanimously, appointed Anthony Long to the position of Recruit Police Officer in the Montgomery Township Police Department, effective March 24, 2015.

Chief of Police Scott Bendig reported that the Police Department is scheduled to replace two patrol vehicles in 2015. The Police Department is proposing to purchase a 2014 Dodge Charger and a 2016 Ford Police Interceptor Utility as approved in the 2015 Final Budget. The Police Department received two quotes from New Holland Group, an authorized vendor under the COSTARS Cooperative Purchasing Program to provide the requested equipment at a total cost of \$52,824.00. Resolution #2 made by Chairman Michael Fox, seconded by Supervisor Joseph Walsh and adopted unanimously, awarded the contract for the purchase of two police vehicles to New Holland Auto Group at a cost of \$52,824.00.

Chief of Police Scott Bendig reported that the Montgomery County Department of Public Safety sponsors an Emergency Vehicle Operator's Course (EVOC) for law enforcement and other emergency vehicle operators. EVOC provides emergency vehicle operators with the knowledge and skills necessary to safely operate an emergency vehicle in emergency and non-emergency mode. Funding for vehicles utilized for EVOC practical exercises is limited.



Currently, vehicles utilized for the EVOC are retired police service vehicles donated by municipalities that make use of the training. The Police Department is proposing the donation of a 2010 Ford Crown Victoria Police Interceptor for the EVOC program. The vehicle has 89,298 miles and was retired from the fleet this year. Resolution #3 made by Chairman Michael Fox, seconded by Supervisor Candyce Fluehr Chimera and adopted unanimously, authorized the donation of a 2010 Ford Crown Victoria Police Interceptor to the Montgomery County Department of Public Safety for use in Emergency Vehicle Operator Courses (EVOC).

Director of Public Works Kevin Costello reported that staff received and opened bids on March 5, 2015 for the Underground Storage Tank Upgrades at the Public Works Facility. In addition to the original scope of work, the removal of the concrete pad over the top of the tanks was added in order to replace the fuel lines and install leak detection sensors to stay in compliance with the UST and DEP regulations. Environmental Control Systems, Inc. (ECS) reviewed the bids and made a recommendation to award the bid to the lowest responsible bidder, Miniscalco Construction, LLC of Skippack, PA. Resolution #4 made by Chairman Michael Fox, seconded by Supervisor Joseph Walsh and adopted unanimously, awarded the bid for the Underground Storage Tank Upgrades at the Public Works Facility to Miniscalco Construction, LLC of Skippack, PA for a total projected cost of \$95,946.00.

Director of Planning and Zoning Bruce Shoupe reported that it has been the policy of the Board of Supervisors in the past to waive permit fees for non-profit and governmental organizations. The Township has received a request from the Montgomery Township Municipal Sewer Authority to waive the building permit fee for the improvements to the Hauler's Septage receiving station building. Resolution #5 made by Chairman Michael Fox, seconded by Supervisor Joseph Walsh and adopted unanimously, approved the request of the Montgomery Township Municipal Sewer Authority to waive the permit fee for the improvements for the Hauler's Station.

Director of Planning and Zoning Bruce Shoupe reported that the Shade Tree Commission has obtained a professional services proposal from Timberlink Consulting, LLC for Phase II and III of the Forestry Management plan to be completed by July 30, 2015. Over the past several years, the Shade Tree Commission has researched the impact and alternatives in addressing the Emerald Ash Borer (EAB) infestation and its devastation of the Ash Tree population across the Northeastern United States. Through the process, the Commission recognized that developing an overall Forestry Management Plan with the management of the EAB as a component was the best option. Phase I of the Forestry Management plan included Windlestrae Park and was completed in June of 2014. Phase II includes Fellowship Park and the Natural Area and Phase III includes Spring Valley Park. Specific areas to be addressed include long term aged management, invasive species, wildlife, and overall health of the forest stands throughout the Township. Resolution #6 made by Chairman Michael Fox, seconded by Vice Chairman Candyce Fluehr Chimera and adopted unanimously, accepted the proposal from Timberlink Consulting for the development of Phase II and III of the Forestry Management Plan in the amount of \$2,700.

Director of Planning and Zoning Bruce Shoupe reported that the McDonald's restaurant, located in Horsham Township at the English Village location, is proposing to make improvements to the existing parking lot by adding an additional drive-thru lane adjacent to the existing land and remove an existing playground area and replace it with an outdoor seating area. All proposed improvements and site modifications depicted on the plan are within Horsham Township with the exception of a small portion of the parking lot, which is within Montgomery Township. The plans have been reviewed by the Montgomery Township Engineer who has indicated that Horsham Township's Zoning and Subdivision and Land Development Ordinances are consistent with Montgomery Township's Ordinances. It is recommend that the plans be approved. Resolution #7 made by Chairman Michael Fox, seconded by Supervisor



Joseph Walsh and adopted unanimously, approved the Waiver of Land Development for the McDonald's Restaurant – Horsham Township English Village Location - #M-15-70.

Township Manager Lawrence Gregan reported on the construction progress for the Montgomery Township Community and Recreation Center. The project is on time for a mid-Summer 2015 completion. Programming, policies, membership information and fees are currently under development and will be presented to the Board for approval at a future date.

Township Manager Lawrence Gregan reported that the Natural Lands Trust, in partnership with the Montgomery County Association of Township Officials (MCATO) honored Montgomery Township with the County's first "Growing Greener Communities Award" at the MCATO Spring Conference held on February 27, 2015 at Presidential Caterers. Roy Rodriguez, a dedicated volunteer for the Open Space Committee and Shade Tree Commission, accepted this award on behalf of the Township. The award recognized a Montgomery County municipality that has engaged in dynamic initiatives to save land, steward natural resources, and connect people to nature. Montgomery Township received this honor for the assemblage of the 13 municipal parks and protected natural areas that make up almost 730 acres of permanently conserved land, almost 500 of which are managed as publicly accessible parkland. Resolution #8 made by Chairman Michael Fox, seconded by Vice Chairman Candyce Fluehr Chimera and adopted unanimously, acknowledged the receipt of the first annual Growing Greener Communities Award from the Natural Lands Trust in partnership with the Montgomery County Association of Township Officials.

Chairman Michael Fox made a motion to approve the payment of bills for March 23, 2015. Vice Chairman Candyce Fluehr Chimera seconded the motion. The payment of bills was unanimously approved as submitted.

Under other business, Chairman Michael Fox reported that the Township's annual Volunteer Brunch was held on Sunday, March 22, 2015 at the Pine Crest Country Club. The event honors all the Volunteers who serve the Township. Chairman Fox congratulated and

thanked Public Information Coordinator Kelsey McMeans, Receptionist Charlotte Becker and Planning Coordinator Marita Stoerrle for their efforts in planning and running the event.

There being no further business to come before the Board, the meeting adjourned at 8:35 p.m.

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

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SUBJECT: Consider Appointment to Township Boards and Commissions

MEETING DATE: April 13, 2015 ITEM NUMBER: #6

MEETING/AGENDA: WORK SESSION ACTION XX NONE

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

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

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BACKGROUND:

A vacancy currently exists on the Shade Tree Commission. Township resident Jay Glickman has expressed an interest in becoming a member of the Montgomery Township Shade Tree Commission.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Consider the appointment of Jay Glickman to the Shade Tree Commission.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby appoint Jay Glickman to serve as a member of the Montgomery Township Shade Tree Commission with a term to expire on January 1, 2020.

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

ROLL CALL:

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

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



MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Welcome Matt Reimel, Athletics and Recreation Coordinator

MEETING DATE: April 13, 2015

ITEM NUMBER: #7

MEETING/AGENDA:

ACTION

NONE

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

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

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BACKGROUND:

This evening we would like to welcome a new employee to Montgomery Township.

Matt Reimel began his employment with Montgomery Township on April 1, 2015 as the Athletics and Recreation Coordinator.

Matt has been a youth sports coach in the area for over 10 years with various local programs. He has a Bachelor's Degree in Sports Management with a minor in coaching from West Chester University. Matt has worked in the North Penn School District, as well as the North Penn Valley Boys & Girls Club as a Building Director for the last 3 years. He runs one of the largest youth flag football tournaments in the country.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Welcome Matt Reimel, Athletics and Recreation Coordinator.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby welcome Matt Reimel as the Montgomery Township Athletics and Recreation Coordinator.

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

ROLL CALL:

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

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

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Approval of 2015 Autumn Festival Sponsorship and Vendor Solicitations

MEETING DATE: April 13, 2015

ITEM NUMBER: #8

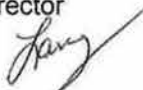
MEETING/AGENDA:

ACTION

NONE

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

INITIATED BY: Brian Forman, Recreation Director



BOARD LIAISON:  
Candyce Fluehr-Chimera  
Robert Birch

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BACKGROUND:

The 2015 Autumn Festival will take place on October 3 from 12:00pm – 8:00pm. This is the 15<sup>th</sup> year of this popular community event, led by a combination of staff and volunteers. The event includes Fireworks, Music, Pony Rides, Amusements, a Corn Maze, Scarecrow Making, Food Vendors and more.

In order to reduce the cost of this event to residents, we are making an effort to fundraise. As a part of the fundraising efforts, a solicitation letter is sent to businesses in the Township seeking various levels of sponsorship in order to fund the activities. Sponsorship levels include:

- Fall Foliage - up to \$499
- Scarecrow - \$500 - \$999
- Pumpkin - \$1,000+

Depending on the level of donation the business falls into, they will be eligible for certain benefits as detailed in the Sponsorship Brochure.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

Our current fund balance as of the end of 2014 is \$50,213.59. \$25,550 is budgeted as the Township donation amount for 2015.

RECOMMENDATION:

Staff recommends the Board approve the 2015 Autumn Festival Solicitation Letter and Brochure.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby approve the 2015 Autumn Festival Solicitation Letter and Brochure.

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

ROLL CALL:

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

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



Dear Montgomery Township Business Owner,

Montgomery Township is excited to offer you the opportunity to be a part of our 2015 Autumn Festival Celebration. On Saturday, October 3, 2015, Montgomery Township will be hosting its 15<sup>th</sup> Annual Autumn Festival which attracts thousands of participants to the William F. Maule Park at Windlestrae for a celebration filled with entertainment, food and many free activities. This years' event will continue with the additions of musical performances and a firework display.

With a wide variety of family-centric and all-age activities including inflatable amusements, a corn maze, hayrides, pumpkin decorating, scarecrow making, a petting zoo, pony rides, police and fire demonstrations, music, vendors, crafters, and – *of course* – snacks and beverages, the festival is a true example of neighborly camaraderie and pride.

There is no better way to showcase your role as an active member of the community in which you conduct business than through your sponsorship, which allows us to continue to host a family-friendly event enjoyed by all who attend.

We've made it easy for you to support the festival by creating three multi-tiered sponsorship levels -- with each level containing specific elements of sponsor recognition. *Please refer to the enclosed Sponsorship Brochure for details.*

Please contact Matt Reimel, Athletics and Recreation Coordinator, at [mreimel@montgomerytp.org](mailto:mreimel@montgomerytp.org) or (267) 649-7208.

Together we can make Montgomery Township's Autumn Festival a banner event!

Thank you for your consideration.

Sincerely,

Brian Forman  
Recreation Director



I want to sponsor the  
Autumn Festival on October 3rd!

Please check a sponsorship level:

- ☐ Pumpkin: \$1,000+  
☐ I would like a sponsor table  
☐ I would like 5 wristbands  
☐ Scarecrow: \$500 - \$999  
☐ I would like a sponsor table  
☐ Fall Foliage: up to \$499

Sponsor Name: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Please reply as soon as possible – but **no later than August 31** – to guarantee full sponsor benefits.

Enclosed is my check made payable to:

Montgomery Township  
Autumn Festival Sponsor  
1001 Stump Road  
Montgomeryville, PA 18936

## About Autumn Festival

On Saturday, October 3, 2015, Montgomery Township will host its 15th annual Autumn Festival in beautiful William F. Maule Park at Windlestrae, off Kenas Road.

Encompassing families and friends from the township and its nearby neighborhoods, *thousands* of attendees partake in entertainment, education, food and frivolity.

The Autumn Festival is a unique and cost-effective way to showcase your business or organization to a diverse, community-based audience.

With your generosity, we can continue to make this award-winning event a shining example of community spirit and local pride. Thank you for your support!

## The Autumn Festival Committee

Mary Alfarano  
Sue Dessner  
Ruth Hardin

Candyce Fluehr Chimera and Robert J. Birch  
Board of Supervisors Liaisons

**Saturday, October 3, 2015**

## Sponsorship Opportunities



**William F. Maule Park  
at Windlestrae**  
1147 Kenas Road  
North Wales, PA

# Sponsor Benefits

## PUMPKIN – \$1,000+

Receive *all* the benefits of the Scarecrow level *plus*:

- Opportunity to place promotional literature/item in the attendees' take-away bags.
- \*20-second promotional "ad" via loudspeaker at the event.
- Five free amusement wristbands.

\*(Please email your 20-second promotional "ad" to [mreimel@montgomerytwp.org](mailto:mreimel@montgomerytwp.org) no later than 8/31. Literature/promotional ad must have prior approval by the Board of Supervisors. Promotional "ad" to be presented at the event.)



## SCARECROW – \$500-\$999

Receive *all* the benefits of the Fall Foliage level *plus*:

- Company name printed on the back of the staff/volunteer shirt.
- One free sponsor table at the event.



## FALL FOLIAGE – up to \$499

Receive the following benefits:

- Recognition as a valued sponsor on Autumn Festival signage (*attendance 3000+*).
- Recognition as a valued sponsor via a loudspeaker announcement at the Festival.
- Recognition as a valued sponsor on a special Autumn Festival page of the Montgomery Township website and cable channels.
- Satisfaction of knowing that you played an important role in making the Autumn Festival a truly special community event.





**Montgomery Township Autumn Festival**  
1001 Stump Road  
Montgomeryville, PA 18936  
Phone: (215) 393-6900  
Fax: (215) 855-6656  
<http://www.montgomerytp.org>

### **FOOD VENDOR INFORMATION & FORM**

We invite you to join us at the 15<sup>th</sup> annual Montgomery Township Autumn Festival on Saturday, October 3, 2015 from 12:00 pm until 8:00 pm. We will be having activities for all age groups throughout the day. Some of the events will be amusements for the kids, hay rides, K-9 demonstrations, music, food, and scarecrow making.

**WHERE:** William F. Maule Park at Windlestrae, Kenas Road between Horsham and County Line Roads.

**WHEN:** Saturday, October 3, 2015 from 12:00 pm until 8:00 pm  
**No Rain Date!**

**COST:** \$100.00 (for Food Vendors), \$60.00 (for-profit businesses) and \$20 (non-profits) for a space, approximately 10'X15'. You must provide your own table and chairs unless you would prefer to rent from us (one 8' table and two chairs for \$10).

**SET-UP TIME:** To allow time to check in, unload and set up:

- Food vendors shall arrive at 9:00 am and shall relocate all vehicles from booth areas to Vendor parking at the Rose Twig Section of the park by 10:15 a.m.

To assist you to return to your booth or back to Vendor parking at the close of the event, a shuttle will be provided for transportation between the two areas.

**No vehicles will be permitted to enter the vendor sites after 11:00 am; however, vehicles will be allowed to return to the booths beginning at 6:00 pm.** If you must leave early, you will have to walk your display material to the Vendor parking lot.

**WE PROVIDE:** 1 Space (approximately 10'X15').

Applications will be accepted on a space available basis and are subject to review by the Recreation Office and the Autumn Festival Committee. Please complete a Vendor or Food Vendor registration form and return it with payment to the address above to reserve your space. **No space can be reserved without a complete registration form and full payment- no exceptions!**

*Hope to see you there!*

If you have any questions about the Autumn Festival, please contact:

**Matt Reimel, Athletics and Recreation Coordinator**  
[mreimel@montgomerytp.org](mailto:mreimel@montgomerytp.org)  
(267) 649-7208





## Montgomery Township Autumn Festival

1001 Stump Road

Montgomeryville, PA 18936

Phone: (215) 393-6900

Fax: (215) 855-6656

<http://www.montgomerytp.org>

### **MONTGOMERY TOWNSHIP AUTUMN FESTIVAL – OCTOBER 3, 2015** **FOOD VENDOR REGISTRATION – FORM & FEE DUE BY SEPTEMBER 11th!**

Food Vendor Name:		
Fee:	\$100.00	
Contact Person:		
Address:		
Phone:		Cell:
E-Mail Address (REQUIRED):		
Type of Food Selling:		

#### **DISPLAY INFORMATION:**

For placement and planning purposes- ***PLEASE BE SPECIFIC***- to ensure you are given the space you need- thank you! A Montgomery County Health Department Special Events Form is also required to be filled out.

Bringing a Tent?	<input type="checkbox"/> Yes <input type="checkbox"/> No    If yes, what size?
Electricity Needed?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Tables Needed?	<input type="checkbox"/> Yes <input type="checkbox"/> No    If yes, how many?
Please list <b><u>everything</u></b> that you will be bringing to the park for your display (i.e., refrigerator, grills, etc.) (If needed- use back of this sheet)	

The fee for food vendors is \$100.00. ***Make check payable to Montgomery Township.***

Giveaways, samples, prizes and raffles for those who visit your booth are permitted with prior permission from the Recreation Office. Applications are subject to review by the Recreation Office.

By signing this form, I release Montgomery Township and any individual working on behalf of the Autumn Festival Committee from any liability. Please return the form to Montgomery Township in person or fax to 215-855-6656. Any questions, please call Montgomery Township at 215-393-6900.

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

#### **For Office Use**

Registration Form Received By: \_\_\_\_\_

Date: \_\_\_\_\_ Payment Received: \_\_\_\_\_



## Montgomery Township Autumn Festival

1001 Stump Road

Montgomeryville, PA 18936

Phone: (215) 393-6900

Fax: (215) 855-6656

<http://www.montgomerytwp.org>

### VENDOR INFORMATION & FORM

We invite you to join us at the 15<sup>th</sup> annual Montgomery Township Autumn Festival on Saturday, October 3, 2015 from 12:00 pm until 6:00 pm. We will be having activities for all age groups throughout the day. Some of the events will be amusements for the kids, hay rides, K-9 demonstrations, music, food, and scarecrow making.

**WHERE:** William F. Maule Park at Windlestrae, Kenas Road between Horsham and County Line Roads.

**WHEN:** Saturday, October 3, 2015 from 12:00 pm until 8:00 pm  
**No Rain Date!**

**COST:** \$100.00 (for Food Vendors), \$60.00 (for-profit businesses) and \$20 (non-profits) for a space, approximately 10'X15'. You must provide your own table and chairs unless you would prefer to rent from us (one 8' table and two chairs for \$10).

**SET-UP TIME:** To allow time to check in, unload and set up:

- Food vendors shall arrive at 9:00 am and shall relocate all vehicles from booth areas to Vendor parking at the Rose Twig Section of the park by 10:15 a.m.

To assist you to return to your booth or back to Vendor parking at the close of the event, a shuttle will be provided for transportation between the two areas.

**No vehicles will be permitted to enter the vendor sites after 11:00 am; however, vehicles will be allowed to return to the booths beginning at 6:00 pm.** If you must leave early, you will have to walk your display material to the Vendor parking lot.

**WE PROVIDE:** 1 Space (approximately 10'X15').

Applications will be accepted on a space available basis and are subject to review by the Recreation Office and the Autumn Festival Committee. Please complete a Vendor or Food Vendor registration form and return it with payment to the address above to reserve your space. **No space can be reserved without a complete registration form and full payment- no exceptions!**

*Hope to see you there!*

If you have any questions about the Autumn Festival, please contact:

Matt Reimel, Athletics and Recreation Coordinator  
[mreimel@montgomerytwp.org](mailto:mreimel@montgomerytwp.org) or (267) 649-7208



**Montgomery Township Autumn Festival**  
 1001 Stump Road  
 Montgomeryville, PA 18936  
 Phone: (215) 393-6900  
 Fax: (215) 855-6656  
<http://www.montgomerytwp.org>

**MONTGOMERY TOWNSHIP AUTUMN FESTIVAL – OCTOBER 3, 2015**  
**VENDOR REGISTRATION – FORM & FEE DUE BY SEPTEMBER 11th!**

<b>Business/Organization:</b>		
<b>Type of Organization:</b>	<input type="checkbox"/> For-Profit: \$60.00/space <input type="checkbox"/> Non-Profit: \$20.00/space	
<b>Contact Person:</b>		
<b>Address:</b>		
<b>Phone:</b>		<b>Cell:</b>
<b>E-Mail Address (REQUIRED):</b>		
<b>Type of Display or Activity:</b>		
<b>Selling or Giving Anything Away?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Table Rental w/ Chairs</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No	

We provide a space approximately 10' X 15' in one area of the Festival for you to set up your display/activity.

Giveaways, samples, prizes and raffles for those who visit your booth are permitted with prior permission from the Recreation Office. Applications are subject to review by the Recreation Office.

By signing this form, I release Montgomery Township and any individual working on behalf of the Autumn Festival Committee from any liability. Please return the form to Montgomery Township in person or mail to: Matt Reimel, Athletics and Recreation Coordinator, Montgomery Township, 1001 Stump Road, Montgomeryville, PA 18936. Any questions, please call (267) 649-7208.

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

**For Office Use**

**Registration Form Received By:** \_\_\_\_\_

**Date:** \_\_\_\_\_ **Payment Received:** \_\_\_\_\_

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Recognize Citizen Donation of Equipment for Police Canine Unit

MEETING DATE: April 13, 2015

ITEM NUMBER: #9

MEETING/AGENDA:

ACTION XX

NONE

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

INITIATED BY: J. Scott Bendig, Chief of Police

BOARD LIAISON: Michael J. Fox, Chairman

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BACKGROUND:

In 2014, Mrs. Doris Mallozzi contacted the police department to inquire about donating funds for a ballistic vest for one of our police canines. These canine ballistic vests are similar to those worn by officers and provide the canine a level of protection from traumatic injuries, including gunfire.

Mrs. Mallozzi was referred to Vested Interest in K9's Inc., a non-profit organization from Massachusetts that works to provide the vests to eligible agencies. In February 2015, canine "Cody" received a ballistic vest from Vested Interest in K9's Inc. The purchase and receipt of this ballistic vest was made possible through the generous donation of Mrs. Mallozzi.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None

PREVIOUS BOARD ACTION:

None

ALTERNATIVES/OPTIONS:

None

BUDGET IMPACT:

None

RECOMMENDATION:

It is recommended that the Board of Supervisors recognize the Mrs. Doris Mallozzi for her donation.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby recognize Mrs. Doris Mallozzi for her generous donation which was used to provide a ballistic vest to the Police Department's Canine Unit.



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

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

ROLL CALL:

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

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

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Authorization to Auction Surplus Assets-Police and Administrative Vehicles

MEETING DATE: April 13, 2015 ITEM NUMBER: #10

MEETING/AGENDA: ACTION XX NONE

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

INITIATED BY: J. Scott Bendig, Chief of Police BOARD LIAISON: Michael J. Fox, Chairman

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BACKGROUND:

The Second Class Township Code provides that personal property owned by the Township, with an estimated fair market value of which is one thousand dollars (\$1,000) or more, may only be sold by public bid or auction to the highest bidder after notice by advertisement.

In past years, the Township disposed of surplus vehicles and other assets through the firm of J.J. Kane Auctioneers by an auction process. J.J. Kane charges a consignment fee to the buyer of 10% and charges the Township a fee between 4% - 20% based on the overall sales revenue plus a share of certain expenses such as advertising costs. A copy of J.J. Kane's agreement is attached. We are required to deliver the equipment to their facility in Conshohocken. Generally the auction involves equipment from a number of municipalities however; at times it is conducted with other agencies such as PECO.

The Township has the following equipment available to be sold at auction this year:

- |                             |                         |                  |
|-----------------------------|-------------------------|------------------|
| 1. 2003 Ford Crown Victoria | VIN - 2FAFP71W03X137596 | Mileage - 92,139 |
| 2. 2002 Dodge Intrepid      | VIN - 2B3HD56M92H265918 | Mileage - 79,690 |
| 3. 2003 Dodge Intrepid      | VIN - 2B3HD46V63H580731 | Mileage - 38,089 |

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None

PREVIOUS BOARD ACTION:

None

ALTERNATIVES/OPTIONS:

None

BUDGET IMPACT:

In 2014, the Township received \$5,760.00 from the sale of Police and Administrative vehicles via the public auction process.

RECOMMENDATION:

It is recommended that the Board authorize the sale of the following equipment via public auction through J.J. Kane Auctioneers in accordance with the terms of the attached agreement.

- |                             |                         |                  |
|-----------------------------|-------------------------|------------------|
| 1. 2002 Ford Crown Victoria | VIN - 2FAFP71W03X137596 | Mileage – 92,139 |
| 2. 2002 Dodge Intrepid      | VIN - 2B3HD56M92H265918 | Mileage – 79,690 |
| 3. 2003 Dodge Intrepid      | VIN - 2B3HD46V63H580731 | Mileage – 38,089 |

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby authorize the sale at auction of the following Township equipment through J.J. Kane Auctioneers, Conshohocken, Pennsylvania.

- |                             |                         |                  |
|-----------------------------|-------------------------|------------------|
| 1. 2002 Ford Crown Victoria | VIN - 2FAFP71W03X137596 | Mileage – 92,139 |
| 2. 2002 Dodge Intrepid      | VIN - 2B3HD56M92H265918 | Mileage – 79,690 |
| 3. 2003 Dodge Intrepid      | VIN - 2B3HD46V63H580731 | Mileage – 38,089 |

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

ROLL CALL:

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

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



John Kane, Account Manager  
8008 US HWY 130  
Bldg 1, Suite 214  
Delran, NJ 08075  
Mobile (609) 722-1265  
Fax (609) 482-8227

Contact: J. Scott Bendig  
Company Name: Montgomery Township  
Address: 1001 Stump Rd., Montgomeryville, Pa 18936  
Phone: 215-362-2301  
Fax: 215-362-6383  
Email: [srymkiewicz@montgomerytp.org](mailto:srymkiewicz@montgomerytp.org)

This agreement made the 24th day of October, 2012, between Montgomery Twp. (hereinafter called "Seller") and J.J. Kane Associates Inc / trade name J.J. Kane Auctioneers (hereinafter called "Auctioneer", acting as agent for "Seller"). It is agreed as follows:

1) Time Frame

- a) The Seller hereby engages the Auctioneer to sell at public absolute auction sale, the property identified by the seller excluding chemicals, hazardous and/or environmentally unsafe equipment/material unless mutually written upon between Seller and Auctioneer.
  - i) This agreement shall cover any auction sale the Seller chooses to participate starting on **January 1, 2012** and ending on **December 31, 2015**.
  - ii) This agreement shall cover auction sales conducted in the United States at any J.J. Kane permanent facility or rented/leased facility.

2) Auction Company Personnel

- a) Auctioneer shall provide all necessary auctioneers, accountants, clerks and office staff required to achieve the efficient and orderly performance of the auction sale. The Auctioneer shall employ qualified personnel to perform these jobs and shall perform this engagement in a professional and skilled manner in accordance with all applicable, federal, state and local laws and regulations.

3) As-Is & Where-Is Auction Sales

- a) The property/auction items will be offered for sale individually, or in the case of small miscellaneous items sold in lots as determined by the Auctioneer. The property/auction items will be sold on an "As-Is Where-Is" basis without any warranties of any kind expressed or implied.
- b) Seller agrees to disclose to Auctioneer any known defects or faults with property/auction items prior to the auction sale.

4) Marketable Title

- a) The Seller specifically warrants they are the owner of and have marketable title to all of the property, free and clear from any liens, debts or encumbrances except as noted. The Seller further warrants that there are no judgments or liens against it and that there are no pending legal actions, claims or proceedings whatsoever which in any way would hinder, prevent or otherwise affect its right or ability to sell the property at auction sale.



- b) Seller agrees to deliver on request any documents, certificates, proof of ownership or titles, which would be required to deliver title to the property.
- c) In the case that there is a delay in the new purchaser receiving a clear title for any vehicle or trailer sold for the Seller, the net proceeds from the sale will be held, until a free and clear title is received by the purchaser, or at the discretion of the Auctioneer, that item would be pulled from the auction sale and remain the Sellers property.
- d) If Seller is a motor vehicle dealer, list dealer state & dealer number:  
\_\_\_\_\_

5) Titles On-Site

- a) The Seller agrees to have all signed titles, a letter of authorization to sell your vehicles and any other related paperwork (seller specific bills of sale), either delivered to the sales associate signing this agreement no later than 30 days prior to sale dates or hand delivered to the auction sale site no later than 7 days prior to auction sale date.
- b) To comply with motor vehicle rules and so new purchasers may transfer ownership with minimal problems, a letter of authorization needs to be on your company letterhead and must accompany all titles. Below is a sample letter:

To Whom It May Concern:

ABC Construction Company gives J.J. Kane Auctioneers authorization to sell vehicles and/or equipment owned by ABC Construction Company at your auction sales conducted during calendar years 2012 through 2015 in the United States.

Sincerely

Your Name  
Signature

6) Delivery Of Auction Items

- a) The Seller agrees to have said property/auction items delivered to the sale site starting 30 days prior to sale date and no later than 10 days prior to sale date. Items must be delivered in running condition (except when noted) with adequate fuel levels and a duplicate set of keys.

7) Insurance Coverage

- a) The Seller agrees to maintain proper insurance coverage on the property/auction items being sold until the day of the auction sale.
- b) The Auctioneer and owner of the sale site property will not be responsible for any damages to property/auction items resulting from acts of nature, theft, accident and/or vandalism while Sellers property is on the sale site.
- c) Auctioneer shall be responsible for loss or damage to Sellers property/auction items due to Auctioneers willful or negligent acts or omissions.

8) Commission

- a) The Seller agrees that Auctioneer will charge a 10 percent fee to the buyer for each item sold.
- b) The Seller agrees to pay the Auctioneer a seller's fee based upon the following sliding commission scale: **4% commission**
- c) The Seller agrees when applicable, that the Auctioneer may deduct its commission from the proceeds of the auction sale.

9) No Sales

- a) In the event that a successful bidder attending the auction sale or bidding live over the internet fails to pay for an item for which he is designated to be the high bidder, that property/auction item would be considered a "No Sale" and no commission would be charged on that item and the Seller would retain ownership of said item.

10) Reimbursed Expenses

- a) If applicable and pre-approved, the Seller agrees that the Auctioneer may deduct the exact cost for any additional services that Auctioneer provides Seller from the proceeds of the auction sale.
  - (1) Advertising @ \$ \_\_\_\_\_
  - (2) Decommissioning \_\_\_\_\_
  - (3) Truck Washing @ \$ \_\_\_\_\_
  - (4) Repairs @ \$ \_\_\_\_\_
  - (5) Transportation of items to sale site @ \$ \_\_\_\_\_
  - (6) Other @ \$ \_\_\_\_\_

11) Payout

- a) Auctioneer will charge and collect from the purchaser, the purchase price together with all applicable taxes. Auctioneer will collect payment in full from the purchaser, prior to any property being removed from a sale site. Seller shall be responsible for the payment of all income taxes accruing to Seller for revenue received from the sale of property.
- b) The Auctioneer agrees to pay the Seller the net proceeds from the auction sale 14 business days following the auction sale. Auctioneer shall mail a written report to Seller listing items sold and an amount equal to 96% percent of the gross selling price of the property sold at auction, as outlined under section (8) and less any approved expenses as outlined under section (10), in the form of a check made payable or electronic transfer to the Seller. Proof of all approved expenses will be provided with the payout.
  - (1) Proceeds check will be made payable and mailed to the same name and address as it appears on page 1 of this contract unless otherwise listed:

12) Absolute Unreserved Auction Sales

- a) The Seller understands that the Auctioneer conducts absolute unreserved public auction sales where each item is sold to the highest bidder regardless of price.
- b) Furthermore, the Seller understands/agrees that it is illegal for the Seller or an agent of the Seller to bid on and/or buy-back any items owned by the Seller.
- c) If the Seller or agent for the Seller attempts to bid on and/or buy back any of the consigned property/auction items, the Auctioneer will at his discretion choose one of the following actions:
  - (1) Pass the item currently being offered for sale along with all the other Seller's property/auction items.
  - (2) Sell the item to the last "Good Faith" bidder before the Seller or agent for the Seller began bidding on the property/auction item.
- d) The Seller agrees that it will reimburse Auctioneer for any lost revenue, including seller's commission, buyer's fee and/or any pre-approved reimbursed expenses if a "Buy Back" takes place.

13) Advertised Items

- a) At the Auctioneers discretion, in the event that the Seller removes any advertised property/auction item from the auction sale, Seller agrees to pay the Auctioneer a handling fee of \$500.00 for each item removed from the sale.

14) Breach Of Contract

- a) In the event that Seller breaches any of the above warranties or makes any misrepresentation herein, Seller agrees to indemnify and hold the Auctioneer harmless from any and all liabilities or damages arising out of or relating to such breach or misrepresentation, including attorneys fees and other costs expended by Auctioneer in any action or proceeding arising out of or relating to the breach or misrepresentation.

15) Entire Agreement

- a) This Agreement contains the entire agreement between the parties and there are no other terms, obligations or representations, written or oral, other than contained in this agreement. This agreement may be modified only by a further writing that is duly executed by both parties.
- b) Headings used in this agreement are provided for convenience only and shall not be used to construe meaning or intent.

Seller hereby accepts all of the terms and conditions set forth above.

J.J. Kane Auctioneers

Company Name: Montgomery Twp

Contact: John Kane

Contact: J. Scott Bendig

Signature: \_\_\_\_\_ Signature: J. Scott Bendig

Date: \_\_\_\_\_ Date: 10/25/12

**Please FAX back:**

- 1) signed contract
- 2) the following 5th, printed on your Company Letterhead, and Signed

**To: John Kane, FAX (609)-482-8227**

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Authorization to Submit Applications – Traffic Signal Upgrades  
Bethlehem Pike (SR 309) and Hartman Road  
Bethlehem Pike (SR 309) and Englis Village/Gwynedd Crossing  
Horsham Road (SR 0463) and Upper State Road Road

MEETING DATE: April 13, 2015 ITEM NUMBER: #11a.b.c.

MEETING/AGENDA: ACTION XX NONE

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

INITIATED BY: J. Scott Bendig  
Chief of Police

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

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BACKGROUND:

Traffic Safety Officer David Dunlap has investigated traffic safety concerns about vehicles making U-Turns at traffic signals along Bethlehem Pike at the intersections of Hartman Road and English Village/Gwynedd Crossing driveway. The intersections currently have "No Left Turn" restriction in place but proper enforcement requires the posting of "No U Turn" signs. He recommended that the signal permits for these intersections be revised to require the installation of "No U Turn" signs for both the northbound and southbound Bethlehem Pike approaches.

In addition, Officer Dunlap has investigated traffic safety concerns about vehicles traveling westbound on Horsham Road using the shoulder area at Upper State Road as a right turn lane. The activity is creating a potential for accidents between vehicles making right turns from the travel lane and the vehicles improperly making right turns from the shoulder. The activity also creates the potential for accidents between vehicles and pedestrians crossing Upper State Road at the intersection. He recommended that the Traffic Signal permit for this intersection be revised to require the posting of a "Keep Off Shoulder" sign at this location.

The revisions have been reviewed and recommended for approval by Kevin Johnson, P.E., Township Traffic Engineer.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

The cost for installation of the necessary signs would be paid for by the Township.

RECOMMENDATION:

Adopt the attached Resolutions authorizing the Township Manager to submit applications to the Pennsylvania Department of Transportation for the traffic signal permit plans for these intersections.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby adopt Resolutions authorizing the Township Manager to submit applications to the Pennsylvania Department of Transportation for traffic signal improvements at the following intersections:

- a. SR 309 Bethlehem Pike and Hartman Rd – Add “No U-Turn” Sign for North and Southbound approaches.
- b. SR 309 Bethlehem Pike and English Village/Gwynedd Crossing – Add “No U Turn” Sign for North and Southbound approaches.
- c. SR 0463 Horsham Rd and Upper State Rd (SR2012) – Add “Keep Off Shoulder” Sign for westbound approach at Upper State Road.

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

ROLL CALL:

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

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

**RESOLUTION**

BE IT RESOLVED, by authority of the **Board of Supervisors** of the **Township of Montgomery, Montgomery County**, and it is hereby resolved by authority of the same, that the **Chairman of the Board** of said MUNICIPALITY is authorized and directed to submit the attached Application for Traffic Signal Approval to the Pennsylvania Department of Transportation and to sign this Application on behalf of the MUNICIPALITY.

ATTEST

**MONTGOMERY TOWNSHIP**

\_\_\_\_\_  
(Signature and designation  
of official title)

**Lawrence J. Gregan, Secretary**

\_\_\_\_\_  
Print or type above name and  
title

By: \_\_\_\_\_  
(Signature and designation  
of official title)

**Michael J. Fox, Chairman**

\_\_\_\_\_  
Print or type above name and  
title

(SEAL)

I, **Lawrence J. Gregan, Secretary** of the **Board of Supervisors of Montgomery Township**, do hereby certify that the foregoing is a true and correct copy of the Resolution adopted at a regular meeting of the **Board of Supervisors of Montgomery Township**, held the **13<sup>th</sup>** day of **April**, 2015.

DATE: April 13, 2015

\_\_\_\_\_  
(Signature and designation  
of official title)

**Lawrence J. Gregan, Secretary**

\_\_\_\_\_  
Print or type above name/title



# Application for Traffic Signal Approval

Please Type or Print all information in Blue or Black Ink



County : \_\_\_\_\_  
 Engineering District : \_\_\_\_\_  
 Department Tracking # : \_\_\_\_\_  
 Initial Submission Date : \_\_\_\_\_

## A - Applicant's (Municipal) Contact Information

Municipal Contact's Name : Kevin Costello Title : Public Works Director  
 Municipal Name : Montgomery Township  
 Municipal Address : 1001 Stump Road, Montgomeryville, PA 18936-9605  
 Municipal Phone Number : 215-393-6900 Alternative Phone Number : \_\_\_\_\_  
 E-mail Address : publicworks@montgomerytwp.org  
 Municipal Hours of Operation : Monday to Friday 9:00AM to 5PM

## B - Application Description

Location (*intersection*) : SR 0309 (Bethlehem Pike) and Hartman Road  
 Traffic Control Device is : ☐ NEW Traffic Signal ☒ EXISTING Traffic Signal (Permit Number) : 1618  
 Type of Device (*select one*) ☒ Traffic Control Signal (MUTCD Section 4D, 4E, 4G) ☐ Flashing Beacon (MUTCD Section 4L) ☐ School Warning System (MUTCD Section 7B)  
☐ Other : \_\_\_\_\_  
 Is Traffic Signal part of a system? : ☒ YES ☐ NO System Number (*if applicable*) : I-0011  
 If YES, provide locations of all signalized intersections in system.  
 See Interconnect Permit (I-0011)  
 Explain the proposed improvements :  
 Add No U-turn signs for SR 0309 (Bethlehem Pike)  
 Associated with Highway Occupancy Permit (HOP)? : ☐ YES ☒ NO If YES, HOP Application # : \_\_\_\_\_

## C - Maintenance and Operation Information

Maintenance and Operations are typically performed by? :  
☐ Municipal Personnel ☐ Municipal Contractor ☒ Municipal Personnel & Contractor  
☐ Other : \_\_\_\_\_  
 Maintenance and Operations Contact Name : Kevin Costello Company/Organization : Montgomery Township  
 Phone # : 215-393-6900 Alternative Phone # : \_\_\_\_\_ E-mail : publicworks@montgomerytwp.org

## D - Attachments Listing

<input checked="" type="checkbox"/> Municipal Resolution ( <i>required</i> )	<input type="checkbox"/> Location Map	<input type="checkbox"/> Traffic Volumes / Pedestrian Volumes
<input type="checkbox"/> Letter of Financial Commitment	<input type="checkbox"/> Photographs	<input type="checkbox"/> Turn Lane Analysis
<input type="checkbox"/> Traffic Signal Permit	<input type="checkbox"/> Straight Line Diagram	<input type="checkbox"/> Turn Restriction Studies
<input type="checkbox"/> Warrant Analysis	<input type="checkbox"/> Capacity Analysis	<input type="checkbox"/> Other : _____
<input type="checkbox"/> Crash Analysis	<input type="checkbox"/> Traffic Impact Study (TIS)	
<input type="checkbox"/> Traffic Signal Study	<input type="checkbox"/> Condition Diagram	

**Application for  
Traffic Signal Approval**

Please Type or Print all information in Blue or Black Ink


 County : \_\_\_\_\_  
 Engineering District : \_\_\_\_\_  
 Department Tracking # : \_\_\_\_\_  
 Initial Submission Date : \_\_\_\_\_
**E - Applicant (Municipal) Certification**

The applicant desires to own, operate, and maintain the traffic control device in the location indicated above; and the Vehicle Code requires the approval of the Department of Transportation ("Department") before any traffic signals may be legally erected or modified. A signed Application for Traffic Signal Approval (TE-160) must be submitted in conformance with the instructions provided by the Department, and a Traffic Signal Permit must be issued, before any work can begin.

If the Department approves a traffic signal after a traffic engineering study and engineering judgment indicates the need, the traffic signal shall be installed, owned, operated, and maintained within the parameters indicated in the Vehicle Code and the Department's regulations relating to traffic signs, signals, and markings. The Department may direct appropriate alterations to the design or operation (including, but not limited to, hours of operation) of the traffic signal, or require removal of the traffic signal, if traffic conditions or other considerations necessitate alteration or removal.

All items associated with the traffic control device (geometric features, signs, signals, pavement markings, pedestrian accommodations, and other traffic control device associated items) are the applicant's responsibility. The Traffic Signal Permit will then document all of the items associated with operation of each traffic control device. The applicant, at its sole expense, shall provide the necessary inspection, maintenance, and operation activities in conformance with the Department's Publication 191 or as otherwise agreed to by the Department. The applicant shall perform the preventative and responsive maintenance requirements and recordkeeping in accordance with the exhibits specified below. If the applicant fails to provide the required inspection, maintenance, or operation services within thirty (30) days of receipt of written notice from the Department, the Department shall have the right to perform the required inspection, maintenance, or operation services in the applicant's stead and the applicant shall reimburse the Department for all costs incurred. Federal- and/or state-aid participation may be withheld on all future projects if the applicant fails to demonstrate to the Department the ability to provide all required maintenance and operation services. The applicant certifies that it has funds available and committed for the operation and maintenance of the traffic control device and that it will make available sufficient funds for all required future inspection, maintenance, and operation activities.

The applicant shall indemnify, save harmless and, defend (if requested) the Commonwealth of Pennsylvania, its agents, representatives, and employees from and against any damages recoverable under the Sovereign Immunity Act, 42 Pa. C.S. §§ 8521-8528, up to the limitations on damages under said law, arising out of any personal injury or damage to property which is finally determined by a court to be caused by or result from acts or omissions of the applicant and for which a court has held applicant, its officials, or employees to be liable. This provision shall not be construed to limit the applicant in asserting any rights or defenses. Additionally, the applicant shall include in any contracts into which it enters for maintenance, operation, or inspection of the traffic control device this same obligation to indemnify the Commonwealth and its officers, agents, and employees; and it shall require its contractor(s) to provide public liability insurance coverage, naming the Commonwealth and the applicant as additional insureds for bodily injury, including death and property damage, in the minimum amounts of \$500,000 per person, \$1,000,000 per occurrence, it being the intention of parties to have the contractor fully insure and indemnify the Commonwealth and the applicant.

The applicant shall comply with the study and ordinance requirements of 75 Pa. C.S. § 6109. The applicant submits this application with the intention of being legally bound.

Neither this application nor any Traffic Signal Permit creates any rights or obligations with respect to parties other than the applicant and the Department. Third parties may not rely upon any representations made by either the applicant or the Department in connection with the submission or approval of this application or any work permitted or approved that is related to this application, as regards either payment of funds or performance of any particular item of maintenance precisely as specified.

The applicant agrees to comply with the attached Exhibits:

- Exhibit "A": Preventative and Response Maintenance Requirements (Sheet 3 of 5 )
- Exhibit "B": Recordkeeping (Sheet 4 of 5 )
- Exhibit "C": Signal Maintenance Organization (Sheet 5 of 5 )

<b>Printed Municipal Contact Name :</b> _____	<b>Date :</b> _____
<b>Signed By :</b> _____	<b>Witness or Attest :</b> _____
<b>Title of Signatory :</b> _____	<b>Title of Witness or Attester:</b> _____



**Exhibit "A":**  
**Preventative and Response Maintenance**  
**Requirements**

 County : \_\_\_\_\_  
 Engineering District : \_\_\_\_\_  
 Department Tracking # : \_\_\_\_\_  
 Initial Submission Date : \_\_\_\_\_

**Preventive Maintenance**

The APPLICANT or its contractor will provide preventive maintenance for each individual component of the traffic signal installation covered by this application at intervals not less than those indicated in the Preventive Maintenance Summary, PA DOT Publication 191, current version. This is the recommended level of maintenance to keep the intersection control equipment and signals in mechanically, structurally and aesthetically good condition.

**Response Maintenance**

The APPLICANT or its contractor will provide response maintenance in accordance with the provisions of the Response Maintenance Schedule. It encompasses the work necessary to restore a traffic signal system to proper and safe operation. Includes Emergency Repair and Final Repair.

**FINAL REPAIR:**

Repair or replace failed equipment to restore system to proper and safe operation in accordance with permit within a 24-hour period.

**EMERGENCY REPAIR:**

Use alternative means or mode to temporarily restore system to safe operation within a 24-hour period. Final repair must then be completed within 30 days unless prohibited by weather conditions or availability of equipment.

**Response Maintenance Schedule**
**KNOCKDOWNS**

 Support - Mast arm  
 Support - Strain pole  
 Span wire/tether wire  
 Pedestal  
 Cabinet  
 Signal heads

**TYPE OF REPAIR PERMITTED**

 Emergency or Final  
 Emergency or Final  
 Final Only  
 Emergency or Final  
 Emergency or Final  
 Final Only

**EQUIPMENT FAILURE**

 Lamp burnout (veh. & ped.)  
 Local controller  
 Master controller  
 Detector sensor  
     - Loop  
     - Magnetometer  
     - Sonic  
     - Magnetic  
     - Pushbutton  
 Detector amplifier  
 Conflict monitor  
 Flasher  
 Time clock  
 Load switch/relay  
 Coordination unit  
 Communication interface, mode  
 Signal cable  
 Traffic Signal Communications  
 Traffic Signal Systems

 Final Only  
 Emergency or Final  
 Emergency or Final  
 Emergency or Final  
 Emergency or Final  
 Emergency or Final  
 Emergency or Final  
 Emergency or Final  
 Final Only  
 Final Only  
 Emergency or Final  
 Final Only  
 Emergency or Final  
 Emergency or Final  
 Final Only  
 Final Only  
 Final Only

**Exhibit "B":  
Recordkeeping**

County : \_\_\_\_\_

Engineering District : \_\_\_\_\_

Department Tracking # : \_\_\_\_\_

Initial Submission Date : \_\_\_\_\_

**Recordkeeping**

Accurate and up-to-date recordkeeping is an essential component of a good traffic signal maintenance program. In recognition of this fact, the APPLICANT must prepare, retain, and make available to the COMMONWEALTH, on request, a record of all preventive and response maintenance activities performed on the traffic signal equipment covered by this application.

The APPLICANT shall establish a separate file for each installation and keep its records in the municipal building, signal maintenance shop, or other weather-protected enclosure.

At a minimum, the following records will be kept by the APPLICANT or its contractor for each traffic signal. These forms can be found in Section 10.0, Maintenance Record Forms, PA DOT Publication 191, current version.

**FORM 1 - Master Intersection Record**

This form, which lists all maintenance functions performed at the intersection, should be updated within one day of the activity but no more than one week later.

**FORM 2 - Response Maintenance Record**

Each time response maintenance is required at the intersection, this form is to be completed. Once the pertinent information is transferred to the master intersection record, this form is to be placed in the intersection file.

**FORM 3 - Preventive Maintenance Record**

This form will be used to provide a record of the preventive maintenance activities performed at each intersection. The date, the activities performed, and the signature of the person in charge of the work must be recorded in the form.

This form may be kept at the intersection, if it is adequately protected from the weather. Form 1 must be updated at the central file, however, to reflect the date and activity.

**Exhibit "C":  
Signal Maintenance Organization**

County : \_\_\_\_\_  
 Engineering District : \_\_\_\_\_  
 Department Tracking # : \_\_\_\_\_  
 Initial Submission Date : \_\_\_\_\_

**Personnel Classifications**

In order to properly maintain the traffic signal equipment covered by this applicant, the APPLICANT agrees to provide, as minimum, the following staff throughout the useful life of equipment. The APPLICANT agrees to abide by all guidance provided in PA DOT Publication 191.

**Traffic Engineer** - The administrative position which has prime responsibility for the proper operation of traffic signal equipment. The principal function of this position is the supervision and control of subordinate personnel and the planning of their activities to ensure adequate preventive and response maintenance programs.

**Minimum Position Requirements**

1. A thorough understanding of traffic signal design, installation and maintenance.
2. A working knowledge of the interaction between the following traffic characteristics: Intersection geometry, traffic flow theory, control type (fixed time, actuated, etc.), signal phasing and timing, and interconnection.
3. An ability to supervise subordinate personnel effectively in the assignment of their work.
4. Possession of a college degree in engineering, which includes course work in traffic engineering.
5. Either four years experience in the field of traffic engineering or its equivalent in graduate college work.

**Signal Specialist** - The individual responsible for the diagnostics and repair of all traffic signal equipment including solid state equipment.

**Minimum Position Requirements**

1. Extensive training and troubleshooting skills in electronics and software.
2. Ability to repair modules in the shop and to design test equipment needed to diagnose and repair a problem.
3. Ability to make design and modifications to implement or omit special functions.
4. Ability to implement a recordkeeping system to include maintenance activities, inventory control and identification of recurring problems.
5. Ability to perform all tasks required of a signal technician.

**Signal Technician** - Individual responsible for the operation and maintenance of traffic signals and electromechanical equipment.

**Minimum Position Requirements**

1. Ability to perform response maintenance on solid state equipment up to the device exchange level.
2. Capability to diagnose a vehicle loop failure and initiate corrective action.
3. Ability to tune detector amplifiers.
4. Ability to follow wiring schematics, check and set timings from plan sheet and check all field connections.
5. Ability to perform preventive maintenance on all equipment and to maintain accurate records of all work perform.

**Training**

The APPLICANT agrees to secure training in order to upgrade the ability of its present staff to properly perform the required maintenance functions. The APPLICANT agrees to abide by all guidance provided in PA DOT Publication 191.

**Budget Requirements**

The APPLICANT agrees to provide, in its annual operating budget, dedicated funds which are sufficient to cover the cost of the personnel, training, contractors (if utilized) and specialized maintenance equipment which are required, by virtue of this application. The APPLICANT agrees to abide by all guidance provided in PA DOT Publication 191..



## Application Instructions



### A - Applicant's (Municipal) Contact Information

**Municipal Contact's Name:** Provide the municipal contact name that is (or will be responsible) for the traffic signal. Typically this is either the Municipal Manager or Roadmaster.

**Title:** Provide the title of the municipal contact name.

**Municipal Name:** Provide the official municipal name.

**Municipal Address:** Provide the full address of the municipal building.

**Municipal Phone Number:** Provide the municipal phone number of the municipal contact.

**Alternative Phone Number:** Provide an alternative phone number of the municipal contact.

**E-mail Address:** Provide the e-mail address of the municipal contact.

**Municipal Hours of Operation:** Please provide the municipalities normal operating hours (i.e. Monday-Thursday 9 AM - 2 PM)

### B - Application Description

**Location (intersection):** Please provide a detailed location of the device or devices being considered for approval.

Please include any State Route and/or local road names in your description.

**Traffic Control Device is:** (Please select one of the two following categories)

**NEW Traffic Signal:** This item should be selected when requesting approval of a traffic signal that is currently not in operation at the device location indicated above.

**EXISTING Traffic Signal:** This item should be selected when requesting approval to make a modification or update to an existing traffic signal.

**(Permit Number):** Please provide the traffic signal permit number.

**Type of Device (select one):** (Please select one of the four following categories)

**Traffic Control Signal:** As defined in federal Manual on Uniform Traffic Control Devices (MUTCD) Sections 4D, 4E, and 4G. When selecting this category this is the typical red/yellow/green and pedestrian signal indications

**Flashing Beacon:** As defined in federal Manual on Uniform Traffic Control Devices (MUTCD) Section 4L. When selecting this category, this is typically either the flashing yellow/red signal at an intersection and/or the flashing yellow warning sign.

**School Warning System:** As defined in federal Manual on Uniform Traffic Control Devices (MUTCD) Section 7B. When selecting this category, this is typically the flashing school warning sign with a 15 mph indication.

**Other:** When selecting this category, this pertains to all other permitted electrically powered traffic control devices approved by the Department.

**Is Traffic Signal part of a system?:** Check off the appropriate box, either YES or NO. If YES, please fill in the **System Number (if applicable):** line.

**Explain the proposed improvements:** Provide a description of the proposed improvements to the intersection. This may be as complex as installing and/or upgrading a traffic signal or as non-complex as placement of a new traffic sign to supplement an existing traffic signal.

**Associated with Highway Occupancy Permit (HOP)?:** Check off the appropriate box, either YES or NO. If YES, please fill in the **Application #:** line.

### C - Maintenance and Operation Information

**Maintenance and Operations are typically performed by?:** Please indicate if maintenance and operation will be performed by Municipal Personnel or through Contract Services.

**Maintenance and Operations Contact Name:** Provide the primary maintenance contact name for the individual that is (or will be responsible) for the maintenance and operation of the traffic signal.

**Company/Organization:** Provide the name of the company/organization with which the primary maintenance contact is affiliated.

**Phone #:** Provide the phone number for the primary maintenance contact.

**Alternative Phone #:** Provide an alternative phone number for the primary maintenance contact or affiliated company/organization.

**E-mail:** Provide the e-mail address for the primary maintenance contact.

### D - Attachments Listing

Check off all documents which will be submitted along with this application. Note that a Municipal Resolution, authorizing the municipal contact to submit and sign the application, is a required document.

A sample Municipal Resolution has been provided on the next page.

### E - Applicant (Municipal) Certification

**Printed Municipal Contact Name:** Please print the name of the municipal contact person signing the application.

**Date:** Please provide the date on which the application was signed.

**Signed By:** Please provide the signature of the named municipal contact.

**Title of Signatory:** Please provide the title of municipal contact.

**Witness or Attest:** Please provide the signature of the person witnessing or attesting the signature.

**Witness or Attester:** Please provide the title of the person witnessing or attesting the signature.



## RESOLUTION

BE IT RESOLVED, by authority of the Board of Supervisors of the Township of Montgomery, Montgomery County, and it is hereby resolved by authority of the same, that the Chairman of the Board of said MUNICIPALITY is authorized and directed to submit the attached Application for Traffic Signal Approval to the Pennsylvania Department of Transportation and to sign this Application on behalf of the MUNICIPALITY.

ATTEST

**MONTGOMERY TOWNSHIP**

\_\_\_\_\_  
(Signature and designation  
of official title)

**Lawrence J. Gregan, Secretary**

\_\_\_\_\_  
Print or type above name and  
title

By: \_\_\_\_\_  
(Signature and designation  
of official title)

**Michael J. Fox, Chairman**

\_\_\_\_\_  
Print or type above name and  
title

(SEAL)

I, Lawrence J. Gregan, Secretary of the Board of Supervisors of Montgomery Township, do hereby certify that the foregoing is a true and correct copy of the Resolution adopted at a regular meeting of the Board of Supervisors of Montgomery Township, held the 13<sup>th</sup> day of April, 2015.

DATE: April 13, 2015

\_\_\_\_\_  
(Signature and designation  
of official title)

**Lawrence J. Gregan, Secretary**

\_\_\_\_\_  
Print or type above name/title

**Application for  
Traffic Signal Approval**

Please Type or Print all information in Blue or Black Ink



County : \_\_\_\_\_

Engineering District : \_\_\_\_\_

Department Tracking # : \_\_\_\_\_

Initial Submission Date : \_\_\_\_\_

**A - Applicant's (Municipal) Contact Information**

**Municipal Contact's Name :** Kevin Costello **Title :** Public Works Director

**Municipal Name :** Montgomery Township

**Municipal Address :** 1001 Stump Road, Montgomeryville, PA 18936-9605

**Municipal Phone Number :** 215-393-6900 **Alternative Phone Number :** \_\_\_\_\_

**E-mail Address :** publicworks@montgomerytpw.org

**Municipal Hours of Operation :** Monday to Friday 9:00AM to 5PM

**B - Application Description**

**Location (intersection) :** SR 0309 (Bethlehem Pike) and English Village/Gwynedd Crossing

**Traffic Control Device is :** ☐ NEW Traffic Signal ☒ EXISTING Traffic Signal **(Permit Number) :** 2704

**Type of Device (select one) ☒** Traffic Control Signal (MUTCD Section 4D, 4E, 4G) ☐ Flashing Beacon (MUTCD Section 4L) ☐ School Warning System (MUTCD Section 7B)

☐ Other : \_\_\_\_\_

**Is Traffic Signal part of a system? :** ☒ YES ☐ NO **System Number (if applicable) :** I-0011

**If YES, provide locations of all signalized intersections in system.**

See Interconnect Permit (I-0011)

**Explain the proposed improvements :**

Add No U-turn signs for SR 0309 (Bethlehem Pike)

**Associated with Highway Occupancy Permit (HOP)? :** ☐ YES ☒ NO **If YES, HOP Application # :** \_\_\_\_\_

**C - Maintenance and Operation Information**

**Maintenance and Operations are typically performed by? :**

☐ Municipal Personnel ☐ Municipal Contractor ☒ Municipal Personnel & Contractor

☐ Other : \_\_\_\_\_

**Maintenance and Operations Contact Name :** Kevin Costello **Company/Organization :** Montgomery Township

**Phone # :** 215-393-6900 **Alternative Phone # :** \_\_\_\_\_ **E-mail :** publicworks@montgomerytpw.org

**D - Attachments Listing**

- |   |   |   |
|---|---|---|
| <input checked="" type="checkbox"/> Municipal Resolution (required) | <input type="checkbox"/> Location Map               | <input type="checkbox"/> Traffic Volumes / Pedestrian Volumes |
| <input type="checkbox"/> Letter of Financial Commitment             | <input type="checkbox"/> Photographs                | <input type="checkbox"/> Turn Lane Analysis                   |
| <input type="checkbox"/> Traffic Signal Permit                      | <input type="checkbox"/> Straight Line Diagram      | <input type="checkbox"/> Turn Restriction Studies             |
| <input type="checkbox"/> Warrant Analysis                           | <input type="checkbox"/> Capacity Analysis          | <input type="checkbox"/> Other : _____                        |
| <input type="checkbox"/> Crash Analysis                             | <input type="checkbox"/> Traffic Impact Study (TIS) |   |
| <input type="checkbox"/> Traffic Signal Study                       | <input type="checkbox"/> Condition Diagram          |   |

**Application for  
Traffic Signal Approval**

Please Type or Print all information in Blue or Black Ink



County : \_\_\_\_\_

Engineering District : \_\_\_\_\_

Department Tracking # : \_\_\_\_\_

Initial Submission Date : \_\_\_\_\_

**E - Applicant (Municipal) Certification**

The applicant desires to own, operate, and maintain the traffic control device in the location indicated above; and the Vehicle Code requires the approval of the Department of Transportation ("Department") before any traffic signals may be legally erected or modified. A signed Application for Traffic Signal Approval (TE-160) must be submitted in conformance with the instructions provided by the Department, and a Traffic Signal Permit must be issued, before any work can begin.

If the Department approves a traffic signal after a traffic engineering study and engineering judgment indicates the need, the traffic signal shall be installed, owned, operated, and maintained within the parameters indicated in the Vehicle Code and the Department's regulations relating to traffic signs, signals, and markings. The Department may direct appropriate alterations to the design or operation (including, but not limited to, hours of operation) of the traffic signal, or require removal of the traffic signal, if traffic conditions or other considerations necessitate alteration or removal.

All items associated with the traffic control device (geometric features, signs, signals, pavement markings, pedestrian accommodations, and other traffic control device associated items) are the applicant's responsibility. The Traffic Signal Permit will then document all of the items associated with operation of each traffic control device. The applicant, at its sole expense, shall provide the necessary inspection, maintenance, and operation activities in conformance with the Department's Publication 191 or as otherwise agreed to by the Department. The applicant shall perform the preventative and responsive maintenance requirements and recordkeeping in accordance with the exhibits specified below. If the applicant fails to provide the required inspection, maintenance, or operation services within thirty (30) days of receipt of written notice from the Department, the Department shall have the right to perform the required inspection, maintenance, or operation services in the applicant's stead and the applicant shall reimburse the Department for all costs incurred. Federal- and/or state-aid participation may be withheld on all future projects if the applicant fails to demonstrate to the Department the ability to provide all required maintenance and operation services. The applicant certifies that it has funds available and committed for the operation and maintenance of the traffic control device and that it will make available sufficient funds for all required future inspection, maintenance, and operation activities.

The applicant shall indemnify, save harmless and, defend (if requested) the Commonwealth of Pennsylvania, its agents, representatives, and employees from and against any damages recoverable under the Sovereign Immunity Act, 42 Pa. C.S. §§ 8521-8528, up to the limitations on damages under said law, arising out of any personal injury or damage to property which is finally determined by a court to be caused by or result from acts or omissions of the applicant and for which a court has held applicant, its officials, or employees to be liable. This provision shall not be construed to limit the applicant in asserting any rights or defenses. Additionally, the applicant shall include in any contracts into which it enters for maintenance, operation, or inspection of the traffic control device this same obligation to indemnify the Commonwealth and its officers, agents, and employees; and it shall require its contractor(s) to provide public liability insurance coverage, naming the Commonwealth and the applicant as additional insureds for bodily injury, including death and property damage, in the minimum amounts of \$500,000 per person, \$1,000,000 per occurrence, it being the intention of parties to have the contractor fully insure and indemnify the Commonwealth and the applicant.

The applicant shall comply with the study and ordinance requirements of 75 Pa. C.S. § 6109. The applicant submits this application with the intention of being legally bound.

Neither this application nor any Traffic Signal Permit creates any rights or obligations with respect to parties other than the applicant and the Department. Third parties may not rely upon any representations made by either the applicant or the Department in connection with the submission or approval of this application or any work permitted or approved that is related to this application, as regards either payment of funds or performance of any particular item of maintenance precisely as specified.

The applicant agrees to comply with the attached Exhibits:

- Exhibit "A": Preventative and Response Maintenance Requirements (Sheet 3 of 5 )
- Exhibit "B": Recordkeeping (Sheet 4 of 5 )
- Exhibit "C": Signal Maintenance Organization (Sheet 5 of 5 )

Printed Municipal Contact Name : \_\_\_\_\_ Date : \_\_\_\_\_

Signed By : \_\_\_\_\_ Witness or Attest : \_\_\_\_\_

Title of Signatory : \_\_\_\_\_ Title of Witness or Attester: \_\_\_\_\_



**Exhibit "A":****Preventative and Response Maintenance Requirements**

County : \_\_\_\_\_

Engineering District : \_\_\_\_\_

Department Tracking # : \_\_\_\_\_

Initial Submission Date : \_\_\_\_\_

**Preventive Maintenance**

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Repair or replace failed equipment to restore system to proper and safe operation in accordance with permit within a 24-hour period.

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**Response Maintenance Schedule****KNOCKDOWNS**

Support - Mast arm  
 Support - Strain pole  
 Span wire/tether wire  
 Pedestal  
 Cabinet  
 Signal heads

**TYPE OF REPAIR PERMITTED**

Emergency or Final  
 Emergency or Final  
 Final Only  
 Emergency or Final  
 Emergency or Final  
 Final Only

**EQUIPMENT FAILURE**

Lamp burnout (veh. & ped.)  
 Local controller  
 Master controller  
 Detector sensor  
     - Loop  
     - Magnetometer  
     - Sonic  
     - Magnetic  
     - Pushbutton  
 Detector amplifier  
 Conflict monitor  
 Flasher  
 Time clock  
 Load switch/relay  
 Coordination unit  
 Communication interface, mode  
 Signal cable  
 Traffic Signal Communications  
 Traffic Signal Systems

Final Only  
 Emergency or Final  
 Emergency or Final  
 Emergency or Final  
 Emergency or Final  
 Emergency or Final  
 Emergency or Final  
 Emergency or Final  
 Final Only  
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 Final Only



## Exhibit "B": Recordkeeping



County : \_\_\_\_\_  
 Engineering District : \_\_\_\_\_  
 Department Tracking # : \_\_\_\_\_  
 Initial Submission Date : \_\_\_\_\_

### Recordkeeping

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**Exhibit "C":**  
**Signal Maintenance Organization**



County : \_\_\_\_\_  
 Engineering District : \_\_\_\_\_  
 Department Tracking # : \_\_\_\_\_  
 Initial Submission Date : \_\_\_\_\_

### Personnel Classifications

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**Minimum Position Requirements**

1. A thorough understanding of traffic signal design, installation and maintenance.
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### Training

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### Budget Requirements

The APPLICANT agrees to provide, in its annual operating budget, dedicated funds which are sufficient to cover the cost of the personnel, training, contractors (if utilized) and specialized maintenance equipment which are required, by virtue of this application. The APPLICANT agrees to abide by all guidance provided in PA DOT Publication 191..



## Application Instructions



### A - Applicant's (Municipal) Contact Information

**Municipal Contact's Name:** Provide the municipal contact name that is (or will be responsible) for the traffic signal. Typically this is either the Municipal Manager or Roadmaster.

**Title:** Provide the title of the municipal contact name.

**Municipal Name:** Provide the official municipal name.

**Municipal Address:** Provide the full address of the municipal building.

**Municipal Phone Number:** Provide the municipal phone number of the municipal contact.

**Alternative Phone Number:** Provide an alternative phone number of the municipal contact.

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**Other:** When selecting this category, this pertains to all other permitted electrically powered traffic control devices approved by the Department.

**Is Traffic Signal part of a system?:** Check off the appropriate box, either YES or NO. If YES, please fill in the **System Number (if applicable):** line.

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**Associated with Highway Occupancy Permit (HOP)?:** Check off the appropriate box, either YES or NO. If YES, please fill in the **Application #:** line.

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**Company/Organization:** Provide the name of the company/organization with which the primary maintenance contact is affiliated.

**Phone #:** Provide the phone number for the primary maintenance contact.

**Alternative Phone #:** Provide an alternative phone number for the primary maintenance contact or affiliated company/organization.

**E-mail:** Provide the e-mail address for the primary maintenance contact.

### D - Attachments Listing

Check off all documents which will be submitted along with this application. Note that a Municipal Resolution, authorizing the municipal contact to submit and sign the application, is a required document.

A sample Municipal Resolution has been provided on the next page.

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**Date:** Please provide the date on which the application was signed.

**Signed By:** Please provide the signature of the named municipal contact.

**Title of Signatory:** Please provide the title of municipal contact.

**Witness or Attest:** Please provide the signature of the person witnessing or attesting the signature.

**Witness or Attester:** Please provide the title of the person witnessing or attesting the signature.

**RESOLUTION**

BE IT RESOLVED, by authority of the **Board of Supervisors** of the **Township of Montgomery, Montgomery County**, and it is hereby resolved by authority of the same, that the **Chairman of the Board** of said MUNICIPALITY is authorized and directed to submit the attached Application for Traffic Signal Approval to the Pennsylvania Department of Transportation and to sign this Application on behalf of the MUNICIPALITY.

ATTEST

**MONTGOMERY TOWNSHIP**

\_\_\_\_\_  
(Signature and designation  
of official title)

**Lawrence J. Gregan, Secretary**

\_\_\_\_\_  
Print or type above name and  
title

By: \_\_\_\_\_  
(Signature and designation  
of official title)

**Michael J. Fox, Chairman**

\_\_\_\_\_  
Print or type above name and  
title

(SEAL)

I, **Lawrence J. Gregan, Secretary** of the **Board of Supervisors of Montgomery Township**, do hereby certify that the foregoing is a true and correct copy of the Resolution adopted at a regular meeting of the **Board of Supervisors of Montgomery Township**, held the **13<sup>th</sup>** day of **April**, 2015.

DATE: April 13, 2015

\_\_\_\_\_  
(Signature and designation  
of official title)

**Lawrence J. Gregan, Secretary**

\_\_\_\_\_  
Print or type above name/title



# Application for Traffic Signal Approval

Please Type or Print all information in Blue or Black Ink



County : \_\_\_\_\_  
 Engineering District : \_\_\_\_\_  
 Department Tracking # : \_\_\_\_\_  
 Initial Submission Date : \_\_\_\_\_

## A - Applicant's (Municipal) Contact Information

Municipal Contact's Name : Kevin Costello Title : Public Works Director  
 Municipal Name : Montgomery Township  
 Municipal Address : 1001 Stump Road, Montgomeryville, PA 18936-9605  
 Municipal Phone Number : 215-393-6900 Alternative Phone Number : \_\_\_\_\_  
 E-mail Address : publicworks@montgomerytwp.org  
 Municipal Hours of Operation : Monday to Friday 9:00AM to 5PM

## B - Application Description

Location (*intersection*) : SR 0463 (Horsham Road) and Upper State Road (SR 2012)  
 Traffic Control Device is : ☐ NEW Traffic Signal ☒ EXISTING Traffic Signal (Permit Number) : 1841  
 Type of Device (*select one*) ☒ Traffic Control Signal (MUTCD Section 4D, 4E, 4G) ☐ Flashing Beacon (MUTCD Section 4L) ☐ School Warning System (MUTCD Section 7B)  
☐ Other : \_\_\_\_\_  
 Is Traffic Signal part of a system? : ☒ YES ☐ NO System Number (*if applicable*) : I-0111  
 If YES, provide locations of all signalized intersections in system.  
 See Interconnect Permit (I-0111)  
 Explain the proposed improvements :  
 Add Keep off Shoulder signing for westbound Horsham Road.  
 Associated with Highway Occupancy Permit (HOP)? : ☐ YES ☒ NO If YES, HOP Application # : \_\_\_\_\_

## C - Maintenance and Operation Information

Maintenance and Operations are typically performed by? :  
☐ Municipal Personnel ☐ Municipal Contractor ☒ Municipal Personnel & Contractor  
☐ Other : \_\_\_\_\_  
 Maintenance and Operations Contact Name : Kevin Costello Company/Organization : Montgomery Township  
 Phone # : 215-393-6900 Alternative Phone # : \_\_\_\_\_ E-mail : publicworks@montgomerytwp.org

## D - Attachments Listing

<input checked="" type="checkbox"/> Municipal Resolution ( <i>required</i> )	<input type="checkbox"/> Location Map	<input type="checkbox"/> Traffic Volumes / Pedestrian Volumes
<input type="checkbox"/> Letter of Financial Commitment	<input type="checkbox"/> Photographs	<input type="checkbox"/> Turn Lane Analysis
<input type="checkbox"/> Traffic Signal Permit	<input type="checkbox"/> Straight Line Diagram	<input type="checkbox"/> Turn Restriction Studies
<input type="checkbox"/> Warrant Analysis	<input type="checkbox"/> Capacity Analysis	<input type="checkbox"/> Other : _____
<input type="checkbox"/> Crash Analysis	<input type="checkbox"/> Traffic Impact Study (TIS)	
<input type="checkbox"/> Traffic Signal Study	<input type="checkbox"/> Condition Diagram	

# Application for Traffic Signal Approval

Please Type or Print all information in Blue or Black Ink



County : \_\_\_\_\_  
 Engineering District : \_\_\_\_\_  
 Department Tracking # : \_\_\_\_\_  
 Initial Submission Date : \_\_\_\_\_

## E - Applicant (Municipal) Certification

The applicant desires to own, operate, and maintain the traffic control device in the location indicated above; and the Vehicle Code requires the approval of the Department of Transportation ("Department") before any traffic signals may be legally erected or modified. A signed Application for Traffic Signal Approval (TE-160) must be submitted in conformance with the instructions provided by the Department, and a Traffic Signal Permit must be issued, before any work can begin.

If the Department approves a traffic signal after a traffic engineering study and engineering judgment indicates the need, the traffic signal shall be installed, owned, operated, and maintained within the parameters indicated in the Vehicle Code and the Department's regulations relating to traffic signs, signals, and markings. The Department may direct appropriate alterations to the design or operation (including, but not limited to, hours of operation) of the traffic signal, or require removal of the traffic signal, if traffic conditions or other considerations necessitate alteration or removal.

All items associated with the traffic control device (geometric features, signs, signals, pavement markings, pedestrian accommodations, and other traffic control device associated items) are the applicant's responsibility. The Traffic Signal Permit will then document all of the items associated with operation of each traffic control device. The applicant, at its sole expense, shall provide the necessary inspection, maintenance, and operation activities in conformance with the Department's Publication 191 or as otherwise agreed to by the Department. The applicant shall perform the preventative and responsive maintenance requirements and recordkeeping in accordance with the exhibits specified below. If the applicant fails to provide the required inspection, maintenance, or operation services within thirty (30) days of receipt of written notice from the Department, the Department shall have the right to perform the required inspection, maintenance, or operation services in the applicant's stead and the applicant shall reimburse the Department for all costs incurred. Federal- and/or state-aid participation may be withheld on all future projects if the applicant fails to demonstrate to the Department the ability to provide all required maintenance and operation services. The applicant certifies that it has funds available and committed for the operation and maintenance of the traffic control device and that it will make available sufficient funds for all required future inspection, maintenance, and operation activities.

The applicant shall indemnify, save harmless and, defend (if requested) the Commonwealth of Pennsylvania, its agents, representatives, and employees from and against any damages recoverable under the Sovereign Immunity Act, 42 Pa. C.S. §§ 8521-8528, up to the limitations on damages under said law, arising out of any personal injury or damage to property which is finally determined by a court to be caused by or result from acts or omissions of the applicant and for which a court has held applicant, its officials, or employees to be liable. This provision shall not be construed to limit the applicant in asserting any rights or defenses. Additionally, the applicant shall include in any contracts into which it enters for maintenance, operation, or inspection of the traffic control device this same obligation to indemnify the Commonwealth and its officers, agents, and employees; and it shall require its contractor(s) to provide public liability insurance coverage, naming the Commonwealth and the applicant as additional insureds for bodily injury, including death and property damage, in the minimum amounts of \$500,000 per person, \$1,000,000 per occurrence, it being the intention of parties to have the contractor fully insure and indemnify the Commonwealth and the applicant.

The applicant shall comply with the study and ordinance requirements of 75 Pa. C.S. § 6109. The applicant submits this application with the intention of being legally bound.

Neither this application nor any Traffic Signal Permit creates any rights or obligations with respect to parties other than the applicant and the Department. Third parties may not rely upon any representations made by either the applicant or the Department in connection with the submission or approval of this application or any work permitted or approved that is related to this application, as regards either payment of funds or performance of any particular item of maintenance precisely as specified.

The applicant agrees to comply with the attached Exhibits:

- Exhibit "A": Preventative and Response Maintenance Requirements (Sheet 3 of 5)
- Exhibit "B": Recordkeeping (Sheet 4 of 5)
- Exhibit "C": Signal Maintenance Organization (Sheet 5 of 5)

Printed Municipal Contact Name : \_\_\_\_\_ Date : \_\_\_\_\_  
 Signed By : \_\_\_\_\_ Witness or Attest : \_\_\_\_\_  
 Title of Signatory : \_\_\_\_\_ Title of Witness or Attester: \_\_\_\_\_



**Exhibit "A":  
Preventative and Response Maintenance  
Requirements**
 County : \_\_\_\_\_  
 Engineering District : \_\_\_\_\_  
 Department Tracking # : \_\_\_\_\_  
 Initial Submission Date : \_\_\_\_\_
**Preventive Maintenance**

The APPLICANT or its contractor will provide preventive maintenance for each individual component of the traffic signal installation covered by this application at intervals not less than those indicated in the Preventive Maintenance Summary, PA DOT Publication 191, current version. This is the recommended level of maintenance to keep the intersection control equipment and signals in mechanically, structurally and aesthetically good condition.

**Response Maintenance**

The APPLICANT or its contractor will provide response maintenance in accordance with the provisions of the Response Maintenance Schedule. It encompasses the work necessary to restore a traffic signal system to proper and safe operation. Includes Emergency Repair and Final Repair.

**FINAL REPAIR:**

Repair or replace failed equipment to restore system to proper and safe operation in accordance with permit within a 24-hour period.

**EMERGENCY REPAIR:**

Use alternative means or mode to temporarily restore system to safe operation within a 24-hour period. Final repair must then be completed within 30 days unless prohibited by weather conditions or availability of equipment.

**Response Maintenance Schedule****KNOCKDOWNS**

Support - Mast arm  
 Support - Strain pole  
 Span wire/tether wire  
 Pedestal  
 Cabinet  
 Signal heads

**TYPE OF REPAIR PERMITTED**

Emergency or Final  
 Emergency or Final  
 Final Only  
 Emergency or Final  
 Emergency or Final  
 Final Only

**EQUIPMENT FAILURE**

Lamp burnout (veh. & ped.)  
 Local controller  
 Master controller  
 Detector sensor  
     - Loop  
     - Magnetometer  
     - Sonic  
     - Magnetic  
     - Pushbutton  
 Detector amplifier  
 Conflict monitor  
 Flasher  
 Time clock  
 Load switch/relay  
 Coordination unit  
 Communication interface, mode  
 Signal cable  
 Traffic Signal Communications  
 Traffic Signal Systems

Final Only  
 Emergency or Final  
 Emergency or Final  
 Emergency or Final  
 Emergency or Final  
 Emergency or Final  
 Emergency or Final  
 Emergency or Final  
 Final Only  
 Final Only  
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 Emergency or Final  
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 Final Only  
 Final Only  
 Final Only

## Exhibit "B": Recordkeeping



County : \_\_\_\_\_  
 Engineering District : \_\_\_\_\_  
 Department Tracking # : \_\_\_\_\_  
 Initial Submission Date : \_\_\_\_\_

### Recordkeeping

Accurate and up-to-date recordkeeping is an essential component of a good traffic signal maintenance program. In recognition of this fact, the APPLICANT must prepare, retain, and make available to the COMMONWEALTH, on request, a record of all preventive and response maintenance activities performed on the traffic signal equipment covered by this application.

The APPLICANT shall establish a separate file for each installation and keep its records in the municipal building, signal maintenance shop, or other weather-protected enclosure.

At a minimum, the following records will be kept by the APPLICANT or its contractor for each traffic signal. These forms can be found in Section 10.0, Maintenance Record Forms, PA DOT Publication 191, current version.

#### FORM 1 - Master Intersection Record

This form, which lists all maintenance functions performed at the intersection, should be updated within one day of the activity but no more than one week later.

#### FORM 2 - Response Maintenance Record

Each time response maintenance is required at the intersection, this form is to be completed. Once the pertinent information is transferred to the master intersection record, this form is to be placed in the intersection file.

#### FORM 3 - Preventive Maintenance Record

This form will be used to provide a record of the preventive maintenance activities performed at each intersection. The date, the activities performed, and the signature of the person in charge of the work must be recorded in the form.

This form may be kept at the intersection, if it is adequately protected from the weather. Form 1 must be updated at the central file, however, to reflect the date and activity.



**Exhibit "C":  
Signal Maintenance Organization**

County : \_\_\_\_\_

Engineering District : \_\_\_\_\_

Department Tracking # : \_\_\_\_\_

Initial Submission Date : \_\_\_\_\_

**Personnel Classifications**

In order to properly maintain the traffic signal equipment covered by this applicant, the APPLICANT agrees to provide, as minimum, the following staff throughout the useful life of equipment. The APPLICANT agrees to abide by all guidance provided in PA DOT Publication 191.

**Traffic Engineer** - The administrative position which has prime responsibility for the proper operation of traffic signal equipment. The principal function of this position is the supervision and control of subordinate personnel and the planning of their activities to ensure adequate preventive and response maintenance programs.

**Minimum Position Requirements**

1. A thorough understanding of traffic signal design, installation and maintenance.
2. A working knowledge of the interaction between the following traffic characteristics: Intersection geometry, traffic flow theory, control type (fixed time, actuated, etc.), signal phasing and timing, and interconnection.
3. An ability to supervise subordinate personnel effectively in the assignment of their work.
4. Possession of a college degree in engineering, which includes course work in traffic engineering.
5. Either four years experience in the field of traffic engineering or its equivalent in graduate college work.

**Signal Specialist** - The individual responsible for the diagnostics and repair of all traffic signal equipment including solid state equipment.

**Minimum Position Requirements**

1. Extensive training and troubleshooting skills in electronics and software.
2. Ability to repair modules in the shop and to design test equipment needed to diagnose and repair a problem.
3. Ability to make design and modifications to implement or omit special functions.
4. Ability to implement a recordkeeping system to include maintenance activities, inventory control and identification of recurring problems.
5. Ability to perform all tasks required of a signal technician.

**Signal Technician** - Individual responsible for the operation and maintenance of traffic signals and electromechanical equipment.

**Minimum Position Requirements**

1. Ability to perform response maintenance on solid state equipment up to the device exchange level.
2. Capability to diagnose a vehicle loop failure and initiate corrective action.
3. Ability to tune detector amplifiers.
4. Ability to follow wiring schematics, check and set timings from plan sheet and check all field connections.
5. Ability to perform preventive maintenance on all equipment and to maintain accurate records of all work perform.

**Training**

The APPLICANT agrees to secure training in order to upgrade the ability of its present staff to properly perform the required maintenance functions. The APPLICANT agrees to abide by all guidance provided in PA DOT Publication 191.

**Budget Requirements**

The APPLICANT agrees to provide, in its annual operating budget, dedicated funds which are sufficient to cover the cost of the personnel, training, contractors (if utilized) and specialized maintenance equipment which are required, by virtue of this application. The APPLICANT agrees to abide by all guidance provided in PA DOT Publication 191..

# Application Instructions



## A - Applicant's (Municipal) Contact Information

**Municipal Contact's Name:** Provide the municipal contact name that is (or will be responsible) for the traffic signal. Typically this is either the Municipal Manager or Roadmaster.

**Title:** Provide the title of the municipal contact name.

**Municipal Name:** Provide the official municipal name.

**Municipal Address:** Provide the full address of the municipal building.

**Municipal Phone Number:** Provide the municipal phone number of the municipal contact.

**Alternative Phone Number:** Provide an alternative phone number of the municipal contact.

**E-mail Address:** Provide the e-mail address of the municipal contact.

**Municipal Hours of Operation:** Please provide the municipalities normal operating hours (i.e. Monday-Thursday 9 AM - 2 PM)

## B - Application Description

**Location (*intersection*):** Please provide a detailed location of the device or devices being considered for approval.

Please include any State Route and/or local road names in your description.

**Traffic Control Device is:** (Please select one of the two following categories)

**NEW Traffic Signal:** This item should be selected when requesting approval of a traffic signal that is currently not in operation at the device location indicated above.

**EXISTING Traffic Signal:** This item should be selected when requesting approval to make a modification or update to an existing traffic signal.

**(Permit Number):** Please provide the traffic signal permit number.

**Type of Device (select one):** (Please select one of the four following categories)

**Traffic Control Signal:** As defined in federal Manual on Uniform Traffic Control Devices (MUTCD) Sections 4D, 4E, and 4G. When selecting this category this is the typical red/yellow/green and pedestrian signal indications

**Flashing Beacon:** As defined in federal Manual on Uniform Traffic Control Devices (MUTCD) Section 4L. When selecting this category, this is typically either the flashing yellow/red signal at an intersection and/or the flashing yellow warning sign.

**School Warning System:** As defined in federal Manual on Uniform Traffic Control Devices (MUTCD) Section 7B. When selecting this category, this is typically the flashing school warning sign with a 15 mph indication.

**Other:** When selecting this category, this pertains to all other permitted electrically powered traffic control devices approved by the Department.

**Is Traffic Signal part of a system?:** Check off the appropriate box, either YES or NO. If YES, please fill in the **System Number (if applicable):** line.

**Explain the proposed improvements:** Provide a description of the proposed improvements to the intersection. This may be as complex as installing and/or upgrading a traffic signal or as non-complex as placement of a new traffic sign to supplement an existing traffic signal.

**Associated with Highway Occupancy Permit (HOP)?:** Check off the appropriate box, either YES or NO. If YES, please fill in the **Application #:** line.

## C - Maintenance and Operation Information

**Maintenance and Operations are typically performed by?:** Please indicate if maintenance and operation will be performed by Municipal Personnel or through Contract Services.

**Maintenance and Operations Contact Name:** Provide the primary maintenance contact name for the individual that is (or will be responsible) for the maintenance and operation of the traffic signal.

**Company/Organization:** Provide the name of the company/organization with which the primary maintenance contact is affiliated.

**Phone #:** Provide the phone number for the primary maintenance contact.

**Alternative Phone #:** Provide an alternative phone number for the primary maintenance contact or affiliated company/organization.

**E-mail:** Provide the e-mail address for the primary maintenance contact.

## D - Attachments Listing

Check off all documents which will be submitted along with this application. Note that a Municipal Resolution, authorizing the municipal contact to submit and sign the application, is a required document.

A sample Municipal Resolution has been provided on the next page.

## E - Applicant (Municipal) Certification

**Printed Municipal Contact Name:** Please print the name of the municipal contact person signing the application.

**Date:** Please provide the date on which the application was signed.

**Signed By:** Please provide the signature of the named municipal contact.

**Title of Signatory:** Please provide the title of municipal contact.

**Witness or Attest:** Please provide the signature of the person witnessing or attesting the signature.

**Witness or Attester:** Please provide the title of the person witnessing or attesting the signature.



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

---

SUBJECT: Consider Authorization for the Purchase of Phone and Paging System for MTCRC

MEETING DATE: April 13, 2015

ITEM NUMBER: **#12**

MEETING/AGENDA: WORK SESSION      ACTION **xx**      CONSENT      NONE

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

INITIATED BY: Richard Grier  
Technology Manager

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

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BACKGROUND:

In 2012, staff completed the roll out of a new Township wide phone system. With the addition of the Montgomery Township Recreation and Community Center, the system will need to be expanded to supply phones, paging, and voicemail for use by staff and visitors at the Center. The MTCRC voice system will include a phone switch, 21 handsets, 8 horns and amplification in the Gymnasium. Dedicated phone service will be installed at the MTCRC and will be configured to be the default service in the event of a failure of the Township Building's service.

Attached is a quote from e.Comm Technologies, an authorized vendor under the PEPPM Cooperative Purchase program Contract # AVNERA2-05PS115, for the purchase and installation of phone and paging equipment, in the amount of \$24,218.26.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

The Second Class Township Code requires that annual purchases of like goods \$10,000 or more require formal bidding in accordance with the procedures in the Second Class Township Code including approval by the Board of Supervisors at a public meeting. Purchases for the Pennsylvania Department of General Services Cooperative Purchasing and the PEPPM (pronounced PEP-um) Technology Purchase Program may be substituted for formal bidding subject to approval by the Board of Supervisors.

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

BUDGET IMPACT:

This hardware is included as part of the "Technology" line item in the Recreation and Community Center construction budget and the quote is within budget.

RECOMMENDATION:

Approve the purchase of phone and paging equipment and installation from e.Comm Technologies per their proposal dated April 9, 2015 under the provisions of the PEPPM Cooperative Purchasing Program.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby approve the purchase of phone and paging system, from e.Comm Technologies per their proposal dated April 9, 2015 under the provisions of the PEPPM (pronounced PEP-um) Cooperative Purchasing Program for a total cost of \$24,218.26.

ROLL CALL:

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

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



**Master Agreement Reseller Number AVNERA2-05PS115**  
**As per PEPPM 2015**

QTY	PART #	DESCRIPTION	UNIT PRICE	EXT PRICE
1	700476005	IPO IP500 V2 CNTRL UNIT	\$ 488.55	\$ 488.55
1	700289770	PWR CORD NA 18AWG 10 Amp AC	\$ 13.59	\$ 13.59
1	275618	IPO R9+ AV IP ENDPT 1 ADI LIC	\$ 55.08	\$ 55.08
1	275620	IPO R9+ AV IP ENDPT 20 ADI LIC	\$ 1,101.60	\$ 1,101.60
2	275642	IPO R9+ IP500 VCE NTWK 4 ADI LIC	\$ 513.60	\$ 1,027.20
2	700506514	IP PHONE 9621G ICON ONLY	\$ 385.78	\$ 771.56
6	700508260	1608-I IP DESKPHONE ICON ONLY	\$ 157.37	\$ 944.22
2	700504843	1616-I IP DESKPHONE ICON ONLY	\$ 189.55	\$ 379.10
2	700415573	IP PHONE 1600 SERIES 32B MOD BLK	\$ 105.15	\$ 210.30
11	700508258	1603SW-I IP DESKPHONE ICON ONLY	\$ 120.89	\$ 1,329.79
11	700415607	PWR ADPTR POE 1603 IP PHONE	\$ 23.08	\$ 253.88
1	700213440	IPO/B5800 ISDN RJ45/RJ45 3M RED	\$ 3.61	\$ 3.61
1	700431778	IPO/B5800 IP500 EXT CARD PHONE 2	\$ 188.12	\$ 188.12
1	700504556	IPO IP500v2 COMBO CARD ATM V2	\$ 451.35	\$ 451.35
1	700506051	IPO R9 USER/ADMIN SET DVD	\$ 14.31	\$ 14.31
1	700503160	IPO IP500 WALL MNTG KIT V3	\$ 56.51	\$ 56.51
1	700417439	IPO/B5800 IP500 TRNK PRI UNVRSL SNGL	\$ 714.58	\$ 714.58
2	275641	IPO R9+ IP500 T1 ADD 8CH ADI LIC	\$ 539.36	\$ 1,078.72
1	275631	IPO R9 ESSNTL ED ADI LIC	\$ 365.53	\$ 365.53
1	700479710	IPO IP500 V2 SYS SD CARD MUL	\$ 37.91	\$ 37.91
21	700383326	96XX RPLCMNT LINE CORD	\$ 6.77	\$ 142.17
1	700465305	9130 1500 VA Online UPS + Web card + 4-post Rail	\$ 1,690.47	\$ 1,690.47
8	408184117	PAGING 70 VOLT 15 WATT HORN	\$ 114.61	\$ 916.88
1	408184265	PAGING FEEDBACK ELIMINATOR	\$ 1,735.12	\$ 1,735.12
1	408186088	PAGING 70 VOLT 100 WATT AMPLIFIER	\$ 592.96	\$ 592.96
1	700501237	PAGING UTI1 UNIVERSAL TELEPHONE INTERFACE	\$ 440.15	\$ 440.15
				\$ -
				\$ -
<b>Equipment Cost</b>				\$ 15,003.26
<b>Telephone System Installation, Programming, Network Assessment &amp; Training</b>				\$ 5,535.00
<b>Cabling &amp; Installation for 8 Horns (Beam clamps &amp; rings - approx. one every ten feet)</b>				\$ 3,680.00
<b>GRAND TOTAL</b>				\$ 24,218.26

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Award of Bid - Spray Park & Accessible Playground Project

MEETING DATE: April 13, 2015

ITEM NUMBER: #13

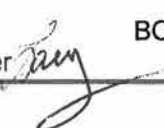
MEETING/AGENDA:

ACTION

NONE

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

INITIATED BY: Stacy Crandell

Assistant to the Township Manager 

BOARD LIAISON: Michael J. Fox, Chairman

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BACKGROUND:

The construction of the Community & Recreation Center is well underway and is scheduled for completion in the summer of 2015. In addition to construction of the Community & Recreation Center, the Township is proposing to construct an accessible Playground and Sprayground next to the center. This project will be funded in part with a grant in the amount of \$250,000 from the Commonwealth Financing Authority Department of Community and Economic Development's Greenways, Trails, and Recreation Program. The grant deadline has been extended until June 30, 2016 to allow for the completion of this project.

Following a competitive bidding process, bids for the project were opened on March 17, 2015 at 10:00 am at the Township Building. The Township received three (3) bids and attached is a copy of the bid tabulation. Township Engineer, Gilmore & Associates, has provided the attached review of the bids and qualifications of the lowest qualified bidder and recommends the contract for the Spray Park & Playground be awarded to Stoneridge, Inc. for all items included in the base bid in the amount of \$883,870.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

The Board authorized advertisement of the bidding process for this project on December 14, 2014.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

This project will be funded in part with grant money from \$250,000 through the Commonwealth Financing Authority Department of Community and Economic Development's Greenways, Trails, and Recreation Program. The remaining funds will be paid from Capital Reserve Funds of the Township.

RECOMMENDATION:

Based on the Township Engineers review of the three (3) bids received for this project it is recommended that the Board award the contract for construction of the Playground and Sprayground project at the Community and Recreation Center to Stoneridge, Inc., of Feasterville, as the lowest responsible bidder for all items included in the Base Bid in the amount of \$883,870.

**MOTION/RESOLUTION:**

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby award the contract for the construction of the Playground and Sprayground project at the Community & Recreation Center to Stoneridge, Inc., of Feasterville, as the lowest responsible bidder for all items included in the Base Bid in the amount of \$883,870.

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

**ROLL CALL:**

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

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



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

April 6, 2015

Project No. 2011-12019-02

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

Reference: Montgomery Township Community Center Splash Pad and Playground  
**Bid Tabulation & Award Recommendation**

Dear Mr. Gregan:

Pursuant to your request, Gilmore & Associates, Inc. has reviewed the bids for the above referenced project. Bids were received and publicly opened on March 17, 2015 at 10:00 AM at the Township Building. A total of three (3) bids were received and a copy of the bid tabulation is attached for your review. Upon review we note the following apparent math errors:

- Stoneridge, Inc:
  - Base Bid A, Line Item No. 35: Bid Form shows extended cost of \$13,000.00. We have calculated a cost of \$12,400.00. (decrease of \$600.00)
  - This math error affected the Total Base Bid Amount by an overall decrease of \$600, to \$883,870.00, which is reflected in the bid tabulation provided.
- Mldatlantic Construction Design Associates, Inc.
  - Base Bid, Line Item No. 4: Bid Form shows an extended cost of \$25,616.25. We have calculated an extended cost of \$25,636.50. (increase of \$20.25)
  - Base Bid, Line Item No. 6: Bid Form shows an extended cost of \$112,389.50. We have calculated an extended cost of \$112,404.00. (increase of \$14.50)
  - Base Bid, Line Item No. 25: Bid Form shows an extended cost of \$948.75. We have calculated an extended cost of \$945.00. (decrease of \$3.75)
  - Base Bid, Line Item No. 27: Bid Form shows an extended cost of \$56,152.94. We have calculated an extended cost of \$56,152.88. (decrease of \$.06)
  - These math errors affected the Total Base Bid Amount by an overall increase of \$30.94, to \$974,758.69, which is reflected in the bid tabulation provided.

Please note that Gilmore & Associates, Inc. has also completed several references checks for Stoneridge, Inc. All reference checks were positive with regard to timeliness, responsiveness, workmanship, and professionalism. Therefore, we recommend the contract for the Spray Park at Community Center be awarded to **Stoneridge, Inc.** for all items included in the Base Bid in the amount of **\$883,870.00**, subject to review by the Township Solicitor.

BUILDING ON A FOUNDATION OF EXCELLENCE

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



As always, please call us if you have any questions or if we can be of any assistance regarding this project.

Sincerely,



James P. Dougherty, P.E.  
Municipal Engineer  
Gilmore & Associates, Inc.



Christopher E. Green, RLA  
Project Manager  
Gilmore & Associates, Inc.

JPD/evh/sl

Enclosure: Bid Tabulation

cc: Kevin Costello, Director of Public Works, Montgomery Township  
Deb Rivas, Administration Supervisor, Montgomery Township  
Russell Dunlevy, P.E., Exec. V.P., Gilmore & Associates, Inc.

CLIENT:  
Montgomery Township  
PROJECT NAME:  
Community Center Program and Sportsground  
PROJECT NUMBER:  
2011-1019-02  
PROJECT BID DATE: March 17, 2015  
DATE: April 6, 2015

Shenandoah, Inc. 835 Pennsylvania Blvd. Pottsville, PA 19363 P: (610) 942-4300	Land-Tech Enterprises, Inc. 3084 Ursula Road Warrington, PA Jackie M. Luciani P: (215) 491-1470	MidAtlantic Construction Design Associates, Inc. 126 Lexington Street Trenton, NJ 08611 Joe Ransick P: (609) 988-7700
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#	DESCRIPTION	QUANTITY & UNIT	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
BASE BID								
1	Site Grading Preparation	1 LS	\$ 22,400.00	\$ 22,400.00	\$ 20,000.00	\$ 20,000.00	\$ 8,410.00	\$ 8,410.00
2	Standard Concrete Footing	6663 SF	\$ 10.00	\$ 66,630.00	\$ 8.40	\$ 55,944.25	\$ 8.00	\$ 53,314.25
3	Colored Concrete Footing	1310 SF	\$ 33.00	\$ 43,230.00	\$ 18.00	\$ 23,580.00	\$ 12.65	\$ 16,571.50
4	Asphalt Trail	4050 SF	\$ 7.00	\$ 28,350.00	\$ 5.00	\$ 20,250.00	\$ 4.33	\$ 17,526.50
5	Concrete Curbing	62 LF	\$ 75.00	\$ 4,650.00	\$ 30.00	\$ 1,860.00	\$ 46.00	\$ 2,853.00
6	Safety Surfacing	9000 SF	\$ 18.00	\$ 162,000.00	\$ 16.50	\$ 148,500.00	\$ 19.38	\$ 172,830.00
7	Playground Equipment	1 LS	\$ 187,500.00	\$ 187,500.00	\$ 180,000.00	\$ 180,000.00	\$ 155,250.00	\$ 155,250.00
8	Sportsground Equipment and Planting	1 LS	\$ 253,000.00	\$ 253,000.00	\$ 225,000.00	\$ 225,000.00	\$ 340,400.00	\$ 340,400.00
9	Electrical Panel and Wiring	1 LS	\$ 12,100.00	\$ 12,100.00	\$ 12,500.00	\$ 12,500.00	\$ 13,000.00	\$ 13,000.00
10	Stake Area Lights	2 EA	\$ 5,000.00	\$ 10,000.00	\$ 10,000.00	\$ 20,000.00	\$ 12,600.00	\$ 25,200.00
11	Carpetus betulae 'Gargula' (Upright European Hornbeam) 2.5'-3' cal.	3 EA	\$ 610.00	\$ 1,830.00	\$ 500.00	\$ 1,500.00	\$ 717.30	\$ 2,151.90
12	Ulmus parviflorus 'Worcester' (Bouquet Chinese Elm) 3'-5' cal.	2 EA	\$ 1,000.00	\$ 2,000.00	\$ 800.00	\$ 1,600.00	\$ 632.50	\$ 1,265.00
13	Aucuba japonica 'Garnier' (Shrub Holly) 10'-12' in.	4 EA	\$ 610.00	\$ 2,440.00	\$ 400.00	\$ 1,600.00	\$ 239.25	\$ 957.00
14	Box glabra 'Venus' (Daphne Holly) 24" in. 1 gal.	21 EA	\$ 82.00	\$ 1,722.00	\$ 60.00	\$ 1,260.00	\$ 40.25	\$ 845.25
15	Box japonica 'Venus' (Daphne Holly) 24" in. 1 gal.	20 EA	\$ 71.00	\$ 1,420.00	\$ 45.00	\$ 900.00	\$ 30.75	\$ 615.00
16	Philadelphus 'Garnier' (Shrub Holly) 10'-12' in.	12 EA	\$ 82.00	\$ 984.00	\$ 70.00	\$ 840.00	\$ 74.75	\$ 897.00
17	Philadelphus 'Garnier' (Shrub Holly) 10'-12' in.	3 EA	\$ 122.00	\$ 366.00	\$ 90.00	\$ 270.00	\$ 74.75	\$ 224.25
18	Philadelphus 'Garnier' (Shrub Holly) 10'-12' in.	6 EA	\$ 25.00	\$ 150.00	\$ 40.00	\$ 240.00	\$ 37.25	\$ 223.50
19	Coreopsis palmata 'Pennsylvanica' 1 gal.	22 EA	\$ 21.00	\$ 462.00	\$ 15.00	\$ 330.00	\$ 24.15	\$ 531.30
20	Coreopsis palmata 'Pennsylvanica' 1 gal.	12 EA	\$ 23.00	\$ 276.00	\$ 22.00	\$ 264.00	\$ 24.15	\$ 289.80
21	Coreopsis palmata 'Pennsylvanica' 1 gal.	15 EA	\$ 28.00	\$ 420.00	\$ 20.00	\$ 300.00	\$ 24.15	\$ 362.25
22	Coreopsis palmata 'Pennsylvanica' 1 gal.	96 EA	\$ 25.00	\$ 2,400.00	\$ 16.00	\$ 1,536.00	\$ 24.15	\$ 2,318.40
23	Coreopsis palmata 'Pennsylvanica' 1 gal.	700 EA	\$ 25.00	\$ 17,500.00	\$ 17.00	\$ 11,900.00	\$ 24.15	\$ 16,905.00
24	Coreopsis palmata 'Pennsylvanica' 1 gal.	150 EA	\$ 1.00	\$ 150.00	\$ 0.65	\$ 97.50	\$ 0.65	\$ 97.50
25	Planting Bed Soil (12" depth in planting bed)	115 CY	\$ 92.00	\$ 10,580.00	\$ 80.00	\$ 9,200.00	\$ 63.25	\$ 7,273.75
26	Plant Bed Soil (12" depth in subbed area)	3 CY	\$ 92.00	\$ 276.00	\$ 55.00	\$ 165.00	\$ 2,000.00	\$ 6,000.00
27	Plant Recycles	2 EA	\$ 2,200.00	\$ 4,400.00	\$ 2,250.00	\$ 4,500.00	\$ 1,955.00	\$ 3,910.00
28	Branches with Buckets	7 EA	\$ 1,600.00	\$ 11,200.00	\$ 1,500.00	\$ 10,500.00	\$ 1,265.00	\$ 8,855.00
29	Branches with Buckets	11 EA	\$ 1,600.00	\$ 17,600.00	\$ 1,500.00	\$ 16,500.00	\$ 1,601.75	\$ 17,619.25
30	Using Yanks (4 sets)	1 EA	\$ 4,100.00	\$ 4,100.00	\$ 3,700.00	\$ 3,700.00	\$ 3,165.95	\$ 3,165.95
31	Using Yanks (2 sets)	1 EA	\$ 3,600.00	\$ 3,600.00	\$ 3,100.00	\$ 3,100.00	\$ 2,769.75	\$ 2,769.75
32	Using Yanks (1 set)	1 EA	\$ 1,400.00	\$ 1,400.00	\$ 850.00	\$ 850.00	\$ 716.75	\$ 716.75
33	Using Yanks	2 EA	\$ 19,100.00	\$ 38,200.00	\$ 12,500.00	\$ 25,000.00	\$ 10,750.00	\$ 21,500.00
34	Using Yanks	10 EA	\$ 1,400.00	\$ 14,000.00	\$ 850.00	\$ 8,500.00	\$ 716.75	\$ 7,167.50
35	Using Yanks	325 LF	\$ 41.00	\$ 13,325.00	\$ 35.00	\$ 11,375.00	\$ 25.30	\$ 8,222.50
Total Base Bid Amount, based on Estimated Quantities, for Item #1-35, Inclusive				\$ 883,870.00	\$ 708,490.00	\$ 718,558.40		

ALTERNATE A								
1	Site Grading Preparation	1 LS	\$ 22,400.00	\$ 22,400.00	\$ 20,000.00	\$ 20,000.00	\$ 8,410.00	\$ 8,410.00
2	Standard Concrete Footing	6663 SF	\$ 10.00	\$ 66,630.00	\$ 8.40	\$ 55,944.25	\$ 8.00	\$ 53,314.25
3	Colored Concrete Footing	1310 SF	\$ 33.00	\$ 43,230.00	\$ 18.00	\$ 23,580.00	\$ 12.65	\$ 16,571.50
4	Asphalt Trail	4050 SF	\$ 7.00	\$ 28,350.00	\$ 5.00	\$ 20,250.00	\$ 4.33	\$ 17,526.50
5	Concrete Curbing	120 LF	\$ 75.00	\$ 9,000.00	\$ 30.00	\$ 3,600.00	\$ 11.75	\$ 1,410.00
6	Safety Surfacing	9000 SF	\$ 18.00	\$ 162,000.00	\$ 16.50	\$ 148,500.00	\$ 19.38	\$ 174,330.00
7	Playground Equipment	1 LS	\$ 253,700.00	\$ 253,700.00	\$ 253,000.00	\$ 253,000.00	\$ 210,430.00	\$ 210,430.00
8	Sportsground Equipment and Planting	1 LS	\$ 283,000.00	\$ 283,000.00	\$ 253,000.00	\$ 253,000.00	\$ 340,400.00	\$ 340,400.00
9	Electrical Panel and Wiring	1 LS	\$ 12,100.00	\$ 12,100.00	\$ 12,500.00	\$ 12,500.00	\$ 13,000.00	\$ 13,000.00
10	Stake Area Lights	2 EA	\$ 5,000.00	\$ 10,000.00	\$ 10,000.00	\$ 20,000.00	\$ 12,600.00	\$ 25,200.00
11	Carpeted betulae 'Gargula' (Upright European Hornbeam) 2.5'-3' cal.	3 EA	\$ 610.00	\$ 1,830.00	\$ 500.00	\$ 1,500.00	\$ 717.30	\$ 2,151.90
12	Ulmus parviflorus 'Worcester' (Bouquet Chinese Elm) 3'-5' cal.	2 EA	\$ 1,000.00	\$ 2,000.00	\$ 800.00	\$ 1,600.00	\$ 632.50	\$ 1,265.00
13	Aucubaria japonica 'Garnier' (Shrub Holly) 10'-12" in.	4 EA	\$ 610.00	\$ 2,440.00	\$ 400.00	\$ 1,600.00	\$ 239.25	\$ 957.00
14	Box glabra 'Venus' (Daphne Holly) 24" in. 1 gal.	24 EA	\$ 82.00	\$ 1,968.00	\$ 60.00	\$ 1,440.00	\$ 40.25	\$ 966.00
15	Box virginiana 'Venus' (Holly Holly) 24" in. 1 gal.	20 EA	\$ 71.00	\$ 1,420.00	\$ 45.00	\$ 900.00	\$ 30.75	\$ 615.00
16	Philadelphus grandifolius 'Garnier' (Shrub Holly) 10'-12" in.	12 EA	\$ 82.00	\$ 984.00	\$ 70.00	\$ 840.00	\$ 74.75	\$ 897.00
17	Philadelphus grandifolius 'Garnier' (Shrub Holly) 10'-12" in.	3 EA	\$ 122.00	\$ 366.00	\$ 90.00	\$ 270.00	\$ 74.75	\$ 224.25
18	Philadelphus grandifolius 'Garnier' (Shrub Holly) 10'-12" in.	6 EA	\$ 25.00	\$ 150.00	\$ 40.00	\$ 240.00	\$ 37.25	\$ 223.50
19	Coreopsis palmata 'Pennsylvanica' 1 gal.	22 EA	\$ 21.00	\$ 462.00	\$ 15.00	\$ 330.00	\$ 24.15	\$ 531.30
20	Coreopsis palmata 'Pennsylvanica' 1 gal.	12 EA	\$ 23.00	\$ 276.00	\$ 22.00	\$ 264.00	\$ 24.15	\$ 289.80
21	Coreopsis palmata 'Pennsylvanica' 1 gal.	15 EA	\$ 28.00	\$ 420.00	\$ 20.00	\$ 300.00	\$ 24.15	\$ 362.25
22	Coreopsis palmata 'Pennsylvanica' 1 gal.	96 EA	\$ 25.00	\$ 2,400.00	\$ 16.00	\$ 1,536.00	\$ 24.15	\$ 2,318.40
23	Coreopsis palmata 'Pennsylvanica' 1 gal.	700 EA	\$ 25.00	\$ 17,500.00	\$ 17.00	\$ 11,900.00	\$ 24.15	\$ 16,905.00
24	Coreopsis palmata 'Pennsylvanica' 1 gal.	150 EA	\$ 1.00	\$ 150.00	\$ 0.65	\$ 97.50	\$ 0.65	\$ 97.50
25	Planting Bed Soil (12" depth in planting bed)	120 CY	\$ 92.00	\$ 11,040.00	\$ 80.00	\$ 9,600.00	\$ 63.25	\$ 7,590.00
26	Plant Bed Soil (12" depth in subbed area)	3 CY	\$ 92.00	\$ 276.00	\$ 55.00	\$ 165.00	\$ 2,000.00	\$ 6,000.00
27	Branches with Buckets	2 EA	\$ 2,200.00	\$ 4,400.00	\$ 2,250.00	\$ 4,500.00	\$ 1,955.00	\$ 3,910.00
28	Branches with Buckets	7 EA	\$ 1,600.00	\$ 11,200.00	\$ 1,500.00	\$ 10,500.00	\$ 1,265.00	\$ 8,855.00
29	Branches with Buckets	11 EA	\$ 1,600.00	\$ 17,600.00	\$ 1,400.00	\$ 15,400.00	\$ 1,601.75	\$ 17,619.25
30	Branches with Buckets	1 EA	\$ 4,100.00	\$ 4,100.00	\$ 3,700.00	\$ 3,700.00	\$ 3,165.95	\$ 3,165.95
31	Branches with Buckets	1 EA	\$ 3,600.00	\$ 3,600.00	\$ 3,100.00	\$ 3,100.00	\$ 2,769.75	\$ 2,769.75
32	Branches with Buckets	3 EA	\$ 1,400.00	\$ 4,200.00	\$ 850.00	\$ 2,550.00	\$ 716.75	\$ 2,150.25
33	Branches with Buckets	2 EA	\$ 19,100.00	\$ 38,200.00	\$ 12,500.00	\$ 25,000.00	\$ 10,750.00	\$ 21,500.00
34	Branches with Buckets	10 EA	\$ 1,400.00	\$ 14,000.00	\$ 850.00	\$ 8,500.00	\$ 716.75	\$ 7,167.50
35	Branches with Buckets	325 LF	\$ 41.00	\$ 13,325.00	\$ 35.00	\$ 11,375.00	\$ 25.30	\$ 8,222.50
36	Branches with Buckets	1 EA	\$ 3,100.00	\$ 3,100.00	\$ 2,400.00	\$ 2,400.00	\$ 610.00	\$ 610.00
37	Branches with Buckets	1 EA	\$ 2,700.00	\$ 2,700.00	\$ 2,000.00	\$ 2,000.00	\$ 1,400.00	\$ 1,400.00
Total with Alternate A substitutions as noted on Bid Form				\$ 983,870.00	\$ 808,520.00	\$ 818,576.40	\$ 707,710.00	\$ 707,710.00
Base Bid				\$ 883,870.00	\$ 708,490.00	\$ 718,558.40		
Net Add				\$ 99,952.00	\$ 100,030.00	\$ 100,018.00		

<b>ALTERNATE B</b>								
18	Concrete Seat Walls (Base Bid Item #18, if awarded)	10 LF	\$ 225.00	\$ 2,250.00	\$ 450.00	\$ 4,500.00	\$ 230.00	\$ 2,300.00
20	Concrete Finish Walls (1.5' inside radius)	2 EA	\$ 14,200.00	\$ 28,400.00	\$ 2,400.00	\$ 4,800.00	\$ 3,900.00	\$ 7,800.00
Total Alternate B Amount, based on Estimated Quantities, for Item #18-20, Inclusive				\$ 30,650.00	\$ 3,900.00	\$ 12,100.00	\$ 25,750.00	\$ 25,750.00
Total with Alternates A & B				\$ 1,038,774.00	\$ 812,420.00	\$ 830,676.40	\$ 1,044,306.40	\$ 1,044,306.40

<b>COMPLETENESS REVIEW</b>								
A. Bid Form								
B. Bid Bond								
C. Agreement of Surety								
D. Bidder's Qualification Form								
E. Non-Collusion Affidavit								
F. Public Works Verification Form								
G. Addendum Acknowledgment								

\*Math error found for Vinyl Coated Fencing extended Cost and Total Amount Bid (Base Bid) from Shenandoah, Inc.; the line item and bid total has been corrected as shown.  
\*Math errors in the extended costs for Base Bid Items #3, 6, 25, 27, as well as the Total Amount Bid (Base Bid) from MidAtlantic Construction Design Associates, Inc.; the line item and bid total has been corrected as shown.

**CLIENT:**

Montgomery Township

**PROJECT NAME:**

Community Center Playground and Sprayground

**PROJECT NUMBER:**

2011-12019-02

**PROJECT BID DATE:** March 17, 2015**DATE:** March 20, 2015

**Stoneridge, Inc.**  
835 Pennsylvania Blvd.  
Feasterville, PA 19053  
Randolph Seitter  
P: (215) 942-4300

**Land-Tech Enterprises, Inc.**  
3084 Bristol Road  
Warrington, PA  
Jackie M. LaCross  
P: (215) 491-1470

**Midatlantic Construction Design  
Associates, Inc.**  
126 Lexington Street  
Trenton, NJ 08611  
Joe Ramirez  
P: (609) 989-7790

#	DESCRIPTION	QUANTITY & UNITS	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
<b>BASE BID</b>								
1	Site Grading/ Preparation	1 LS	\$ 22,400.00	\$ 22,400.00	\$ 70,000.00	\$ 70,000.00	\$ 84,180.00	\$ 84,180.00
2	Standard Concrete Pavement	6685 SF	\$ 10.00	\$ 66,850.00	\$ 8.40	\$ 56,154.00	\$ 8.05	\$ 53,814.25
3	Colored Concrete Pavement	1310 SF	\$ 33.00	\$ 43,230.00	\$ 18.00	\$ 23,580.00	\$ 12.65	\$ 16,571.50
4	Asphalt Trail	4050 SF	\$ 7.00	\$ 28,350.00	\$ 5.00	\$ 20,250.00	\$ 6.33	\$ 25,636.50
5	Concrete Curbing	62 LF	\$ 75.00	\$ 4,650.00	\$ 50.00	\$ 3,100.00	\$ 46.00	\$ 2,852.00
6	Safety Surfacing	5800 SF	\$ 16.00	\$ 92,800.00	\$ 16.50	\$ 95,700.00	\$ 19.38	\$ 112,404.00
7	Playground Equipment	1 LS	\$ 187,500.00	\$ 187,500.00	\$ 190,000.00	\$ 190,000.00	\$ 155,250.00	\$ 155,250.00
8	Sprayground Equipment and Plumbing	1 LS	\$ 283,000.00	\$ 283,000.00	\$ 325,000.00	\$ 325,000.00	\$ 340,400.00	\$ 340,400.00
9	Electrical Panel and Wiring	1 LS	\$ 12,100.00	\$ 12,100.00	\$ 12,500.00	\$ 12,500.00	\$ 13,800.00	\$ 13,800.00
10	Solar Area Lights	2 EA	\$ 5,400.00	\$ 10,800.00	\$ 10,000.00	\$ 20,000.00	\$ 12,650.00	\$ 25,300.00
11	Carpinus betulus 'fastigiata' (Upright European Hornbeam) 2.5-3" cal.	3 EA	\$ 610.00	\$ 1,830.00	\$ 500.00	\$ 1,500.00	\$ 517.50	\$ 1,552.50
12	Ulmus parviflora 'Bosque' (Bosque Chinese Elm) 3-3.5" cal.	2 EA	\$ 1,000.00	\$ 2,000.00	\$ 600.00	\$ 1,200.00	\$ 632.50	\$ 1,265.00
13	Amelanchier grandifolia 'Robin Hill' (Serviceberry) 10-12' ht.	4 EA	\$ 610.00	\$ 2,440.00	\$ 440.00	\$ 1,760.00	\$ 339.25	\$ 1,357.00
14	Ilex glabra 'densa' (Inkberry Holly) 24" ht, 3 gal.	24 EA	\$ 82.00	\$ 1,968.00	\$ 60.00	\$ 1,440.00	\$ 40.25	\$ 966.00
15	Itea virginica 'Little Henry' (Little Henry Sweetspire) 3 gal.	20 EA	\$ 71.00	\$ 1,420.00	\$ 45.00	\$ 900.00	\$ 40.25	\$ 805.00
16	Fothergilla gardenii (Dwarf Fothergilla) 3 gal.	12 EA	\$ 82.00	\$ 984.00	\$ 40.00	\$ 480.00	\$ 43.70	\$ 524.40
17	Physocarpus opulifolius 'Little Devil' (Little Devil Ninebark) 5 gal.	12 EA	\$ 82.00	\$ 984.00	\$ 70.00	\$ 840.00	\$ 74.75	\$ 897.00
18	Rhododendron 'Roseum Elegans' (Rhododendron) 5 gal.	3 EA	\$ 122.00	\$ 366.00	\$ 90.00	\$ 270.00	\$ 74.75	\$ 224.25
19	Viburnum dentatum 'Blue Muffin' (Blue Muffin Arrowwood) 5 gal.	6 EA	\$ 85.00	\$ 510.00	\$ 60.00	\$ 360.00	\$ 51.75	\$ 310.50
20	Carex pennsylvanica (Pennsylvania Sedge) 1 gal.	22 EA	\$ 21.00	\$ 462.00	\$ 15.00	\$ 330.00	\$ 24.15	\$ 531.30
21	Echinacea purpurea 'Kims Knee High' (Coneflower) 1 gal.	125 EA	\$ 25.00	\$ 3,125.00	\$ 22.00	\$ 2,750.00	\$ 24.15	\$ 3,018.75
22	Heuchera 'Bridal Veil' (Bridal Veil Coral Bells) 1 gal.	15 EA	\$ 28.00	\$ 420.00	\$ 20.00	\$ 300.00	\$ 24.15	\$ 362.25
23	Pervoskia atriplicifolia 'Little Spire' (Russian Sage) 1 gal.	96 EA	\$ 25.00	\$ 2,400.00	\$ 16.00	\$ 1,536.00	\$ 24.15	\$ 2,318.40
24	Panicum virgatum 'Cape Breeze' (Cape Breeze Switchgrass) 1 gal.	205 EA	\$ 25.00	\$ 5,125.00	\$ 15.00	\$ 3,075.00	\$ 24.15	\$ 4,950.75
25	Sod	1500 SF	\$ 1.00	\$ 1,500.00	\$ 0.65	\$ 975.00	\$ 0.63	\$ 945.00
26	Planting Bed Soil (12" depth in planting beds)	115 CY	\$ 92.00	\$ 10,580.00	\$ 80.00	\$ 9,200.00	\$ 63.25	\$ 7,273.75
27	Top Soil (6" depth in sodded area)	28 CY	\$ 92.00	\$ 2,576.00	\$ 55.00	\$ 1,540.00	\$ 2,005.46	\$ 56,152.88
28	Trash Receptacles	2 EA	\$ 2,200.00	\$ 4,400.00	\$ 2,250.00	\$ 4,500.00	\$ 1,955.00	\$ 3,910.00
29	Benches with Backrests	7 EA	\$ 1,600.00	\$ 11,200.00	\$ 1,500.00	\$ 10,500.00	\$ 1,265.00	\$ 8,855.00
30	Backless Benches	11 EA	\$ 1,400.00	\$ 15,400.00	\$ 1,400.00	\$ 15,400.00	\$ 1,063.75	\$ 11,701.25
31	Game Table (4 seat)	1 EA	\$ 4,100.00	\$ 4,100.00	\$ 3,700.00	\$ 3,700.00	\$ 3,165.95	\$ 3,165.95
32	Game Table (3 seat)	1 EA	\$ 3,600.00	\$ 3,600.00	\$ 3,300.00	\$ 3,300.00	\$ 2,769.78	\$ 2,769.78
33	Bike Racks	3 EA	\$ 1,400.00	\$ 4,200.00	\$ 860.00	\$ 2,580.00	\$ 716.91	\$ 2,150.73
34	Shade Structure	2 EA	\$ 19,100.00	\$ 38,200.00	\$ 12,500.00	\$ 25,000.00	\$ 10,350.00	\$ 20,700.00
35	42" Vinyl Coated Fencing	310 LF	\$ 40.00	\$ 12,400.00	\$ 28.00	\$ 8,680.00	\$ 25.30	\$ 7,843.00

Total Base Bid Amount, Based on Estimated Quantities, for Items #1-35, Inclusive

\$ 883,870.00

\$ 918,400.00

\*\* \$ 974,758.69

**PLAYGROUND ONLY**

\$ 432,790.00

\$ 469,166.00

\$ 523,537.21

**Notes:**

1. Will need to include additional concrete, topsoil, sod if the intent is to create a lawn area in place of the spray pad.

2. Number of Backless Benches could be reduced by 4, Number of Benches with Backs could be reduced if desired.

3. Some utility infrastructure should be installed to accommodate potential future installation of the Spray Pad.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Approval to Submit Letter of Support for SEPTA Service Extension

MEETING DATE: April 13, 2015

ITEM NUMBER: # 14.

MEETING/AGENDA:

ACTION

NONE

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

INITIATED BY: Stacy Crandell

Assistant to the Township Manager

BOARD LIAISON: Michael J. Fox, Chairman

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BACKGROUND:

The Township was contacted by Brookdale regarding their request to have a no-cost service adjustment of the Route 132 SEPTA Bus Route to extend to Horsham and Hartman Roads. The current service currently ends at North Wales and Horsham Roads.

Brookdale has been working with the Partnership Transportation Management Association (TMA) to assist them with the request to SEPTA. Other residents and business owners have expressed support for this extension including the Village of Neshaminy Falls. Senator Stewart Greenleaf and Representative Todd Stephens have also supported this initiative. The Township would also benefit from this service extension with the opening of the new Community and Recreation Center.

The Township was asked to submit a letter of support for this request. Attached is the letter of support for the Board's consideration.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Township Staff recommends the Board approve the submission of the letter of support for the project.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby support the proposal to SEPTA for a service adjustment to extend the bus route to Horsham and Hartman Roads and authorize the submission of the Letter of Support to SEPTA.



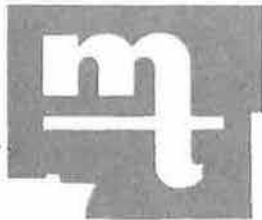
MOTION: \_\_\_\_\_

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

ROLL CALL:

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

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



**MONTGOMERY TOWNSHIP  
BOARD OF SUPERVISORS**

1001 STUMP ROAD  
MONTGOMERYVILLE, PA 18936-9605  
Telephone: 215-393-6900 • Fax: 215-855-6656  
[www.montgomerytp.org](http://www.montgomerytp.org)

**ROBERT J. BIRCH  
CANDYCE FLUEHR CHIMERA  
MICHAEL J. FOX  
JEFFREY W. McDONNELL  
JOSEPH P. WALSH**

**LAWRENCE J. GREGAN  
TOWNSHIP MANAGER**

April 13, 2015

Mr. Joseph M. Casey  
General Manager  
SEPTA  
1234 Market Street  
Philadelphia, PA 19107

**RE: Extension of Service for Route 132 to Horsham and Hartman Roads**

Dear Mr. Casey:

On behalf of the Montgomery Township Board of Supervisors, I am writing to show our support for a no-cost service adjustment of Route 132 to be extended to Horsham and Hartman Roads. The current service terminates at North Wales and Horsham Roads.

The extension would alleviate a transportation gap that would serve many residents and businesses in Montgomery Township including Village of Neshaminy Falls and Brookdale. In addition, this service adjustment would be beneficial to the Township's new Community and Recreation Center at the corner of Stump and Horsham Roads, which is opening this summer.

In closing, the Township feels the extension of the Route 132 service to Horsham and Hartman Roads would be a great benefit to a number of businesses and residents. Thank you for your consideration of this service adjustment. If you have any questions, please feel free to contact Stacy Crandell, Assistant to the Township Manager at 215-393-6900 or by email at [scrandell@montgomerytp.org](mailto:scrandell@montgomerytp.org).

Sincerely:

Michael J. Fox  
Chairman  
Board of Supervisors

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

SUBJECT: Conditional Use Written Decision and Order – BJ's Fuel Station – 640 Cowpath Road - Application #C-63 – Wilkinson Five Point Limited Partnership -

MEETING DATE: April 13, 2015

ITEM NUMBER: **#15**

MEETING/AGENDA: WORK SESSION ACTION XX NONE

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

INITIATED BY: Bruce Shoupe

Director of Planning and Zoning

BOARD LIAISON: Michael J. Fox

Chairman

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BACKGROUND:

This matter involves adoption of the written "Decision and Order" for the conditional use application of Wilkinson Five Point Limited Partnership for Condominium Unit 3 of the Five Points Plaza Shopping Center. They will demolish the existing Beneficial Bank building and construct a gasoline fueling facility with an associated 157 square foot building, 14 fueling stations and a drive-through automated teller machine.

At its March 9, 2015, regular meeting, the Board adopted a Resolution, granting the requested conditional use approval.

Under the MPC, the Board is required to render a written decision on a conditional use application within 45 days after the last hearing on the application.

Pursuant to the MPC, the Solicitor has prepared a formal decision and order memorializing the Board's grant of the requested conditional use.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

A public hearing was held on March 9, 2015.

ALTERNATIVES/OPTIONS:

None

BUDGET IMPACT:

None

RECOMMENDATION:

Approve decision and order.

MOTION/RESOLUTION:

Motion is attached

MOTION \_\_\_\_\_

SECOND \_\_\_\_\_

ROLL CALL:

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

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



Resolution #

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby approve the Memorandum, Findings of Fact, Opinion and Order regarding the Conditional Use application of Wilkinson Five Point Limited Partnership for BJ's Fueling Station at Five Points Plaza Shopping Center.

MOTION BY:

SECOND BY:

DATE:

VOTE:

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

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# **MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS**

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**IN RE: WILKINSON FIVE POINT LIMITED PARTNERSHIP  
CONDITIONAL USE APPLICATION**

**PREMISES: 640 COWPATH ROAD, UNIT 3  
PARCEL NO.: 46-00-01370-50-1**

**APPLICATION NO.: C-63**

## **DECISION AND ORDER**

### **NATURE OF THE APPLICATION**

Applicant Wilkinson Five Point Limited Partnership owns the property located at 640 Cowpath Road, Unit 3, which is in the Township's S-Shopping Center District and is further identified as 46-00-01370-50-1. Applicant proposes to demolish the existing building on the property and construct a proposed gasoline fueling facility on the property, which is adjacent to its BJ's wholesale warehouse. This proposed facility will consist of an associated 157 square-foot building, 14 fuel dispensers, and a drive-through automated teller machine.

A gasoline filling station is permitted as a conditional use in the S-Shopping Center District pursuant to Section 230-86(A), as indicated in Table 230-A, of the Montgomery Township Zoning Ordinance, as amended. In order to facilitate the proposed use and improvement of the property, Applicant seeks conditional use relief under Section 230-86(A) of the Montgomery Township Zoning Ordinance, as amended, to permit the proposed gasoline filling station.

## **FINDINGS OF FACT**

1. Applicant is Wilkinson Five Point Limited Partnership.
2. Wilkinson Five Point Limited Partnership is the legal owner of the property located at 640 Cowpath Road, Condominium Unit 3, within the Township's S-Shopping Center District, further identified as Tax Parcel 46-00-01370-50-1.
3. Applicant filed an application with this Board requesting a Conditional Use pursuant to Section 230-86(A) of the Montgomery Township Zoning Ordinance, as amended.
4. A duly advertised Hearing was held before this Board on March 9, 2015. At the Hearing, Applicant was represented by Robert L. Brant Jr., Esquire.
5. No parties entered their appearances in opposition to the Application.
6. At the Hearing, the exhibits listed on Appendix 1 were entered into the record.
7. Luke Teller (Applicant's engineer) and Patrick R. Natreba (BJ's representative) testified in support of the application. The following findings of fact are taken from their testimony:
  - Applicant proposes to demolish an existing building on the property and construct and operate a BJ's gasoline fueling facility. This facility will consist of a 157 square foot building, 14 fuel dispensers, and a drive-through automated teller machine. (N.T., p. 9).
  - A gasoline station is permitted as a conditional use. (N.T., p. 9).
  - The proposed use of the property as a gasoline filling station does not adversely affect or contradict Montgomery Township's Comprehensive Plan. (N.T., p. 9).
  - The proposed use is suitable for the character of the neighborhood and the uses of the surrounding property. (N.T., p. 9).
  - The proposed use will not impair an adequate supply of light and air to adjacent properties. (N.T., p. 9).

## **CONCLUSION OF LAW**

1. It is well-settled that once an applicant for conditional use bears the initial burden of proving compliance with the specific requirements of the zoning ordinance relative to that conditional use, the governing body is obligated to approve the conditional use unless objectors (neighbors) present sufficient evidence to such a high risk of probability that the Applicant's use will cause a substantial threat to the community.<sup>1</sup>
2. Here, conditional use relief is sought under Section 230-86(A) of the Ordinance, as amended, to permit the proposed gasoline filling station on the property within the S-Shopping Center District.
3. In considering this requested relief, Section 230-156.2 of the Ordinance sets forth the following criteria that this Board should be guided by when considering a conditional use application:
  - The proposed use is permitted by conditional use, 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.
  - The proposed use will conform to the regulations applicable according to use and/or district, including but not limited to regulations contained in Article XVIII, Signs, Article XIX, Off-Street Parking and Loading, Article XX, Nonconforming Uses and Article XXI, Miscellaneous Provisions.
  - Points of vehicular access to the lot are provided at a distance from the intersections and other points of access and in number sufficient to prevent undue traffic hazards and obstruction to the movement of traffic.
  - 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.
  - 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

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<sup>1</sup> See e.g., *Borough of Perkasio v. Moulton Builders, Inc.*, 850 A.2d 778 (Pa. Commw. Ct. 2004)



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.

- 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.
  - The proposed use does not adversely affect or contradict Montgomery Township's Comprehensive Plan.
  - The proposed use meets the purpose of the Ordinance, as set forth in Article I.
  - The proposed use is suitable for the character of the neighborhood and the uses of the surrounding properties.
  - The proposed use will not impair an adequate supply of light and air to adjacent property.
  - The proposed use will not adversely affect the public health, safety or general welfare.
  - The proposed use will not adversely affect transportation or unduly burden water, sewer, school, park or other public facilities.
  - The proposed use shall not overcrowd land or create undue concentration of population or undue intensity of use.<sup>2</sup>
4. Having considered the credible testimony and exhibits presented at the Hearing in support of the Application, which demonstrates compliance with the applicable conditional use criteria above; and with no opposition from neighboring property owners, this Board concludes that Applicant has met its requisite burden of establishing an entitlement to the requested conditional use.
5. Specifically, this Board finds that Applicant satisfactorily established compliance with the specific conditional use requirements under Section 230-156.2 of the Ordinance, and as such is permitted to operate a gasoline filling station on the property.

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<sup>2</sup> See Article XXI, Section 230-156 [Standards and criteria].

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# **MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS**

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**IN RE: WILKINSON FIVE POINT LIMITED PARTNERSHIP  
CONDITIONAL USE APPLICATION**

**PREMISES: 640 COWPATH ROAD, UNIT 3  
PARCEL NO.: 46-00-01370-50-1**

**APPLICATION NO.: C-63**

## **ORDER**

AND NOW, this 23<sup>rd</sup> day of March 2015, Wilkinson Five Point Limited Partnership's conditional use application is **GRANTED**.

Applicant is permitted to demolish the existing building on the property and construct and operate a BJ's gasoline fueling facility consisting of a 157 square-foot building, 14 fuel dispensers, and a drive-through automated teller machine.

This conditional use relief is subject to the following conditions:

- (1) Applicant shall ensure that all review letters prepared in connection with its conditional use application are addressed to the satisfaction of the Township, with any land development issues being addressed during the land development process to the satisfaction of the Township at the appropriate time; and

- (2) The approved conditional use of the property shall be in strict conformance with the testimony and exhibits presented at the hearing

**MONTGOMERY TOWNSHIP  
BOARD OF SUPERVISORS**

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JOSEPH P. WALSH, *Chairman*

---

MICHAEL J. FOX, *Vice-Chairman*

---

ROBERT J. BIRCH, *Member*

---

CANDYCE FLUEHR CHIMERA, *Member*

---

JEFFREY W. MCDONNELL, *Member*

## APPENDIX 1

### **HEARING EXHIBITS**

#### **Board Exhibits**

- B-1 Application
- B-2 Proof of Publication
- B-3 Posting of Property
- B-4 Notification Letters
- B-5 Review Letters
- B-6 ZHB Opinion and ORder

#### **Applicant Exhibits**

- A-1 Curriculum vitae of witnesses
- A-2 Deed
- A-3 Zoning Plan prepared by Langan
- A-4 existing site photos
- A-5 Plan of proposed structure by JGD Associates
- A-6 Traffic Study by Langan
- A-7 Richard Wilkinson's 3/9/15 email response to traffic engineer's letter



MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consideration - Preliminary/Final Land Development Plan – BJ's Fuel Station – Five Points Plaza - 640 Cowpath Road - LDS #682

MEETING DATE:

ITEM NUMBER: #16

MEETING/AGENDA:

WORK SESSION

ACTION XX

NONE

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

INITIATED BY: Bruce Shoupe

Director of Planning and Zoning

BOARD LIAISON: Michael J. Fox

Chairman

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BACKGROUND:

This property is located at 640 Cowpath Road within the Five Points Plaza Shopping Center in the S-Shopping Center Zoning District. The Applicant, Wilkinson Five Point Limited Partnership proposes to demolish the existing Beneficial Bank building currently onsite and construct a gasoline fueling facility with 14 fueling stations, an associated 157 square foot attendant building, and a drive-through automated teller machine.

The applicant received several variances from the Zoning Hearing Board on January 6, 2015, and Conditional Use approval on March 9, 2015.

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

PREVIOUS BOARD ACTION:

The applicant received Conditional Use approval on March 9, 2015, to permit a gasoline fueling station.

ALTERNATIVES/OPTIONS:

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

BUDGET IMPACT:

None.

RECOMMENDATION:

The resolution be adopted by the Board of Supervisors.

MOTION/RESOLUTION:

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

MOTION \_\_\_\_\_

SECOND \_\_\_\_\_

ROLL CALL:

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

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

**RESOLUTION #**

**MONTGOMERY TOWNSHIP**

**MONTGOMERY COUNTY, PENNSYLVANIA**

**A RESOLUTION GRANTING CONDITIONAL PRELIMINARY/FINAL APPROVAL OF  
THE APPLICATION FOR LAND DEVELOPMENT FOR WILKINSON FIVE POINT  
LIMITED PARTNERSHIP FOR BJ'S FUELING STATION AT 640 COWPATH ROAD -  
LDS#682.**

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 **Wilkinson Five Point Limited Partnership, for BJ's Fueling Station at 640 Cowpath Road**, as more fully detailed on the plans listed on Exhibit "A" attached hereto and made part hereof and further conditioned upon the following being satisfied by the Applicant prior to the recording of the final plan:

1. Fulfilling all obligations and requirements of the Gilmore & Associates, Inc. letters dated March 31, 2015, February 18, 2015, Accessibility Review (March 31, 2015, February 19, 2015); Boucher & James, Inc. letter dated March 31, 2015, January 30, 2015; Montgomery Township Planning Commission comments dated March 19, 2015; Montgomery County Planning Commission comments dated February 10, 2015; Traffic Planning and Design, Inc. letters dated March 27, 2015, March 9, 2015, February 12, 2015; Montgomery Township Fire Marshal's Office comments dated February 19, 2015; Montgomery Township Police Department comments dated January 28, 2015; Montgomery Township Zoning Officer comments dated February 25, 2015; and Kenneth Amey's letters dated March 22, 2015, February 16, 2015.
2. The Applicant shall enter into a Land Development 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. The Applicant shall satisfy the requirements of all Montgomery Township Codes, the Montgomery Township Municipal Sewer Authority and North Wales Water Authority. A copy of the Authorities' permits and/or agreements from the above must be provided to the Township.

4. The Applicant shall be responsible for payment of all Township Consultant and Solicitors fees related to this project.
5. The Applicant shall be responsible for obtaining all other Regulatory Authority Permits having jurisdiction over this project.
6. The Applicant shall 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
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. The applicant must comply with the Opinion and Order of the Zoning Hearing Board dated January 6, 2015.
10. The applicant must comply with the Decision and Order of the Conditional Use Hearing held on March 9, 2015.
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.
12. The Applicant shall execute the Township's reasonable and customary Storm Water Management Facilities Maintenance and Monitoring Agreement and Landscaping Declaration of Covenants and Restriction for its benefit and its successors and assigns.
13. All signage identified on the plan is not approved unless it conforms to the Township Zoning code or has been granted prior relief from the Zoning Hearing Board.
14. The applicant has agreed to submit the sum of \$10,000.00 to Montgomery Township at the time of building permit submission to cover the cost of a post-development traffic study, any signal timing changes, and any operational improvements along Cowpath Road.

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

1. Section 205-24.A – the requirement that street lighting be installed along each street in each subdivision and along each street abutting a public street. Street lighting does not currently exist along this portion of the Cowpath Road frontage. *(The consultants have no objection to this waiver.)*



2. Section 205-78.C(1)(f) – the requirement to show tentative grades to an existing street within 400 feet of the site. The applicant has provided an area map. *(The consultants have no objection to this waiver.)*
3. Section 205.52.B(4)(a) – the requirement to provide a softening buffer along Cowpath Road frontage. Flowering trees and smaller vegetation has been provided to augment the buffer provided by the existing vegetation. *(The consultants have no objection to this waiver permitting use of evergreen and ornamental tree substitutions in lieu of the standard required buffer plantings, provided any deficient material is planted elsewhere in the Township or a fee in lieu is provided.)*

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 13th day of April, 2015.

MOTION BY:

SECOND BY:

VOTE:

The above conditions are agreed to by the applicant this \_\_\_\_\_  
day of \_\_\_\_\_, 2015.

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

xc: Applicant, F. Bartle, R. Dunlevy, B. Shoupe, M. Stoerrle, 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	1/19/15	3-16-15
2. Area Map	1/19/15	3-16-15
3. Site Demolition Plan	1/19/15	3-16-15
4. Master Site Plan (Record Plan)	1/19/15	3-16-15
5. Site Plan	1/19/15	3-16-15
6. Pavement Plan	1/19/15	3-16-15
7. Truck Circulation Plan	1/19/15	3-16-15
8. Construction Details	1/19/15	3-16-15
9. Construction Details	1/19/15	3-16-15
10. Post Construction Stormwater Management Plan	1/19/15	3-16-15
11. Grading and Drainage Plan	1/19/15	3-16-15
12. Storm Sewer Profiles	1/19/15	3-16-15
13. Post Construction Stormwater Management Plan Details	1/19/15	3-16-15
14. Post Construction Stormwater Management Plan Details	1/19/15	3-16-15
15. Soil Erosion and Sediment Control Notes and Details	1/19/15	3-16-15
16. Soil Erosion and Sediment Control Notes and Details	1/19/15	3-16-15
17. Soil Erosion and Sediment Control Notes and Details	1/19/15	3-16-15
18. Utility Plan	1/19/15	3-16-15
19. Sanitary Sewer Profiles	1/19/15	3-16-15
20. Utility Details	1/19/15	3-16-15
21. Post Construction Stormwater Management Landscape Plan	1/19/15	3-16-15
22. Post Construction Stormwater Management Landscape Notes and Details	1/19/15	3-16-15
23. Site Lighting Plan	1/19/15	3-16-15
24. Site Lighting Notes and Details	1/19/15	3-16-15

March 16, 2015

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

**Re: Waiver Request Letter to Accompany  
Application for Preliminary and Final Land Development  
Montgomeryville Five Point Plaza Proposed Gas Station  
Montgomery Township, Montgomery County, PA  
Langan Project No.: 200018802**

Dear Bruce:

This letter is intended to accompany the application for Preliminary and Final Land Development approval for the above referenced project. This letter provides justifications for each of the requested waivers from the requirements of the Montgomery Township Subdivision and Land Development Ordinance. The requested waivers are as follows:

1. §205-24.A – A waiver is requested from the requirement that streetlighting 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.

**Response: Street lighting does not currently exist along this portion of the Cowpath Road frontage. As per the Traffic Planning & Design (TPD) letter dated February 12, 2015, TPD indicated that they would support a waiver of this requirement, as an existing lighting system is not currently provided along Cowpath Road.**

2. §205-78.C.(1)(f) – A waiver is requested from the requirement that preliminary plans contain tentative grades to an existing street or to a point 400 feet beyond the boundaries of the subdivision.

**Response: The Applicant provided grades within the limit of disturbance and surrounding area and provided an Area Map.**

3. 205.52.B(4)(a) – A waiver is requested from the requirement to provide a softening buffer along the Cowpath Road frontage.

**Response: Overhead wires prohibit the planting of shade trees along the Cowpath Road frontage. Flowering trees and smaller vegetation has been provided to augment the buffer provided by the existing vegetation to remain. As discussed in a meeting with Boucher & James (B&J) on February 26, 2015, B&J indicated that they would support a waiver of this requirement.**

Please let us know if you have any questions or require additional information.

Sincerely,  
**Langan Engineering and Environmental Services, Inc.**



Gregory Elko, P.E., LEED® AP  
Executive Vice President

cc: Dick Wilkinson, Wilkinson Development  
Patrick Netreba, BJ's  
Milan Atanaskovic, JGD Associates  
Robert Brant, Esq. – Robert L. Brant & Associates  
Luke Teller, Nate Burns - Langan



## Marita A. Stoerrle

---

**From:** Platt, Joe <jplatt@trafficpd.com>  
**Sent:** Monday, March 16, 2015 4:32 PM  
**To:** Marita A. Stoerrle; Jim Dougherty; Valerie Liggett  
**Subject:** RE: BJ's Fueling Station - Land Development Plan

We're good with the lighting waiver request

**Joseph Platt, P.E.,** x2195  
*Senior Project Manager*

---

**From:** Marita A. Stoerrle [mailto:mstoerrle@montgomerytp.org]  
**Sent:** Monday, March 16, 2015 3:07 PM  
**To:** Jim Dougherty; Platt, Joe; Valerie Liggett  
**Subject:** FW: BJ's Fueling Station - Land Development Plan

Hi Everyone –

Attached is a waiver request letter for the BJ's fueling station project.

Would you please confirm that you are in agreement with the comments in the letter.

Thank you.  
Marita

Marita Stoerrle  
Development Coordinator  
Montgomery Township  
1001 Stump Road  
Montgomeryville, PA 18936  
215-393-6903 (office)  
215-855-1498 (fax)



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

---

**From:** Luke Teller [mailto:lteller@Langan.com]  
**Sent:** Monday, March 16, 2015 2:30 PM  
**To:** Marita A. Stoerrle  
**Subject:** RE: BJ's Fueling Station - Land Development Plan

Marita –

As discussed below we are submitting our revised plans today, you will have them tomorrow morning. I am also attaching a pdf of our waiver request letter to this email. Please let me know if you have any questions.

Thanks,

## Marita A. Stoerrle

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**From:** Jim Dougherty <JDOUGHERTY@gilmore-assoc.com>  
**Sent:** Tuesday, March 17, 2015 9:21 AM  
**To:** Marita A. Stoerrle; Platt, Joe; Valerie Liggett  
**Subject:** RE: BJ's Fueling Station - Land Development Plan

Marita,

We are OK with the waiver from showing existing grades within 400ft of the site provided any information requested to facilitate review of the plans is provided.

Thanks,  
Jim

---

**From:** Marita A. Stoerrle [mailto:mstoerrle@montgomerytwp.org]  
**Sent:** Monday, March 16, 2015 3:07 PM  
**To:** Jim Dougherty; Platt, Joe; Valerie Liggett  
**Subject:** FW: BJ's Fueling Station - Land Development Plan

Hi Everyone –

Attached is a waiver request letter for the BJ's fueling station project.

Would you please confirm that you are in agreement with the comments in the letter.

Thank you.  
Marita

*Marita Stoerrle  
Development Coordinator  
Montgomery Township  
1001 Stump Road  
Montgomeryville, PA 18936  
215-393-6903 (office)  
215-855-1498 (fax)*



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

---

**From:** Luke Teller [mailto:lteller@Langan.com]  
**Sent:** Monday, March 16, 2015 2:30 PM  
**To:** Marita A. Stoerrle  
**Subject:** RE: BJ's Fueling Station - Land Development Plan

Marita –

As discussed below we are submitting our revised plans today, you will have them tomorrow morning. I am also attaching a pdf of our waiver request letter to this email. Please let me know if you have any questions.

Thanks,

## Marita A. Stoerrle

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**From:** Valerie Liggett <vliggett@bjengineers.com>  
**Sent:** Tuesday, March 17, 2015 9:36 AM  
**To:** Marita A. Stoerrle; Jim Dougherty; Platt, Joe  
**Subject:** RE: BJ's Fueling Station - Land Development Plan

205-52.B(4)(a) – A waiver is requested from the requirement to provide a softening buffer along the Cowpath Road frontage.

Applicant Response: Overhead wires prohibit the planting of shade trees along the Cowpath Road frontage. Flowering trees and smaller vegetation has been provided to augment the buffer provided by the existing vegetation to remain. As discussed in a meeting with Boucher & James (B&J) on February 26, 2015, B&J indicated that they would support a waiver of this requirement.

We have no objection to a waiver permitting use of evergreen and ornamental tree substitutions in lieu of the standard required buffer plantings, provided any deficient material is planted elsewhere in the Township or a fee-in-lieu is provided. The plan dated 1/19/15 is deficient forty (40) shrubs.

40 x \$65 = \$2,600



Valerie L. Liggett, ASLA, R.L.A.  
ISA Certified Arborist®  
Planner / Landscape Architect  
Boucher & James, Inc.  
1456 Ferry Road, Doylestown, PA 18901

E-mail: [vliggett@bjengineers.com](mailto:vliggett@bjengineers.com) • Tel: 215-345-9400 • Fax: 215-345-9401

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**From:** Marita A. Stoerrle [mailto:mstoerrle@montgomerytp.org]  
**Sent:** Monday, March 16, 2015 3:07 PM  
**To:** Jim Dougherty; Platt, Joe; Valerie Liggett  
**Subject:** FW: BJ's Fueling Station - Land Development Plan

Hi Everyone –

Attached is a waiver request letter for the BJ's fueling station project.

Would you please confirm that you are in agreement with the comments in the letter.

Thank you.  
Marita



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

March 31, 2015

File No. 2014-11003-01

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

Reference: Preliminary/Final Land Development Application Review LD/S#682  
Wilkinson Five Point Limited Partnership – BJ's Fueling Station  
Tax Parcel #46-00-01370-50-1; Block 006B, Unit 275 (Condo Unit 3)  
Tax Parcel #46-00-00394-00-1; Block 006B, Unit 162 (Common Area)

Dear Bruce:

As requested, Gilmore & Associates, Inc. has reviewed the preliminary/final application for the above-referenced project and offers the following comments for consideration by the Montgomery Township Board of Supervisors:

**I. SUBMISSION**

- A. Comment Response Letter prepared by Langan Engineering & Environmental Services, dated March 16, 2015
- B. Preliminary and Final Land Development Plans (27 Sheets), prepared by Langan Engineering & Environmental Services, dated January 19, 2015, last revised March 16, 2015
- C. Topographic Survey (1 Sheet), prepared by Langan Engineering & Environmental Services, dated January 19, 2015
- D. Post-Construction Stormwater Management (PCSM) Narrative for Montgomeryville Five Point Plaza Proposed Gas Station, prepared by Langan Engineering & Environmental Services, dated January 19, 2015, last revised March 16, 2015
- E. Erosion & Sediment Pollution Control Narrative Report and Calculations for Montgomeryville Five Point Plaza Proposed Gas Station, prepared by Langan Engineering & Environmental Services, dated January 19, 2015, revised March 16, 2015
- F. Waiver Request Letter, prepared by Langan Engineering & Environmental Service, dated March 16, 2015

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## II. GENERAL

The subject site is Condominium Unit 3 of the Montgomeryville Five Points Plaza Shopping Center located at 640 Cowpath Road, Lansdale, PA. The 45 acre shopping center has access on the north to Cowpath Road (S.R. 0463) and on the east to Bethlehem Pike (S.R. 0309 & 0202). The site is within the Shopping Center (S) Zoning District. Currently the site improvements consist of an approximate 2,900 square foot vacant building that was previously a bank. The Applicant proposes to demolish the existing building and construct a proposed gasoline fueling facility with an associated 157 square foot building, 4,775 square foot canopy, 7 fuel dispensers (14 fuel stations), a drive-thru automated teller machine and other appurtenant improvements.

## III. REVIEW COMMENTS

### A. Zoning Ordinance

Based on our review, the revised plan appears to comply with the Township Zoning Ordinance. The applicant has addressed comments noted in our previous review. Further development of the plans may require additional review and comment. We note the Township Zoning Hearing Board granted several variances, which are listed on the plan.

### B. Subdivision and Land Development Ordinance

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

1. §205-78.C.(1)(f) – A waiver is requested from the requirement that preliminary plans contain tentative grades to an existing street or to a point 400 feet beyond the boundaries of the subdivision. The proposed land development is within an existing shopping center in a fully developed area of the Township. We recommend consideration of this waiver. However, we recommend the condition that the Applicant shall provide any information requested to facilitate review of the plans be included.

Based on our review, the revised plan appears to comply with the Township Subdivision and Land Development Ordinance. The applicant has addressed comments noted in our previous review. Further development of the plans may require additional review and comment.

### C. Stormwater Management

Based on our review, the following items do not appear to comply with the Montgomery Township Subdivision and Land Development Ordinance (SALDO) Section §205-18 and the Stormwater Management Ordinance, §206. Upon further development of the plans, additional items may become apparent.

1. §205-18.D(4)(d) – A chain link fence has been shown around the rain gardens. The plan call-outs and fence or rain garden details should be revised to clarify the height and type of fence to be installed.

### D. General

1. The Applicant is responsible for obtaining all required approvals, permits, declarations of restrictions and covenants, etc. (i.e., PADEP, PennDOT, MCPC, MCCD, Montgomery Township Municipal Sewer Authority, NWWA, North Penn Water Authority, Fire Marshal, etc.). Copies of these approvals and permits should be submitted to the Township and our office.



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

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

Sincerely,



James P. Dougherty, P.E.  
Project Manager  
Township Engineers

JPD/atw/sl

cc: Lawrence J. Gegan, Manager – Montgomery Township  
Marita A. Stoerrle, Development Coordinator – Montgomery Township  
Marianne McConnnell, 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  
Richard Wilkinson – Wilkinson Five Point, LP  
Robert L. Brant, Esq. – Robert L. Brant & Associates, LLC  
Gregory Elko, P.E. – Langan Engineering & Environmental Services  
Russell S. Dunlevy, P.E., Executive VP



**GILMORE & ASSOCIATES, INC.**

ENGINEERING & CONSULTING SERVICES

February 18, 2015

File No. 2014-11003-01

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

Reference: Preliminary/Final Land Development Application Review LD/S#682  
Wilkinson Five Point Limited Partnership – BJ's Fueling Station  
Tax Parcel #46-00-01370-50-1; Block 006B, Unit 275 (Condo Unit 3)  
Tax Parcel #46-00-00394-00-1; Block 006B, Unit 162 (Common Area)

Dear Bruce:

As requested, Gilmore & Associates, Inc. has reviewed the preliminary/final application for the above-referenced project and offers the following comments for consideration by the Montgomery Township Board of Supervisors:

**I. SUBMISSION**

- A. Application for Subdivision and Land Development dated January 19, 2015.
- B. Preliminary and Final Land Development Plans (25 Sheets), prepared by Langan Engineering & Environmental Services, dated January 19, 2015.
- C. Topographic Survey (1 Sheet), prepared by Langan Engineering & Environmental Services, dated January 19, 2015.
- D. Post-Construction Stormwater Management (PCSM) Narrative for Montgomeryville Five Point Plaza Proposed Gas Station, prepared by Langan Engineering & Environmental Services, dated January 19, 2015.
- E. Erosion & Sediment Pollution Control Narrative Report and Calculations for Montgomeryville Five Point Plaza Proposed Gas Station, prepared by Langan Engineering & Environmental Services, dated January 19, 2015.
- F. Deed (DB5406 PG2215) for parcel 46-00-01370-50-1.

**II. GENERAL**

The subject site is Condominium Unit 3 of the Montgomeryville Five Points Plaza Shopping Center located at 640 Cowpath Road, Lansdale, PA. The 45 acre shopping center has access on the north to Cowpath Road (S.R. 0463) and on the east to Bethlehem Pike (S.R. 0309 & 0202). The site is within the Shopping Center (S) Zoning District. Currently the site improvements consist of an approximate 2,900 square foot vacant building that was previously a bank. The Applicant proposes to demolish the existing building and construct a proposed gasoline fueling facility with an associated 157 square foot building, 4,775 square foot canopy, 7 fuel dispensers (14 fuel stations), a drive-thru automated teller machine and other appurtenant improvements.

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### III. REVIEW COMMENTS

#### A. Zoning Ordinance

Based on our review, the following items do not appear to comply with the Township Zoning Ordinance. We note the Township Zoning Hearing Board granted several variances, which are listed on the plan. Upon further development of the plans, additional items may become apparent.

1. §230-86.A – A bank is a permitted use in the S Shopping Center Zoning District. Gasoline fueling station is permitted as a conditional use in the District. The Applicant has submitted a separate application for conditional use approval. The conditional use must be approved in order to permit the proposed gasoline fueling station.
2. §230-91.B – Outside waste storage areas are required to be completely fenced-in. The proposal includes fence on three sides of the area. The fence shall be extended along the exposed side of the waste storage area.
3. §230-122 – We defer review of all proposed signs and signage to the Township Zoning Officer.
4. §230-134.E – Drive-through facilities shall be provided with not less than eight automobile spaces per drive-through lane. A queue length of eight automobiles shall be shown on the plans.

#### B. Subdivision and Land Development Ordinance

The Applicant is requesting the following waivers from the Subdivision and Land Development Ordinance (SALDO). A Waiver Request Letter should be submitted to the Township and our Office which includes all requested waivers with explanation of undue hardship.

1. §205-78.C.(1)(f) – A waiver is requested from the requirement that preliminary plans contain tentative grades to an existing street or to a point 400 feet beyond the boundaries of the subdivision. The proposed land development is within an existing shopping center in a fully developed area of the Township. We recommend consideration of this waiver. However, we recommend the condition that the Applicant shall provide any information requested to facilitate review of the plans be included.

This application satisfies all requirements and provisions of the current Montgomery Township Subdivision and Land Development Ordinance, with the following exceptions. Upon further development of the plans additional items may become apparent.

1. §205-10.H.(5) – Aisles where illegal parallel parking is possible should be posted "No Parking by Order of Fire Marshal." We defer review to the Township Fire Marshal. A copy of the Fire Marshal's Letter should be submitted to our office.
2. §205-17.A.(3) & §205-17.A.(5)(b) – Details for a standard & heavy duty pavement sections shall be provided on the plans and reference these sections of the Ordinance.
3. §205-18.1.C & §205-29 – An Erosion and Sedimentation Control Plan shall be submitted to the Montgomery County Conservation District (MCCD). No permit shall be approved unless there has been a plan approved by the MCCD. It appears the area of disturbance is greater than 1 acre. A NPDES permit must be obtained.
4. §205-19 – We defer the review of the sanitary sewer design and details to the Montgomery Township Sewer Authority Engineer. A copy of the letter confirming available sewer capacity should be provided to the Township.
5. §205-20 – We defer the review of the waterline relocations, installations and details to the North Wales Water Authority.

6. §205-21 – We defer the review of fire hydrants to the Township Fire Marshal.
7. §205-24 – We defer the review of the Lighting Plans to the Montgomery Township Lighting Consultant.
8. §205-28.A – No person shall commence or perform any grading, excavation, fill, topsoil removal or removal of vegetative cover without first having obtained a grading permit from the Township Zoning Officer upon the recommendation of the Township Engineer. The applicant will need to apply for a grading permit prior to construction.
9. §205-51 – We defer the review of the Landscape Plans to the Montgomery Township Landscaping Consultant.
10. §205-78.B.(1) – The location, size and direction of the existing storm system within 400 feet of the site shall be provided. Limited information regarding the existing system is shown. This information is needed to evaluate potential impacts from fuel spills.
11. §205-78.E.(1) & §205-79.B.(3)(b) – Based on the tax map information for the areas that will be effected by the land development, it appears that the owner of the common area should certify the plan as well as the owner of Condominium Unit No. 3. As additional signature blocks should be added to the Master Site Plan.
12. §205-100 – We defer review of the Traffic Management Study to the Montgomery Township Traffic Engineer.

C. Stormwater Management

Based on our review, the following items do not appear to comply with the Montgomery Township Subdivision and Land Development Ordinance (SALDO) Section §205-18 and the Stormwater Management Ordinance, §206. Upon further development of the plans, additional items may become apparent.

1. §205-18.A.(7) – Inlet castings, together with their gratings, should conform to Township standards as may be currently in effect. The following detail should be added to the plans: bicycle safe structural steel grate.
2. §205-18.1.C & §205-29 – An Erosion and Sedimentation Control Plan shall be submitted to the Montgomery County Conservation District (MCCD). No permit shall be approved unless there has been a plan approved by the MCCD.
3. §205-18.D(2) – The post-construction drainage area map includes the loading area at the SW corner of the site as tributary to Point of Analysis 2. The grading and other site feature suggest the runoff from this area is not tributary to this analysis point. The area is small, therefore peak flow analysis is not a concern but as the unloading area for fuel deliveries there is the potential for fuel spills. Accurate direction of runoff from this area is critical in the event of a spill. Receiving inlets shall be identified on the plan and should be evaluated for retrofit or replacement with water quality features.
4. §205-18.D(3)(c) – Emergency spillways must be provided at the rain gardens and be designed to convey the 100-year post-construction storm event.
5. §205-18.D(4)(d) – A minimum four-foot-high fence must be installed around the top of the rain gardens.
6. §205-18.1.D.(1)(e) – The original maintenance agreement that was entered into with the Township pertaining to the long-term operations and maintenance of the installed BMPs on the site should be revised to include the new BMPs. The new maintenance agreement should be recorded with the County.

7. §206-14.C(6) – A soils evaluation of the project site shall be required to determine the suitability of infiltration facilities. The Applicant indicates this information will be provided with a future submission.
8. §206-15 – The PCSW report narrative should include a summary of the volume controls and the requirements of the Township Stormwater Management Ordinance.
9. §206-16.C – The precipitation depths listed in Table A-1 of Appendix A shall be used. The analysis shall be revised for the 50-year (6.7 in.) and 100-year (7.6 in.) design storms.
10. §206-16.A(1)(b) & D – The stormwater conveyance calculations shall be revised to use the rainfall intensities listed in Table A-1 of the Ordinance.
11. §206-17.A(1) – Fueling stations are considered "hot spots." Hot spots are sites where the land use or activity produces a higher concentration of trace metals, hydrocarbons, or priority pollutants than normally found in urban runoff. Infiltration BMPs are prohibited on hot spot land use areas. Stormwater runoff from hot spot land uses shall be pretreated. Refer to Appendix D of the Stormwater Management Ordinance for additional guidance.
12. §206-17.A(1) – The Applicant shall provide the Township with copies of the site Pollution Prevention and Contingency (PPC) Plan, Spill Prevention Control and Countermeasure (SPCC) Plan or any other plan documenting the procedures and facilities to be provided for response to potential fuel spills. These plans should be custom prepared addressing this specific site.
13. §206-17.A(2) – The Applicant shall provide additional information regarding the proposed CDS water quality structures. Specifically, hydrocarbon removal information.
14. §206-19.B(3)(h),(i) & (j) – The statements and notes included in these sections of the ordinance shall be included on the Record plan.
15. §206-32 – The owner of the land shall be required to enter into and record a BMP Operations & Maintenance agreement, along with the associated documents required as part of this section (e.g. stormwater management plan, agreement, statement regarding alteration of BMPS). The owner shall coordinate with the Township Solicitor.
16. §206-33 – The owner must provide the Township an easement to perform inspections and maintenance for the preservation of stormwater management facilities.
17. Details for any existing or proposed outlet control structures shall be included on the plans.

**D. General**

1. Provision for employee parking space(s) should be provided. For parking areas with less than 10 spaces, one space shall be accessible per §205-10.H.(7)(a) and striped per §205-10.H.(7)(b) & (d).
2. Grading and Drainage Plan Note #20 of Drawings CG-100 and CG-101 shall state the retaining wall design shall be reviewed and approved by the Township Engineer prior to construction.
3. The Applicant should obtain all required approvals, permits, declarations of restrictions and covenants, etc. (i.e., PADEP, PennDOT, MCPC, Montgomery County Conservation District, Montgomery Township Municipal Sewer Authority, North Wales Water Authority, MCDH, DRBC, HARB, Fire Marshal, etc.). Copies of these approvals and permits should be submitted to the Township and our office.
4. A Site Accessibility Review will be provided under separate cover.

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



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

Sincerely,



Russell S. Dunlevy, P.E.  
Executive Vice President  
Township Engineers



James P. Dougherty, P.E.  
Project Manager  
Township Engineers

JPD/si

cc: Lawrence J. Gregan, Manager – Montgomery Township  
Marita A. Stoerre, Development Coordinator – Montgomery Township  
Marianne McConnnell, 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  
Richard Wilkinson – Wilkinson Five Point, LP  
Robert L. Brant, Esq. – Robert L. Brant & Associates, LLC  
Gregory Elko, P.E. – Langan Engineering & Environmental Services



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

March 31, 2015

File No. 2014-11003-01

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

Reference: Preliminary/Final Land Development – LD/S #682  
Wilkinson Five Point Limited Partnership – BJ's Fueling Station  
Tax Parcel #46-00-01370-50-1; Block 006B, Unit 275

Dear Bruce:

Pursuant to your request, Gilmore & Associates, Inc. has reviewed the preliminary/final land development plans associated with the above-referenced project for accessibility. Our accessibility review was limited to the site only and information shown on the plans; the review excluded elements such as doors and doorways, accessible means of egress, and all interior elements, which we defer to the Township's Building Code Official. We offer the following comments for consideration by the Montgomery Township Board of Supervisors:

**I. SUBMISSION**

- A. Preliminary/Final Land Development Plans, as prepared by Langan, twenty-seven (27) sheets, dated January 19, 2015 and last revised March 16, 2015

**II. ACCESSIBILITY REVIEW COMMENTS**

Based on our review the following items do not appear to comply with the 2012 International Building Code (IBC) and/or the ICC/ANSI A117.1-2009 Accessible and Usable Buildings and Facilities (ICC) standard:

1. ICC §308.2.2 – The "Fuel Dispenser Elevation ADA 308.2.2 Forward Reach Limit Side View" detail provided on Drawing CS-503/Sheet 10 shall be removed since the clear floor space does not extend beneath the element as required.
2. ICC §308.3 – We have the following comments regarding the side reach provided for the proposed free air machine and fuel dispensers:
  - a. The "Free Air Machine Elevation ADA 308.3.2 Side Reach Limit Side View" detail and "Fuel Dispenser Elevation ADA 308.3.2 Side Reach Limit" details provided on Drawing CS-503/Sheet 10 shall be revised to indicate the distance between the element and edge of the clear floor space.
  - b. The "Fuel Dispenser Elevation ADA 308.3.2 Side Reach Limit" details provided on Drawing CS-503/Sheet 10 shall be revised to remove reference to the maximum 54 inch high side reach since the fuel dispensers are not existing elements.

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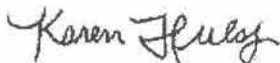
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- c. Information shall be provided to confirm that all operable parts of the free air machine and fuel dispensers are within 48 inches of the floor for a maximum side reach depth of 10 inches and/or within 46 inches of the floor for side reach depths which exceed 10 inches.
- d. The location of the Free Air Machine shall be revised in plan view to match the side reach depth shown on the "Free Air Machine Elevation" detail provided on Drawing CS-503/Sheet 10.
3. ICC §309.4 – A note shall be added to the plans indicating that all operable parts, including those on the drive up only automatic teller machine (ATM), free air machine, and fuel dispensers, shall be operable with one hand and shall not require tight grasping, pinching, or twisting of the wrist. A note shall also be added to the plans indicating that operable parts, including those on the drive up only ATM, free air machine, and fuel dispensers excepting gas pump nozzles, shall not require more than 5.0 pounds of force to activate.
4. ICC §404 – We continue to defer the review of Doors and Doorways to the Township's Building Code Official.
5. ICC §707 – Information related to the proposed drive up only ATM shall be provided to confirm that the applicable requirements of this ATM section have been met, such as numeric keys, function keys, characters displayed on the screen, speech output, input controls, and braille instructions.

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

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

Sincerely,



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

KMH/sl

cc: Lawrence J. Gegan, Manager – Montgomery Township  
Marita A. Stoerrle, Development Coordinator – Montgomery Township  
Marianne McConnnell, Deputy Zoning Officer – Montgomery Township  
Frank R. Bartle, Esq., Solicitor – Dischell Bartle & Dooley, PC  
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Russell S. Dunlevy, P.E., Executive Vice President – Gilmore & Associates, Inc.  
James P. Dougherty, P.E., Senior Project Engineer – Gilmore & Associates, Inc.



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

February 19, 2015

File No. 2014-11003-01

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

Reference: Preliminary/Final Land Development – LD/S #682  
Wilkinson Five Point Limited Partnership – BJ's Fueling Station  
Tax Parcel #46-00-01370-50-1; Block 006B, Unit 275

Dear Bruce:

Pursuant to your request, Gilmore & Associates, Inc. has reviewed the preliminary/final land development plans associated with the above-referenced project for accessibility. Our accessibility review was limited to the site only and information shown on the plans; the review excluded elements such as doors and doorways, accessible means of egress, and all interior elements, which we defer to the Township's Building Code Official. We offer the following comments for consideration by the Montgomery Township Board of Supervisors:

**I. SUBMISSION**

- A. Preliminary/Final Land Development Plans, as prepared by Langan, twenty-five (25) sheets, dated January 19, 2015

**II. ACCESSIBILITY REVIEW COMMENTS**

Based on our review the following items do not appear to comply with the 2012 International Building Code (IBC) and/or the ICC/ANSI A117.1-2009 Accessible and Usable Buildings and Facilities (ICC) standard:

1. IBC §§1104.2, 1106.6 & 1110.1 – It shall be clarified where the gasoline filling station attendant(s) will park. A van-accessible parking space shall be located on the shortest accessible route of travel to the attendant building entrance, including information confirming that an accessible route is provided between the van-accessible parking space and attendant building entrance. Related van-accessible parking space signage, complying with UCC §703 and including the International Symbol of Accessibility, shall be added to the plans.
2. ICC §309 – Information shall be provided to confirm that the required clear floor space, reach ranges, and operation requirements are met for the operable parts associated with the fuel-dispensing pumps and air machine.
3. ICC §404 – We defer the review of Doors and Doorways to the Township's Building Code Official.

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4. ICC §707 – A detail of the proposed drive up only automatic teller machine (ATM) shall be provided to confirm that the applicable requirements of this ATM section have been met.

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

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

Sincerely,



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

KMH/sl

cc: Lawrence J. Gregan, Manager – Montgomery Township  
Marita A. Stoerrle, Development Coordinator – Montgomery Township  
Marianne McConnell, Deputy Zoning Officer – Montgomery Township  
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Gregory Elko, P.E. – Langan Engineering & Environmental Services  
Russell S. Dunlevy, P.E., Executive Vice President – Gilmore & Associates, Inc.  
James P. Dougherty, P.E., Senior Project Engineer – Gilmore & Associates, Inc.





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March 31, 2015

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

**SUBJECT: MONTGOMERY FIVE POINTS PLAZA  
GAS STATION – BJ'S  
PRELIMINARY/FINAL LAND DEVELOPMENT PLANS  
TOWNSHIP LD/S NO. 682  
PROJECT NO. 1555290R**

Dear Mr. Gregan:

Please be advised that we have reviewed the Preliminary/Final Land Development Plans for the Montgomeryville Five Point Plaza Gas Station (BJ's Gas), prepared by Langan Engineering & Environmental Services, dated January 19, 2015, last revised March 16, 2015. The site is located within the Five Points Plaza shopping center, between the Lowe's home improvement store and Cowpath Road, within the S Shopping Center district.

The site currently contains a vacant bank building and associated parking and drive-through facilities. The plan proposes to remove the existing bank and portions of the parking lot and drive through lanes, and construct a fourteen (14) bay gasoline filling station, ATM pad with drive-through access, attendant station, underground storage tanks, a truck pull-off/tank filling area, and generator and dumpster pads. Vehicular traffic is to access the gas station from the internal circulation drive in the Five Points Plaza shopping center.

On January 6, 2015, the Zoning Hearing Board of Montgomery Township granted relief with respect to several issues, including a reduced parking ratio, increased impervious coverage ratio, and several signage issues.

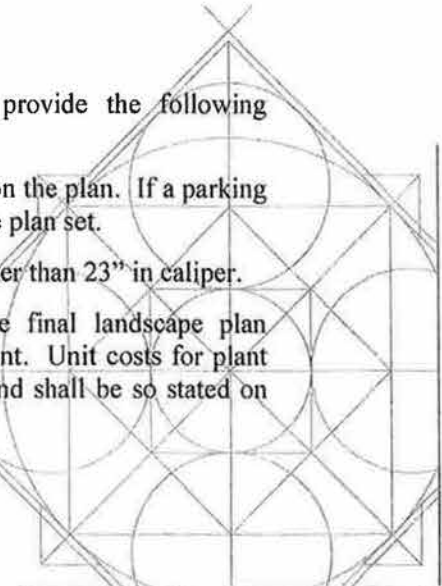
On March 9, 2015 at their regularly scheduled meeting, the Montgomery Township Board of Supervisors granted Conditional Use Approval to locate a gasoline filling station within the S Shopping Center District.

We offer the following comments for your consideration.

1. Landscape Plan Requirements

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

- A. Section 4: parking areas. One handicap parking space is shown on the plan. If a parking space is to be provided for the attendant, it should be shown in the plan set.
- B. Section 12: the common name must be provided for all trees greater than 23" in caliper.
- C. Section 18: a detailed cost estimate shall be attached to the final landscape plan submission for the preparation of the land development agreement. Unit costs for plant material shall include costs for labor, materials, and guaranty, and shall be so stated on the estimate.



2. Planting Requirements

- A. SLDO 205-52.B(4)(a): 4 shade trees and 8 shrubs are required for each 100 feet of property perimeter in order to meet softening buffer requirements. The following issues should be addressed:
  - 1. The ordinance does not currently permit the substitution of evergreen and ornamental trees for shade trees in softening buffers. A waiver has been requested.
  - 2. The softening buffer along Cowpath Road requires 20 shade trees and 40 shrubs. The Compliance Map and Substitution Chart show 8 existing trees, 1 shade tree, and 20 evergreen and ornamental trees, which equate to only 19 shade trees. No shrubs have been provided in this softening buffer. The plans should be revised to provide the required plant material, or a waiver would be required.
- B. SLDO 205-52.B(2)(b): buffer areas shall be used for no purpose other than planting of trees, shrubs and lawn. A large portion of Rain Garden 1 is located within the buffer area. A waiver is required.
- C. SLDO 205-52.C(3)(a): the screen buffer may be sited in any position on the property if permitted by the Board of Supervisors. Screen buffering required along the adjacent residential property has been shown in the interior of the property due to existing water and sanitary sewer easements. It appears that this location will provide adequate screening.
- D. SLDO 205-52.C(4)(b) permits the use of fences in combination with plant material subject to the approval of the Board of Supervisors and in conformance with ZO 230-148, Fences and Walls.
  - 1. Screen buffering is required adjacent to the truck pull-off area. The 3/16/15 response letter indicates that fencing alone is proposed in this area due to the existing sanitary and sewer easements. A waiver is required.
  - 2. Fences are proposed in combination with the screen buffering adjacent to the air pump and generator/dumpster pads. It appears that these fences are in compliance with ZO 230-148, Fences and Walls.
- E. SLDO 205-52.F(6): The following stormwater management landscaping issues should be addressed.
  - 1. A total of 13 shade trees are required in Raingarden #1. Four (4) shade trees and 8 ornamental trees are listed in the Substitution Chart. The Compliance Map and Landscape Plan show 10 ornamental trees. Therefore, the equivalent of only 9 shade trees have been provided. The plans should be revised to correct discrepancies between the tables, charts, and plan and to provide the required amount of landscaping, or a waiver would be required.
  - 2. A total of 8 shade trees are required in Raingarden #2. The Substitution Chart states that 4 shade trees and 8 ornamental trees are proposed. The Landscape Plan and Compliance Map show only 8 ornamental trees. The plans should be revised to correct discrepancies between the tables, charts and plan and to provide the required amount of landscaping, or a waiver would be required.
  - 3. Landscaping must be provided within the stormwater management facility for which it has been calculated. The Compliance Map shows stormwater management landscaping in other areas of the site. The plans should be revised

to provide the required landscaping in the correct location, or a waiver would be required.

3. Existing Lowe's Landscaping:

Several existing trees to be removed were planted to meet specific requirements for the overall Lowe's land development. These trees must be replaced at a ratio of 1:1 regardless of their current size and in accordance with the requirements of SLDO 205-56 Recommended Plant List. The following trees are required to be replaced.

- A. Five (5) shade trees and 3 ornamental trees to be removed were planted to meet replacement tree requirements.
- B. Eight (8) shade trees proposed to be removed were required to be preserved to meet Individual Lot Landscaping requirements.
- C. In addition, it appears that 5 other trees not currently marked as 'to be removed' will have more than ¼ of their root area disturbed, and cannot therefore be considered to be preserved (2 softening buffer trees, 2 individual lot landscaping trees, and 1 replacement tree).

Therefore, a total of 18 shade trees and 3 ornamental trees or a total of 19 shade trees are required to be provided. The 3/16/15 response letter indicates that the required replacement trees have been provided. However, when accounting for all other landscape requirements, it appears that only 4 shade trees have been provided. The plan should be revised to provide the required trees.

4. Preservation, Protection and Replacement of Trees

- A. SLDO 205-53.B(1) and (2): five (5) trees in addition to those marked as 'to be removed' will have more than ¼ of their root area disturbed. The plan should be revised to indicate all trees proposed to be removed in compliance with the ordinance requirements.
- B. SLDO 205-52.C: the landscape plan should be revised to demonstrate compliance with the tree replacement requirements outlined in this section. Trees to be replaced at 1:1 due to previous landscape requirements are not required to be considered as disturbance for the purposes of calculating any required replacement trees.

5. General Comments

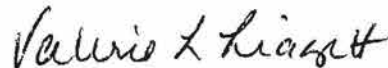
- A. The landscape compliance chart indicates that 220 LF and 300 LF of screen buffer are required adjacent to the residential property. The chart should be revised to correct this discrepancy.
- B. The landscape compliance chart indicates that three (3) shade trees are proposed to meet the Raingarden #1 landscape requirements. It appears that this is a typo. The chart should be revised to indicate the actual number of shade trees proposed.
- C. The Raingarden detail on Sheet No. 16 should be revised to remove the reference to gravel from the note that states 'Distance from top of gravel to overflow to be maximum of 11.04.'
- D. The plans indicate that a 1" caliper tree is located along the entry drive. Based on the size of the rest of the plant material on the site, it appears that this may be an incorrect measurement. The size of this tree should be reviewed to ensure that it is shown correctly.
- E. The proposed chain-link fence around the rain garden areas does not appear to be appropriate. We recommend that a post and rail fence be provided in these locations instead.

- F. One (1) existing tree adjacent to the bank entry drive is shown in the wrong location in the Topographic Survey. The plan should be revised to show all existing trees in the correct location.
- G. References to the invasive plant Crown Vetch should be blacked out from Table 11.5 on Sheets No. 15 and 19.
- H. *Myrica pensylvanica* is a deciduous to semi-evergreen shrub, and should be listed in the plant schedule with the other deciduous shrubs.
- I. A number of shrubs are shown on top of the proposed spillway. The plans should be revised to remove the shrubs from the spillway.
- J. There appear to be a number of conflicts between proposed plantings and adjacent utilities. A minimum of 10' should be provided between all shade, evergreen and ornamental trees and utilities, and shrubs should not be planted directly on top of utility lines. Both species of *Arborvitae* shown on the plan should be considered trees for the purposes of determining conflicts.
- K. A detailed response letter addressing the above noted comments and any other changes to the plans should be included with future submissions.

Sincerely,



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



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

JSG/vll/kam

cc: Board of Supervisors  
Planning Commission  
Bruce Shoupe, Director of Planning and Zoning  
Marita Stoerrle, Development Coordinator  
Marianne McConnell, Deputy Zoning Officer  
James P. Dougherty, P.E., Gilmore & Associates, Inc.  
Kevin Johnson, P.E., Traffic Planning & Design  
Ken Amey, AICP  
Richard W. Wilkinson, Wilkinson Five Point Limited Partnership  
Gregory Elko, P.E., Langan Engineering & Environmental Services



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INNOVATIVE ENGINEERING

January 30, 2015

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

**SUBJECT: MONTGOMERY FIVE POINTS PLAZA  
GAS STATION – BJ'S  
PRELIMINARY/FINAL LAND DEVELOPMENT PLANS  
TOWNSHIP LD/S NO. 682  
PROJECT NO. 1555290R**

Dear Mr. Gregan:

Please be advised that we have reviewed the Preliminary/Final Land Development Plans for the Montgomery Five Points Plaza Gas Station (BJ's Gas), prepared by Langan Engineering & Environmental Services, and dated January 19, 2015. The site is located within the Five Points Plaza shopping center, between the Lowes home improvement store and Cowpath Road, within the S Shopping Center district.

The site currently contains a vacant bank building and associated parking and drive-through facilities. The plan proposes to remove the existing bank and portions of the parking lot and drive through lanes, and construct a fourteen (14) bay gasoline filling station, ATM pad with drive-through access, attendant station, underground storage tanks, a truck pull-off/tank filling area, and generator and dumpster pads. Vehicular traffic is to access the gas station from the internal circulation drive in the Five Points Plaza shopping center.

On January 6, 2015, the Zoning Hearing Board of Montgomery Township granted relief with respect to several issues, including a reduced parking ratio, increased impervious coverage ratio, and several signage issues.

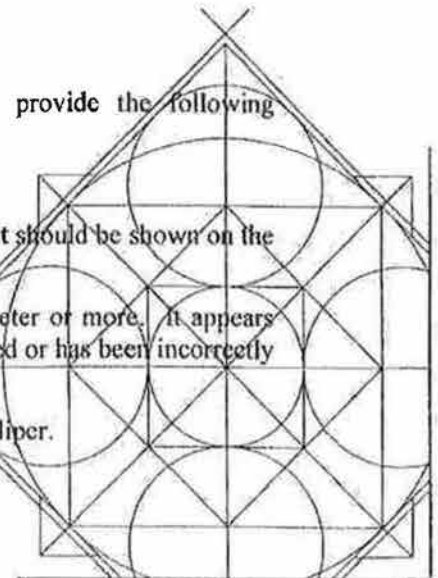
The application has also been submitted for Conditional Use Approval to locate a gasoline filling station within the S Shopping Center District.

We offer the following comments for your consideration.

I. Landscape Plan Requirements

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

- A. Section 2: building setback lines and adjacent zoning districts.
- B. Section 4: if a parking space is to be provided for the attendant, it should be shown on the landscape plan.
- C. Section 9: all individual trees with trunks eight inches in diameter or more. It appears that one (1) tree adjacent to the entry drive has either been omitted or has been incorrectly located.
- D. Section 10: The common name of all trees greater than 23" in caliper.
- E. Section 15: existing steep slopes in excess of 15%.





- F. 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.

2. Planting Requirements

- A. ZO 230-89.I: the landscape plan should be revised to show the required planting area of 25' in width along the property lines adjoining the residential district and Cowpath Road, or a variance would be required.
- B. ZO 230-127.A(8)(a): the applicant shall provide two square feet of landscaped area for each square foot of sign area. The required landscaping should be provided based on the ultimate square footage of the pylon sign after any modifications, or a variance would be required.
- C. SLDO 205-25.C(2) and 205-52.E(1): the plans should be revised to demonstrate compliance with the storefront landscaping requirements outlined in these sections, or waivers would be required.
- D. SLDO 205-25.C(1)(3): the plans should be revised to meet softening buffer requirements along the entrance driveway, in accordance with the softening buffer requirements for shopping centers, or a waiver would be required.
- E. SLDO 205-52.B(2)(d): within the buffer area, no slopes shall be steeper than 25%. Slopes steeper than 25% are proposed within the buffer area as part of Rain Garden #1. The plans should be revised to demonstrate compliance with the ordinance requirements, or a waiver would be required.
- F. SLDO 205-52.B(4)(a): the plans propose the use of evergreen and ornamental trees to meet softening buffer requirements along Cowpath Road. The ordinance does not permit the substitution of evergreen and ornamental trees for required softening buffer shade trees and shrubs. The required quantity of shade trees and shrubs should be provided, or a waiver would be required.
- G. SLDO 205-52.C(2)(b): screening buffers are required in accordance with the standards of SLDO 205-52.C(4) to screen the truck pull-off area, air pump, generator, and dumpster pads from streets and residential areas, or a waiver would be required. Fences may be used in combination with plant material subject to the approval of the Board of Supervisors and in conformance with ZO 230-148.
- H. SLDO 205-52.D(1)(f): where parking areas are located within 100' 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 hedge screening should be provided to buffer headlights and idling vehicles from Cowpath Road, or a waiver would be required.
- I. SLDO 205-52.H: requires the protection of all slopes greater than 15%. Ground cover plantings and erosion control matting are proposed in areas where slopes exceed 3:1. The plans should be revised to provide additional stabilization for all disturbed steep slope on the site, or a waiver would be required.
- J. SLDO 205-52.F(6): one shade tree and two shrubs are required for each 30 LF of stormwater management facility perimeter. Up to 50% of the shade trees may be substituted with an option of two flowering trees or two evergreen trees. The following issues should be addressed, or waivers would be required.

1. The plans indicate that the perimeter of Rain Garden #1 is 253 LF. However, it appears that the rain garden perimeter is closer to 360 LF.
2. The plans indicate that the perimeter of Rain Garden #2 is 164 LF. However, it appears that the rain garden perimeter is closer to 250 LF.
3. If *Betula nigra* 'Dura Heat' is to be used to meet SWM shade tree requirements, the tree must meet all height and size requirements outlined in 205-56.A Shade Trees, and should be shown in the shade tree section of the plant schedule. If it is to be provided as an ornamental tree, then two (2) trees must be provided for each required shade tree, and only up to 50% of the required shade trees may be substituted. Note No. 2 under the landscape compliance chart should be revised for clarity.
4. It appears that the quantity of provided shade trees for each rain garden has been switched in the compliance chart. The plan should be revised to correct this discrepancy.

3. Existing Lowe's Landscaping

- A. A number of existing trees on the site that are proposed to be removed were required to be planted as part of previous land development. These trees must be replaced at a ratio of 1:1 in accordance with SLDO 205-56 sizing requirements. Other trees greater than 8" in caliper to be removed from the site must be replaced in accordance with SLDO 205-53.C and 204-54.
  1. One (1) shade tree proposed to be removed was planted to meet softening buffer requirements for the previous Lowe's land development and must be replaced at 1:1.
  2. Five (5) shade trees and three (3) ornamental trees proposed to be removed were planted to meet tree replacement requirements for the previous Lowe's land development. The shade trees must be replaced at 1:1, but the Cherry trees may be replaced at 1:1 or all may be replaced with one (1) shade tree.
  3. Eight (8) shade trees proposed to be removed were required to be preserved as part of the previous Lowe's land development to meet Individual Lot Landscaping requirements for the whole site, and must be replaced at 1:1.
  4. Five (5) shade trees adjacent the bank entryway were planted to meet parking lot landscaping requirements. As the parking area is being reconfigured, these trees are not required to be replaced at 1:1, but must be included in tree replacement calculations according to the requirements of SLDO 205-53.C and 204-54.
  5. Three (3) ornamental trees adjacent to the bank do not appear to have been planted to meet ordinance requirements and are not required to be replaced at 1:1, but must be included in tree replacement calculations according to the requirements of SLDO 205-53.C and 204-54.

4. Preservation, Protection and Replacement of Trees

- A. SLDO 205-53.B(1) and (2): the root area within the dripline of any tree or group of trees may be encroached upon to a maximum of  $\frac{1}{4}$  of the total root area. If encroached by more than  $\frac{1}{4}$ , the tree will not be considered to be preserved and must be replaced. It appears that several trees on the site (in addition to those marked as 'to be removed') may be encroached by more than  $\frac{1}{4}$ , and will need to be replaced. The plan should be revised to indicate all trees to be removed, and replace them at 1:1 if they were required as part of

the previous land development or in accordance with the requirements of 205-53.C and 204-54.

- B. SLDO 205-53.B(2): a note should be added to the plan indicating that should it become necessary to disturb more than 1/4 of the total root area of a tree, the tree will no longer be considered to be preserved and must be replaced.

5. Recommended Plant List and Planting Standards and Guidelines

SLDO 205-56: planting types not on the Township recommended plant list may be permitted if they meet the requirements of this ordinance section. *Picea abies* can reach spreads of up to 30' and does not appear to be appropriate for this site. We recommend that a different tree be selected from the recommended plant list.

6. General Comments

- A. It appears that at least one of the existing trees on the plan is shown in the wrong location, and one existing tree appears to be missing from the plan.
- B. The BMP maintenance specifications for the rain gardens on Sheet No. 10 should be revised to match the seeding weed control/maintenance specifications on Sheet No. 23. In addition, the Meadow Mix seeding notes should be revised to be titled Rain Garden Seeding Notes, and to provide a key for each seed mix to the landscape plan.
- C. The rain garden detail on Sheet No. 14 should be revised to accurately reflect the proposed rain garden construction and plantings (seed mixes, shrubs and trees are proposed, as opposed to landscape stone and herbaceous plantings). In addition, the detail refers to stone and planting soil specifications in the landscape plan that have not been provided.
- D. Proposed tree protection fencing has been shown within the limit of disturbance in several locations. The tree protection fencing should be shown outside the limit of disturbance, or the limit of disturbance should be modified to exclude the tree protection areas. Trees that cannot be adequately protected due to the location of the limit of disturbance must be removed and replaced.
- E. References to the invasive plants Reed Canary Grass and Crown Vetch should be blacked out from Tables 11.3 and 11.5 on Sheet No. 17.
- F. Placement and removal of the required tree protection fencing should be included in the construction sequence on Sheet No. 18.
- G. Ernst Seeds specifies 60 lbs per acre as the suggested application rate for ERNMX 181. The proposed application rate of 15 lbs per acre appears to be very low. With the inclusion of *Elymus riparius* or *Elymus virginicus* at a rate of 4 lbs per acre, we recommend that a minimum application rate of 56 lbs per acre for this seed mix.
- H. Note No. 3 under Weed control/Maintenance for the seeding specification should be removed, as it refers to a detention basin and wetland transition areas which are not applicable to this site.
- I. *Myrica pensylvanica* is a deciduous to semi-evergreen shrub, and should be listed in the plant schedule with the other deciduous shrubs.
- J. A grouping of three (3) *Cercis canadensis* has been labeled as two (2) trees. The plan should be revised to correct this discrepancy.

Mr. Lawrence Gregan, Township Manager  
BJ's Gas Station  
January 30, 2015  
Page 5

- K. There appears to be a conflict between one (1) of the proposed *Acer rubrum* trees and adjacent utilities, and one (1) of the proposed *Cercis canadensis* trees and the adjacent sidewalk. The plans should be revised to provide at least 10' between proposed trees and adjacent utilities, and at least 3' between trees and sidewalks.
- L. A detailed response letter addressing the above noted comments and any other changes to the plans should be included with future submissions.

Sincerely,



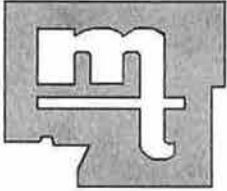
Judith Stern Goldstein, ASLA, R.L.A.  
Managing Director



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

JSG/vll/kam

cc: Board of Supervisors  
Planning Commission  
Bruce Shoupe, Director of Planning and Zoning  
Marita Stoerle, Development Coordinator  
Marianne McConnell, Deputy Zoning Officer  
James P. Dougherty, P.E., Gilmore & Associates, Inc.  
Kevin Johnson, P.E., Traffic Planning & Design  
Ken Amey, AICP  
Richard W. Wilkinson, Wilkinson Five Point Limited Partnership  
Gregory Elko, PE, Langan Engineering & Environmental Services



## ***MEMORANDUM***

TO: Board of Supervisors

FROM: Planning Commission  
Jonathan Trump, Chairman

DATE: March 19, 2015

RE: BJ's Fueling Station

The Planning Commission has reviewed the above named plan and would like to recommend to the Board of Supervisors that this plan be approved subject to satisfactory compliance with all comments of the Township consultants.

The motion further recommended that the requested waivers be approved.



## AGENDA ITEMS

- Plan Review – 512 Bethlehem Pike - Wilson
- Plan Review - BJ's Fueling Station – Wilkinson Five Point LP

## MONTGOMERY TOWNSHIP PLANNING COMMISSION

March 19, 2015

The March 19, 2015, meeting of the Montgomery Township Planning Commission was called to order by Chairman Jonathan Trump at 7:30 p.m. In attendance were Commissioners Jay Glickman, Leon McGuire, Steven Krumenacker, James Rall and Ellen Reynolds. Also present was Bruce Shoupe, Director of Planning and Zoning. Candyce Fluehr Chimera, Supervisor Liaison, was absent.

The minutes of February 19, 2015, were approved as submitted.

There were no public comments.

### 512 BETHLEHEM PIKE – WILSON

The first item on the agenda was a discussion of the lot line adjustment for 512 Bethlehem Pike. Art Boesler, engineer, and John Wilson, applicant, were present to discuss this plan. Mr. Boesler advised that Mr. Wilson and his neighbor, Mrs. Fitzgerald, had agreed to this lot line change. It would give Mrs. Fitzgerald additional ground in the backyard and provide Mr. Wilson with more ground in front. Mr. Boesler advised that the plan had been reviewed by Gilmore Associates and that they wished to see existing and proposed conditions for both lots. He has provided this information to Gilmore Associates. Mr. Boesler also indicated that as a minor subdivision plan, they had asked for several waivers regarding sidewalks, road and curbing and storm sewers. However, Gilmore Associates did not feel that this was necessary at this time as there was no development taking place. If development of either property is proposed in the future, these requirements should be discussed at that time. The consensus of the Planning Commission was that this was a minor lot line adjustment and should be approved. A motion was made by Mr. Glickman, seconded by Mr. McGuire, to recommend to the Board of Supervisors, that this plan be approved, subject to satisfactory compliance with all comments of the Township review agencies. Motion carried unanimously.

### BJ'S FUELING STATION

Next on the agenda was the land development plan for the BJ's fueling station. Robert Brant, attorney, and Luke Teller, engineer, were present to discuss this plan. Richard Wilkinson, owner of the property, was also present. Mr. Brant reminded the Planning Commission members that they had already seen this plan during the Conditional Use process. The Board of Supervisors had granted approval of the

conditional use application on March 9, 2015. Mr. Brant explained that the property was located at Five Points Plaza. There would be 14 fueling stations, a 157 square foot kiosk for the workers, and an ATM drive-through area. He stated that they had received review letters from the Township's consultants and would comply with most comments. However, there were three waivers which they were requesting. Mr. Teller explained the waiver requests as follows:

1. Section 205-24.A – the requirement that street lighting be installed along each street in each subdivision and along each street abutting a public street. Street lighting does not currently exist along this portion of the Cowpath Road frontage. *(The consultants have no objection to this waiver.)*
2. Section 205-78.C(1)(f) – the requirement to show tentative grades to an existing street within 400 feet of the site. The applicant has provided an aerial map. *(The consultants have no objection to this waiver.)*
3. Section 205.52.B(4)(a) – the requirement to provide a softening buffer along Cowpath Road frontage. Flowering trees and smaller vegetation has been provided to augment the buffer provided by the existing vegetation. *(The consultants have no objection to this waiver permitting use of evergreen and ornamental tree substitutions in lieu of the standard required buffer plantings, provided any deficient material is planted elsewhere in the Township or a fee in lieu is provided. This plan is deficient forty shrubs.) (40 X \$65 - \$2,600.)*

The consensus of the Planning Commission was that the waivers be approved as recommended by the consultants. Mrs. Reynolds stated that there was a letter from Traffic, Planning and Design which stated that the applicant will submit a cash escrow of \$10,000.00 which would cover the costs of a traffic study and any changes to the timing of the traffic signals post construction. Mr. Brant acknowledged that this would be submitted by the applicant. Mr. Krumenacker stated that he was concerned about the buffering for the neighboring house. Mr. Wilkinson explained that there were a lot of trees and shrubbery currently in place and that they would also be installing new shrubs which would help the buffering situation. After some further discussion, a motion was made by Mr. Glickman, seconded by Mr. Rall, to recommend to the Board of Supervisors, that this plan be approved subject to satisfactory compliance with all comments of the Township's consultants. Motion further recommended that the waiver requests be approved. Motion carried unanimously.

Mr. Glickman presented a brief account of the Board of Supervisors meeting.

This meeting was adjourned at 8:10 p.m.

Respectfully submitted:

Marita Stoerrle  
Development Coordinator/  
Recording Secretary

**MONTGOMERY COUNTY  
BOARD OF COMMISSIONERS**

JOSH SHAPIRO, CHAIR

VALERIE A. ARKOOSH, MD, MPH, VICE CHAIR

BRUCE L. CASTOR, JR., COMMISSIONER



**MONTGOMERY COUNTY  
PLANNING COMMISSION**

MONTGOMERY COUNTY COURTHOUSE • PO Box 311  
NORRISTOWN, PA 19404-0311  
610-278-3722

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

JODY L. HOLTON, AICP  
EXECUTIVE DIRECTOR

February 10, 2015

RECEIVED

FEB 12 2015

MONTGOMERY TOWNSHIP

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

Re: MCPC #14-0006-003  
Plan Name: Montgomeryville Five Points  
(1 lot comprising .26 acres)  
Situate: South of Cowpath Road/  
West of Bethlehem Pike  
Montgomery Township

Applicant's Name and Address  
Wilkinson Five Point Ltd. Partnership  
106 Commerce Street—Suite 110  
Lake Mary, FL 32746

Phone: 407-333-8006

Dear Mr. Shoupe:

We have reviewed the above-referenced land development plan in accordance with Section 502 of Act 247, "The Pennsylvania Municipalities Code", as requested on January 26, 2015. We forward this letter as a report on our review and comments.

**Background**

The land development application is for the demolition of an existing but unoccupied bank building and construction of seven, double sided gasoline pumps (14 dispensers), an associated 157-square foot building and a free-standing drive-through automated teller machine. A gasoline station is permitted as a conditional use in the S Shopping Center Zoning District, per Table 230-A. The Conditional Use has not yet been granted by the township.

Seven variances, five associated with signage, one for building coverage and one for parking, were granted by the Zoning Hearing Board January 6, 2015 (Appeal No. 14110001). One waiver of required plan details was requested as part of the application. The Conditional Use for a gas station in an S-Shopping Center District is still pending. It is assumed that the proposed 157 square foot building will be for the gas station attendant only with limited sales of minor items and gasoline payments taking place at a walk up window.

**Comment**

1. Circulation. The area proposed for circulation between the gasoline filling stations and the ATM loop seems to be larger than required to accommodate convenient circulation. The extra area is not needed to permit the gasoline delivery tankers to circulate since they are provided with a pull off area adjacent to the storage tanks.

## Recommendations

1. Paving. The township may wish to request a smaller circulation area associated with the gas pump area and reconfiguration of the ATM placement/circulation to minimize impervious surfaces and stormwater run-off. A more confined space also helps manage traffic by limiting the area for unorthodox vehicle movements.
2. Overall. The township has an opportunity to recreate the gateway into the Five Points Shopping Center. Efforts to make the entrance more pedestrian friendly and accessible to users of public transit would be welcomed. SEPTA Route 132 passes on Cowpath Road between the Montgomery Mall and Telford. Currently there are sidewalks along the south side of Cowpath Road but there are no internal sidewalks to help the pedestrian navigate safely from the bus stop to the other retail businesses.

Please note that this report is 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 a plan to our office for seal and signature prior to recording with the Record of Deeds office. A paper copy bearing the municipal seal and signature of approval must be supplied for our files.

Sincerely,



Crystal Gilchrist, AICP, Transportation Planner  
610.278.3734 – [cgilchri@montcopa.org](mailto:cgilchri@montcopa.org)

c: Wilkinson Five Point Ltd. Partnership, Applicant  
Langan, Engineer and Surveyor, Applicant's Engineer  
Lawrence J. Gegan, Township Manager  
Russell Dunlevy, Gilmore & Associates, Township Engineer  
Frank Bartle, Esq., Dischell, Bartle & Dooley, Township Solicitor

# TRAFFIC PLANNING AND DESIGN, INC.



2500 E. High Street | Suite 650 | Pottstown, PA | 19464  
610.326.3100 | TPD@TrafficPD.com

March 27, 2015

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

Re: Montgomeryville Five Points Plaza - BJ's Gas Station  
**Land Development Review #2**  
Montgomery Township LD/S #682  
TPD# MOTO-A-00056

Dear Bruce:

In our role as Township Traffic/Street Lighting Engineer, Traffic Planning and Design, Inc. (TPD) has reviewed the Land Development submission for the above referenced project, prepared by Langan, including plans dated January 19, 2015, last revised March 16, 2015.

Based on our review, we offer the following comments.

## **Traffic Engineering Comments**

1. In response to the alternatives outlined in our supplemental review letter dated March 6, 2015, the Applicant proposed to establish an escrow of \$10,000 to fund a post-development study and signal timing changes in-lieu of addressing Comments 1-6 of our initial review letter dated February 12, 2015. The applicant stated this alternative is acceptable, subject to any improvements related to the post-development study being limited solely to timing changes. We recommend that the Applicant dedicate the funds rather than provide an escrow for the funds. We also recommend that the funds not be limited solely to studies and timing changes. Instead, it may be necessary to use the funds for any type of traffic operational improvements along Cowpath Road including the design of overhead lane control signage, the associated easement preparation, plus the easement itself.
2. The Applicant has adequately addressed all other outstanding Traffic Engineering and Street lighting comments from our previous review.

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

Sincerely,

Kevin L. Johnson, P.E.  
President

cc: Larry Gregan, Township Manager  
Marita Stoerrle, Township Development Coordinator  
Kevin Costello, Township Public Works Director  
Russ Dunlevy, P.E., Township Engineer  
Richard Wilkinson, Applicant  
Joseph Platt, P.E., TPD



# TRAFFIC PLANNING AND DESIGN, INC.



2500 E. High Street | Suite 650 | Pottstown, PA | 19464  
610.326.3100 | TPD@TrafficPD.com

March 9, 2015

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

Re: Montgomeryville Five Points Plaza - BJ's Gas Station  
**Conditional Use Review #1a**  
Montgomery Township #C-63  
TPD# MOTO-A-00056

Dear Bruce:

Our February 12, 2015 Review Letter on the Conditional Use application contained six Traffic Engineering Comments. These same six comments are the first six comments contained in the Traffic Engineering Comments section of the Land Development Review letter of the same date. In our opinion, the applicant will be able to address these six comments with no more than signal timing changes required. The purpose of our letter is to provide two possible alternatives for addressing these six comments.

The traditional way of addressing these comments would be for the applicant's consultant to supply additional information, complete additional counts and complete more analyses until we are satisfied with the information supplied. For example, a letter was supplied to address Comment 3, but no back-up data on the interaction factor was, or can be, supplied because it is proprietary. Furthermore, the interaction data was relevant to an average day out of a three year period, but the interaction factor will vary by time of day. To properly address Comment 3, an origin-destination study would be required during three separate time periods at three different sites to establish the interaction factor that should be used in the study. This study would be similar in approach to the one performed for the Giant on the Go that was once proposed in the Township. By our estimate, the applicant would need to expend at least \$10,000 to complete the series of submissions and reviews to address Comments 1-6. At the end of the day, we would probably end up agreeing that the development has a minimal, if any, impact, but would still want to see a condition of approval for tweaking of the signal timing after the project is open.

The alternative approach would be to directly address the rationale behind the six Traffic Engineering comments rather than the indirect approach of submissions and reviews presented above. The rationale behind Comments 1-6 is to ensure to the best of our ability that the signalized intersection serving the site continues to function appropriately once the two new uses are added to the site. Therefore, it is our opinion that the best and most cost effective way to address Comments 1-6 would be to complete a post development study instead of preparing projected condition studies now. For a post-development study, we believe it would be best for TPD to observe traffic conditions using the InSync cameras over several different time periods and days to see if any tweaking of the timing is required instead of having the applicant spend an estimated additional \$5000 to complete traffic counts, analyses and a report for our review and comment. These post-development observations and coordination with Rhythm Engineering (the InSync vendor/system maintainer) and any plan changes with PennDOT to make any necessary timing changes will not only cost far less than the estimated \$15,000 required to

prepare pre and post development studies the traditional way but also would be less than the \$10,000 estimate for completing just the pre-development study.

Earlier today, I spoke with Richard Wilkinson of Wilkinson Development Corp about this alternative approach. He expressed an agreement to establish an escrow fund of \$10,000 for the cost of such a post-development study and signal timing changes instead of addressing Comments 1-6 of the Traffic Engineering Comments provided that any improvements are limited solely to timing changes. In our opinion, this would be an acceptable condition of approval but, in our opinion, a better condition would be to dedicate rather than escrow the funds for traffic signal timing evaluation purposes. If the funds are escrowed instead of dedicated, we would also like to expand the study area to include the Five Points intersection in case any timing changes are required there as a result of this project prior to the completion of the PennDOT project.

Everyone should be aware that as part of PennDOT's Five Points project, a recommendation was made by Dave Adams of PennDOT's Traffic Unit to add overhead lane control signage for the dual left turn movement into Five Points Plaza. However, no right-of-way exists along the north side of Route 463 to accommodate this request. Therefore, Dave Adams suggested that the Township find a creative way to acquire an easement for this pole, which leads to the conclusion that if an easement is provided to PennDOT, then they will complete the sign installation as part of the Five Points project. At least two other existing PennDOT signs and a utility pole fall outside the public right-of-way and are thus located on Tony Lizzell's property. It is possible that this area was offered for dedication at some point but never formally accepted which could explain why signs and utility poles are located on private property. In our opinion, it would be in the best interest of PennDOT, the utility company, Richard Wilkinson, and even Tony Lizzell to resolve this right-of-way question even if an overhead lane control sign is never provided.

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

Sincerely,



Kevin L. Johnson, P.E.  
President

cc: Larry Gegan, Township Manager  
Marita Stoerrle, Township Development Coordinator  
Kevin Costello, Township Public Works Director  
Russ Dunlevy, P.E., Township Engineer  
Gregory Elko, P.E., LEED AP, Applicant's Consultant  
Robert Brandt, Applicant's Attorney  
Richard Wilkinson, Developer  
Joseph Platt, P.E., TPD

**Marita A. Stoerrle**

---

**From:** Richard Wilkinson <richard@wilkinsondevelopment.com>  
**Sent:** Monday, March 09, 2015 4:43 PM  
**To:** Felton, Cecelia; Bruce S. Shoupe; Larry Gregan; Marita A. Stoerrle; Kevin Costello; rdunlevy@gilmore-assoc.com; gelko@langan.com; 'rbrant@brantlaw.com'; Platt, Joe; Johnson, Kevin  
**Subject:** RE: Montgomeryville Five Points Plaza - BJ's Gas Station Conditional Use Review

Thanks to Mr. Johnson for his call to me late Friday afternoon and to the letter that we received. Please let this email communication serve as our notification to Montgomery Township that we elect to pay the sum of Ten Thousand Dollars (\$10,000.00), contemporaneous with the issuance of a building permit by the Township, in lieu of performing any further traffic studies presently or at any future time, upon the express condition that such payment shall constitute our full compliance with respect to traffic studies or mitigation and neither Wilkinson nor BJ's shall have any further obligation regarding said traffic matters. The money is not in escrow, but paid to Township as sole and total obligation of Wilkinson and BJs relative to the Fuel Facility project relating to traffic.

If the Township, would prefer to a more formal agreement to prescribe this understanding, please advise and we will draft and submit for review by the Township.

I believe that I have stated the understanding that was prescribed as the alternate in Mr. Johnson's letter. If I have not correctly set forth our understanding, please advise.

Best regards,

Dick Wilkinson on behalf of Wilkinson Five Point Limited Partnership

**Richard W. Wilkinson**  
**President**  
Wilkinson Development Corp.  
106 Commerce Street, Suite 110  
Lake Mary, FL 32746  
[Richard@WilkinsonDevelopment.com](mailto:Richard@WilkinsonDevelopment.com)  
(O) 407-333-8006  
(C) 407-375-8006  
(F) 407-333-8033

---

**From:** Felton, Cecelia [mailto:cfelton@trafficpd.com]  
**Sent:** Monday, March 09, 2015 4:07 PM  
**To:** bshoupe@montgomerytwp.org; 'lgregan@montgomerytwp.org'; mstoerrle@montgomerytwp.org; kcostello@montgomerytwp.org; rdunlevy@gilmore-assoc.com; gelko@langan.com; Richard Wilkinson; 'rbrant@brantlaw.com'; Platt, Joe; Johnson, Kevin  
**Subject:** Montgomeryville Five Points Plaza - BJ's Gas Station Conditional Use Review

Please review the attached letter from Kevin Johnson, Traffic Planning and Design, Inc.

Thank you,  
Cecelia

**Cecelia A. Felton**  
*Front Office Coordinator*

# TRAFFIC PLANNING AND DESIGN, INC.



2500 E. High Street | Suite 650 | Pottstown, PA | 19464  
610.326.3100 | TPD@TrafficPD.com

February 12, 2015

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

Re: Montgomeryville Five Points Plaza - BJ's Gas Station  
**Land Development Review #1**  
Montgomery Township LD/S #682  
TPD# MOTO-A-00056

Dear Bruce:

In our role as Township Traffic/Street Lighting Engineer, Traffic Planning and Design, Inc. (TPD) has reviewed the Land Development submission for the above referenced project, prepared by Langan, including plans dated January 19, 2015.

Based on our review, we offer the following comments.

## **Traffic Engineering Comments**

1. In accordance with the Zoning Hearing Board decision, the proposed gas station is permitted to open at 6:30 AM. The traffic management study needs to be revised to evaluate the weekday AM peak hour.
2. The applicant needs to clarify if the former bank was in operation when the traffic counts were completed in order to justify the reduction of bank related trips.
3. The applicant needs to provide justification for the 50% reduction of trips due to internal capture between the proposed gas station and the BJ's Wholesale Club.
4. The traffic management study needs to be updated to include a table outlining the trip generation for each use, for each time period studied. In addition, the applicant needs to provide the NJDOT background data referenced in the study related to the trip generation for the drive-up ATM.
5. Existing Condition capacity analysis for the study area intersections needs to be provided.
6. The applicant needs to verify that the applicable default Synchro values have been adjusted in accordance with PennDOT Pub. 46.
7. The applicant needs to verify that the truck turning templates were run with the "Turn from stop" option checked off.
8. The applicant needs to clarify the discrepancy on the Truck Circulation Plan between the vehicle used on the plan (WB-62) and the vehicle dimensions show in the legend (WB-67). Additionally, verify emergency vehicle used is Montgomery Township and not Middletown Township (as it is labeled)
9. The applicant needs to verify that the clearance under the proposed fueling canopy is sufficient to permit the circulation of vehicles shown on the Truck Circulation Plan.
10. The plans should be revised to indicate that fueling, via long hoses, is permitted on either side of a vehicle. The appropriate sign (legend and schematic) should also be added to the plans.

Street Lighting Comments

11. Investigate usage of a more efficient lighting method, (i.e. LED) for Lights "A" through "C," in lieu of the lamps proposed, while maintaining similar physical features of the pole and fixtures.
12. On Lighting Plan LL-501, note No. 19, it is indicated that the hours of operation are Monday to Saturday: 9:00 AM to 10:00 PM; Sunday: 9:00 AM to 8:00PM; these hours should be verified based on the zoning decision that permits the facility to operate at 6:30AM.
13. On Lighting Plan LL-101, note No. 5, it is indicated that after operating hours, lighting will be controlled by a time clock. The method for achieving a 50% reduction should also be noted (i.e. dimming all fixtures or selectively turning off fixtures). If the reduction is to be achieved by selectively turning off fixtures, those fixtures to be extinguished should be labeled on the plans.
14. Per § 205-24.A Streetlighting; *"Streetlighting 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..."* TPD would support a waiver of this requirement, as an existing lighting designed system is not currently provided along Cowpath Road.
15. Please revise the "Statistics" Summary and "Statistical Zone Location Key to include a calculation area for the Pump Island Area illuminated by the Canopy lighting.
  - a. The recommended "Service Station or Gas Pump Area Average Illuminance Levels," according to the IESNA Lighting Handbook, 9<sup>th</sup> Edition (Figure 17-20), indicates an Average Illuminance of 10 fc for Pump Island Areas with Light. Please verify the calculation area and/or reconfigure lighting locations/type to achieve a minimum average closer to the recommended minimum average level of 10 fc.
16. On plan LL-101 within the "Site Lighting Schedule" the pole length is indicated to be 23'-6" for fixtures "A" through "D." While the reviewer acknowledges the note instructing the contractor to cut the poles to achieve the indicated mounting heights, please verify that the pole length, "A," is indicated within the light pole detail, and also will result in a fixture mounting height of 25' as indicated while utilizing the 2'-6" high Light Pole Foundation on Concrete Base detail as provided on plan LL-501.

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

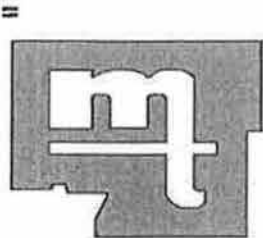
Sincerely,



Kevin L. Johnson, P.E.  
President

cc: Larry Gregan, Township Manager  
Marita Stoerrle, Township Development Coordinator  
Kevin Costello, Township Public Works Director  
Russ Dunlevy, P.E., Township Engineer  
Gregory Elko, P.E., LEED AP, Applicant's Consultant  
Joseph Platt, P.E., TPD





**MONTGOMERY TOWNSHIP**  
**DEPARTMENT OF FIRE SERVICES**  
1001 STUMP ROAD  
MONTGOMERYVILLE, PA 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

February 19, 2015  
Bruce Shoupe  
Director of Planning and Zoning  
Montgomery Township  
1001 Stump Road  
Montgomeryville, PA 18936

Re: Montgomeryville Five Point Plaza Gas Station – BJ's

Dear Bruce:

Thank you for allowing the Fire Marshal's Office to comment on the proposed construction of the: Montgomeryville Five Point Plaza Gas Station – BJ's.

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

1. **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:** Additional No Parking – Fire Lane signs should be installed along the internal driving lane of the property, which is shown on the plan as being 29.9' wide.

2. **505.1 Address identification.** New and existing buildings shall have *approved* address numbers, building numbers or *approved* building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5. Inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the *public way*, a monument, pole or other sign or means shall be used to identify the structure.

**Comment:** Street address numbers shall be provided on building as directed by the Fire Marshal's Office.

3. **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 documentation that the existing fire hydrants are capable of providing not less than 1,500 gallons per minute for two (2) hours.

#### GENERAL COMMENTS

4. **2201.1 Motor-Fuel Dispensing Facilities & Repair Garages Scope** - Automotive motor fuel-dispensing facilities, marine motor fuel-dispensing facilities, fleet vehicle motor fuel-dispensing facilities, aircraft motor-vehicle fuel-dispensing facilities and repair garages shall be designed and constructed in accordance with this chapter of the International Fire Code as well as the International Building Code, International Fuel Gas Code and International Mechanical Code. Such operations shall include both those that are accessible to the public and private operations.
5. Any gas services that are accessible/vulnerable to vehicular traffic SHALL have approved vehicle impact protection installed.
6. 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.
7. 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.
8. 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.

All revisions of the above named plan SHALL be reviewed by the Fire Marshal's Office for approval. Should you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,



Richard M. Lesniak  
Director of Fire Services

Reviewed by: Capt./Asst. Fire Marshal Colelli



## 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: Montgomery Township Board of Supervisors  
Marita Stoerrle, Development Coordinator

From: J. Scott Bendig, Chief of Police *[Signature]*

Date: January 28, 2015

Re: LD/S #: 682  
Montgomeryville Five Points Plaza  
BJ's Gas Station  
Date of Plan: 1/19/15

---

A review of the above referenced subdivision/land development has been 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  
Conditional Use and LDS # 682**

DATE: February 25, 2014

**PLAN REVIEW – BJ's Fuel Station - Five Points Plaza**

DEVELOPMENT NAME: BJ's Wholesale Warehouse  
LOCATION: 640 Cowpath Road  
LOT NUMBER & SUBDIVISION:  
ZONING DISTRICT: S – Shopping Center  
PROPOSED USE: Retail Sales with Tire Sales Installation  
ZONING HEARING BOARD APPROVAL REQUIRED? NO  
CONDITIONAL USE APPROVAL REQUIRED? NO

	Proposed	Required	Approved	Not Approved	N/A
USE		Conditional Use		Hearing 3.9.15	
HEIGHT	28.68 ft	35 ft			
LOT SIZE	45.85 acres	5 acres	X		
SETBACKS					
FRONT	>142	50 ft	X		
SIDES	>50	50 ft	X		
REAR	>50	50 ft	X		
BUFFER	20 side/25 front	25 ft		X	
BUILDING COVERAGE	16.1	15	ZHB - V		
IMPERVIOUS COVERAGE	62.4%	Max 75%			
GREEN AREA	37.6%	Min 25%			
LOT WIDTH AT BLDG LINE	> 300	300 ft			

ADDITIONAL COMMENTS

1. The signage on the proposed ATM Kiosk requires approval from the Zoning Hearing Board per Section 203-123 – miscellaneous signs.
2. The fueling pumps shall allow vehicle to dispense fuel on either side of the vehicle from a stationary position via long hoses.

3. Verify proper buffers of residential areas based on proposed grade of the project is being elevated approximately 6 feet higher above existing grade. The applicant should demonstrate proper shielding of lighting from the neighboring residential properties based on the new proposed grades.
4. The proposed buffer adjacent to residential property is noted at 20 feet whereas 25 is required.
5. Page CS-101 "Montgomery Township Signage Compliance Chart" please clarify Note #3 – 400 ft building.
7. A handicap accessible parking space is required for the attendant building per 205-10(7) and IBC Code.
8. All signs identified on the plan require separate review and approval to ensure conformity with Township code.

  
ZONING OFFICER

2-25-15  
DATE



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

**APPEAL NO. 14110001  
APPLICATION OF WILKINSON FIVE POINT LIMITED PARTNERSHIP  
FOR VARIANCES PURSUANT TO MONTGOMERY TOWNSHIP ZONING  
ORDINANCE SECTION 230-134C(10)(a), 230-88(C), and 230-127**

**OPINION AND ORDER**

Pursuant to proper legal advertisement in Montgomery Newspapers on November 18, 2014 and November 24, 2014, a public hearing was held on Tuesday, December 2, 2014 commencing at 7:30 p.m. at the Montgomery Township Administration Building, 1001 Stump Road, Montgomeryville, Pennsylvania.

Present for the Zoning Hearing Board at the hearing were Kenneth Souder, Chairman, Laurence Poli, Vice Chairman, Edward Diasio, Secretary and L. Vincent Roth III, Alternate Member. Mary Kay Kelm, Esquire was present as the Solicitor for the Zoning Hearing Board and Robert Brandt, Esquire represented the Applicant. Also present at the hearing were Bruce S. Shoupe, Director of Planning and Zoning for Montgomery Township and Marianne McConnell, Assistant Director of Zoning and Planning.

At the hearing, the Notes of Testimony were taken and transcribed by Tim Kurek, an Official Court Reporter.

**EXHIBITS**

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

- A-1            Curriculum Vitae of Luke Teller
- A-2            Deed to 640 Cowpath Road, Condominium Unit 3
- A-3            Zoning plan dated November 10, 2014
- A-4            Existing site photographs

- A-5            Decision of the Montgomery Township Zoning Hearing Board dated November 13, 2013
- A-6            Existing signage plan
- A-7            Proposed project signage plan
  
- B-1            Proof of publication dated November 18 and November 24, 2014
- B-2            Posting of property dated November 19, 2014
- B-3            Notification to residents dated November 19, 2013
- B-4            Township Conditions for Approval

#### **FINDINGS OF FACT**

1.        The subject property is Condominium Unit Number 3, 640 Cowpath Road, part of a 45.85 acre retail shopping center located at the five point intersection, Montgomery Township, Montgomery County, Pennsylvania. The site is known as the Montgomeryville Five Point Shopping Center. (N.T., p 12).

2.        The applicant is Wilkinson Five Point Limited Partnership, the record owner of the property. (N.T., p. 6).

3.        The zoning classification for the property is S – Shopping Center Zoning District. (N.T., p. 7).

4.        The applicant proposes to use the condominium unit as BJ's gasoline facility. (N.T., p. 7). The use of gasoline is permitted on the site subject to receipt of conditional use approval from the Supervisors, which the applicant intends to proceed with after this zoning application. *Id.*

5. Montgomery Township entered its appearance as a party in this matter by way of communication from its solicitor. (N.T., p. 8).
6. A BJ's warehouse sits on the southeastern corner of the retail shopping center. (N.T., p. 13).
7. Currently Condominium Unit 3 houses a 2,900 square foot building which is vacant and previously housed a Beneficial Savings Bank. (N.T., p. 8).
8. The bank building will be demolished so that the BJ's fueling facility can be constructed. (N.T., p. 8).
9. The fueling facility will contain fourteen fuel dispensers, a drive through automated teller machine, and a 157 square foot building. (N.T., p. 9).
10. The fueling facility will operate from 6:30 am to 10:00 pm Monday through Saturday and 6:30 am to 8:00 pm on Sunday. (N.T., p. 37).
11. Mr. Luke Teller of Langan Engineering was qualified as an expert witness in engineering, land use and zoning, and testified on behalf of the applicants. (N.T., p. 10-11).
12. In order to construct the fueling facility, fifty-three parking spaces of 1,562 presently existing on the site would be removed. (N.T., p. 16).
13. Mr. Teller testified that, even with the removal of the fifty-three spaces, there was adequate parking on the overall site to service the other existing uses. (N.T., p. 18).
14. The new parking ratio, with the removal of the fifty-three spaces, would be 4.32 spaces per thousand square feet, instead of 4.5 spaces per thousand square feet required by the Ordinance. (N.T., p. 16).
15. Patrons of the site do not presently use the fifty-three existing spaces on Unit 3 for overflow parking. (N.T., p. 19).

16. The December 20, 2013 Opinion of this Zoning Hearing Board previously approved a variance for 15.9% of building coverage rather than 15% relative to the BJ's Wholesale club. (N.T., p. 20).

17. Mr. Teller testified that in order to permit construction of BJ's fueling facility, the applicant required an additional .002% of building coverage, from 15.9% presently approved by existing variance to 16.1%, which amount was certainly *de minimis*. (N.T., p.21).

18. The applicant desired to modernize the sign associated with Condominium Unit 3. (N.T., p. 23).

19. The applicant proposed to replace the existing Beneficial Bank pylon sign panel to identify the BJ's gas use. (N.T., p. 24). The existing pylon sign is nonconforming with respect to the setback sign area and height. (N.T., p. 25).

20. The applicant did not desire to enlarge the sign, only to modernize it within the scope of its current nonconforming size and dimensions. (N.T., p. 26).

21. The applicant also requested a variance for 48.7 square feet of signage on the fuel station canopy. (N.T., p. 64).

22. Montgomery Township expressed agreement with the applicant's requests for relief based on the inclusion of four conditions:

- a. That the hours of operation be limited to 6:30 am to 10:00 pm;
- b. That a twenty-five foot buffer be provided between the fuel station's use and the neighboring residential property;
- c. That the site lighting be designed in accordance with all Township regulations and minimize glare and light infiltration on the neighboring properties; and

d. That the traffic impacts to the adjacent roadway network be designed to the satisfaction of the Township engineer.

23. The Applicant was agreeable to the Township's conditions. (N.T., p. 46).

24. The variances with regard to the building coverage, parking, and signage are not detrimental to the public health, safety and welfare in the opinion of Applicant's expert witness. (N.T., p. 29).

25. The applicant's requested relief is in keeping with the essential character of the shopping center district in the opinion of the expert witness. *Id.*

26. The applicant's requested relief will not impair the use or development of adjacent property. *Id.*

### **CONCLUSIONS OF LAW**

27. Section 910.2 of the Pennsylvania Municipalities Planning Code states that the ZHB shall hear and decide requests for Variances where it is alleged that the provisions of the Zoning Ordinance inflict unnecessary hardship upon the Applicant. 53 P.S. §910.2.

28. In order to grant the Variance, the ZHB must make the following findings where relevant:

(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.

#### **DETERMINATION**

29. The Zoning Hearing Board is persuaded by the testimony of the expert witnesses and finds that the property cannot be developed in strict conformity with the provisions of the Zoning Ordinance.

30. The Zoning Hearing Board finds that the improvements proposed by applicant represent the minimum variances that will afford relief, and that the applicant is not asking for more than is needed.

31. The Zoning Hearing Board finds that the variances will not alter the commercial character of the neighborhood, and that the surrounding properties, including the few residential properties will not be adversely affected.

32. The Zoning Hearing Board grants the Applicant's requests for variances from the Montgomery Township Zoning Code Section 230-134(C)(10)(a) with regard to parking ratio, from Section 230-88(C) with regard to building coverage, and from Section 230-127(a)(4)(a), 230-127(A)(4)(b)(1), 230-127(a)(2)(a) and 230-127(a)(4)(b)(3) with regard to signage.

### **ORDER**

AND NOW, this 6th day of January, 2015, the Zoning Hearing Board of Montgomery Township hereby decides as follows:

1. The Applicant's request for a variance from Ordinance section 230-134(C)(10)(a) to permit a parking ratio of 4.32 spaces to 1,000 square feet is **GRANTED**;
2. The Applicant's request for a variances from Ordinance section 230-88(c) to permit impervious coverage of 16.1% is **GRANTED**;
3. The Applicant's request for a variance from Ordinance section 230-127(a)(4)(a) to permit an existing business sign to be set back less than fifteen feet from the roadway is **GRANTED**;
4. The Applicant's request for a variance from Ordinance section 230-127(A)(4)(b)(1) to permit modernization of an existing sign greater than 34 square feet in area is **GRANTED**;
5. The Applicant's request for a variance from Ordinance section 230-127(A)(4)(b)(1) to permit modernization of an existing sign 13 feet in height is **GRANTED**;
6. The Applicant's request for a variance from Ordinance section 230-127(A)(2)(a) to permit signage on a canopy is **GRANTED**; and


7. The Applicant's request for a variance from Ordinance section 230-127(a)(4)(b)(3) to permit a directional sign with height of 13 feet and area of 6.67 square feet is **GRANTED.**

The variances granted herein are also subject to Applicant's strict compliance with the representations made at the hearing and contained in its Application.

**MONTGOMERY TOWNSHIP  
ZONING HEARING BOARD**

By:   
Kenneth Souder  
Chairman

By:   
Laurence Poff  
Vice Chairman

By:   
Edward Diasio  
Secretary

**KENNETH AMEY, AICP**  
professional land planner

March 22, 2015

(via e-mail)

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

Re: B.J.'s Gas Station  
Land Development Application  
Five Points Plaza - 640 Cowpath Road  
Township File #LD/S 682

Dear Mr. Gregan:

I have reviewed the detailed response letter from Langan Engineering and the revised plans dated January 19, 2015, last revised March 16, 2015. The subject property is located in the Five Points Plaza Shopping Center, has frontage on Cowpath Road, is currently zoned S-Shopping Center, and is improved with a vacant bank building. The applicant proposes to demolish the existing building and construct a new fueling station with canopy, along with a free-standing ATM machine.

The latest submission adequately addresses all of the comments in my February 16, 2015 review letter.

If there are any questions, please let me know.

Very truly yours,



Kenneth Amey

cc: Bruce S. Shoupe, Township Director of Planning and Zoning  
Marita Stoerle, Development Coordinator  
Marianne McConnell, Deputy Zoning Officer  
Russell Dunlevy, PE, Township Engineer  
Frank Bartle, Esq., Township Solicitor  
Kevin Johnson, PE, Township Traffic Engineer  
Judith Stern Goldstein, ASLA, Township Landscape Architect  
Robert Brant, Esq., Applicant's Attorney

1122 Old Bethlehem Pike  
Lower Gwynedd, PA 19002



phone: 215.283.9619  
fax: 215.646.3458  
kenamey@aol.com

**KENNETH AMEY, AICP**  
professional land planner

February 16, 2015

(via e-mail)

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

Re: B.J.'s Gas Station  
Land Development Application  
Five Points Plaza - 640 Cowpath Road  
Township File #LD/S 682

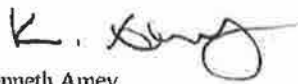
Dear Mr. Grogan:

I have reviewed the above referenced application for Preliminary/Final Land Development and the accompanying plans prepared by Langan Engineering, dated January 19, 2015 and consisting of 25 sheets. The subject property is located in the Five Points Plaza Shopping Center, has frontage on Cowpath Road, is currently zoned S-Shopping Center, and is improved with a vacant bank building. The applicant proposes to demolish the existing building and construct a new fueling station with canopy, along with a free-standing ATM machine. My comments follow:

1. Variance relief has been granted for signage, parking, and impervious cover.
2. The plans need to be revised to increase the buffer width adjacent to Block 68, Unit 157 from 20' to 25'.
3. The enclosure for the trash dumpster should be reconfigured to completely surround the dumpster area.
4. Compliance with the stacking requirements of section 230-134.E need to be shown for the proposed ATM machine.

If there are any questions, please let me know.

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: Bruce S. Shoupe, Township Director of Planning and Zoning  
Marita Stoerle, Development Coordinator  
Marianne McConnell, Deputy Zoning Officer  
Russell Dunlevy, PE, Township Engineer  
Frank Bartle, Esq., Township Solicitor  
Kevin Johnson, PE, Township Traffic Engineer  
Judith Stern Goldstein, ASLA, Township Landscape Architect  
Robert Brant, Esq., Applicant's Attorney



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

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SUBJECT: Consider Approval of Waiver of Formal Land Development Application –  
Goodman Properties - North Wales Crossing Shopping Center - #M-15-71

MEETING DATE: April 13, 2015


ITEM NUMBER: **#17.**

MEETING/AGENDA:

ACTION XX

NONE

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

INITIATED BY: Bruce Shoupe   
Director of Planning and Zoning

BOARD LIAISON: Michael J. Fox  
Chairman

---

BACKGROUND:

Goodman Properties has submitted a request for a waiver of the formal land development application for the North Wales Crossing Shopping Center re-tenanting. The property consists of two parcels at 782 Bethlehem Pike and 710 North Wales Road. This is within the C-Commercial Zoning District. A previous zoning decision mandated that the property be treated as a single parcel for zoning purposes. Two retail buildings currently sit on the 6.8370 acre site. The property is served by public sewer and water. The applicant proposes to reconfigure the larger of the two buildings to provide additional tenants in the shopping center. Additional parking is needed in order to accommodate the anticipated increase in use, this will be accomplished through restriping of the existing parking area and the creation of new parking spaces along the front of the building and within a grass area along North Wales Road.

The applicant received approval from the Zoning Hearing Board in August 2014, for the reconfiguration of the parking stall sizes and new additional parking along the North Wales Road side of the center. In addition, relief was granted for an outdoor dining area, building, impervious area and green area coverage.

Attached are letters from the Township's consultants with their review comments.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

Approve or not approve the waiver request from the requirement to file a land development application.

BUDGET IMPACT:

None.

RECOMMENDATION:

That the waiver request be approved.

MOTION/RESOLUTION:

The resolution is attached.

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

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

ROLL CALL:

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

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

**RESOLUTION #**  
**MONTGOMERY TOWNSHIP**  
**MONTGOMERY COUNTY, PENNSYLVANIA**

**A RESOLUTION GRANTING A WAIVER OF THE REQUIREMENT OF A FORMAL  
LAND DEVELOPMENT APPLICATION FOR NORTH WALES PLAZA SHOPPING  
CENTER - #M-15-71**

The Board of Supervisors of Montgomery Township, Montgomery County, Pennsylvania, hereby resolves to grant a waiver of the requirement of a formal land development application to **Goodman Properties** for the property located at North Wales Plaza Shopping Center, for improvements as more fully detailed on the plans listed on Exhibit "A" attached hereto and made part hereof and further grant the **waiver conditioned upon** the following being satisfied by the Applicant:

1. Fulfilling all obligations and requirements of the comments of Gilmore & Associates, Inc. letter dated March 27, 2015, February 26, 2015; Boucher & James letter dated April 1, 2015 and February 17, 2015; Traffic Planning & Design, Inc. dated March 23, 2015; and Kenneth Amey's letter dated March 16, 2015.
2. The Applicant shall enter into a Land Development Agreement and post financial security for all improvements to the satisfaction of the Township Engineer and Township Solicitor if required.
3. The Applicant shall satisfy the requirements of all Montgomery Township Codes, the Montgomery Township Municipal Sewer Authority and North Wales Water Authority. A copy of the Authorities' permits and/or agreements from the above must be provided to the Township.
4. The Applicant shall be responsible for payment of all Township Consultant and Solicitor fees related to this project.
5. The Applicant shall be responsible for obtaining all other Regulatory Authority Permits having jurisdiction over this project.
6. All future development of this parcel shall be subject to new application and approval by the Board of Supervisors.
7. The applicant must comply with the Decision and Order of the Zoning Hearing Board dated August 11, 2014.

**Resolution #**

Page 2 of 2

This Resolution shall become null and void, and any 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 13th day of April, 2015.

MOTION BY:

SECOND BY:

VOTE:

The above conditions are agreed to by \_\_\_\_\_  
(Print)

representing **Goodman Properties** this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Applicant

xc: Applicant, F. Bartle, R. Dunlevy, B. Shoupe, M. Stoerrle, 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. Site Improvement Plan	1-30-15	3-17-15
2. Site Grading Plan	1-30-15	3-17-15
3. Construction Details Plan	1-30-15	3-17-15



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

March 27, 2015

File No. 14-03097

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

Reference: North Wales Crossing - Land Development Waiver Request #M-15-71  
782 Bethlehem Pike & 710 North Wales Road, Montgomery Township  
Tax Parcel #s: 46-00-00361-00-7 & 46-00-00358-00-1

Dear Bruce:

Pursuant to your request, Gilmore & Associates, Inc. has reviewed the Land Development Waiver request for the above-referenced project and offers the following comments for consideration by the Montgomery Township Board of Supervisors:

**I. SUBMISSION**

- A. Site Improvement Plans, as prepared by Charles E. Shoemaker, Inc., three (3) sheets, dated January 30, 2015, last revised March 27, 2015.
- B. Response letter, prepared by Charles E. Shoemaker, Inc., dated March 17, 2015.
- C. Stormwater Management letter, prepared by Charles E. Shoemaker, Inc., dated March 17, 2015.

**II. GENERAL**

The subject property consists of two parcels at 782 Bethlehem Pike and 710 North Wales Road located within the Commercial (C) Zoning District. Though the shopping center is comprised of two parcels a previous zoning decision mandated that they be treated as a single parcel for zoning purposes. The site, comprised of two parcels, contains 6.8370 acres (gross) and currently consists of two retail buildings, 13,555 SF and 48,000 SF respectively with associated parking and site improvements. The use is served by public sewer and water facilities. The Applicant proposes to reconfigure the larger of the two buildings to provide additional units in the shopping center. Additional parking is needed in order to accommodate the anticipated increase in use. This will be accomplished through restriping of the existing parking areas and the creation of new parking spaces along the front of the building and within a grass area along North Wales Road.

**III. REVIEW COMMENTS**

Based on our review, the revised plan appears to comply with the Township Zoning, Subdivision and Land Development and Stormwater Management Ordinances. The applicant has addressed comments noted in our previous review. Further development of the plans may require additional review and comment.

The Applicant is responsible for obtaining all required approvals, permits, declarations of restrictions and covenants, etc. (i.e., PADEP, PennDOT, MCPC, MCCD, Montgomery Township Municipal Sewer Authority, NWWA, North Penn Water Authority, Fire Marshal, etc.). Copies of these approvals and

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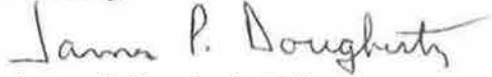
65 E. Butler Avenue | Suite 100 | New Britain, PA 18901 Phone: 215-345-4330 | Fax: 215-345-8606  
www.gilmore-assoc.com



permits should be submitted to the Township and our office.

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

Sincerely,



James P. Dougherty, P.E.  
Gilmore & Associates, Inc.  
Township Engineers

JPD/jpd

Enclosure

cc: Lawrence J. Grogan, Manager - Montgomery Township  
Marita A. Stoerle, Development Coordinator - 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  
Christopher Anderson, Applicant – Goodman Properties  
Richard A. Stoneback, P.E.  
Russell S. Dunlevy, P.E., Executive Vice President



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

February 26, 2015

File No. 14-03097

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

Reference: North Wales Crossing - Land Development Waiver Request  
Township LD/S No. M-15-71  
782 Bethlehem Pike & 710 North Wales Road, Montgomery Township  
Tax Parcel #s: 46-00-00361-00-7 & 46-00-00358-00-1

Dear Bruce:

Pursuant to your request, Gilmore & Associates, Inc. has reviewed the Land Development Waiver request for the above-referenced project and offers the following comments for consideration by the Montgomery Township Board of Supervisors:

**I. SUBMISSION**

- A. Request for a Waiver of Land Development letter by Christopher Anderson of Goodman Properties, dated February 4, 2015
- B. Site Improvement Plans, as prepared by Charles E. Shoemaker, Inc., three (3) sheets, dated January 30, 2015
- C. Stormwater Management Narrative and Calculations, as prepared by Charles E. Shoemaker, Inc., dated February 5, 2015
- D. Zoning Hearing Board decision and exhibits for the subject property, dated August 11, 2014.

**II. GENERAL**

The subject property consists of two parcels at 782 Bethlehem Pike and 710 North Wales Road located within the Commercial (C) Zoning District. Though the shopping center is comprised of two parcels a previous zoning decision mandated that they be treated as a single parcel for zoning purposes. The site, comprised of two parcels, contains 6.8370 acres (gross) and currently consists of two retail buildings, 13,555 SF and 48,000 SF respectively with associated parking and site improvements. The use is served by public sewer and water facilities. The Applicant proposes to reconfigure the larger of the two buildings to provide additional units in the shopping center. Additional parking is needed in order to accommodate the anticipated increase in use, this will be accomplished through restriping of the existing parking areas and the creation of new parking spaces along the front of the building and within a grass area along North Wales Road.

**III. REVIEW COMMENTS**

**A. Zoning Ordinance**

Based on our review, the following items do not appear to comply with the Township Zoning Ordinance. We note the Township Zoning Hearing Board granted several variances, which are listed on the plan.

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65 E. Butler Avenue | Suite 100 | New Britain, PA 18901 Phone: 215-345-1330 | Fax: 215-345-8606

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1. §§230-77.F & .G – The previously approved increase in impervious coverage and associated reduction in green space was 1% of the aggregate lot area. This amounts to a total 2,978 SF change in impervious coverage based on lot area. The layout for the proposed parking area along North Wales Road and the provided stormwater management calculations propose an increase in impervious coverage of approximately 3,600 SF. The Applicant should verify and document on the plan the proposed configuration conforms to the granted variances.

**B. Subdivision and Land Development Ordinance**

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

1. §205-10.H.(4) – The stall depth in the parking area at the south west corner of the property should be labeled.
2. §205-10.H.(7)(b) – The minimum depth for handicapped parking spaces is 20 feet. The 'Handicap Parking Space Markings' detail on the Construction Details sheet 3 of 3 indicates a depth of 18 feet, which is in conflict with dimensions provided on the plan. The detail should be updated for clarity.
3. §205-28.D(2) – A minimum of 8-inches of topsoil should be disturbed in lawn and landscape areas and there shall be no release of excess topsoil from the site until examination by the Township Engineer. Construction note 5 on Sheet 3 of 3 should be revised to reflect these requirements.

**C. Stormwater Management Ordinance**

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

1. §206-6.B – This project is exempt from peak rate control requirements as the parking lot expansion proposes the addition of 3,600 SF of impervious surface. The Applicant is not exempt from the volume control reductions established in §206-15 of this ordinance. The Stormwater design and improvements should include calculations and best management practices which demonstrate compliance with these requirements.

**D. General**

1. In order to avoid any ambiguity during construction the westernmost proposed '458' contour shown within the proposed parking area should be labeled '457'.
2. At the time of development, the Applicant should obtain all required approvals, permits, declarations of restrictions and covenants, etc. (i.e., PADEP, PennDOT, MCPC, MCCD, Montgomery Township Municipal Sewer Authority, NWWA, North Penn Water Authority, MCDH, DRBC, HARB, Fire Marshal, etc.). Copies of these approvals and permits should be submitted to the Township and our office.
3. The surface of the area in front of the proposed outdoor seating area should be identified (e.g. lawn, concrete, etc).

In order to help expedite the review process of the resubmission of the plan, 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,



James P. Dougherty, P.E.  
Senior Project Engineer  
Township Engineers

RSD/JPD/atw

Enclosure

cc: Lawrence J. Gregan, Manager - Montgomery Township  
Marita A. Stoerrle, Development Coordinator - 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  
Christopher Anderson, Applicant – Goodman Properties  
Richard A. Stoneback, P.E.  
Russell S. Dunlevy, P.E., Executive Vice President



**Boucher & James, Inc.**  
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Fax 215-345-9401

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

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

April 1, 2015

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

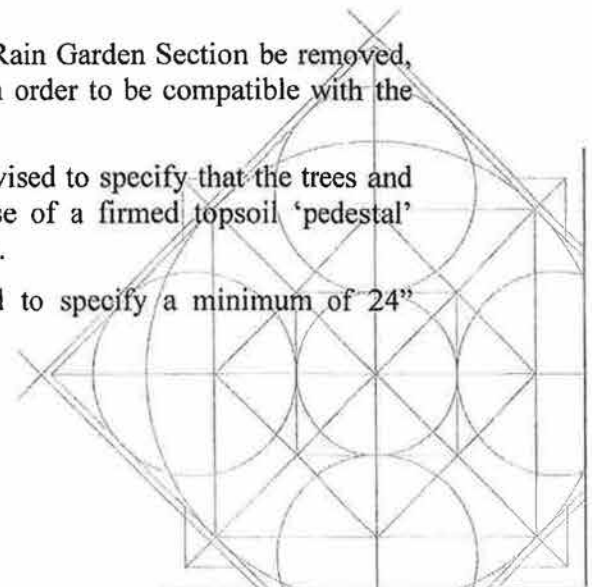
**SUBJECT: NORTH WALES CROSSING  
LAND DEVELOPMENT WAIVER REQUEST  
TOWNSHIP LD/S NO. M-15-71  
PROJECT NO. 1455274R**

Dear Mr. Gregan:

Please be advised that we have reviewed the Site Improvement Plans submitted as part of the North Wales Crossing Waiver of Land Development request, prepared by Charles E. Shoemaker, Inc., dated January 30, 2015, last revised March 17, 2015. As part of renovations to the existing shopping center, fifteen (15) additional parking spaces are proposed along North Wales Road and eighteen (18) are proposed along the front of the existing structure, totaling an additional 3,600 SF of impervious area. In addition, a seasonal outdoor dining area is proposed. A small rain garden is proposed within the buffer area along North Wales Road.

On August 11, 2014 the Montgomery Township Zoning Hearing Board granted relief to permit a special exception for the proposed seasonal dining patio. In addition, relief was granted for building, impervious area, and green area coverage, as well as parking space size.

1. In accordance with SLDO 205-53.B(2), existing trees whose root area (dripline) has been encroached upon by more than  $\frac{1}{4}$  of the total area will not be considered to be preserved and must be replaced. It appears that a number of deciduous and evergreen trees within the existing buffer and in other locations will be removed. The plan should be revised to indicate which trees are to be removed, and to demonstrate compliance with SLDO 205-53 and 54.
2. We recommend that the reference to river rock in the Rain Garden Section be removed, and that the detail be revised to specify only mulch, in order to be compatible with the needs of the proposed buffer plantings.
3. The Evergreen and Shrub planting details should be revised to specify that the trees and shrubs are to be placed on undisturbed soil. The use of a firm topsoil 'pedestal' increases the chances of the trees shifting in the tree pits.
4. The Evergreen tree planting detail should be revised to specify a minimum of 24" excavation on all sides of the root ball.





Mr. Lawrence Gregan, Township Manager  
North Wales Crossing  
April 1, 2015  
Page 2

5. Note No. 4 of the general planting notes should be revised to require that any replacement street trees also demonstrate compliance with the requirements of SLDO 205-52.A, Street Trees, and that any required street tree replacement should be reviewed by the Township Landscape Consultant prior to installation.
6. Note No. 4 of the General Planting Notes should be revised to require that the proposed buffer plantings be species appropriate for the proposed rain garden.

Sincerely,



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



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

JSG/vll/bpa

cc: Board of Supervisors  
Planning Commission  
Bruce Shoupe, Director of Planning and Zoning  
Marita Stoerrle, Development Coordinator  
Marianne McConnell, Deputy Zoning Officer  
James P. Dougherty, P.E., Gilmore & Associates, Inc.  
Kevin Johnson, P.E., Traffic Planning & Design  
Ken Amey, AICP  
Christopher Anderson, Director of Real Estate, Goodman Properties  
Richard A. Stoneback, P.E., Charles E. Shoemaker, Inc.



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

AN EMPLOYEE OWNED COMPANY

INNOVATIVE ENGINEERING

1000 North Wales Road  
1450 Longwood Building 500  
Bryn Mawr, PA 19001  
Tel: 412/940  
Fax: 412/940

7730 Binns Road  
Scotch Run, PA 15060  
Tel: 412/940  
Fax: 412/629 0306

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

February 17, 2015

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

**SUBJECT: NORTH WALES CROSSING  
LAND DEVELOPMENT WAIVER REQUEST  
TOWNSHIP LD/S NO. M-15-71  
PROJECT NO. 1455274R**

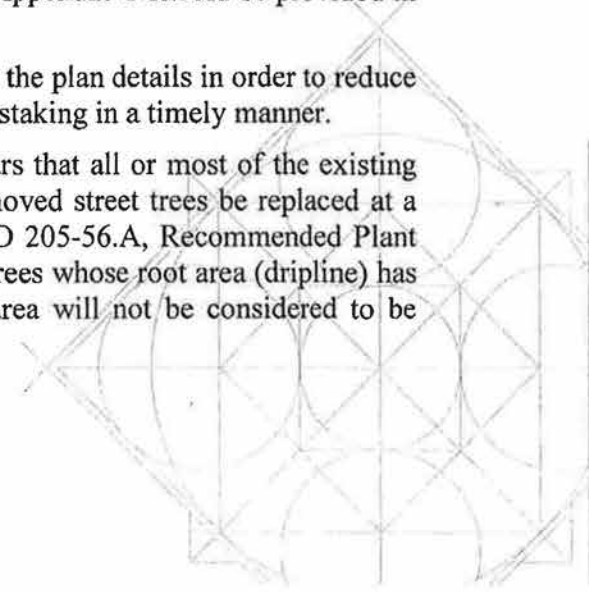
Dear Mr. Gregan:

Please be advised that we have reviewed the Site Improvement Plans submitted as part of the North Wales Crossing Waiver of Land Development Request, prepared by Charles E. Shoemaker, Inc., dated January 30, 2015. As part of renovations to the existing shopping center, fifteen (15) additional parking spaces are proposed along North Wales Road and eighteen (18) are proposed along the front of the existing structure, totaling an additional 3,600 SF of impervious area. In addition, a seasonal outdoor dining area is proposed. No stormwater management improvements are proposed.

On August 11, 2015 the Montgomery Township Zoning Hearing Board granted relief to permit a special exception for the proposed seasonal dining patio. In addition, relief was granted for building, impervious area, and green area coverage, as well as parking space size.

We offer the following comments for your consideration.

1. The planting details should be revised to demonstrate compliance with the requirements of the planting details shown in SLDO Appendix C. In addition, the details should be revised to indicate that the trees and shrubs are to be planted on undisturbed soil.
2. Planting Standards and Guidelines as shown in SLDO Appendix C should be provided in the site improvement plans.
3. We recommend that the tree staking be eliminated from the plan details in order to reduce the chances of girdling to the trees by not removing the staking in a timely manner.
4. Based on proposed grading in the buffer area, it appears that all or most of the existing street trees will be removed. We recommend that removed street trees be replaced at a 1:1 ratio in accordance with the requirements of SLDO 205-56.A, Recommended Plant List. In accordance with SLDO 205-53.B(2), existing trees whose root area (dripline) has been encroached upon by more than 1/4 of the total area will not be considered to be preserved and must be replaced



Mr. Lawrence Gregan, Township Manager  
North Wales Crossing  
February 17, 2015  
Page 2

5. A note on sheet 2 of 3 indicates that buffering is to be provided with understory plantings and a wood fence. As the majority of existing landscape material will be removed by the proposed parking spaces and adjacent grading, it does not appear that understory planting materials alone would provide adequate buffering. We recommend that evergreen trees sized in accordance with the requirements of SLDO 205-56.B be provided.
6. The note on sheet 2 of 3 requiring buffer plantings to be approved by the Township Landscape Consultant prior to installation should be revised to also require that proposed plantings must demonstrate compliance with the size and species requirements of SLDO 205-56, Recommended Plant List.

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  
Marita Stoerrle, Development Coordinator  
Marianne McConnell, Deputy Zoning Officer  
James P. Dougherty, P.E., Gilmore & Associates, Inc.  
Kevin Johnson, P.E., Traffic Planning & Design  
Ken Amey, AICP  
Christopher Anderson, Director of Real Estate, Goodman Properties  
Richard A. Stoneback, P.E., Charles E. Shoemaker, Inc.

**KENNETH AMEY, AICP**  
professional land planner

March 16, 2015

(via e-mail)

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

Re: North Wales Crossing  
Request for Land Development Waiver  
782 and 710 North Wales Road  
Township File #M-15-71

Dear Mr. Gegan:

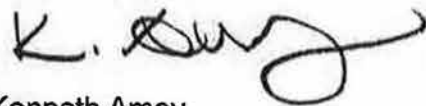
I have reviewed the above referenced sketch plans, prepared by Charles E. Shoemaker, Inc., and dated January 30, 2015, with no revisions noted. The subject property is located at the intersection of North Wales Road and Route 309, is currently zoned C-Commercial, and is improved with several commercial uses.

This proposal would add additional uses to the existing commercial center. On August 11, 2014 relief was granted by the Montgomery Township Zoning Hearing Board regarding building coverage, impervious coverage, green coverage, and parking. There will be no change to circulation or existing drainage patterns. I will defer to the township engineer, township traffic engineer, and township landscape architect in regards to technical details.

Otherwise, I have no objection to the request for Land Development Waiver.

If there are any questions, please let me know.

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: Bruce S. Shoupe, Township Director of Planning and Zoning  
Marita Stoerle, Development Coordinator  
Marianne McConnell, Deputy Zoning Officer

# TRAFFIC PLANNING AND DESIGN, INC.



2500 E. High Street | Suite 650 | Pottstown, PA | 19464  
610.326.3100 | TPD@TrafficPD.com

March 23, 2015

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

Re: North Wales Crossing  
**Waiver of Land Development Request**  
TPD# MOTO-A-00094

Dear Bruce:

In our role as Township Traffic/Street Lighting Engineer, Traffic Planning and Design, Inc. (TPD) has reviewed the Site Improvement Plans for the above referenced project, prepared by Charles E. Shoemaker, Inc. and dated January 30, 2015 and associated request for a Waiver from Land Development.

Based on our review, we offer the following comments.

## **Traffic Engineering Comments**

The application does not propose to increase building footprint area. Thus no additional peak hour trips will be generated. Therefore, TPD would support this waiver of land development request.

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

Sincerely,

Kevin L. Johnson, P.E.  
President

cc: Larry Gregan, Township Manager  
Marita Stoerrle, Township Development Coordinator  
Kevin Costello, Township Public Works Director  
Russ Dunlevy, P.E., Township Engineer  
Chris Anderson, Applicant, Goodman Properties  
Joseph Platt, P.E., TPD



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

**APPEAL NO. 14060002  
APPLICATION OF NORTH WALES CROSSING ASSOC., LTD. &  
MONTGOMERYVILLE REALTY PARTNERS, L.P.  
FOR SPECIAL EXCEPTION PURSUANT TO MONTGOMERY TOWNSHIP ZONING  
ORDINANCE SECTION 230-75.A AND VARIANCES FROM §230-77.E, 230-77.F, 230-  
77.G AND 230-138**

**OPINION AND ORDER**

Pursuant to proper legal advertisement in Montgomery Newspapers on June 16, 2014 and June 23, 2014, a public hearing was held on July 1, 2014 commencing at 7:30 p.m. at the Montgomery Township Administration Building, 1001 Stump Road, Montgomeryville, Pennsylvania.

Present for the Zoning Hearing Board at the hearing were Kenneth Souder, Chairman, Laurence Poli, Vice Chairman, and Edward Diasio, Secretary. Mary Kay Kelm, Esquire was present as the Solicitor for the Zoning Hearing Board and Amee S. Farrell, Esquire represented the Applicant. Also present at the hearing were Bruce S. Shoupe, Director of Planning and Zoning for Montgomery Township.

At the hearing, the Notes of Testimony were taken and transcribed by Tim Kurek, an Official Court Reporter.

**EXHIBITS**

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

- A-1(A) Deed to 782 Bethlehem Pike, Montgomery Township, Pennsylvania
- A-1(B) Deed to 710 North Wales Rd., Montgomery Township, Pennsylvania
- A-2 Applicant's power point presentation

- A-3            Montgomery Township Zoning Hearing Board Opinion and Order dated April 30, 1993
  - A-4            Curriculum Vitae of Gary A. Tilford
  - A-5            Existing site plan
  - A-6            Montgomery Township Zoning Hearing Board Opinion and Order dated June 5, 2002
  - A-7            Site plan dated June 9, 2014 and revised July 1, 2014
- 
- B-1            Proof of publication dated June 16 and June 23, 2014
  - B-2            Posting of property dated June 20, 2014
  - B-3            Notification to residents dated June 19, 2013

#### **FINDINGS OF FACT**

1.     The subject property is the North Wales Crossing Shopping Center, a retail shopping center located at the southwest corner of Bethlehem Pike and North Wales Road, Montgomery Township, Montgomery County, Pennsylvania. It is comprised of two parcels: 782 Bethlehem Pike, Montgomery Township, and 710 North Wales Road, Montgomery Township. (N.T., p. 4).
2.     The applicants are North Wales Crossing Associates, Ltd., the legal owner of 782 Bethlehem Pike, and Montgomeryville Realty Partners, the legal owner of 710 North Wales Road.
3.     The zoning classification for the property is C – Commercial Zoning District. (N.T., p. 57).

4. The shopping center is comprised of two parcels that are treated together due to a prior zoning decision which mandated that they be treated as a single parcel for zoning purposes. (N.T., p. 4-5).

5. The shopping center contains an existing 48,000 square foot retail shopping center previously occupied by Linens 'N Things along with a freestanding 13,500 square foot Walgreen's. (N.T., p. 5).

6. This zoning application does not propose any relief for the portion of the parcel containing the Walgreen's. (N.T., p. 6).

7. It is proposed that the 48,000 square foot building (hereafter "the main building") be redeveloped into a series of smaller tenants, including two restaurant uses. (N.T., p. 6).

8. Mr. Bruce Goodman of Goodman Properties was qualified as an expert witness and testified on behalf of the applicants. (N.T., p. 11, 15).

9. Mr. Goodman testified that "junior box" retail stores – between 20,000 to 30,000 square feet – have been particularly hard to rent over the past five years. After Linens N'Things left five years ago, the space had no prospective renters for four years. (N.T., p. 17).

10. Consequently, the junior box retail spaces need to be carved into smaller spaces to compete in today's rental market. (N.T., p. 17).

11. The applicants propose to divide 20,000 square feet of the 48,000 square foot building into four or five units. (N.T., p. 18).

12. A parking variance presently exists for the site, but the applicants do not believe it will provide sufficient parking after redevelopment. (N.T., p. 7).

13. The applicants propose to add eighteen spaces in front of the main building and fifteen spaces angled on North Wales Road (N.T., p. 18, 36), and to remove some spaces behind the building. (N.T. p. 20).

14. All parking spaces added in the front of the main building and along North Wales Road will be ten foot parking stalls. (N.T., p. 21).

15. The applicants propose to convert some of the remaining existing parking spaces in the parking field to nine foot spaces. (N.T., p. 21).

16. In so doing, the applicants can add more parking spaces without additional impervious coverage, just by restriping. (N.T., p. 23).

17. The applicants will keep the twenty-five foot buffer on the North Wales side of the property, even with the addition of the new parking spaces. (N.T., p. 28).

18. Applicants propose to add a 1,000 square foot outdoor dining patio to the side of the main building farthest away from North Wales Road. (N.T., p. 6).

19. The proposed outdoor dining patio would increase building coverage slightly if a roof is constructed. (N.T., p. 6).

20. Gary Tilford, registered land surveyor, testified as an expert witness on behalf of the applicants. (N.T., p. 54).

21. Mr. Tilford testified that the site would have a total of 294 parking spaces, 136 of which would be nine feet in width. (N.T., p. 62).

22. For the patio, the applicants request an increase of .4% in building coverage, from 21% (which was previously granted by variance in 2002) to 21.4%. (N.T., p. 64).

23. The 2002 variance permitted impervious coverage to be up to 81%. Presently the site has 80.4%, and construction of the outdoor dining patio would increase this to 81.4%. Thus,

the applicants request a new variance for an increase of .4% over the existing permissible amount. (N.T., p. 65).

24. The 2002 variance allowed the site to have 19% green coverage rather than the 25% mandated by the ordinance. The applicants now request that green coverage be diminished to 18.6%, or .4% less than what is presently permitted. (N.T., p. 65).

25. The outdoor dining patio proposed by applicants will not affect setbacks, open space or buffering in any way. (N.T., p. 70).

26. The outdoor dining patio will not affect building coverage or impervious coverage, since it is being added to an area with existing impervious coverage. (N.T., p. 70).

27. The outdoor patio will be adjacent to a grassed area of the property and a driveway leading to the mall, and not to adjacent residencies. (N.T., p. 72).

28. Mr. Gilford testified that the site was unique due to its trapezoidal size and two access points which made the commercial buildings and parking harder to design. (N.T., p. 75).

29. Neighbors Rich Kelly (627-29 North Wales Rd.) and Rolando and Myrna Telan (105 Harbob Lane) questioned the applicant's witnesses and offered comment against the applicant's requested relief. (N.T., 86, 90).

### **CONCLUSIONS OF LAW**

30. Section 912.1 of the Pennsylvania Municipalities Planning Code states that the Zoning Hearing Board shall hear and decide requests for special exceptions in accordance with the standards and criteria expressly set forth in the Zoning Ordinances. 53 P.S. §912.1.

31. The Zoning Hearing Board has the authority to grant special exceptions and pursuant to §230-185 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.

32. Outdoor dining is permitted by special exception as an accessory use to a restaurant pursuant to Montgomery Township Ordinance 230-75 and Appendix Table 230-A. (N.T., p. 70).

33. Section 910.2 of the Pennsylvania Municipalities Planning Code states that the ZHB shall hear and decide requests for Variances where it is alleged that the provisions of the Zoning Ordinance inflict unnecessary hardship upon the Applicant. 53 P.S. §910.2.

34. In order to grant the Variance, the ZHB must make the following findings where relevant:

(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.

#### **DETERMINATION**

35. The Zoning Hearing Board is persuaded by the testimony offered that the proposed use will conform to regulations, is appropriately screened, will not increase traffic or adversely impact the adjacent properties or the public health and safety, and other wise meets all criteria necessary to the grant of the special exception.

36. The Zoning Hearing Board finds that the property has unique physical circumstances which prevented development in strict conformity with the Zoning Ordinance and that the unique physical circumstances created a hardship, rather than the applicants themselves.

37. The Zoning Hearing Board finds that the property cannot be developed in strict conformity with the provisions of the Zoning Ordinance, as was testified to by Mr. Gilford.

38. The Zoning Hearing Board finds that the improvements proposed by applicant represent the minimum variances that will afford relief, will not alter the commercial character of the neighborhood, and that the surrounding properties will not be adversely affected.

39. The Zoning Hearing Board grants the Applicant's requests for variances from the Montgomery Township Zoning Code Section 230-77.E with regard to building coverage, from Section 230-77.F with regard to impervious material coverage, from Section 230-77.G with regard to green coverage, and from Section 230-138 with regard to parking, upon the terms and conditions of the record, and specifically premised upon the amended amounts testified to by applicants' expert witnesses.

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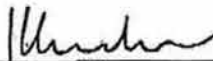
**ORDER**

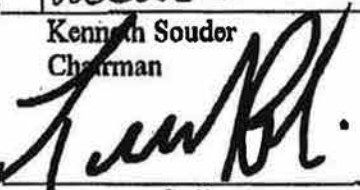
AND NOW, this 11th day of August, 2014, the Zoning Hearing Board of Montgomery Township hereby decides as follows:

1. The Applicants' request for relief in the form of a Special Exception is **GRANTED**.
2. The Applicants' requested Variances from Ordinance sections 230-77.E, 230-77.F & 230-77.G are **GRANTED**.
3. The Applicants' request for a variance from Ordinance section 230-138 is **GRANTED**.

The variances and special exception granted herein are also subject to Applicant's strict compliance with the representations made at the hearing and contained in its Application.

**MONTGOMERY TOWNSHIP  
ZONING HEARING BOARD**

By:   
Kenneth Souder  
Chairman

By:   
Laurence Poli  
Vice Chairman

By:   
Edward Diasio  
Secretary

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consideration Approval of LDS#683 – 512 Bethlehem Pike - Minor Subdivision Plan/  
Lot Line Adjustment

MEETING DATE: April 13, 2015

ITEM NUMBER: #18.

MEETING/AGENDA: WORK SESSION ACTION XX NONE

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

INITIATED BY: Bruce Shoupe

Director of Planning and Zoning

BOARD LIAISON: Michael J. Fox

Chairman

---

BACKGROUND:

The property is a developed .6596 acre parcel of land at 512 Bethlehem Pike, north of the intersection of Bethlehem Pike and Taylor Road abutting 1517 Taylor Road. The proposed lot line adjustment will result in a transfer of 380 square feet of land between the two property owners. The two properties are in the Business Office and Professional (BP) Zoning District. The intent of the lot line adjustment was initiated by Mr. Wilson to bring the parking area on his property (lot #2) into compliance with Township Code with written permission from his neighbor at 1517 Taylor Road. No land development is proposed at this time, therefore, no land development waivers are necessary at this time.

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

PREVIOUS BOARD ACTION:

None

ALTERNATIVES/OPTIONS:

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

BUDGET IMPACT:

None.

RECOMMENDATION:

The resolution be adopted by the Board of Supervisors.

MOTION/RESOLUTION:

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

MOTION \_\_\_\_\_

SECOND \_\_\_\_\_



ROLL CALL:

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

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

**RESOLUTION #**

**MONTGOMERY TOWNSHIP**

**MONTGOMERY COUNTY, PENNSYLVANIA**

**A RESOLUTION GRANTING CONDITIONAL PRELIMINARY/FINAL APPROVAL OF  
THE APPLICATION FOR MINOR SUBDIVISION/ LOT LINE ADJUSTMENT OF 512  
BETHLEHEM PIKE - LDS#683**

The Board of Supervisors of Montgomery Township, Montgomery County, Pennsylvania, hereby resolves to grant conditional, preliminary/final approval of the minor subdivision/lot line adjustment application and plan for **512 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 Gilmore & Associates, Inc. letter dated April 3, 2015, February 26, 2015; Montgomery Township Planning Commission comments dated March 19, 2015; Montgomery County Planning Commission comments dated March 11, 2015; Township Zoning Review dated March 17, 2015.
2. The Applicant shall be responsible for payment of all Township Consultant and Solicitor fees related to this project.
3. All future development of this parcel shall be subject to new application and approval by the Board of Supervisors.

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 13<sup>th</sup> day of April, 2015.

MOTION BY:

SECOND BY:

VOTE:

The above conditions are agreed to by the applicant this \_\_\_\_\_  
day of \_\_\_\_\_, 2015.

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

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

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

xc: Applicant, F. Bartle, R. Dunlevy, B. Shoupe, M. Stoerrle, 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. Lot Line Adjustment Plan	1/22/15	3/16/15



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

April 3, 2015

File No. 15-02052

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

Reference: Wilson Minor Subdivision – LD/S #683  
512 Bethlehem Pike  
Tax Parcel #46-00-00439-00-1; Block 04, Unit 033

Dear Bruce:

Pursuant to your request, Gilmore & Associates, Inc. has reviewed the minor subdivision plan for the above-referenced project and offers the following comments for consideration by the Montgomery Township Board of Supervisors:

**I. SUBMISSION**

- A. Comment Response E-mail, from Art Boesler, dated Monday March 23, 2015
- B. Minor Subdivision Plan, as prepared by Czop/Specter, Inc., one (1) sheet, dated January 22, 2015, last revised March 16, 2015

**II. GENERAL**

The subject property is a developed 0.6596 acre (gross) parcel of land at 512 Bethlehem Pike, Lansdale, PA, approximately 165 feet north of the intersection of Bethlehem Pike (S.R. 309) and Taylor Road. The Minor Subdivision Application proposes a lot line adjustment which will result in a transfer 0.0087 acres of land to the adjacent property. The site is within the Business Office and Professional (BP) Zoning District.

**III. REVIEW COMMENTS**

Based on our review, the plans now conform to the requirements established in the current Montgomery Township Zoning and Subdivision and Land Development Ordinances

**C. General**

1. We note that the language of the Notarial Seal and Acknowledgement should be revised to reflect the joint ownership of the subject properties and should list the first and last names of all owners.

BUILDING ON A FOUNDATION OF EXCELLENCE

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

2. The language in the Owner's Certification should be revised to include the first and last names of the owners, rather than "We, the owners...". In addition, owner's information on the plan should match the deeds exactly. Blank spaces for printing names at a later time is acceptable.
3. In order to avoid any delays or resubmissions during plan recording at the Montgomery County Recorder of Deeds Office we have attached a memo from the Montgomery Township Solicitor clarifying common issues which have arisen during previous plan recordation.
4. The Applicant should provide legal descriptions for the proposed lots for review and approval prior to plan recording.

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

Sincerely,



James P. Dougherty, P.E.  
Gilmore & Associates, Inc.  
Township Engineer

JPD/atw/sl

Enclosures

cc: Lawrence J. Gregan, Manager - Montgomery Township  
Marita A. Stoerrle, Development Coordinator - Montgomery Township  
Marianne McConnell, Deputy Zoning Officer – Montgomery Township  
Frank R. Bartle, Esq., Solicitor – Dischell Bartle & Dooley, PC  
John & Susan Wilson  
Arthur W. Boesler, P.E. – Czop/Specter, Inc.  
Russell S. Dunlevy, P.E., Executive V.P. – Gilmore & Associates, Inc.





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

February 26, 2015

File No. 15-02052

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

Reference: Wilson Minor Subdivision – LD/S #683  
512 Bethlehem Pike  
Tax Parcel #46-00-00439-00-1; Block 04, Unit 033

Dear Bruce:

Pursuant to your request, Gilmore & Associates, Inc. has reviewed the minor subdivision plan for the above-referenced project and offers the following comments for consideration by the Montgomery Township Board of Supervisors:

**I. SUBMISSION**

- A. Application for Subdivision and Land Development, Dated January 22, 2015
- B. Deed for 512 Bethlehem Pike, Lansdale, PA 19446 (Subject Property)
- C. Deed for 1517 Taylor Road, Lansdale, PA 19446 (Adjacent Property)
- D. Acknowledgement of Transaction for the subject properties signed and notarized by all parties
- E. Minor Subdivision Plan, as prepared by Czop/Specter, Inc., one (1) sheet, dated January 22, 2015

**II. GENERAL**

The subject property is a developed 0.6596 acre (gross) parcel of land at 512 Bethlehem Pike, Lansdale, PA, approximately 165 feet north of the intersection of Bethlehem Pike (S.R. 309) and Taylor Road. The Minor Subdivision Application proposes a lot line adjustment which will result in a transfer 0.0087 acres of land to the adjacent property. The site is within the Business Office and Professional (BP) Zoning District.

**III. REVIEW COMMENTS**

**A. Zoning Ordinance**

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

1. §230-82 – The Applicant should present the existing and proposed conditions for both lots in the Zoning Data Table to ensure that the proposed subdivision will not create a non-compliant lot.

BUILDING ON A FOUNDATION OF EXCELLENCE

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

**B. Subdivision and Land Development Ordinance**

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

1. §205-15 - The applicant should provide monumentation at all property corners to be created as part of this subdivision.
2. The applicant has requested waivers from three sections of the Township Subdivision and Land Development Ordinance requiring road and curb (§205-10), sidewalk (§250-22.A) and storm sewer (§205-85.B(2)). As this is a lot line adjustment and no land development activities are proposed, it is our opinion the referenced sections are not applicable and waivers are not necessary. We do not recommend the granting of any waivers at this time. If development of either property is proposed in the future the requirements of these sections may apply. If the requirements are found to be applicable; we support the waiver request and recommend the relief be limited to this application only and that any future applications be subject to the referenced requirements.

**C. General**

1. The Applicant should provide legal descriptions for the proposed lots for review and approval prior to recording a plan.

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

Sincerely,



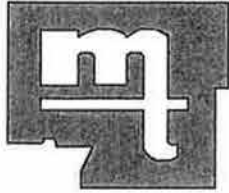
Russell S. Dunlevy, P.E.  
Executive Vice President  
Township Engineers



James P. Dougherty, P.E.  
Senior Project Engineer  
Township Engineers

RSD/JPD/atw

cc: Lawrence J. Gregan, Manager - Montgomery Township  
Marita A. Stoerrle, Development Coordinator - Montgomery Township  
Marianne McConnell, Deputy Zoning Officer – Montgomery Township  
Frank R. Bartle, Esq., Solicitor – Dischell Bartle & Dooley, PC  
John & Susan Wilson  
Arthur W. Boesler, P.E. – Czop/Specter, Inc.



## ***MEMORANDUM***

TO: Board of Supervisors

FROM: Planning Commission  
Jonathan Trump, Chairman

DATE: March 19, 2015

RE: 512 Bethlehem Pike  
Minor Subdivision/Lot Line Adjustment

The Planning Commission has reviewed the above named plan and would like to recommend to the Board of Supervisors that this plan be approved subject to satisfactory compliance with all comments of the Township consultants.

## **AGENDA ITEMS**

- Plan Review – 512 Bethlehem Pike - Wilson
- Plan Review - BJ's Fueling Station – Wilkinson Five Point LP

## **MONTGOMERY TOWNSHIP PLANNING COMMISSION**

**March 19, 2015**

The March 19, 2015, meeting of the Montgomery Township Planning Commission was called to order by Chairman Jonathan Trump at 7:30 p.m. In attendance were Commissioners Jay Glickman, Leon McGuire, Steven Krumenacker, James Rall and Ellen Reynolds. Also present was Bruce Shoupe, Director of Planning and Zoning. Candyce Fluehr Chimera, Supervisor Liaison, was absent.

The minutes of February 19, 2015, were approved as submitted.

There were no public comments.

### **512 BETHLEHEM PIKE – WILSON**

The first item on the agenda was a discussion of the lot line adjustment for 512 Bethlehem Pike. Art Boesler, engineer, and John Wilson, applicant, were present to discuss this plan. Mr. Boesler advised that Mr. Wilson and his neighbor, Mrs. Fitzgerald, had agreed to this lot line change. It would give Mrs. Fitzgerald additional ground in the backyard and provide Mr. Wilson with more ground in front. Mr. Boesler advised that the plan had been reviewed by Gilmore Associates and that they wished to see existing and proposed conditions for both lots. He has provided this information to Gilmore Associates. Mr. Boesler also indicated that as a minor subdivision plan, they had asked for several waivers regarding sidewalks, road and curbing and storm sewers. However, Gilmore Associates did not feel that this was necessary at this time as there was no development taking place. If development of either property is proposed in the future, these requirements should be discussed at that time. The consensus of the Planning Commission was that this was a minor lot line adjustment and should be approved. A motion was made by Mr. Glickman, seconded by Mr. McGuire, to recommend to the Board of Supervisors, that this plan be approved, subject to satisfactory compliance with all comments of the Township review agencies. Motion carried unanimously.

### **BJ'S FUELING STATION**

Next on the agenda was the land development plan for the BJ's fueling station. Robert Brant, attorney, and Luke Teller, engineer, were present to discuss this plan. Richard Wilkinson, owner of the property, was also present. Mr. Brant reminded the Planning Commission members that they had already seen this plan during the Conditional Use process. The Board of Supervisors had granted approval of the

conditional use application on March 9, 2015. Mr. Brant explained that the property was located at Five Points Plaza. There would be 14 fueling stations, a 157 square foot kiosk for the workers, and an ATM drive-through area. He stated that they had received review letters from the Township's consultants and would comply with most comments. However, there were three waivers which they were requesting. Mr. Teller explained the waiver requests as follows:

1. Section 205-24.A – the requirement that street lighting be installed along each street in each subdivision and along each street abutting a public street. Street lighting does not currently exist along this portion of the Cowpath Road frontage. *(The consultants have no objection to this waiver.)*
2. Section 205-78.C(1)(f) – the requirement to show tentative grades to an existing street within 400 feet of the site. The applicant has provided an aerial map. *(The consultants have no objection to this waiver.)*
3. Section 205.52.B(4)(a) – the requirement to provide a softening buffer along Cowpath Road frontage. Flowering trees and smaller vegetation has been provided to augment the buffer provided by the existing vegetation. *(The consultants have no objection to this waiver permitting use of evergreen and ornamental tree substitutions in lieu of the standard required buffer plantings, provided any deficient material is planted elsewhere in the Township or a fee in lieu is provided. This plan is deficient forty shrubs.) (40 X \$65 - \$2,600.)*

The consensus of the Planning Commission was that the waivers be approved as recommended by the consultants. Mrs. Reynolds stated that there was a letter from Traffic, Planning and Design which stated that the applicant will submit a cash escrow of \$10,000.00 which would cover the costs of a traffic study and any changes to the timing of the traffic signals post construction. Mr. Brant acknowledged that this would be submitted by the applicant. Mr. Krumenacker stated that he was concerned about the buffering for the neighboring house. Mr. Wilkinson explained that there were a lot of trees and shrubbery currently in place and that they would also be installing new shrubs which would help the buffering situation. After some further discussion, a motion was made by Mr. Glickman, seconded by Mr. Rall, to recommend to the Board of Supervisors, that this plan be approved subject to satisfactory compliance with all comments of the Township's consultants. Motion further recommended that the waiver requests be approved. Motion carried unanimously.

Mr. Glickman presented a brief account of the Board of Supervisors meeting.

This meeting was adjourned at 8:10 p.m.

Respectfully submitted:

Marita Stoerrle  
Development Coordinator/  
Recording Secretary



**MONTGOMERY COUNTY  
BOARD OF COMMISSIONERS**

JOSH SHAPIRO, CHAIR

VALERIE A. ARKOOSH, MD, MPH, VICE CHAIR

BRUCE L. CASTOR, JR., COMMISSIONER



**MONTGOMERY COUNTY  
PLANNING COMMISSION**

MONTGOMERY COUNTY COURTHOUSE • PO Box 311  
NORRISTOWN, PA 19404-0311  
610-278-3722

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

JODY L. HOLTON, AICP  
EXECUTIVE DIRECTOR

March 11, 2015

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

Re: MCPC #15-0053-001  
Plan Name: 512 Bethlehem Pike

Situate: 512 Bethlehem Pike  
Montgomery Township

Applicant's Name and Address

John A. Wilson  
512 Bethlehem Pike  
Colmar, PA 18915

Dear Mr. Shoupe:

We have reviewed the above-referenced Minor Subdivision (lot line revision) in accordance with Section 502 of Act 247, "The Pennsylvania Municipalities Code", as requested on January 26, 2015. We forward this letter as a report on our review and comments.

**Background**

The lot line revision swaps a minor amount of land between neighboring parcels, equaling about 0.0087 acres.

**Comment**

This is a very minor change to the two parcels involved and does not result in any additional development; however, there are disconnected sections of sidewalks in the general area. Sidewalks are critical components of a balanced transportation network that provide safe and efficient routes for pedestrians.

**Recommendations**

A requirement to construct sidewalks along the two subject parcels would be a significant burden for a simple lot line revision; however, an area appropriate for future sidewalks should be identified and added to the plan to ensure that space is available should the Township decide to install sidewalks at a later date.

Please note that this report is 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 a plan to our office for seal and signature prior to recording with the Record of Deeds office. A paper copy bearing the municipal seal and signature of approval must be supplied for our files.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Crystal Gilchrist', with a stylized flourish at the end.

Crystal Gilchrist, AICP, Transportation Planner  
610.278.3734 – [cgilchri@montcopa.org](mailto:cgilchri@montcopa.org)

c: John A. Wilson, Applicant  
Arthur W. Bohler, Czop Specter, Applicant's Engineer  
Lawrence J. Gregan, Township Manager  
Russell Dunlevy, Gilmore & Associates, Township Engineer  
Frank Bartle, Esq., Dischell, Bartle & Dooley, Township Solicitor

## ZONING ORDINANCE PLAN REVIEW

DATE: March 17, 2015

PLAN REVIEW – 512 Bethlehem Pike – Lot Line Adjustment  
LD/S # 683

DEVELOPMENT NAME: John & Susan Wilson and Michael & Linda Fitzgerald

LOCATION: 512 Bethlehem Pike and 1517 Taylor Road

LOT NUMBER & SUBDIVISION: Lot line adjustment between two existing lots

ZONING DISTRICT: BP – Business Professional

PROPOSED USE: Residential

ZONING HEARING BOARD APPROVAL REQUIRED? No

CONDITIONAL USE APPROVAL REQUIRED? NO

	Proposed	Required	Approved	Not Approved	N/A
USE			X		
HEIGHT	<35	35	X		
LOT SIZE	Lot 1 - 28,351.59 sf Lot 2 - 33,053.41 sf	20000	X		
SETBACKS BUFFER					
FRONT	60	60	see note		
SIDES	See notes	20 ft	see note		
REAR	See notes	20 ft	see note		
COMMON OPEN SPACE	NA	NA	X		
BUILDING COVERAGE	See notes	Max 15%	X		
IMPERVIOUS COVERAGE	See notes	Max 30%	X		

### COMMENTS

#### ADDITIONAL COMMENTS/NOTES:

1. The existing structures presently do not conform to front yard setback requirements due to widening of Route 309 and rezoning of properties.
2. The applicant shall provide list the existing and proposed conditions in the Zoning data table and show dimensional setbacks to property/right-of-way lines.
3. The applicant shall provide appropriate signature blocks of applicants.

  
ZONING OFFICER

3.17.15  
DATE

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

March 26, 2015

SUBJECT: Consider Proclamation of Arbor Day for Tree City USA

MEETING DATE: April 13, 2015

ITEM NUMBER: #19

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

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

INITIATED BY: Marianne McConnell  
Deputy Zoning Officer

BOARD LIAISON: Michael Fox, Liaison  
Shade Tree Commission

BACKGROUND:

The Shade Tree Commission sponsors an annual event to celebrate Arbor Day. This year, the Annual Arbor Day Tree Give-Away will be held on Saturday, April 25<sup>th</sup>, 2015 at the Montgomery Township Building. Montgomery Township has also been named as a 2014 Tree City USA recipient with a presentation of the award by our State Forester scheduled during the event as well. The Shade Tree Commission would request that the Board of Supervisors begin this celebration with the reading of the attached Arbor Day Proclamation.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None

PREVIOUS BOARD ACTION:

The Board adopted a similar resolution on April 12, 2014.

ALTERNATIVES/OPTIONS:

None

BUDGET IMPACT:

\$4,000 has been budgeted for the event.

RECOMMENDATION:

The members of the Shade Tree Commission would like to extend an invitation to the Board of Supervisors to attend this annual event on Saturday, April 25<sup>th</sup> to celebrate Arbor Day.

MOTION/RESOLUTION:

Attached

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

## *Arbor Day Proclamation*

*Whereas*, in 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

*Whereas*, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

*Whereas*, Arbor Day is now observed throughout the nation and the world, and

*Whereas*, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

*Whereas*, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

*Whereas*, trees in our township increase property values, enhance the economic vitality of business areas, and beautify our community, and

*Whereas*, trees wherever they are planted, are a source of joy and spiritual renewal,

NOW, THEREFORE, the Board of Supervisors of Montgomery Township, Pennsylvania, do hereby proclaim Saturday, April 25, 2015 as

## *Arbor Day*

in Montgomery Township, and we urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

*Further*, we urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

*Dated* this the 25<sup>th</sup> day of April 2015.

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

### ROLL CALL:

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

xc: Shade Tree Commission, Minute Book, Resolution File, File



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

**SUBJECT:** Consider Acceptance of PennDOT Offer to Purchase Right-of-Way along Horsham Road and Bethlehem Pike – Parcel 45

**MEETING DATE:** April 13, 2015

**ITEM NUMBER:** #20a.

**MEETING/AGENDA:**

**EXECUTIVE SESSION**

**REASON FOR CONSIDERATION:**

Operational: XX Policy: Discussion: Information: XX

**INITIATED BY:** Bruce S. Shoupe

Director of Planning and Zoning

**BOARD LIAISON:** Joseph P. Walsh

(Chairman)

**BACKGROUND:**

The attached is notification from PennDOT that they are offering just compensation for right-of-way and/or temporary construction easement of land owned by the Township, for road improvements for the 5-Points Intersection Project. This parcel is Parcel No. 45, which is 739 Bethlehem Pike (the Old Montgomery Fabric Center property) that has frontage located along Bethlehem Pike and Horsham Road. This property has 1,917 square feet of Right-of-Way combined on both road frontages which was dedication to the Township in 1989. PennDOT also requires 2,957 square feet of temporary construction easement on this property. The combined just compensation offered (right-of-way and temporary construction easement) is \$9,100.

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

None

**PREVIOUS BOARD ACTION:**

None

**ALTERNATIVES/OPTIONS:**

Accept the compensation offered or have an appraisal performed to determine if areas are worth more than offer.

**BUDGET IMPACT:**

None

**RECOMMENDATION:**

Accept the just compensation offered.

**MOTION/RESOLUTION:**

Attached

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

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

**ROLL CALL:**

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

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

Resolution #

BE IT RESOLVED, by the Board of Supervisors of Montgomery Township that we hereby accept the offer of just compensation from the Pennsylvania Department of Transportation for right-of-way and/or land owned by the Township, in conjunction with the 5-Points Intersection Project. This rights-of-way and construction easement will be utilized for the above road improvements and are identified as follows:

- This parcel is Parcel No. 45, which is 739 Bethlehem Pike that has frontage located along Bethlehem Pike and Horsham Road. This property has 1,917 square feet of Right-of-Way combined on both road frontages which was dedication to the Township in 1989. PennDOT also requires 2,957 square feet of temporary construction easement on this property.

BE IT FURTHER RESOLVED, by the Board of Supervisors of Montgomery Township, Montgomery County, and it is hereby resolved by authority of the same, that the Chairman of the Board of Supervisors of said MUNICIPALITY be authorized and directed to sign the attached Furthermore, Michael J. Fox, Chairman is hereby authorized to sign and execute the settlement documents for Parcel No. 45.

ATTEST:

Montgomery Township

\_\_\_\_\_  
Lawrence J. Gegan, Secretary

\_\_\_\_\_  
Michael J. Fox, Chairman

I, Lawrence J. Gegan, Secretary of the Board of Supervisors of Montgomery Township, do hereby certify that the foregoing is a true and correct copy of the resolution adopted at a regular meeting of the Board of Supervisors, held the 13<sup>th</sup> day of April, 2015

DATE: \_\_\_\_\_

\_\_\_\_\_  
Lawrence J. Gegan, Secretary

MOTION BY:

SECOND BY:

VOTE:

DATE: April 13, 2015

XC: PennDOT, L. Gegan, F. Bartle, Esq., B. Shoupe, Minute Book, Resolution File, File



ROW OFFICE PROJ. NO.	060262
COUNTY	Montgomery
S.R. - SECTION	0309-71A
MUNICIPALITY	Montgomery
PARCEL NO.	45
CLAIM NO.	4601580000
CLAIMANT	Township of Montgomery

**OFFER TO PURCHASE  
AND SUMMARY  
OF JUST COMPENSATION**

Date: 3/3/11

Bethlehem Pike & Horsham Rd, Montgomeryville, PA 18936  
Deed Book 4929 / Page 670

Dear Claimant:

We are pleased to offer you the sum of \$9,100.00 for the right-of-way required from your property for the transportation improvement and for the effects on your remaining property, if any. This offer is intended to provide just compensation for all interests in your property, including tenants, if any.

The areas required are as follows:

Required Right of Way: 1,917.212 Sq.Ft.  
Temporary Construction Easement: 2,957.449 Sq.Ft.

The amount offered is summarized as follows:

1. Direct Damages	\$7,300
2. Temporary Easement	\$1,800
3. Cost of Adjustment	\$
<b>TOTAL DAMAGES OFFERED (items 1, 2 and 3 above)</b>	<b>\$9,100</b>

We hope that 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 Right-of-Way Representative will be glad to visit you again for further discussion of your claim.

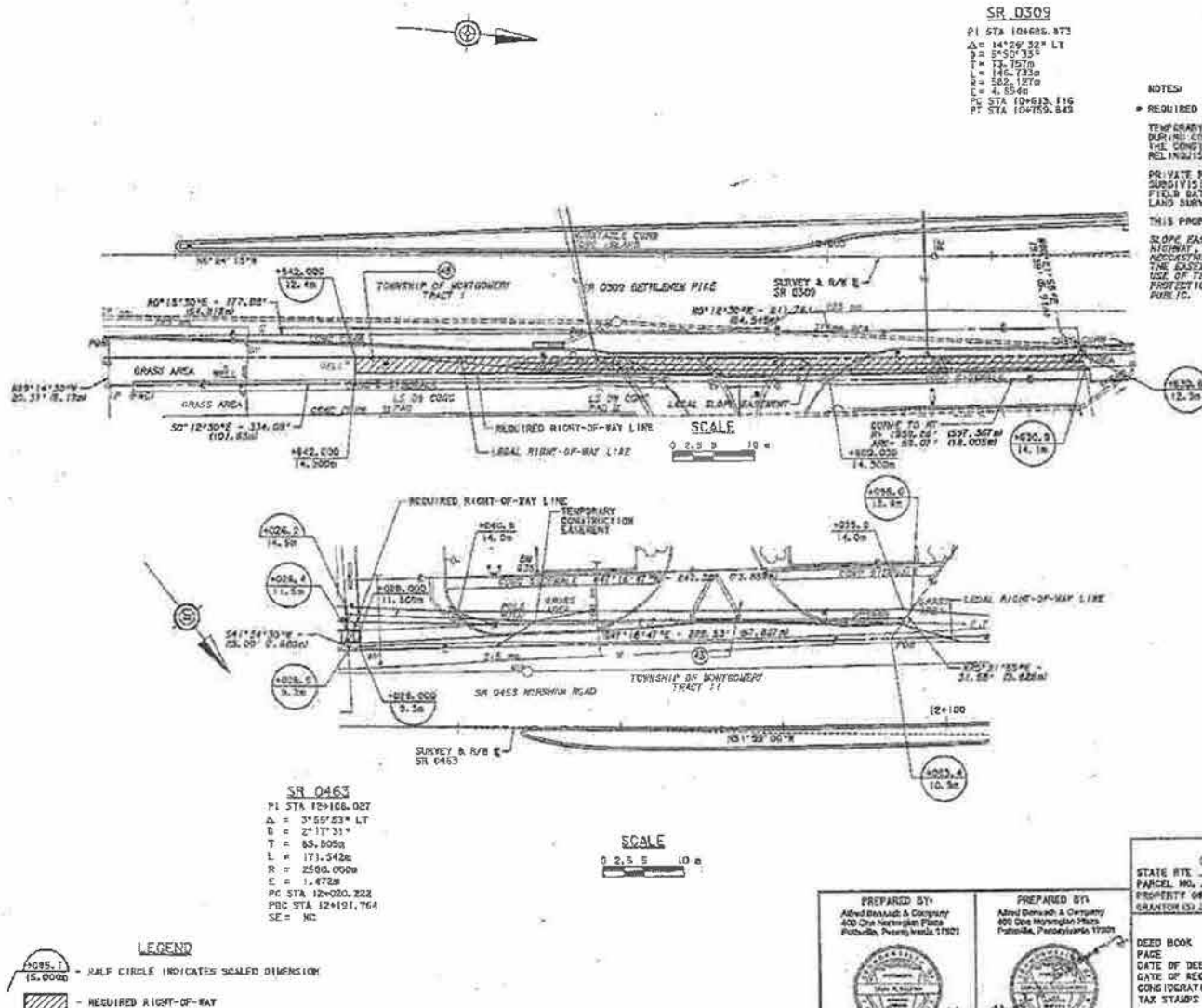
Sincerely,

Matthew J. Kulpa, Jr.  
District Right-of-Way Administrator  
Engineering District 6-0

Attachment: Plan of Property to be Acquired

Your Right-of-Way Representative is: John Burke /lmkb  
Telephone Number: (610)205-6503

2017-07-14 14:14:14



DISTRICT	COUNTY	ROUTE	SECTION	SHEET
5-0	MONTGOMERY	2205	71A R/R	63 OF 64
		0463	71A R/R	
		2202	71A R/R	
MONTGOMERY TOWNSHIP				
REVISIONS		DATE		BY

## NOTES

- \* REQUIRED AREA CONTAINS 1231.00 SF OR 144.86  $m^2$  OF EXISTING SLOPE EASEMENT.  
TEMPORARY CONSTRUCTION EASEMENT: AN EASEMENT TO USE THE LAND IS NECESSARY FOR THE CONSTRUCTION OF THE PROJECT. THE EASEMENT IS REQUIRED ONLY UNTIL THE CONSTRUCTION IS AS FORTH INDICATED BY THE PLAN IS COMPLETED, UNLESS SOONER RELINQUISHED IN WRITING BY THE DEPARTMENT.  
PRIVATE PROPERTY LINES ARE PLUDED FROM THE DEED RECORDS, RECORDED SUBDIVISION OR MAP PLANS, EXISTING TOPOGRAPHICAL FEATURES AND LIMITED TO THE DEED RECORDS, PRIVATE PROPERTY LINES NOT SURVEYED BY THE PROFESSIONAL LAND SURVEYOR RESPONSIBLE FOR THE PROJECT.  
THIS PROPERTY PLOT PLAN IS NOT TO BE SUBSTITUTED FOR A BOUNDARY SURVEY.  
SLOPE EASEMENT: AN EASEMENT FOR THE SUPPORT AND PROTECTION OF THE HIGHWAY, INCLUDING THE RIGHT TO CONSTRUCT, INSPECT, MAINTAIN, REPAIR, RECONSTRUCT AND REALIGN OR OTHERWISE ALTER THE HIGHWAY OR ANY OF ITS PARTS, AND TO REMOVE AND PREVENT THE PROJECT FROM MAKING ANY LEGAL USE OF THE AREA WHICH IS NOT DETRIMENTAL TO THE NECESSARY SUPPORT AND PROTECTION OF THE HIGHWAY ALIGN-OF-WAY AND THE SAFETY OF THE TRAVELING PUBLIC.

RIGHT-OF-WAY CLAIM INFORMATION			
COMMONWEALTH OF VERMONT - DEPARTMENT OF TRANSPORTATION			
STATE RTE.	203	SEC. NO. 118	MONTPELIER TOWNSHIP, MONTPELIER COUNTY
PARCEL NO.	43	SHEET NO.	15, 16, 17, 18, 19
PROPERTY OWNER	TOWN OF MONTPELIER		
GRANTOR OR GRANTEE	VERMONT		
DEED BOOK	639	DEED	156, 157, 158, 159
PAGE	1	ADVOICES	156, 157, 158, 159
DATE OF DEED	11-20-1910	EFFECTIVE	11-20-1910
DATE OF RECORD	11-20-1910	TOTAL RESIDUE	156, 157, 158, 159
CONSIGNATION	639	RESIDUE (Y)	156, 157, 158, 159
TAX STAMPS	639	VERIFICATION DATE	7/10/2014
		GRANTEE BY	hatched

019713

No. 333-P — Fee Simple Deed — Typewriter — Corporation  
Yeo & Lukens Co., Philadelphia

**This Indenture** Made the 31st  
 day of October 1989 in the year of our Lord one thousand nine  
 hundred and eighty-nine (1989) **Between**  
 ISAAC FRIEDMAN, Individually

REALTY TRANS. TAX PAID
STATE
LOCAL
PER

(hereinafter called the Grantor ), of the one part, and

TOWNSHIP OF MONTGOMERY, a second class Township in the County of Montgomery, Commonwealth of Pennsylvania

(hereinafter called the Grantee ), of the other part;

**Witnesseth,** That the said Grantor for and in consideration of the sum of  
 One (\$1.00) Dollar lawful  
 money of the United States of America, unto him well and truly paid by the said  
 Grantee at and before the sealing and delivery of these presents, the receipt whereof is  
 hereby acknowledged, has granted, bargained, sold, aliened, enfeoffed, released and  
 confirmed, and by these presents does grant, bargain, sell, alien, enfeoff, release and  
 confirm unto the said Grantee, its successors and Assigns,

TRACT I

ALL THAT CERTAIN parcel or strip of land situate in Montgomery Township, Montgomery County, PA, being shown as a portion of the Easterly side of Bethlehem Pike, PA. S.R. 0309 as widened to fifty (50) feet from the constructed centerline thereof, on a Plan of Subdivision and Land Development of Montgomeryville Fabric Center by Herbert H. Metz, Inc., dated June 15, 1984, as last revised September 22, 1988, and being more fully described as follows:

BEGINNING at a point on the Easterly side of Bethlehem Pike, PA S.R. 0309, as formerly laid out 60 feet wide, in line of this and land now or late of Merit Oil of Pennsylvania, Inc., said point located the following two (2) courses from the intersection of the centerline of said Bethlehem Pike, as presently constructed, with the centerline of Vilsmeier Road (50 feet wide): (1) North 00°12'30" East, 49.2 feet, more or less, along the said constructed centerline of Bethlehem Pike; (2) South 89°14'30" East, 29.69 feet, to said beginning point; thence, extending by the aforesaid former Easterly side of Bethlehem Pike, the following two (2) courses: (1) North 00°18'30" East, 177.88 feet; (2) North 00°12'30" East, 211.76 feet to a point; thence, extending North 80°21'55" East, 19.39 feet, in line of land now or late of The Bank of Old York Road, to a point on the Easterly side of Bethlehem Pike, as widened to 50 feet from the constructed centerline

BOOK 4929: 670

89 NOV -9 PM 3:06

STATE TAX  
AFFIDAVIT  
FILED

**Together** with all and singular improvements, ways, streets, alleys, passages, waters, water - courses, rights, liberties, privileges, hereditaments and appurtenances whatsoever thereunto belonging, or in any wise appertaining, and the reversions and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, property, claim and demand whatsoever of the said Grantor, in law, equity, or otherwise howsoever, of, in, and to the same and every part thereof.  
~~Otherwise~~ nowsoever, of, in, and to the same and every part thereof.

**To have and to hold** the said lot or piece of ground above described hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, its successors and Assigns, to and for the only proper use and behoof of the said Grantee, its successors and Assigns forever.

MONTGOMERY COUNTY COMMISSIONERS REGISTRY  
46-00-00181-00-7 MONTGOMERY  
BETHLEHEM PIKE  
FRIEDMAN ISAAC  
B 012 U 004 L A 4110 DATE: 11/09/89

**And** the said Grantor, for himself, his heirs and assigns  
do by these presents covenant, grant and agree  
to and with the said Grantee, its successors and Assigns, that  
he the said Grantor, his heirs and assigns  
Successors all  
and singular the hereditaments and premises herein described and granted, or mentioned  
and intended so to be, with the appurtenances, unto the said Grantee, its successors  
and Assigns, against him the said Grantor, his heirs and  
assigns,  
Successors, and against all and every other Person and Persons whomsoever lawfully  
claiming or to claim the same or any part thereof, by, from or under  
or any of them, Shall and Will BY THESE PRESENTS  
WARRANT and forever DEFEND.

**In Witness Whereof,**

**Scaled and Bellbared**  
IN THE PRESENCE OF US:


*Frank [Signature]*  
*Wren [Signature]*

*Isaac Friedman*  
Isaac Friedman

BOK 49293 672



REV 10/12/84

  
 COMMONWEALTH OF PENNSYLVANIA  
 DEPARTMENT OF REVENUE  
 COMMONWEALTH OF PENNSYLVANIA  
 DEPARTMENT OF REVENUE  
 BUREAU OF INDIVIDUAL TAXES  
 POST OFFICE BOX 8010  
 HARRISBURG, PA 17105-8010

# REALTY TRANSFER TAX STATEMENT OF VALUE STATEMENT OF VALUE

See Reverse for Instructions

RECORDER'S USE ONLY	
State Tax Paid	— 0 —
Book Number	4929
Page Number	4929
Page Number	670
Date Recorded	11-9-89

Complete each section and file in duplicate with Recorder of Deeds when (1) the full value/consideration is not set forth in the deed, (2) when the deed is without consideration, or by gift, or (3) a tax exemption is claimed. A Statement of Value is not required if the transfer is wholly exempt from tax based on: (1) family relationship or (2) public utility easement. If more space is needed, attach additional sheet(s).

## **A. CORRESPONDENT** All inquiries may be directed to the following persons:

Name	William R. Cooper, Esq.	Telephone Number	Area Code 215	855-3645
Street Address	333 North Broad St.	City	Lansdale	State PA Zip Code 19446

## **B. TRANSFER DATA**

Grantor(s)/Lessor(s)	Isaac Friedman	Date of Acceptance of Document	October 31, 1989
Grantee(s)/Lessee(s)	Township of Montgomery		
Street Address	Rt. 309 and Horsham Rd.	Street Address	623 Cowpath Rd.
City	Montgomeryville, PA	City	Montgomeryville, PA
State	PA	State	PA
Zip Code	18936	Zip Code	18936

## **C. PROPERTY LOCATION**

Street Address	Horsham Rd. and Bethlehem Pike	City, Township, Borough	Montgomery Township
County	Montgomery	School District	North Penn
		Tax Parcel Number	460000181007

## **D. VALUATION DATA**

1. Actual Cash Consideration	\$1.00	2. Other Consideration	+	3. Total Consideration	= 1.00
4. County Assessed Value		5. Common Level Ratio Factor	X	6. Fair Market Value	=

## **E. EXEMPTION DATA**

1a. Amount of Exemption Claimed	1b. Percentage of Interest Conveyed
---------------------------------	-------------------------------------

### 2. Check Appropriate Box Below for Exemption Claimed

- ☐ Will or intestate succession \_\_\_\_\_ (Name of Decedent) \_\_\_\_\_ (Estate File Number) \_\_\_\_\_  
☐ Transfer to Industrial Development Agency.  
☐ Transfer to agent or straw party. (Attach copy of agency/straw party agreement).  
☐ Transfer between principal and agent. (Attach copy of agency/straw trust agreement). Tax paid prior deed \$ \_\_\_\_\_  
☒ Transfers to the Commonwealth, the United States, and Instrumentalities by gift, dedication, condemnation or in lieu of condemnation. (Attach copy of resolution).  
☐ Transfer from mortgagor to a holder of a mortgage in default. Mortgage Book Number \_\_\_\_\_ Page Number \_\_\_\_\_  
☐ Corrective deed (Attach copy of the prior deed).  
☐ Statutory corporate consolidation, merger or division. (Attach copy of articles).  
☐ Other (Please explain exemption claimed, if other than listed above.) \_\_\_\_\_

Under penalties of law, I declare that I have examined this Statement, including accompanying information, and to the best of my knowledge and belief, it is true, correct and complete.

Signature of Correspondent or Responsible Party	Date
W. R. Cooper	11-9-89

(SEE REVERSE)

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

**SUBJECT:** Consider Acceptance of PennDOT Offer to Purchase Right-of-Way along Horsham Road  
– Parcel 46

**MEETING DATE:** April 13, 2015

**ITEM NUMBER:** #20b.

**MEETING/AGENDA:**

**EXECUTIVE SESSION**

**REASON FOR CONSIDERATION:**

Operational: XX      Policy:      Discussion:      Information: XX

**INITIATED BY:** Bruce S. Shoupe

Director of Planning and Zoning

**BOARD LIAISON:** Joseph P. Walsh

(Chairman)

**BACKGROUND:**

The attached is notification from PennDOT that they are offering just compensation for right-of-way and/or land owned by the Township, for road improvements for the 5-Points Intersection Project. This parcel is Parcel No. 46, which is located along Horsham Road, which comprises of an area of 22,164 square feet of Right-of-Way which was dedication to the Township during the development of the Water Tower Square Shopping Center (Home Depot) projects. The compensation offered is \$84,000

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

None

**PREVIOUS BOARD ACTION:**

None

**ALTERNATIVES/OPTIONS:**

Accept the compensation offered or have an appraisal performed to determine if areas are worth more than offer.

**BUDGET IMPACT:**

None

**RECOMMENDATION:**

Accept the just compensation offered.

**MOTION/RESOLUTION:**

Attached

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

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

**ROLL CALL:**

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

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

Resolution #

BE IT RESOLVED, by the Board of Supervisors of Montgomery Township that we hereby accept the offer of just compensation from the Pennsylvania Department of Transportation for right-of-way and/or land owned by the Township, in conjunction with the 5-Points Intersection Project. These rights-of-way will be utilized for road improvements and are identified as follows:

- Parcel No. 46, which is located on Horsham Road along the frontage of the Water Tower Square Shopping Center, which comprises of an area of 22,163 square feet of Right-of-Way which was dedication during the development of the Home Depot project. The compensation offered is \$84,000

BE IT FURTHER RESOLVED, by the Board of Supervisors of Montgomery Township, Montgomery County, and it is hereby resolved by authority of the same, that the Chairman of the Board of Supervisors of said MUNICIPALITY be authorized and directed to sign the attached Furthermore, Michael J. Fox, Chairman is hereby authorized to sign and execute the settlement documents for Parcel No. 46.

ATTEST:

Montgomery Township

\_\_\_\_\_  
Lawrence J. Gegan, Secretary

\_\_\_\_\_  
Michael J. Fox, Chairman

I, Lawrence J. Gegan, Secretary of the Board of Supervisors of Montgomery Township, do hereby certify that the foregoing is a true and correct copy of the resolution adopted at a regular meeting of the Board of Supervisors, held the 13<sup>th</sup> day of April, 2015

DATE: \_\_\_\_\_

\_\_\_\_\_  
Lawrence J. Gegan. Secretary

MOTION BY:

SECOND BY:

VOTE:

DATE: April 13, 2015

XC: PennDOT, L. Gegan, F. Bartle, Esq., B. Shoupe, Minute Book, Resolution File, File

ROW OFFICE PROJ. NO.	060262
COUNTY	Montgomery
S.R. - SECTION	0309 - 71A R/W
MUNICIPALITY	Montgomery
PARCEL NO.	46
CLAIM NO.	4601581000
CLAIMANT	Township of Montgomery

**OFFER TO PURCHASE  
AND SUMMARY OF  
JUST COMPENSATION**

- This offer supersedes all previous offers

Date: 2/24/15

Horsham Road, Montgomery Township, Montgomery County, PA  
Deed Book 5097, Page 1718

Dear Claimants:

Our appraisal of the effect of the above transportation improvement on your property has been completed. Accordingly, we are pleased to offer you the sum of \$84,000.00 for the right-of-way required from your property for the transportation improvement and for the effects on your remaining property, if any. This offer is intended to provide just compensation for all of your property interests, including tenants, if any.

The areas required are as follows:

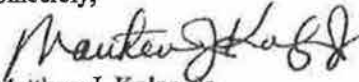
Required Right of Way: 22,163.692

The amount offered is summarized as follows:

1. Direct Damages	\$84,000.00
2. Indirect Damages	\$
Severance	\$
Cost of Adjustment	\$
3. Temporary Easement	\$
<b>TOTAL DAMAGES OFFERED</b> (items 1 to 3 above)	<b><u>\$84,000.00</u></b>

We hope that 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 Right-of-Way Representative will be glad to visit you again for further discussion of your claim.

Sincerely,



Matthew J. Kulpa, Jr.  
District Right-of-Way Administrator  
Engineering District 6-0

Attachments: Plan of Area to be Acquired

Your Right-of-Way Representative is: John Burke /lmkb  
Telephone Number: (610)205-6503

SEE THE AGREEMENT



7/11/2004	with 7/11/2004	
-----------	----------------	--

---

PAYMENT OF PROPERTY DAMAGES.

[illegible]

DATE	1/1/20
TIME	10:00
BY	101

RESIDUAL LT	ONE	ONE	DATE	3/27/2013
RESIDUAL RT	ONE	ONE	DATE	3/27/2013
DRAWN BY				

*William R. Cooper*  
*Stewart J. Greenleaf*  
*Emory W. Duck*

*Cooper and Greenleaf*  
ATTORNEYS AT LAW  
*333 North Broad Street*  
LANSDALE, PENNSYLVANIA  
19446-2483

RECEIVED

NOV 16 1994

MONTGOMERY TWP.  
(215) 855-3645  
657-5525  
Fax # 855-3583

November 15, 1994

Jordan D. Warshaw  
Lesser & Kaplin  
640 Six Sentry Parkway  
P.O. Box 1115  
Blue Bell, PA 19422-0757

RE: Water Tower Square Associates - Deed of Dedication for the  
Right-Of-Way of Horsham Road (SR 463)  
Our File No. MT89-57(d)

Dear Jordan:

Enclosed please find a fully executed copy of the above  
referenced Deed of Dedication. We will be filing this in the  
Courthouse in Montgomery County shortly.

If you have any questions or need any further information,  
please contact my office. Thank you.

Yours truly,

William R. Cooper, Esquire

WRC/jdt

Enclosure

xc: Daniel P. Olpere (w/encl.) ✓



**DEED OF DEDICATION**

THIS INDENTURE, made this 14th day of November A.D., 1994, by and between **WATER TOWER SQUARE ASSOCIATES**, a Pennsylvania Limited Partnership, General Partner, **WTS MANAGEMENT, CORP.**, a Pennsylvania Corporation, & The Golden Group, 211 Bldg. 6, Neshaminy Interplex, Trevose, PA 19047, party of the first part (hereinafter called the Grantor); and **TOWNSHIP OF MONTGOMERY**, a second class township in the County of Montgomery, Commonwealth of Pennsylvania (hereinafter called the Grantee).

**WITNESSETH:**

That the said Grantor for and in consideration of the sum of One Dollar (\$1.00) to wit in hand paid, the receipt whereof is hereby acknowledged, as well as for and in consideration of the advantages to it accruing, as well as for divers and other considerations affecting the public welfare which they seek to advance, has granted, bargained, sold aliened, enfeoffed, released and confirmed, and by these presents, does hereby grant, bargain, sell, alien, enfeoff and confirm unto the said Grantee, its successors and assigns:

**RIGHT-OF-WAY OF HORSHAM ROAD (SR 463)**

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

**BEGINNING** at a corner, said corner being in or near the centerline of Horsham Road (SR 463) and being at a distance of 185 feet in a Northwesterly direction from the intersections of Horsham Road and North Wales Road and running THENCE: 1) along the centerline of Horsham Road, N 47° 00' 00" W, a distance of 122.45 feet to a point; 2) along same, N 47° 57'

00" W, a distance of 381.12 feet to a point; 3) along same, N 50° 13' 52" W, a distance of 457.29 feet to a corner; 4) crossing Horsham Road, N 39° 06' 56" E, a distance of 55.10 feet to a concrete monument corner; 5) along the ultimate right-of-way line of Horsham Road, S 49° 34' 27" E, a distance of 461.57 to a point; 6) along same, S 47° 32' 45" E, a distance of 502.74 feet to a concrete monument corner; 7) crossing Horsham Road, S 43° 00' 00" W, a distance of 48.40 feet to the PLACE OF BEGINNING.

**CONTAINING:** 1.112 acres of land, more or less.

**BEING** part of the same premises which Montgomery Plaza Limited Partnership a California Limited Partnership, by its deed dated June 25, 1992, and recorded in Deed Book 5011 Page 539 in the office of the Recorder of Deeds of Montgomery County, PA granted and conveyed unto Water Tower Square Associates.

**TO HAVE AND TO HOLD**, the said lot or parcel of ground above-described unto the said Grantee, its successors and assigns forever, as and for public streets or highways.

**AND**, the said Grantor for itself, its successors and assigns, by these presents covenants, promises and agrees to and with the said Grantee, its successors and assigns, that neither the Grantor, nor its successors and assigns, shall nor will at any time hereafter ask, demand, seek, claim, recover or receive of or from the said Grantee its successors and assigns, any sum or sums of money, or any other thing whatsoever, other than the consideration opening, physical grading, paving, improving, maintaining or using of said property for a public street, to the grade and under the conditions as may now or any time hereafter be established by the proper authorities of the Township.

**AND** the said Grantor, for itself, its successors and assigns, does, by these presents, further covenants, promises and agrees to and with the said Grantee, its successors and assigns, that the

MONTGOMERY COUNTY COMMISSIONERS REGISTRY  
46-00-01186-00-1 MONTGOMERY  
HATFIELD HORSHAM RD  
WATER TOWER SQUARE ASSOCIATES  
B 014 U 007 L 4547 DATE: 11/17/94

REALTY TRANS. TAX PAID	
STATE	_____
LOCAL	_____
PER	_____

DB5097PG1719

said tract of land above-described and conveyed unto the said Grantee, its successors and assigns, and against them, the said Grantor, its successors and assigns, and against all or any person or persons whomsoever lawfully claiming or to claim to same, or any part thereof, by or under it or them or any of them, shall or will warrant and forever defend.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand and seal the date and year first above written, intending to be legally bound hereby.

WATER TOWER SQUARE ASSOCIATES,  
GENERAL PARTNER, WTS  
MANAGEMENT, CORP.

By

President

Attest:

Secretary

(Corporate Seal)

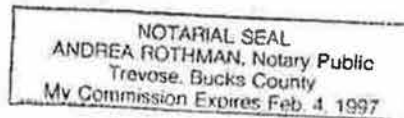
STATE OF PENNSYLVANIA

COUNTY OF MONTGOMERY

On this, the 14<sup>th</sup> day of November, 1994, before me, the undersigned officer, personally appeared KEN GOLDENBERG, who acknowledged himself to be the President of WTS Management Corp., and that he as such President, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as President.

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





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

---

SUBJECT: Consider Construction Escrow Release #5 Montgomery Walk - Phase IIB -  
LDS#627R-B

MEETING DATE: April 13, 2015

ITEM NUMBER: **#21a.**

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 for Montgomery Walk Phase IIB, as recommended by the Township Engineer. The original amount of the escrow was \$386,754.78, held as a Letter of Credit. This is the fifth escrow release for this project. The current release is in the amount of \$10,110.00. The new balance would be \$163,809.53.

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 Resolution is attached.

MOTION \_\_\_\_\_

SECOND \_\_\_\_\_

ROLL CALL:

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

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

# RELEASE OF ESCROW FORM

Joseph P. Hanna, P.E.  
Chambers Associates, Inc.  
2962 Skippack Pike  
P.O. Box 678  
Worcester, PA 19490

Date: 3/30/2015

RE: DEVELOPMENT NAME: MONTGOMERY WALK  
PHASE: 2B

CA Job #: 105-510A.03  
Release #: 5

Dear Mr. Hanna:

This is an escrow release request from DAVID CUTLER GROUP in the amount of  
\$ 10,110.00. Enclosed is a copy of our escrow spreadsheet with the quantities noted.

Developer Signature

Developer Printed Name

ESCROW RELEASE REQUESTS ARE LIMITED TO ONE PER MONTH.

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

Date: 3-31-15

Dear Mr. Gregan:

We have reviewed the developer's request for an escrow release. We, therefore, recommend that  
\$ 10,110.00 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.

Joseph P. Hanna  
Joseph P. Hanna, P.E.

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

WHEREAS, a request for release of escrow was received from the CUTLER GROUP for  
in the amount of \$ 10,110.00, on the representation that work set forth in the Land Development  
Agreement to that extent has been completed and; WHEREAS, said request has been reviewed by the  
Township Engineer who recommends release of \$ 10,110.00; NOW, THEREFORE, BE IT  
RESOLVED by the Board of Supervisors of Montgomery Township that we do hereby authorize release of  
\$ 10,110.00; 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 a total sum of \$ 356,754.78  
pursuant to a signed Land Development Agreement and that \$ 21,835.45 has previously been  
release from this escrow. Therefore, the action of the Board is releasing said sum leaves a new balance of \$ 163,809.53  
in escrow.

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

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

Department Director





**Chambers Associates, Inc.**  
Civil Engineers & Surveyors  
2962 Skippack Pike  
P.O. Box 678  
Worcester, PA 19490  
484-991-8187  
staff@chambersassoc.com

March 31, 2015

Mr. Lawrence Gregan  
Township Manager  
Montgomery Township  
1001 Stump Road  
Montgomeryville, PA 18936-9605

**Subject:        *Montgomery Walk IIB – Escrow Release #5***  
***C.A. Job #105-510A.03***

Dear Mr. Gregan:

In accordance with Section 509(j) of the Pennsylvania Municipal Planning Code, the David Cutler Group has requested the release of \$10,110.00 in an email dated March 30, 2015, for work completed in accordance with the approved Plans.

This letter is to certify that the improvements attached to this letter, in the amount of \$10,110.00 have been completed.

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.

If you have any questions or comments regarding this matter, please do not hesitate to contact our office.

Very truly yours,

Joseph P. Hanna, P.E.

/jvr

C:            Bruce Shoupe, Montgomery Township  
              Marita Stoerrle, Montgomery Township  
              David Cutler, The Cutler Group  
              Chip Reeves, The Cutler Group  
              Richard McBride, McBride & Murphy

ESCROW FORM  
PROJECT: MONTGOMERY WALK PHASE II-B

TWP/BORO: Montgomery  
DATE: 03/31/15

\$10,110.00 AMOUNT PAYABLE  
\$222,945.25 TOTAL RELEASED TO DATE

\$386,754.78 ORIGINAL ESCROW AMOUNT  
\$212,835.25 PRIOR ESCROW RELEASED  
\$10,110.00 CURRENT ESCROW RELEASE REQUEST  
\$163,809.53 BALANCE AFTER CURRENT RELEASE

RELEASE #:

5

ESTIMATED COMPLETION DATE:

JOB #:  
105-510A.03

ITEM	UNIT PRICE	ESCROW QUANTITY	UNIT	ESCROW TOTAL	CURRENT QUANTITY	CURRENT TOTAL	RELEASED QUANTITY	RELEASED TOTAL
<u>Erosion Control</u>								
Inlet Protection	\$150.00	4	ea	\$600.00		\$0.00	0	\$0.00
<u>Curb</u>								
Belgian Block Curb	\$16.50	1785	lf	\$29,452.50		\$0.00	1785	\$29,452.50
<u>Paving</u>								
Fine Grade and Compact	\$0.65	2872	sy	\$1,866.80		\$0.00	2872	\$1,866.80
3" 2A Modified Stone Base	\$4.15	2872	sy	\$11,918.80		\$0.00	2872	\$11,918.80
5" BCBC	\$23.80	2872	sy	\$68,353.60		\$0.00	2872	\$68,353.60
Tack Coat/ 1.5" Wearing	\$9.75	2872	sy	\$28,002.00		\$0.00	0	\$0.00
<u>Storm Sewer</u>								
Tie into Existing	\$750.00	2	ea	\$1,500.00		\$0.00	2	\$1,500.00
15" RCP	\$39.75	877	lf	\$34,860.75		\$0.00	877	\$34,860.75
15" Flared End Section	\$790.00	2	ea	\$1,580.00		\$0.00	2	\$1,580.00
Inlet	\$1,980.00	9	lf	\$17,820.00		\$0.00	9	\$17,820.00
<u>Pedestrian Trails/Walks</u>								
5' Wide Paved Trail/Walk - 6" 2A Modified	\$27.00	778	sy	\$21,006.00		\$0.00	0	\$0.00
<u>Site Lighting</u>								
Street Lights	\$3,370.00	2	ea	\$6,740.00	1	\$3,370.00	2	\$6,740.00
<u>Court O</u>								
<u>Earthwork</u>								
Inlet Protection	\$110.00	1	ea	\$110.00		\$0.00	0	\$0.00
Rough Grade	\$0.04	6670	sf	\$266.80		\$0.00	6670	\$266.80
Fine Grade Paving	\$0.06	11200	sf	\$672.00		\$0.00	11200	\$672.00
<u>Curb</u>								
Fine Grade Curb	\$0.75	380	lf	\$285.00		\$0.00	380	\$285.00
Belgian Block curb	\$20.00	380	lf	\$7,600.00		\$0.00	380	\$7,600.00
Backfill Curb	\$0.75	380	lf	\$285.00		\$0.00	380	\$285.00
<u>Paving</u>								
3" 2A Modified Stone Base	\$3.60	1240	sy	\$4,464.00		\$0.00	1240	\$4,464.00
5" BCBC	\$21.00	1240	sy	\$26,040.00		\$0.00	1240	\$26,040.00
Tack Coat/ 1.5" Wearing	\$9.30	1240	sy	\$11,532.00		\$0.00	0	\$0.00
<u>Landscaping</u>								
<u>Shade Trees</u>								
Acer rubrum 'October Glory'	\$385.00	4	ea	\$1,540.00		\$0.00	0	\$0.00
Gleditsia triacanthos var. inermis 'Skycole'	\$385.00	26	ea	\$10,010.00		\$0.00	0	\$0.00
Pyros calleryana 'Redspire'	\$385.00	5	ea	\$1,925.00		\$0.00	0	\$0.00
Quercus phellos	\$385.00	6	ea	\$2,310.00		\$0.00	0	\$0.00
<u>Individual On-Lot Shade Trees</u>								
Acer rubrum 'October Glory'	\$385.00	15	ea	\$5,775.00		\$0.00	0	\$0.00
Gleditsia triacanthos var. inermis 'Skycole'	\$385.00	12	ea	\$4,620.00		\$0.00	0	\$0.00
Pyros calleryana 'Redspire'	\$385.00	1	ea	\$385.00		\$0.00	0	\$0.00
Quercus phellos	\$385.00	1	ea	\$385.00		\$0.00	0	\$0.00

ESCROW FORM  
PROJECT: MONTGOMERY WALK PHASE II-B  
RELEASE # :

TWP/BORO: Montgomery  
DATE : 03/31/15

\$10,110.00 AMOUNT PAYABLE  
\$222,945.25 TOTAL RELEASED TO DATE

\$386,754.78 ORIGINAL ESCROW AMOUNT  
\$212,835.25 PRIOR ESCROW RELEASED  
\$10,110.00 CURRENT ESCROW RELEASE REQUEST  
\$163,809.53 BALANCE AFTER CURRENT RELEASE

ESTIMATED COMPLETION DATE :

JOB # :  
105-510A.03

ITEM	UNIT PRICE	ESCROW QUANTITY	UNIT	ESCROW TOTAL	CURRENT QUANTITY	CURRENT TOTAL	RELEASED QUANTITY	RELEASED TOTAL
<u>Individual Lot Ornamental Trees</u>								
Amelanchier canadensis	\$350.00	5 ea		\$1,750.00		\$0.00	0	\$0.00
Cercis canadensis	\$350.00	16 ea		\$5,600.00		\$0.00	0	\$0.00
Cornus kousa	\$350.00	6 ea		\$2,100.00		\$0.00	0	\$0.00
Magnolia virginiana	\$350.00	14 ea		\$4,900.00		\$0.00	0	\$0.00
Prunus sargentii	\$350.00	12 ea		\$4,200.00		\$0.00	0	\$0.00
Syringa amurensis japonica	\$350.00	7 ea		\$2,450.00		\$0.00	0	\$0.00
<u>Buffer Evergreen Trees</u>								
Picea abies	\$250.00	6 ea		\$1,500.00		\$0.00	0	\$0.00
Pinus strobus	\$250.00	8 ea		\$2,000.00		\$0.00	0	\$0.00
<u>Street Lights</u>								
Street Lights	\$3,370.00	2 ea		\$6,740.00	2	\$6,740.00	2	\$6,740.00
<u>Pedestrian Trails/Walks</u>								
5' Wide Paved Trail/Walk - 6" 2A Modified	\$27.00	350 sy		\$9,450.00		\$0.00	0	\$0.00
<u>Miscellaneous</u>								
Construction Stakeout	\$5,000.00	1 ls		\$5,000.00		\$0.00	0.5	\$2,500.00
Pins & Monuments	\$2,500.00	1 ls		\$2,500.00		\$0.00	0	\$0.00
As-Built Drawings	\$1,500.00	1 ls		\$1,500.00		\$0.00	0	\$0.00
Sub-Total				\$351,595.25		\$10,110.00		\$222,945.25
10% Contingency				\$35,159.53	1 ls	\$0.00	0	\$0.00
Escrow Total				\$386,754.78				
Engineering and Legal Cash Escrow				\$25,000.00				
Note:								
Maintenance Bond Amount for this project is:				\$58,013.22				

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

## RELEASE OF ESCROW FORM

Joseph P. Hanna, P.E.  
Chambers Associates, Inc.  
2962 Skippack Pike  
P.O. Box 678  
Worcester, PA 19490

Date: 3/30/2015

RE: DEVELOPMENT NAME: MONTGOMERY  
PHASE: 1

CA Job #: 105-5104.01  
Release #: 8

Dear Mr. Hanna:

This is an escrow release request from DAVID CUTLER Group in the amount of  
\$ 6,581.50. Enclosed is a copy of our escrow spreadsheet with the quantities noted.

Developer Signature

DAVID CUTLER Group  
Developer Printed Name

ESCROW RELEASE REQUESTS ARE LIMITED TO ONE PER MONTH.

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

Date: 3-31-15

Dear Mr. Gegan:

We have reviewed the developer's request for an escrow release. We, therefore, recommend that  
\$ 6581.50 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.

Joseph P. Hanna  
Joseph P. Hanna, P.E.

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

WHEREAS, a request for release of escrow was received from THE CUTLER GROUP for MONTGOMERY  
in the amount of \$ 6581.50, on the representation that work set forth in the Land Development PRESERVE Phase I  
Agreement to that extent has been completed and; WHEREAS, said request has been reviewed by the  
Township Engineer who recommends release of \$ 6581.50; NOW, THEREFORE, BE IT  
RESOLVED by the Board of Supervisors of Montgomery Township that we do hereby authorize release of  
\$ 6581.50; 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 a total sum of \$ 378,179.84  
pursuant to a signed Land Development Agreement and that \$ 281,306.90 has previously been  
release from this escrow. Therefore, the action of the Board is releasing said sum leaves a new balance of \$ 90,290.94  
in escrow.

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

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

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

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

RELEASED BY: \_\_\_\_\_  
Department Director



**Chambers Associates, Inc.**  
Civil Engineers & Surveyors  
2962 Skippack Pike  
P.O. Box 678  
Worcester, PA 19490  
484-991-8187  
staff@chambersassoc.com

March 31, 2015

Mr. Lawrence Gregan  
Township Manager  
Montgomery Township  
1001 Stump Road  
Montgomeryville, PA 18936-9605

**Subject:        *Montgomery Preserve –Escrow Release #8***  
***C.A. Job #105-510H.01***

Dear Mr. Gregan:

In accordance with Section 509(j) of the Pennsylvania Municipal Planning Code, the David Cutler Group has requested the release of \$6,581.50 in an email transmission dated March 30, 2015, for work completed in accordance with the approved Plans.

This letter is to certify that the improvements attached to this letter, in the amount of \$6,581.50 have been completed.

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.

If you have any questions or comments regarding this matter, please do not hesitate to contact our office.

Very truly yours,

Joseph P. Hanna, P.E.

/jvr

C via email:        Bruce Shoupe, Montgomery Township  
                          Marita Stoerrle, Montgomery Township  
                          David Cutler, The Cutler Group  
                          Chip Reeves, The Cutler Group  
                          Richard McBride, McBride & Murphy



ESCROW FORM  
PROJECT: MONTGOMERY PRESERVE PHASE I

TWP/BORO: Montgomery  
DATE: 03/31/15  
REVISED

\$6,581.50 AMOUNT PAYABLE  
\$287,888.40 TOTAL RELEASED TO DATE

\$378,179.34 ORIGINAL ESCROW AMOUNT  
\$281,306.90 PRIOR ESCROW RELEASED  
\$6,581.50 CURRENT ESCROW RELEASE REQUEST  
\$90,290.94 BALANCE AFTER CURRENT RELEASE

RELEASE # :

8

ESTIMATED COMPLETION DATE :

JOB # :	ITEM	UNIT PRICE	ESCROW QUANTITY	UNIT	ESCROW TOTAL	CURRENT QUANTITY	CURRENT TOTAL	RELEASED QUANTITY	RELEASED TOTAL
105-S10H.01									
	<u>Erosion Control</u>								
	Construction Entrance	\$3,500.00	1	ea	\$3,500.00		\$0.00	1	\$3,500.00
	Super Silt Fence	\$7.50	1500	lf	\$11,250.00		\$0.00	1500	\$11,250.00
	18" Silt Fence	\$2.00	1090	lf	\$2,180.00		\$0.00	1090	\$2,180.00
	Stone Inlet Filter	\$150.00	2	ea	\$300.00		\$0.00	0	\$0.00
	Silt Soxx	\$11.00	210	lf	\$2,310.00		\$0.00	0	\$0.00
	<u>Earthwork</u>								
	Strip Topsoil	\$2.95	4260	cy	\$12,567.00		\$0.00	4260	\$12,567.00
	Site Cut to Fill	\$4.50	6400	cy	\$28,800.00		\$0.00	6400	\$28,800.00
	Site Fill	\$2.25	3905	cy	\$8,786.25		\$0.00	3905	\$8,786.25
	Temporary Seeding	\$0.08	4800	sf	\$384.00		\$0.00	0	\$0.00
	<u>Storm Sewer</u>								
	Tie into Exdsting	\$750.00	1	ea	\$750.00		\$0.00	1	\$750.00
	15" RCP	\$39.75	345	lf	\$13,713.75		\$0.00	345	\$13,713.75
	18" RCP	\$41.30	618	lf	\$25,523.40		\$0.00	618	\$25,523.40
	24" RCP	\$57.00	189	lf	\$10,773.00		\$0.00	189	\$10,773.00
	30" RCP	\$75.00	26	lf	\$1,950.00		\$0.00	26	\$1,950.00
	Inlets	\$2,260.00	16	ea	\$36,160.00		\$0.00	16	\$36,160.00
	Manhole	\$5,988.00	1	ea	\$5,988.00		\$0.00	1	\$5,988.00
	Convert Inlet C Top to Manhole	\$2,784.00	1	ea	\$2,784.00		\$0.00	0	\$0.00
	<u>Curb and Sidewalk</u>								
	Belgian Block Curb	\$16.50	1780	lf	\$29,370.00		\$0.00	1780	\$29,370.00
	4" Concrete Sidewalk	\$3.25	3380	sf	\$10,985.00	1030	\$3,347.50	3380	\$10,985.00
	6" Sidewalk/Aprons	\$3.50	1386	sf	\$4,851.00	924	\$3,234.00	1386	\$4,851.00
	Handicap Ramps w/ Truncated Domes	\$551.00	3	ea	\$1,653.00		\$0.00	3	\$1,653.00
	<u>Paving</u>								
	Fine Grade	\$0.65	2500	sy	\$1,625.00		\$0.00	2500	\$1,625.00
	3" 2A Modified Stone Base	\$4.15	2500	sy	\$10,375.00		\$0.00	2500	\$10,375.00
	5" BCBC	\$23.80	2500	sy	\$59,500.00		\$0.00	2500	\$59,500.00
	<u>Landscaping</u>								
	<u>Shade Trees</u>								
	Acer rubrum 'October Glory	\$385.00	21	ea	\$8,085.00		\$0.00	0	\$0.00
	Acer saccharum	\$385.00	2	ea	\$770.00		\$0.00	0	\$0.00
	Gleditsia triacanthos var. inermis	\$385.00	15	ea	\$5,775.00		\$0.00	0	\$0.00
	Liquidambar styraciflua	\$385.00	2	ea	\$770.00		\$0.00	0	\$0.00
	Nyssa sylvatica	\$385.00	2	ea	\$770.00		\$0.00	0	\$0.00
	Quercus palustris	\$385.00	4	ea	\$1,540.00		\$0.00	0	\$0.00
	Quercus phellos	\$385.00	5	ea	\$1,925.00		\$0.00	0	\$0.00
	Tilia cordata 'Greenspire'	\$385.00	8	ea	\$3,080.00		\$0.00	0	\$0.00
	Zelkova serrata 'Green Vase'	\$385.00	8	ea	\$3,080.00		\$0.00	0	\$0.00
	<u>Ornamental/Flowering Trees</u>								
	Amelanchier canadensis	\$350.00	9	ea	\$3,150.00		\$0.00	0	\$0.00
	Cercis canadensis	\$350.00	11	ea	\$3,850.00		\$0.00	0	\$0.00
	Magnolia virginiana	\$350.00	11	ea	\$3,850.00		\$0.00	0	\$0.00
	Prunus sargentii	\$350.00	5	ea	\$1,750.00		\$0.00	0	\$0.00
	<u>Shrubs</u>								
	Ilex verticillata	\$65.00	13	ea	\$845.00		\$0.00	0	\$0.00
	Itea virginica	\$65.00	7	ea	\$455.00		\$0.00	0	\$0.00
	Viburnum plicatum var. tomentosum	\$65.00	7	ea	\$455.00		\$0.00	0	\$0.00
	Viburnum trilobum	\$65.00	9	ea	\$585.00		\$0.00	0	\$0.00
	Abelia x grandiflora	\$65.00	4	ea	\$260.00		\$0.00	0	\$0.00
	Juniperus p. hetz	\$65.00	8	ea	\$520.00		\$0.00	0	\$0.00
	<u>Bio-Retention Plantings</u>								
	Asclepias incarnata	\$2.30	101	ea	\$232.30		\$0.00	0	\$0.00
	Carex stricta	\$2.30	101	ea	\$232.30		\$0.00	0	\$0.00
	Chelone glabra	\$2.30	101	ea	\$232.30		\$0.00	0	\$0.00
	Juncus effusus	\$2.30	101	ea	\$232.30		\$0.00	0	\$0.00

ESCROW FORM  
 PROJECT: MONTGOMERY PRESERVE PHASE I  
 RELEASE # :

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 DATE : 03/31/15  
 REVISED

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 \$281,306.90 PRIOR ESCROW RELEASED  
 \$6,581.50 CURRENT ESCROW RELEASE REQUEST  
 \$90,290.94 BALANCE AFTER CURRENT RELEASE

ESTIMATED COMPLETION DATE :

JOB # :  
 105-S10H.01

ITEM	UNIT PRICE	ESCROW QUANTITY	UNIT	ESCROW TOTAL	CURRENT QUANTITY	CURRENT TOTAL	RELEASED QUANTITY	RELEASED TOTAL
Lobelia siphilitica	\$2.30	74	ea	\$170.20		\$0.00	0	\$0.00
Panicum virgatum	\$2.30	74	ea	\$170.20		\$0.00	0	\$0.00
Scirpus acutus	\$2.30	108	ea	\$248.40		\$0.00	0	\$0.00
<u>Miscellaneous</u>								
Traffic Control Signs	\$150.00	4	ea	\$600.00		\$0.00	0	\$0.00
Street Lights	\$2,544.00	2	ea	\$5,088.00		\$0.00	2	\$5,088.00
Construction Stakeout	\$5,000.00	1	ls	\$5,000.00		\$0.00	0.5	\$2,500.00
As-Built Drawings	\$1,500.00	1	ls	\$1,500.00		\$0.00	0	\$0.00
Pins & Monuments	\$2,500.00	1	ls	\$2,500.00		\$0.00	0	\$0.00
Escrow Sub-Total				\$343,799.40		\$6,581.50		\$287,888.40
10% Contingency	\$34,379.94		1 ls	\$34,379.94				
Escrow Total				\$378,179.34				
Engineering and Legal Cash Escrow				\$25,000.00				
Note:								
Maintenance Bond Amount for this project is:				\$56,726.90				

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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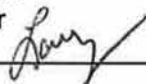
SUBJECT: Consider Payment of Bills for April 13, 2015

MEETING DATE: April 13, 2015 ITEM NUMBER: #22

MEETING/AGENDA: WORK SESSION ACTION XX NONE

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

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



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BACKGROUND:

Please find attached a list of the April 13, 2015 bills for your review.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Approval all bills as presented.

MOTION/RESOLUTION:

None.

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

## Montgomery Township Check Register

Check Number	Check Date	Vendor No	Payee	Amount
26481	3/25/15	00000499	MONTGOMERY TWP. PROFESSIONAL	137.21
26482	3/25/15	1264	MORGAN STANLEY SMITH BARNEY INC	5,810.27
26509	4/9/15	650	HAB-EIT	34.38
26510	4/9/15	00000967	DELAWARE VALLEY HEALTH INS TRUST	2,051.95
26511	4/9/15	00000499	MONTGOMERY TWP. PROFESSIONAL	124.21
26512	4/9/15	1264	MORGAN STANLEY SMITH BARNEY INC	5,908.58
60346	3/25/15	BT002302	BIL-MAR COLLECTOR'S CAR INC	54.61
60347	3/25/15	BT006502	HEPCO INC	225.00
60348	3/25/15	BT005539	ILHAAM ENTERPRISE INC.	83.59
60349	3/25/15	BT005239	INTEGRAL DEVELOPMENT ASSOCIATES	221.44
60350	3/25/15	BT003809	JAMES C. NISSEL	11.45
60351	3/25/15	BT005740	JC PENNEY OPTICAL NO. 1312	182.55
60352	3/25/15	BT005514	MAC ACQUISITIONS LLC	3,130.33
60353	3/25/15	BT004150	MARYANN LENZI	39.00
60354	3/25/15	BT003653	MOULTON BUILDERS	74.85
60355	3/25/15	BT005744	ROAD CON INC.	30.50
60356	3/25/15	BT006333	SCOTT MANIN	52.00
60357	3/25/15	BT005904	ZACHARY WILKINSON	52.00
60358	3/30/15	00001601	CDW GOVERNMENT, INC.	214.11
60359	3/30/15	00000118	DEL-VAL INTERNATIONAL TRUCKS, INC.	499.21
60360	3/30/15	00000208	DELL MARKETING L.P.	53.88
60361	3/30/15	00001172	DETLAN EQUIPMENT, INC.	88.24
60362	3/30/15	00000091	TARHEEL CANINE TRAINING, INC.	9,222.50
60363	4/13/15	00000496	21ST CENTURY MEDIA NEWSPAPERS LL	4,756.83
60364	4/13/15	00000006	ACME UNIFORMS FOR INDUSTRY	602.34
60365	4/13/15	00000340	ADVENT SECURITY CORPORATION	60.90
60366	4/13/15	00001020	AIR CLEANING SYSTEMS INC.	636.37
60367	4/13/15	00000443	ALL STATE DESIGN GROUP INC	292.50
60368	4/13/15	00007123	AMERICAN COMBAT EVOLUTION	300.00
60369	4/13/15	00000030	ASSOCIATED TRUCK PARTS	103.60
60370	4/13/15	00000031	AT&T	304.34
60371	4/13/15	00002061	AT&T MOBILITY	123.25
60372	4/13/15	00001997	AUTOMATIC SYNC TECHNOLOGIES, LLC	289.52
60373	4/13/15	00904662	BARRACUDA	600.00
60374	4/13/15	00000043	BERGEY'S	1,183.61
60375	4/13/15	00001717	BETHLEHEM PRE-CAST, INC.	900.00
60376	4/13/15	00000466	BILL MITCHELL'S AUTO SERVICE, INC.	672.24
60377	4/13/15	00904234	BOLESTA, LAURA	120.00
60378	4/13/15	00000101	BRIAN GERRARD	236.41
60379	4/13/15	00905000	BS&A SOFTWARE	69,050.00

## Montgomery Township Check Register

Check Number	Check Date	Vendor No	Payee	Amount
60380	4/13/15	00000423	FAMILY DINING, INC.	58.52
60381	4/13/15	00000072	CANON FINANCIAL SERVICES, INC	1,319.00
60382	4/13/15	00001601	CDW GOVERNMENT, INC.	1,582.94
60383	4/13/15	00904666	CENTER FOR TRAFFIC SAFETY	30.00
60384	4/13/15	00000335	COMCAST CORPORATION	943.22
60385	4/13/15	00903447	COMPTROLLER OF PUBLIC ACCOUNTS	417.16
60386	4/13/15	00001937	CONCOURS AUTOMOTIVE	3,159.67
60387	4/13/15	00001891	CREATIVE PRODUCT SOURCING, INC.	916.16
60388	4/13/15	00000565	HEFFNER HOLDINGS, LLC	1,123.97
60389	4/13/15	00002084	DEAF-HEARING COMMUNICATION CENTR	1,027.50
60390	4/13/15	00000118	DEL-VAL INTERNATIONAL TRUCKS, INC.	311.00
60391	4/13/15	00001520	DELAWARE VALLEY INSURANCE TRUST	54,054.00
60392	4/13/15	00001172	DETLAN EQUIPMENT, INC.	62.23
60393	4/13/15	00000967	DELAWARE VALLEY HEALTH INS TRUST	166,883.69
60394	4/13/15	00000100	E. VAN RIEKER AND COMPANY	47.50
60395	4/13/15	00000092	E.M. KUTZ, INC.	2,268.00
60396	4/13/15	00000748	E.R. STUEBNER INC.	800,573.16
60397	4/13/15	00000152	ECKERT SEAMANS CHERIN &	6,655.00
60398	4/13/15	00904231	ELIZABETH LAWLESS KREWSON	83.00
60399	4/13/15	00001902	ELLIOTT GREENLEAF &	2,875.00
60400	4/13/15	00903110	ESTABLISHED TRAFFIC CONTROL	24.00
60401	4/13/15	00001466	FEDEX OFFICE	26.30
60402	4/13/15	00001669	FIRST HOSPITAL LABORATORIES, INC.	282.75
60403	4/13/15	00001852	G.L. SAYRE, INC.	38.87
60404	4/13/15	00000188	GALLS, AN ARAMARK CO., LLC	237.89
60405	4/13/15	00000193	GEORGE ALLEN PORTABLE TOILETS, INC	552.00
60406	4/13/15	00001323	GLICK FIRE EQUIPMENT COMPANY INC	2,019.90
60407	4/13/15	00001784	GOOGLE INC.	86.06
60408	4/13/15	00000608	GOOSE SQUAD L.L.C.	250.00
60409	4/13/15	00000229	GRAINGER	289.35
60410	4/13/15	00000211	HAGEY COACH INC.	900.00
60411	4/13/15	00000114	HARLEYSVILLE MATERIALS, LLC	64.55
60412	4/13/15	00000215	HAVIS, INC.	243.81
60413	4/13/15	00000216	HORSHAM CAR WASH	194.00
60414	4/13/15	00904661	INSITE FOREARMS & LAW ENFORCEMEN	292.44
60415	4/13/15	00000102	INTERSTATE BATTERY SYSTEMS OF	157.90
60416	4/13/15	00902155	JACQUELINE VOLK	5.00
60417	4/13/15	00000735	JD BRAVO COMPANY	7,745.00
60418	4/13/15	00001571	JOSEPH MCGUIGAN	351.49
60419	4/13/15	00000620	KAFMO - KEYSTONE ATHLETIC	55.00

## Montgomery Township Check Register

Check Number	Check Date	Vendor No	Payee	Amount
60420	4/13/15	00003050	KATHI NEAL	312.00
60421	4/13/15	00000264	KENCO HYDRAULICS, INC.	397.96
60422	4/13/15	00001667	MIDWEST MOTOR SUPPLY CO.,INC	842.70
60423	4/13/15	00002098	KIMBERLY SEIDEL	950.40
60424	4/13/15	00000932	KIMMEL BOGRETTE	10,348.28
60425	4/13/15	00000057	LAWN AND GOLF SUPPLY COMPANY, INC	203.79
60426	4/13/15	00000738	LENNI ELECTRIC CORP	63,665.60
60427	4/13/15	00000284	LIZELL OFFICE FURNITURE	4,617.00
60428	4/13/15	00000689	MARY KAY KELM, ESQUIRE	400.00
60429	4/13/15	00000201	LAWRENCE J. MURPHY	2,799.05
60430	4/13/15	00001330	MCCALLION STAFFING SPECIALISTS	1,863.00
60431	4/13/15	00000912	MICHENER'S GRASS ROOTS, INC.	157.90
60432	4/13/15	00001759	PAUL MICHAEL WINTJE	140.00
60433	4/13/15	00000630	MITCHEL REPAIR INFORMATION CO LLC	1,728.00
60434	4/13/15	00002073	MORTON SALT INC	14,604.34
60435	4/13/15	00001225	MONTGOMERY TOWNSHIP MUNICIPAL	1,627.35
60436	4/13/15	00904566	NICK WEAVER	100.00
60437	4/13/15	00000356	NORTH WALES WATER AUTHORITY	75.04
60438	4/13/15	00001134	OFFICE DEPOT, INC	284.59
60439	4/13/15	00001400	PA CHIEFS OF POLICE ASSOCIATION	75.00
60440	4/13/15	00000597	PATRICIA A. GALLAGHER	3,329.23
60441	4/13/15	00000397	PECO ENERGY	1,173.81
60442	4/13/15	00000397	PECO ENERGY	36.93
60443	4/13/15	00000397	PECO ENERGY	256.88
60444	4/13/15	00000397	PECO ENERGY	147.26
60445	4/13/15	00000397	PECO ENERGY	124.11
60446	4/13/15	00000397	PECO ENERGY	512.55
60447	4/13/15	00000595	PENN VALLEY CHEMICAL COMPANY	1,438.26
60448	4/13/15	00002025	PET DINER, THE	304.15
60449	4/13/15	00000009	PETTY CASH	300.00
60450	4/13/15	00000447	PETTY CASH - POLICE	240.45
60451	4/13/15	00001171	PHILA OCCHEALTH/DBA WORKNET OCC	55.65
60452	4/13/15	00000446	PHISCON ENTERPRISES, INC.	400.00
60453	4/13/15	00000945	PIPERSVILLE GARDEN CENTER, INC.	55.95
60454	4/13/15	00000415	PLASTERER EQUIPMENT CO., INC.&	307.20
60455	4/13/15	00000409	POLICE CHIEFS' ASSOCIATION OF	150.00
60456	4/13/15	00000345	PRINTWORKS & COMPANY, INC.	670.03
60457	4/13/15	00000252	SUNG K. KIM	625.00
60458	4/13/15	00000439	RED THE UNIFORM TAILOR	2,269.50
60459	4/13/15	00000228	REGAL CINEMEDIA CORP	408.00



## Montgomery Township Check Register

Check Number	Check Date	Vendor No	Payee	Amount
60460	4/13/15	00002033	REPUBLIC SERVICES NO. 320	898.00
60461	4/13/15	00001591	RHOMAR INDUSTRIES, INC.	522.05
60462	4/13/15	00000278	RICHARD LESNIAK	216.95
60463	4/13/15	00000117	RIGGINS INC	1,864.00
60465	4/13/15	00000115	RIGGINS, INC	6,361.24
60466	4/13/15	00000653	SCATTON'S HEATING & COOLING, INC.	1,023.28
60467	4/13/15	00000153	SHANNON DROSNOK	122.11
60468	4/13/15	00000521	PHILIP A. SINGLETON	750.00
60469	4/13/15	00000467	SNAP-ON INDUSTRIAL	39.89
60470	4/13/15	00001847	STAPLES CONTRACT & COMMERCIAL, IN	731.72
60471	4/13/15	00001939	SERVICE TIRE TRUCK CENTERS	300.00
60472	4/13/15	00901793	SUE ANN MILLER	5.00
60473	4/13/15	00904567	SUMATHI VEERASAMY	10.00
60474	4/13/15	00000939	SUNGARD PUBLIC SECTOR	10,713.76
60475	4/13/15	00001783	THE HOMER GROUP	4,300.00
60476	4/13/15	00904102	THOMAS W. DORAN	1,200.00
60477	4/13/15	00000506	TRANS UNION LLC	61.39
60478	4/13/15	00903449	TREASURER STATE OF NEW JERSEY	60.41
60479	4/13/15	00002031	TRI-COUNTY ELECTRICAL SUPPLY	195.12
60480	4/13/15	00000702	U.S. BANK	300.00
60481	4/13/15	00000327	U.S. MUNICIPAL SUPPLY INC.	235.13
60482	4/13/15	00000542	COMMONWEALTH OF PENNSYLVANIA	1,040.10
60483	4/13/15	00002062	UNITED ELECTRIC SUPPLY CO., INC.	146.69
60484	4/13/15	00000520	VALLEY POWER, INC.	672.56
60485	4/13/15	00000040	VERIZON	620.15
60486	4/13/15	00001033	VERIZON CABS	553.79
60487	4/13/15	00000170	VERIZON COMMUNICATIONS, INC.	124.99
60488	4/13/15	00000038	VERIZON WIRELESS SERVICES, LLC	480.30
60489	4/13/15	00000038	VERIZON WIRELESS SERVICES, LLC	850.54
60490	4/13/15	00903114	VICKI SOUDER	187.20
60491	4/13/15	00904556	VILLAGE TAVERN	100.00
60493	4/13/15	00001329	WELDON AUTO PARTS	1,219.61
60494	4/13/15	00000742	WORTH AND COMPANY, INC.	36,621.90
60495	4/13/15	00000551	XPEDX/PHILADELPHIA DIVISION	926.30
60496	4/13/15	00003003	YANAE I. SAVAGE	420.00
60497	4/13/15	00000590	YOCUM FORD	958.63
<b>TOTAL</b>				<b>1,359,570.57</b>

**MONTGOMERY TOWNSHIP ELECTRONIC PAYROLL TAX PAYMENTS**

<u>DATE</u>	<u>VENDOR NAME</u>	<u>REASON FOR PAYMENT</u>	<u>AMOUNT</u>
03/26/2015	IRS	941 Payment	\$74,609.83
03/26/2015	BCG	401/457 Plan Payment	\$25,251.19
03/26/2015	PA-SCDU	Withholding Payment	\$2,415.80
04/01/2015	Commonwealth of PA	State Tax Payment	\$7,817.67
04/01/2015	IRS	945 Payment	\$4,469.58
04/01/2015	ICMA	DROP Plan Payment	\$17,827.41
04/09/2015	IRS	941 Payment	\$76,587.11
04/09/2015	BCG	401/457 Plan Payment	\$25,391.45
04/09/2015	PA-SCDU	Withholding Payment	\$2,415.80
04/09/2015	City of Philadelphia	Mar. Wage Tax Payment	\$295.01
<b>Total Paid as of 04/13/2015</b>			<b>\$237,080.85</b>