

**AGENDA**  
**MONTGOMERY TOWNSHIP**  
**BOARD OF SUPERVISORS**  
**MARCH 22, 2021**

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

Tanya C. Bamford  
Candyce Fluehr Chimera  
Annette M. Long  
Matthew W. Quigg  
Beth A. Staab

Carolyn McCreary  
Township Manager

**ACTION MEETING – 7:00 PM**

1. Call Meeting to Order
2. Pledge of Allegiance
3. Public Comment
4. Announcements
5. Announcement of Executive Session
6. Consent Agenda:

Consider Approval of Minutes of March 8, 2021 Meeting and Payment of the Bills

**Presentation:**

7. Public Works Department Recognition

**Public Hearing:**

8. Costco Conditional Use Hearing: Gasoline Sales

**Planning & Zoning:**

9. Consider Board Positions for Zoning Hearing Board Applications
10. Consider Westrum Response to Township Request for Pedestrian Crossing and Connectivity

**Public Safety/Emergency Services:**

11. Consider Authorization to Advertise Food Truck Ordinance
12. Consider Authorization to Sell 2002 E-One Tower Ladder Truck

**Public Works:**

13. Recognize Pennsylvania 811 Safe Digging Awareness Month
14. Consider Approval of Park Bench Donation Program

**Administration & Finance:**

15. Consider Ratification of Tax Assessment Appeal Settlements
  - a. 1200 Welsh Road
  - b. 593 Bethlehem Pike

Board of Supervisors Agenda

March 22, 2021

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16. Consider Adoption of Resolution Supporting Application to DCNR grant program

**Other Business:**

17. Department Reports

18. Committee Liaison Reports

19. Adjournment

**PLEASE NOTE: For the safety of all participants, masks must be worn in the Township building and meeting room. Social distancing measures have been put into place which reduces the number of people who can safely occupy the meeting room. You may be asked to wait in the lobby if the room capacity has been reached. Thank you for your patience and cooperation in working to keep everyone safe.**

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

Item # 3

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SUBJECT: Public Comment  
MEETING DATE: March 22, 2021  
BOARD LIAISON:  
INITIATED BY:

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BACKGROUND:

Persons wishing to make public comment during this meeting on any items not listed on the agenda may do so at this time.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

Item # 4

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SUBJECT: Announcements  
MEETING DATE: March 22, 2021  
BOARD LIAISON:  
INITIATED BY: Tanya C. Bamford, Chair

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American Red Cross Life Saving Awards – See attached summary





**MONTGOMERY TOWNSHIP  
DEPARTMENT OF FIRE SERVICES**

1001 STUMP ROAD  
MONTGOMERYVILLE, PA 18936-9605

Telephone: 215-393-6935 • Fax: 215-699-1560  
[www.montgomerytwp.org](http://www.montgomerytwp.org)

**WILLIAM F. WIEGMAN III**  
Director of Fire Services  
Fire Marshal  
Emergency Management  
Coordinator

**FIRE MARSHAL**  
215-393-6936

To: Tanya Bamford, Chairperson Board of Supervisors  
From: William F. Wiegman, Director of Fire Services  
Re: Announcement for Board of Supervisor Meeting on March 22, 2021  
Date: March 17, 2021

On March 8, 2021, the American Red Cross held a virtual award ceremony honoring ten local heroes for their actions during a medical emergency at a township business. The American Red Cross presented four members of the Department of Fire Services, five members of the Volunteer Medical Service Corp of Lansdale, and an employee of the business with Lifesaving Awards.

The victim suffered a cardiac emergency while at work on October 23, 2020. A customer found the victim hunched over a counter and unresponsive. Michael Kleban, a coworker and volunteer firefighter with Doylestown Fire Company, moved the man to the floor, began CPR, and told the customer to call 911. Shortly after calling 911, members of Squad 18 arrived on location, took over CPR and rescue breathing, and used an automated external defibrillator (AED) to administer shocks. The VMSC then arrived on location and assisted with CPR, AED, and rescue breathing. The crews of VMSC deployed the LUCAS machine (a chest compression machine) and administered medication.

The efforts of the 10 honorees resulted in the victim regaining his pulse and breathing before being transported to a local hospital. The victim has made a full recovery and has returned to work at the Montgomery Township business. Director Wiegman nominated Mr. Kleban and the members of Squad 18 and the VMSC for the American Red Cross Lifesaving Awards for their heroic efforts in saving a life.

American Red Cross Certificate of Extraordinary Personal Action Award Recipients:

Michael Kleban, coworker & volunteer firefighter

**Dept. of Fire Service's Crew**

Frank Colelli  
Carmen Conicelli  
Eoghan Lowry  
Kevin Neubert

**Volunteer Medical Corps of Lansdale's Crew**

Shannon Pasquale  
Jeff Owler  
Mike Shearer  
Derek Kreyenhagen  
Mike Rennard, Chief

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS

**BOARD ACTION SUMMARY**

Item # 5

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SUBJECT:                   Announcement of Executive Session  
MEETING DATE:         March 22, 2021  
BOARD LIAISON:  
INITIATED BY:           Tanya C. Bamford, Chair

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**BACKGROUND:**

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

**The Board of Supervisors met in Executive Session immediately following their public meeting on March 8, 2021 to discuss two personnel matters.**

**The Board of Supervisors met in Executive Session at 6:30 this evening to discuss three litigation matters.**

**The topics discussed are legitimate subjects of an Executive Session pursuant to the Commonwealth of Pennsylvania's Sunshine Law.**

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS

**BOARD ACTION SUMMARY**

Item # 6

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**SUBJECT:** Consent Agenda:  
Approval of Minutes of March 8, 2021 and Payment of Bills

**MEETING DATE:** March 22, 2021

**BOARD LIAISON:**

**INITIATED BY:**

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**BACKGROUND:**

**MOTION TO APPROVE THE CONSENT AGENDA AS PRESENTED**

Please review and contact Deb Rivas on Monday, March 22, 2021 with any changes to the minutes. Also, attached are the list of bills for review for payment on March 22, 2021.

**MINUTES OF MEETING  
MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
MARCH 8, 2021**

**1. Call to Order:** The March 8, 2021 action meeting of the Montgomery Township Board of Supervisors was held at the Montgomery Township Municipal Building, 1001 Stump Road, Montgomeryville, PA. Chair Tanya C. Bamford called the meeting to order at 7:00 p.m.

**IN ATTENDANCE:**

Chair Tanya C. Bamford  
Vice Chair Matthew W. Quigg  
Supervisor Candyce Fluehr Chimera  
Supervisor Annette M. Long  
Supervisor Beth A. Staab  
Township Manager Carolyn McCreary  
Township Solicitor Sean Kilkenny, Esq.

**ALSO IN ATTENDANCE:**

Police Chief J. Scott Bendig  
Director of Finance Brian Shapiro  
Director of Fire Services William Wiegman  
Director of IT Rich Grier  
Director of Public Works Greg Reiff  
Director of Recreation Floyd Shaffer  
Director of Planning & Zoning Bruce Shoupe  
Recording Secretary Deborah A. Rivas

**2. & 3. Pledge of Allegiance and Public Comment:** Following the Pledge of Allegiance, there was no public comment.

**4. Announcements:** Ms. Bamford announced the upcoming e-Recycling Day to be held on Saturday, April 24, 2021 from 9:00 a.m. to 12:00 p.m. at the William F. Maule Park at Windlestrae. The event is for residents only and pre-registration is required. Ms. Bamford announced that it was International Womens Day and Womens History Month and she celebrated several historic firsts for women in Montgomery Township. Ms. Bamford introduced Girl Scout Brownie Quinn Betz who provided information on her creative way of selling girl scout cookies during the pandemic. Ms. Betz also donated a special box of cookies to the Montgomery Township Public Works Department to thank them for their hard work during the recent snow storms.

**5. Announcement of Executive Session –** Township Solicitor Sean Kilkenny, Esquire, announced that the Board of Supervisors met in an Executive Session immediately following their public meeting on February 22, 2021 to discuss one item of litigation and two personnel matters. Mr. Kilkenny stated that the topics discussed are legitimate subjects of an Executive Session pursuant to the Commonwealth of Pennsylvania’s Sunshine Law.

**6. Consent Agenda:**

**MOTION:** Upon motion by Ms. Bamford, seconded by Ms. Staab and unanimously carried, the minutes of the February 22, 2021 meeting and the Bills List dated March 8, 2021 were approved as presented.

**7. Appointments: Human Relations Commission Members:** Ms. Bamford administered the oath of office to the newly appointed six members of the Human Relations Commission.

**MOTION:** Upon motion by Ms. Bamford, seconded by Ms. Long and unanimously carried, the Board appointed the following residents to the Montgomery Township Human Relations Commission: Brinder Gill (term expiration 12/31/23), Amy Hanson (term expiration 12/31/23), Nisha Joy (term expiration 12/31/22), Leesa Meade (term expiration 12/31/22), Kunbi Rudnick (term expiration 12/31/21) and Jaszianne Tolbert (term expiration 12/31/21).

**Parks & Recreation:**

**8. Approval of Spring/Summer Programs and Fee Schedule:**

**MOTION:** Upon motion by Ms. Chimera, seconded by Ms. Long and unanimously carried, the Board approved the 2021 Spring/Summer Recreation Program and Fee Schedule as presented by Mr. Shaffer.

**Public Safety:**

**9. Donation of Police Vehicle:** Chief Bendig reported that the Montgomery County Police Chiefs Association, in conjunction with the Montgomery County Department of Public Safety, sponsors an Emergency Vehicle Operator's Course (EVOC) for law enforcement and other emergency operators. Funding for vehicles utilized for the EVOC practical exercises is limited. Currently, vehicles utilized for the EVOC are retired police service vehicles donated by municipalities that use the training. In 2017, all police department authorized drivers attended this course. The department proposes the donation of a 2016 Ford Police Utility Interceptor for the EVOC program.

**MOTION:** Upon motion by Ms. Bamford, seconded by Mr. Quigg and unanimously carried, the Board authorized the donation of a 2016 Ford Police Utility Interceptor (VIN: 1FM5K8AR5GGC72665) to the Montgomery County Department of Public Safety for use in the EVOC program.

**Administration & Finance:**

**10. Approval of Board of Assessment Appeals:** Ms. McCreary reported that the North Penn School District and the property owners of the following parcels have reached an agreement as to the assessment appeals and reverse assessment appeals, which now require action by the Board.

**MOTION:** Upon motion by Ms. Chimera, seconded by Ms. Staab and unanimously carried, the Board approved the stipulated agreements and authorized the Township Solicitor to execute the settlement stipulations for: 100-102 Commerce Drive, owned

**by AW Real Estate Inc.; 980 Bethlehem Pike, formerly owned by JPMCC 2017-CIBC19 Bethlehem Pike LLC; and 710 North Wales Road owned by Montgomeryville Realty Partners LP by Walgreen Eastern Co. Inc.**

**Planning & Zoning:**

**11. Discussion on Proposed Property Dimensions to Accommodate Requests for Backyard Chickens:** Mr. Shoupe reported that staff has reviewed the ordinance requirements put in place by a number of local municipalities that have adopted rules for backyard chickens. Staff is recommending that the minimum size lot would be 20,000 square feet which would support 4 chickens and 40,000 square feet or larger which would support 6 chickens. Roosters would be prohibited. Mr. Shoupe stated that if the use is pursued, staff is recommending the adoption of an ordinance allowing this as an incidental use on an actively used residential property and requiring a process giving assurance of public notice for neighboring property owners and an opportunity for them to comment on the application. Mr. Shoupe presented a map showing the various residential districts. Once permitted, good management practices are required for the care of these animals and standards would be included in the proposed ordinance. Staff is seeking direction from the Board on how to proceed. Discussion followed regarding the proposed process. Mr. Quigg expressed his concern regarding the nature and character of the way the Township is setup and the size of most of the lots within the Township and suggested that the minimum requirement might be considered to be larger, such as 25,000 square feet. The Board asked Mr. Shoupe to prepare a map showing the various lot sizes, color-coded, so that they could see how many properties this ordinance would cover. The discussion was tabled to a future Board meeting.

**Adjournment:** Upon motion by Ms. Bamford and seconded by Ms. Staab, the meeting was adjourned at 7:47 p.m.

Respectfully submitted,

Deborah A. Rivas, Recording Secretary

User: msanders

CHECK DATE FROM 03/08/2021 - 03/19/2021

DB: Montgomery Twp

Check Date	Bank	Check	Vendor	Vendor Name	Amount
Bank 01 UNIVEST CHECKING					
03/08/2021	01	81048	100000915	AUSTIN NEDWICK	15.00
03/08/2021	01	81049	00000903	HOME DEPOT CREDIT SERVICES	202.21
03/19/2021	01	81050	00000496	21ST CENTURY MEDIA NEWSPAPERS LLC	1,169.93
03/19/2021	01	81051	00000006	ACME UNIFORMS FOR INDUSTRY	354.68
03/19/2021	01	81052	100000892	ADAM ZWISLEWSKI	180.00
03/19/2021	01	81053	100000372	ADRIANNA CILIBERTO	2,059.79
03/19/2021	01	81054	00000110	AG INDUSTRIAL	638.79
03/19/2021	01	81055	00001202	AIRGAS, INC.	275.41
03/19/2021	01	81056	100000876	ALEXANDER J. DEANGELIS	15.00
03/19/2021	01	81057	100000814	AMAZON.COM SERVICES, INC	1,236.69
03/19/2021	01	81058	100000888	ANDREW WEINER	90.00
03/19/2021	01	81059	100001709	ANGELA JONES	100.00
03/19/2021	01	81060	00000031	AT&T	134.48
03/19/2021	01	81061	100000915	AUSTIN NEDWICK	15.00
03/19/2021	01	81062	100000870	AXON ENTERPRISE, INC	5,711.36
03/19/2021	01	81063	00000340	B SAFE INC.	258.75
03/19/2021	01	81064	00000043	BERGEY'S	166.28
03/19/2021	01	81065	00000209	BOUCHER & JAMES, INC.	13,553.83
03/19/2021	01	81066	100001244	BRANDI BLUSIEWICZ	90.00
03/19/2021	01	81067	100000979	BRANDON UZDZIENSKI	60.00
03/19/2021	01	81068	00000069	C L WEBER CO INC.	230.40
03/19/2021	01	81069	100000405	C.E.S.	850.58
03/19/2021	01	81070	100000319	CANDORIS	2,410.00
03/19/2021	01	81071	00000072	CANON FINANCIAL SERVICES, INC	1,860.00
03/19/2021	01	81072	00001579	CARGO TRAILER SALES, INC	14.06
03/19/2021	01	81073	100000878	CARL HERR	60.00
03/19/2021	01	81074	00001601	CDW GOVERNMENT, INC.	35.52
03/19/2021	01	81075	100001710	CHRISTINE EGAN	100.00
03/19/2021	01	81076	00000363	COMCAST	535.68
03/19/2021	01	81077	00000363	COMCAST	219.02
03/19/2021	01	81078	00000335	COMCAST CORPORATION	483.33
03/19/2021	01	81079	00000335	COMCAST CORPORATION	1,029.93
03/19/2021	01	81080	100001038	DANIELLE DAGUANNO	60.00
03/19/2021	01	81081	100000103	DEEP RUN AQUATIC SERVICES, INC.	7,500.00
03/19/2021	01	81082	00000125	DISCHELL, BARTLE DOOLEY PC	320.00
03/19/2021	01	81083	00905026	DON LEN INC.	125.00
03/19/2021	01	81084	100000893	DONALD TUCKER	80.00
03/19/2021	01	81085	00000092	E.M. KUTZ, INC.	191.75
03/19/2021	01	81086	03214663	ELITE 3 FACILITIES MAINTNEANCE, LLC	4,240.00
03/19/2021	01	81087	00903110	ESTABLISHED TRAFFIC CONTROL	30.00
03/19/2021	01	81088	00000169	FEDEX	23.18
03/19/2021	01	81089	100001602	FRANK BLUSIEWICZ	80.00
03/19/2021	01	81090	00000180	FRANK CALLAHAN COMPANY, INC.	142.50
03/19/2021	01	81091	03214568	FULTON CARDMEMBER SERVICES	2,469.25
03/19/2021	01	81092	00001852	G.L. SAYRE, INC.	154.74
03/19/2021	01	81093	00000219	GLOBAL EQUIPMENT COMPANY	1,306.86
03/19/2021	01	81094	00000229	GRAINGER	120.94
03/19/2021	01	81095	00001793	HILLTOWN TOWNSHIP	674.16
03/19/2021	01	81096	00000903	HOME DEPOT CREDIT SERVICES	369.43
03/19/2021	01	81097	00441122	HORSHAM CAR WASH	43.00
03/19/2021	01	81098	100001708	INSIDE THE TAPE	125.00
03/19/2021	01	81099	00000102	INTERSTATE BATTERY SYSTEMS OF	92.95
03/19/2021	01	81100	100000882	JACOB MILLEVOI	30.00
03/19/2021	01	81101	100000889	JACOB WELTMAN	15.00
03/19/2021	01	81102	100001713	JAMIE BRETT MEMORIAL SCHOLARSHIP	100.00
03/19/2021	01	81103	100000297	JOHN LEE	150.00
03/19/2021	01	81104	100001707	KATE LYNCH	195.00
03/19/2021	01	81105	100000554	KEITH GRIERSON	15.00
03/19/2021	01	81106	MISC	KERMIS HALEY R	70.75
03/19/2021	01	81107	00000574	KEVIN CARNEY	67.99
03/19/2021	01	81108	100001592	KILKENNY LAW, LLC	11,920.20
03/19/2021	01	81109	100001661	KYLE STUMP	30.00
03/19/2021	01	81110	100000875	MICHAEL BEAN	60.00
03/19/2021	01	81111	100000885	MICHAEL SHEARER	30.00
03/19/2021	01	81112	00000630	MITCHELL	1,728.00
03/19/2021	01	81113	00000659	MONTGOMERY COUNTY TREASURER	60.00
03/19/2021	01	81114	100001343	NAFI - NATIONAL ASSOCIATION OF	55.00
03/19/2021	01	81115	00001381	NATIONAL DECALCRAFT CORP.	141.00
03/19/2021	01	81116	00001054	NEW BRITAIN TOWNSHIP	390.55
03/19/2021	01	81117	00000356	NORTH WALES WATER AUTHORITY	68.24
03/19/2021	01	81118	00001134	OFFICE DEPOT, INC	230.01
03/19/2021	01	81119	100000978	OFFICE OF PUBLIC HEALTH	115.00
03/19/2021	01	81120	00001400	PA CHIEFS OF POLICE ASSOCIATION	185.00
03/19/2021	01	81121	00001400	PA CHIEFS OF POLICE ASSOCIATION	35.00
03/19/2021	01	81122	00000311	PA DEPT OF LABOR & INDUSTRY-B	75.51
03/19/2021	01	81123	100000890	PAUL MOGENSEN	75.00
03/19/2021	01	81124	00000397	PECO ENERGY	15,560.94
03/19/2021	01	81125	00000399	PECO ENERGY	7,419.57

Check Date	Bank	Check	Vendor	Vendor Name	Amount
03/19/2021	01	81126	00000595	PENN VALLEY CHEMICAL COMPANY	430.89
03/19/2021	01	81127	100000754	PETROLEUM TRADERS CORP.	1,125.03
03/19/2021	01	81128	00000446	PHISCON ENTERPRISES, INC.	300.00
03/19/2021	01	81129	00000945	PIPERSVILLE GARDEN CENTER, INC.	491.80
03/19/2021	01	81130	00000345	PRINTWORKS & COMPANY, INC.	169.27
03/19/2021	01	81131	100001010	RACHEL GIBSON	35.00
03/19/2021	01	81132	00000430	REM-ARK ALLOYS, INC.	269.04
03/19/2021	01	81133	00000741	ROBERT E. LITTLE, INC.	1,640.87
03/19/2021	01	81134	100001711	ROY LOMAS CARPET CONTRACTOR	2,770.00
03/19/2021	01	81135	00002013	RR DONNELLEY	139.90
03/19/2021	01	81136	100000873	RYAN ALLISON	15.00
03/19/2021	01	81137	100000884	RYAN RUDELLE	15.00
03/19/2021	01	81138	100000985	SARAH PREBIS	559.00
03/19/2021	01	81139	00000833	SHERWIN WILLIAMS COMPANY	38.98
03/19/2021	01	81140	100000790	SHOEN SAFETY & TRAINING	180.00
03/19/2021	01	81141	00001030	SIGNAL CONTROL PRODUCTS, INC.	390.00
03/19/2021	01	81142	00000468	SIRCHIE FINGER PRINT	132.13
03/19/2021	01	81143	00001656	SOSMETAL PRODUCTS INC.	339.57
03/19/2021	01	81144	00000015	SPRINT	249.12
03/19/2021	01	81145	00001394	STANDARD INSURANCE COMPANY	8,006.75
03/19/2021	01	81146	100000701	STAPLES BUSINESS CREDIT	371.96
03/19/2021	01	81147	00001671	STENGEL BROS. INC.	2,738.40
03/19/2021	01	81148	00003015	STEPHEN A. SPLENDIDO	30.00
03/19/2021	01	81149	100001172	STREET COP TRAINING	199.00
03/19/2021	01	81150	100001233	TAYLOR AIR CENTER	4,010.24
03/19/2021	01	81151	MISC	THE FENCE GUYS	25.00
03/19/2021	01	81152	00906111	THE PROTECTION BUREAU	204.00
03/19/2021	01	81153	00000506	TRANS UNION LLC	84.80
03/19/2021	01	81154	00000077	TRISTATE ENVIRONMENTAL	1,982.50
03/19/2021	01	81155	0903444	TURNER SEMRAU	60.00
03/19/2021	01	81156	100001181	TURTLE & HUGHES ELECTRICAL &	1,452.75
03/19/2021	01	81157	00000327	U.S. MUNICIPAL SUPPLY INC.	2,224.76
03/19/2021	01	81158	99999999	UNITED STATES POSTAL SERVICE	188.00
03/19/2021	01	81159	00000040	VERIZON	356.34
03/19/2021	01	81160	00000040	VERIZON	144.99
03/19/2021	01	81161	00000040	VERIZON	139.99
03/19/2021	01	81162	00000040	VERIZON	257.26
03/19/2021	01	81163	100000854	VINAY SETTY	120.00
03/19/2021	01	81164	100000891	VINCENT ZIRPOLI	90.00
03/19/2021	01	81165	00001329	WELDON AUTO PARTS	647.41
03/19/2021	01	81166	100001042	ZACHARY ELDEN	30.00

01 TOTALS:

Total of 119 Disbursements:

123,781.99



**Check Register Report For**

**For Check Dates 03/09/2021 to 03/22/2021**

<b>Check Date</b>	<b>Name</b>	<b>Description</b>	<b>Amount</b>
3/10/2021	STATE OF PA	Tax Payment	10,775.09
3/18/2021	PA SCDU	Withholding Payment	852.17
3/18/2021	MORGAN STANLEY SMITH BARNEY INC	Police Pension	7,184.03
3/18/2021	UNITED STATES TREASURY	Tax Payment	81,149.13
3/18/2021	CITY OF PHILADELPHIA	Tax Payment	483.79
3/18/2021	EMPOWER RETIREMENT	401 Plan	14,785.56
3/18/2021	EMPOWER RETIREMENT	457 Plan	15,662.88
3/18/2021	PBA	Withholding Payment	1,338.00
		<b>TOTAL</b>	<b>\$ 132,230.65</b>

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
**BOARD ACTION SUMMARY**  
Item # 7

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**SUBJECT:** Consider Recognition of Public Works Department  
**MEETING DATE:** March 22, 2021  
**BOARD LIAISON:** Tanya C. Bamford, Chair  
**INITIATED BY:**

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**BACKGROUND:**

Please see attached resolution which details the work and commitment of our Public Works Staff.

**MOTION/RESOLUTION:**

**Motion** to adopt resolution commending the Public Works Staff for their service.

**Motion:** \_\_\_\_\_

**Second:** \_\_\_\_\_



**A RESOLUTION OF THE BOARD OF SUPERVISORS OF MONTGOMERY  
TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA TO COMMEND THE  
PUBLIC WORKS STAFF FOR THEIR SERVICE – 2021-19**

**WHEREAS**, the Public Works staff are essential employees committed to providing unrivaled service to the residents of Montgomery Township; and

**WHEREAS**, the Public Works staff has 265 years of cumulative experience and offering a wide range of talent and skillsets; and

**WHEREAS**, the Public Works Department provides services every day which improve the quality of life for our residents in quiet, unassuming ways;

**WHEREAS**, even in the midst of a global pandemic they continue to respond to residents' concerns, and maintain and make improvements to the Township's infrastructure, parks, and facilities, following all established safety protocols;

**NOW, THEREFORE BE IT RESOLVED** by the Board of Supervisors of Montgomery Township, Montgomery County, Pennsylvania, that the Public Works Department and its Director Greg Reiff be commended and congratulated for their commitment to the community and their dedicated efforts on our behalf.

**RESOLVED**, at the duly convened meeting of the Board of Supervisors of Montgomery Township conducted on this 22nd day of March 2021.

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Tanya C. Bamford, Chair

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Matthew Quigg, Vice-Chair

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Candyce Fluehr Chimera, Member

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Annette Long, Member

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Beth A. Staab, Member

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Attest: Carolyn McCreary, Secretary

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS

BOARD ACTION SUMMARY

Item # 8

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SUBJECT: Conditional Use Hearing: Costco, Retail Sales of Gasoline  
MEETING DATE: March 22, 2021  
BOARD LIAISON: Tanya C. Bamford, Chair  
INITIATED BY: Bruce Shoupe, Director of Planning and Zoning

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BACKGROUND:

A text amendment was approved revising the ECPOD District code, Section 230-198 – Application Procedure Standards and Criteria by adding a new Section F – Standards and Criteria for gasoline filling stations permitted by Conditional Use and restating Section 230-199.B. (2) (b) Standard Retail Uses Permitted by Conditional Use allowing gasoline filling stations open to members only of a warehouse club in a unified development added Section 230-5.B – Definitions – Warehouse Club or Wholesale Club.

The Board of Supervisors adopted Ordinance #20-312 Z on September 14, 2020, allowing gasoline sales by conditional use.

PREVIOUS BOARD ACTION:

The Board of Supervisors authorized the advertisement of this public hearing at their public meeting on January 25, 2021.

BUDGET IMPACT: None

MOTION/RESOLUTION:

At the conclusion of the public hearing, the Board will vote on whether or not to allow the sales of gasoline at this site and what if any conditions to place on an approval, if granted.

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

**Reporter, The**

Publications Page  
Unavailable

Publication Name:

**Reporter, The**

Publication URL:

Publication City and State:

**Lansdale, PA**

Publication County:

**Montgomery**

Notice Popular Keyword Category:

Notice Keywords:

Notice Authentication Number:

**202103160943314408225****387451020**

Notice URL:

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Notice Publish Date:

Thursday, March 04, 2021

**Notice Content**

MONTGOMERY TOWNSHIP LEGAL NOTICE On Monday, March 22, 2021, at 7:00 p.m. the Montgomery Township Board of Supervisors, during its regularly scheduled meeting, will conduct a public hearing to consider the Conditional Use Application of Costco Wholesale Corporation ("Applicant"): The Application involves tax parcel 46-00-03919-14-8, Block 13 C, Unit 2, Lot 1B situate on Upper State Road in the ECPOD-Expressway Corridor Preservation Overlay District, Montgomery Township, Pennsylvania (the "Property"). The property is presently vacant and consists of approximately seven (7) acres adjacent to the existing Costco Wholesale Club. The Applicant proposes to construct a gasoline filling station, which will consist of 18 fuel dispensers (9 pumps) and an approximate 176.50 square foot kiosk. A gasoline filling station is permitted in the ECPOD-Expressway Corridor Preservation Overlay District as a conditional use pursuant to Section 230-199B.2(b)(2). The Applicant has requested approval to construct a gasoline filling station in the ECPOD-Expressway Corridor Preservation Overlay District, by submitting a conditional use application on January 25, 2021. The conditional use application is on file at the Planning and Zoning Office at the Township Building and may be inspected by appointment. The public is invited to attend and will be given an opportunity to provide comments regarding this proposed conditional use. There will be limited capacity for in-person attendance due to COVID-19 requirements. Once capacity is reached, no other attendees will be permitted in the meeting room. Safety guidelines, including maintaining social distance and wearing a mask, must be followed by those attending in-person. Persons with disabilities, wishing to attend the public meeting and requiring auxiliary aid, service or other accommodations to participate, should contact the Montgomery Township Director of Administration & Human Resources at 215-393-6900. At the conclusion of the hearing, the Board will consider approval of the conditional use application, unless it deems additional time is required for consideration and discussion, in which case it will hold an additional public hearing at another meeting at an announced date and time for that purpose. CAROLYN MCCREARY TOWNSHIP MANAGER LAN: Mar. 4, 11. a-1

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**Reporter, The**

Public Notice  
03/11/2021

Publication Name:

**Reporter, The**

Publication URL:

Publication City and State:

**Lansdale, PA**

Publication County:

**Montgomery**

Notice Popular Keyword Category:

Notice Keywords:

Notice Authentication Number:

**202103160942543941863****387451020**

Notice URL:

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Notice Publish Date:

Thursday, March 11, 2021

**Notice Content**

MONTGOMERY TOWNSHIP LEGAL NOTICE On Monday, March 22, 2021, at 7:00 p.m. the Montgomery Township Board of Supervisors, during its regularly scheduled meeting, will conduct a public hearing to consider the Conditional Use Application of Costco Wholesale Corporation ("Applicant"): The Application involves tax parcel 46-00-03919-14-8, Block 13 C, Unit 2, Lot 1B situate on Upper State Road in the ECPOD-Expressway Corridor Preservation Overlay District, Montgomery Township, Pennsylvania (the "Property"). The property is presently vacant and consists of approximately seven (7) acres adjacent to the existing Costco Wholesale Club. The Applicant proposes to construct a gasoline filling station, which will consist of 18 fuel dispensers (9 pumps) and an approximate 176.50 square foot kiosk. A gasoline filling station is permitted in the ECPOD-Expressway Corridor Preservation Overlay District as a conditional use pursuant to Section 230-199B.2(b)(2). The Applicant has requested approval to construct a gasoline filling station in the ECPOD-Expressway Corridor Preservation Overlay District, by submitting a conditional use application on January 25, 2021. The conditional use application is on file at the Planning and Zoning Office at the Township Building and may be inspected by appointment. The public is invited to attend and will be given an opportunity to provide comments regarding this proposed conditional use. There will be limited capacity for in-person attendance due to COVID-19 requirements. Once capacity is reached, no other attendees will be permitted in the meeting room. Safety guidelines, including maintaining social distance and wearing a mask, must be followed by those attending in-person. Persons with disabilities, wishing to attend the public meeting and requiring auxiliary aid, service or other accommodations to participate, should contact the Montgomery Township Director of Administration & Human Resources at 215-393-6900. At the conclusion of the hearing, the Board will consider approval of the conditional use application, unless it deems additional time is required for consideration and discussion, in which case it will hold an additional public hearing at another meeting at an announced date and time for that purpose. CAROLYN MCCREARY TOWNSHIP MANAGER LAN: Mar. 4, 11. a-1

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**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)

**TANYA C. BAMFORD  
CANDYCE FLUEHR CHIMERA  
ANNETTE M. LONG  
MATTHEW W. QUIGG  
BETH A. STAAB**

**CAROLYN McCREARY  
TOWNSHIP MANAGER**

February 24, 2021

RE: Proposed Conditional Use  
Costco Wholesale Corporation

Dear Neighbor:

This letter is to advise you that the Montgomery Township Board of Supervisors will consider the Conditional Use Application of Costco Wholesale Corporation, to construct a gasoline filling station, which will consist of 18 fuel dispensers (9 pumps) and an approximate 176.50 square foot kiosk, on **Monday, March 22, 2021 at 7:00 p.m.**

The applicant has requested approval to construct a gasoline filling station in the ECPD-Expressway Corridor Preservation Overlay District, by submitting a Conditional Use Application on January 21, 2021. The Conditional Use Application is on file at the Planning and Zoning Office at the Township Building and may be inspected by appointment.

The public is invited to attend and will be given an opportunity to provide comments regarding this proposed conditional use. There will be limited capacity for in-person attendance due to COVID-19 requirements. Once capacity is reached, no other attendees will be permitted in the meeting room. Safety guidelines, including maintaining social distance and wearing a mask, must be followed by those attending in-person. Persons with disabilities, wishing to attend the public meeting and requiring auxiliary aid, service or other accommodations to participate, should contact the Montgomery Township Director of Administration & Human Resources at 215-393-6900.

At the conclusion of the hearing, the Board will consider approval of the conditional use application, unless it deems additional time is required for consideration and discussion, in which case it will hold an additional public hearing at another meeting at an announced date and time for that purpose.

As you are a nearby property owner, or had previously expressed interest in this application, we wanted to advise you of this hearing.

Sincerely,

Bruce S. Shoupe  
Director of Planning and Zoning

SUBRAMANIAM SATHEESH  
OR CURRENT RESIDENT  
100 SUSAN CIRCLE  
NORTH WALES PA 19454

VARDHINEDI HIMA  
OR CURRENT RESIDENT  
101 SUSAN CIRCLE  
NORTH WALES PA 19454

LI PINGJA & WANG XIAOHAI  
OR CURRENT RESIDENT  
102 SUSAN CIRCLE  
NORTH WALES PA 19454

LI BAILING  
OR CURRENT RESIDENT  
103 SUSAN CIRCLE  
NORTH WALES PA 19454

WISE ANTANETTE Y  
OR CURRENT RESIDENT  
104 SUSAN CIRCLE  
NORTH WALES PA 19454

HUH SAMUEL J & SOOKHEE  
OR CURRENT RESIDENT  
105 SUSAN CIRCLE  
NORTH WALES PA 19454

LU XIAODONG & CHEN QIN  
OR CURRENT RESIDENT  
106 SUSAN CIRCLE  
NORTH WALES PA 19454

DESIPIO PAUL A  
OR CURRENT RESIDENT  
107 SUSAN CIRCLE  
NORTH WALES PA 19454

CRAMER SIDNEY  
OR CURRENT RESIDENT  
108 SUSAN CIRCLE  
NORTH WALES PA 19454

HONG KEITH C & CHIANG HUI-LING  
OR CURRENT RESIDENT  
109 SUSAN CIRCLE  
NORTH WALES PA 19454

EMMETT REBECCA J & RYAN M  
OR CURRENT RESIDENT  
110 SUSAN CIRCLE  
NORTH WALES PA 19454

NEWLANDS ASSET HOLDING TRUST  
OR CURRENT RESIDENT  
111 SUSAN CIRCLE  
NORTH WALES PA 19454

DATAR KSHITJA D & VAIDYA ANIL D  
OR CURRENT RESIDENT  
112 SUSAN CIRCLE  
NORTH WALES PA 19454

ONG SIEW HOON  
OR CURRENT RESIDENT  
113 SUSAN CIRCLE  
NORTH WALES PA 19454

MILLER JOANN B  
OR CURRENT RESIDENT  
114 SUSAN CIRCLE  
NORTH WALES PA 19454

ANSUINI JOSEPH S JR & MARGARET M  
OR CURRENT RESIDENT  
200 SUSAN CIRCLE  
NORTH WALES PA 19454

KIM BRIAN HUN & NA KYUNG  
OR CURRENT RESIDENT  
201 SUSAN CIRCLE  
NORTH WALES PA 19454

BALTUS ANDREW J  
OR CURRENT RESIDENT  
202 SUSAN CIRCLE  
NORTH WALES PA 19454

LO YUEN LIANG & EDWARD  
OR CURRENT RESIDENT  
203 SUSAN CIRCLE  
NORTH WALES PA 19454

PAK YOUNG SOOK & DIANA KERAN  
OR CURRENT RESIDENT  
204 SUSAN CIRCLE  
NORTH WALES PA 19454

BERKEY HEATHER A  
OR CURRENT RESIDENT  
205 SUSAN CIRCLE  
NORTH WALES PA 19454

WANG LU  
OR CURRENT RESIDENT  
206 SUSAN CIRCLE  
NORTH WALES PA 19454

MOMTAHEN TANYA M & MEHRDAD  
OR CURRENT RESIDENT  
207 SUSAN CIRCLE  
NORTH WALES PA 19454

TORNETTA RICHARD J & LAUREN  
OR CURRENT RESIDENT  
208 SUSAN CIRCLE  
NORTH WALES PA 19454

KANG KYUNG JU & KANG STEVEN  
OR CURRENT RESIDENT  
209 SUSAN CIRCLE  
NORTH WALES PA 19454

MARQUEZ LUIS & LOBOS XIMENA  
OR CURRENT RESIDENT  
210 SUSAN CIRCLE  
NORTH WALES PA 19454

HAN YIENG-HAU R & ALICE YA-NAIN  
OR CURRENT RESIDENT  
212 SUSAN CIRCLE  
NORTH WALES PA 19454

BAINS SANDEEP & VIDHY  
OR CURRENT RESIDENT  
300 SUSAN CIRCLE  
NORTH WALES PA 19454

MARQUES JAMES & ANTONIO  
OR CURRENT RESIDENT  
302 SUSAN CIRCLE  
NORTH WALES PA 19454

DIEHL CHRIS R & JENNIFER L  
OR CURRENT RESIDENT  
304 SUSAN CIRCLE  
NORTH WALES PA 19454



LEE DONGYUP  
OR CURRENT RESIDENT  
306 SUSAN CIRCLE  
NORTH WALES PA 19454

LAU CHUCK WING SUM  
OR CURRENT RESIDENT  
400 SUSAN CIRCLE  
NORTH WALES PA 19454

DENG MIN  
OR CURRENT RESIDENT  
403 SUSAN CIRCLE  
NORTH WALES PA 19454

LIU WEILONG & QI YAN  
OR CURRENT RESIDENT  
406 SUSAN CIRCLE  
NORTH WALES PA 19454

KIM HYUNGJIN & SIWOON  
OR CURRENT RESIDENT  
409 SUSAN CIRCLE  
NORTH WALES PA 19454

LI SUSAN X  
OR CURRENT RESIDENT  
412 SUSAN CIRCLE  
NORTH WALES PA 19454

GAO LI  
OR CURRENT RESIDENT  
502 SUSAN CIRCLE  
NORTH WALES PA 19454

ZHANG QIANG & CAI LIANG  
OR CURRENT RESIDENT  
505 SUSAN CIRCLE  
NORTH WALES PA 19454

SHECKMAN HOWARD J  
OR CURRENT RESIDENT  
508 SUSAN CIRCLE  
NORTH WALES PA 19454

IL YAS ASIF  
OR CURRENT RESIDENT  
511 SUSAN CIRCLE  
NORTH WALES PA 19454

ZABRODIN IGOR  
OR CURRENT RESIDENT  
308 SUSAN CIRCLE  
NORTH WALES PA 19454

YOO MEE SUN & UI HYUN  
OR CURRENT RESIDENT  
401 SUSAN CIRCLE  
NORTH WALES PA 19454

FIERST TAMARA MARIE  
OR CURRENT RESIDENT  
404 SUSAN CIRCLE  
NORTH WALES PA 19454

TANG QUING & ZHANG NANYAN  
OR CURRENT RESIDENT  
407 SUSAN CIRCLE  
NORTH WALES PA 19454

YEO INWOOK  
OR CURRENT RESIDENT  
410 SUSAN CIRCLE  
NORTH WALES PA 19454

KIM PAUL  
OR CURRENT RESIDENT  
500 SUSAN CIRCLE  
NORTH WALES PA 19454

GOULD KENNETH G & LE HAU T  
OR CURRENT RESIDENT  
503 SUSAN CIRCLE  
NORTH WALES PA 19454

YOUNG KENNETH & SUSIE A  
OR CURRENT RESIDENT  
506 SUSAN CIRCLE  
NORTH WALES PA 19454

KO HSU-FENG & LIU NAI-HSUAN  
OR CURRENT RESIDENT  
509 SUSAN CIRCLE  
NORTH WALES PA 19454

WU DINGHUI & ZHANG ZHERU  
OR CURRENT RESIDENT  
512 SUSAN CIRCLE  
NORTH WALES PA 19454

LANE ROBIN L & DREW T  
OR CURRENT RESIDENT  
310 SUSAN CIRCLE  
NORTH WALES PA 19454

AUSTIN DANA M & SCHINDLER  
OR CURRENT RESIDENT  
402 SUSAN CIRCLE  
NORTH WALES PA 19454

MALCOLM TONNICA N & ANN MALICK  
OR CURRENT RESIDENT  
405 SUSAN CIRCLE  
NORTH WALES PA 19454

LEARN KENNETH A  
OR CURRENT RESIDENT  
408 SUSAN CIRCLE

LANNING JAMES & TRACY  
OR CURRENT RESIDENT  
411 SUSAN CIRCLE  
NORTH WALES PA 19454

REDDY SIDDAVATAM NAVEEN  
OR CURRENT RESIDENT  
501 SUSAN CIRCLE  
NORTH WALES PA 19454

PATEL RESHMA H  
OR CURRENT RESIDENT  
504 SUSAN CIRCLE  
NORTH WALES PA 19454

ZENG HANG & JIAO QUN  
OR CURRENT RESIDENT  
507 SUSAN CIRCLE  
NORTH WALES PA 19454

DURHAM CHARLES A & TENJURIE L  
OR CURRENT RESIDENT  
510 SUSAN CIRCLE  
NORTH WALES PA 19454

SHIM HYUNGBO & SONG JI Y  
OR CURRENT RESIDENT  
601 SUSAN CIRCLE  
NORTH WALES PA 1954

GONG YANLI & SHIN HYON DUK  
OR CURRENT RESIDENT  
603 SUSAN CIRCLE  
NORTH WALES PA 19454

KOWALEWSKI ALEXANDER P  
OR CURRENT RESIDENT  
605 SUSAN CIRCLE  
NORTH WALES PA 19454

BANG CHAN IL & WEE SUN AH  
OR CURRENT RESIDENT  
607 SUSAN CIRCLE  
NORTH WALES PA 19454

HUMES PAUL A  
OR CURRENT RESIDENT  
609 SUSAN CIRCLE  
NORTH WALES PA 19454

VARMA GOPIMANOHAR N  
OR CURRENT RESIDENT  
611 SUSAN CIRCLE  
NORTH WALES PA 19454

ETCO HECTOR TAPARIII & CHRISTINE  
OR CURRENT RESIDENT  
700 SUSAN CIRCLE  
NORTH WALES PA 19454

LAU GUOYAO KEVIN & ZUE YI YANG  
OR CURRENT RESIDENT  
702 SUSAN CIRCLE  
NORTH WALES PA 19454

SCHLOENDORN LISA & SZATKOWSKI  
OR CURRENT RESIDENT  
704 SUSAN CIRCLE  
NORTH WALES PA 19454

TAYLOR CHRIS H  
OR CURRENT RESIDENT  
706 SUSAN CIRCLE  
NORTH WALES PA 19454

JUNG JENNY EUN & SEONG K  
OR CURRENT RESIDENT  
708 SUSAN CIRCLE  
NORTH WALES PA 19454

LAU TINA  
OR CURRENT RESIDENT  
710 SUSAN CIRCLE  
NORTH WALES PA 19454

YI SALLY S & KIM JOE GUK WON  
OR CURRENT RESIDENT  
712 SUSAN CIRCLE  
NORTH WALES PA 19454

YEUNG RICHARD P  
OR CURRENT RESIDENT  
714 SUSAN CIRCLE  
NORTH WALES PA 19454

FENOCCHI KRISTEN & MURPHY  
OR CURRENT RESIDENT  
800 SUSAN CIRCLE  
NORTH WALES PA 19454

YAN DI  
OR CURRENT RESIDENT  
802 SUSAN CIRCLE  
NORTH WALES PA 19454

ZHANG XIANGYANG & ZHU FENGXIA  
OR CURRENT RESIDENT  
804 SUSAN CIRCLE  
NORTH WALES PA 19454

SINGH MANJIT  
OR CURRENT RESIDENT  
806 SUSAN CIRCLE  
NORTH WALES PA 19454

ZEILY PROPERTIES LLC  
OR CURRENT RESIDENT  
808 SUSAN CIRCLE  
NORTH WALES PA 19454

WU CHENGYING  
OR CURRENT RESIDENT  
810 SUSAN CIRCLE  
NORTH WALES PA 19454

BASILE VINCENT  
OR CURRENT RESIDENT  
812 SUSAN CIRCLE  
NORTH WALES PA 19454

XU ZHENHUA  
OR CURRENT RESIDENT  
814 SUSAN CIRCLE  
NORTH WALES PA 19454

ZHOU YAN  
OR CURRENT RESIDENT  
900 SUSAN CIRCLE  
NORTH WALES PA 19454

SON JULIE Y & WOHN  
OR CURRENT RESIDENT  
901 SUSAN CIRCLE  
NORTH WALES PA 19454

HUANG EUNICE R  
OR CURRENT RESIDENT  
902 SUSAN CIRCLE  
NORTH WALES PA 19454

TANG QUING & ZHANG NANYAN  
OR CURRENT RESIDENT  
903 SUSAN CIRCLE  
NORTH WALES PA 19454

WANG CHAO & LIN JIANMIN  
OR CURRENT RESIDENT  
904 SUSAN CIRCLE  
NORTH WALES PA 19454

RAJAPPA MANIKANDAN &  
OR CURRENT RESIDENT  
905 SUSAN CIRCLE  
NORTH WALES PA 19454

LEE KWANG B  
OR CURRENT RESIDENT  
906 SUSAN CIRCL  
NORTH WALES PA 19454

WALDIE THOMAS M JR & ALFIERI  
OR CURRENT RESIDENT  
907 SUSAN CIRCLE  
NORTH WALES PA 19454

HENNING NEIL & HOFFMAN AMY L  
OR CURRENT RESIDENT  
908 SUSAN CIRCLE  
NORTH WALES PA 19454

ABINGTON MEMORIAL HOSPITAL  
OR CURRENT RESIDENT  
1010 HORSHAM ROAD  
NORTH WALES PA 19454

K A HOLDINGS LLC  
OR CURRENT RESIDENT  
1020 HORSHAM ROAD  
NORTH WALES PA 19454

GENERAL HANCOCK PARTNERSHIP  
OR CURRENT RESIDENT  
700 UPPER STATE ROAD  
NORTH WALES PA 19454

GENERAL HANCOCK PARTNERSHIP  
OR CURRENT RESIDENT  
710 UPPER STATE ROAD  
NORTH WALES PA 19454

GH WHOLESALE CLUB LP  
OR CURRENT RESIDENT  
740 UPPER STATE ROAD  
NORTH WALES PA 19454

TODAY ASSOCIATES LLC  
OR CURRENT RESIDENT  
750 UPPER STATE ROAD  
NORTH WALES PA 19454

GENERAL HANCOCK PARTNERSHIP  
OR CURRENT RESIDENT  
800-860 UPPER STATE ROAD  
NORTH WALES PA 19454

JEROME JAY REALTY LLC  
OR CURRENT RESIDENT  
117 GARDEN GOLF BLVD  
NORTH WALES PA 19454

S B S OF MONTGOMERYVILLE INC  
OR CURRENT RESIDENT  
119 GARDEN GOLF BLVD  
NORTH WALES PA 19454

GH WHOLESale CLUB LP  
OR CURRENT RESIDENT  
740 UPPER STATE ROAD  
NORTH WALES PA 19454

ABINGTON MEMORAL HOSPITAL  
OR CURRENT RESIDENT  
1010 HORSHAM ROAD  
NORTH WALES PA 19454

GENERAL HANCOCK PARTNERSHIP  
OR CURRENT RESIDENT  
700 UPPER STATE ROAD  
NORTH WALES PA 19454

TOKAY ASSOCIATES LLC  
OR CURRENT RESIDENT  
750 UPPER STATE ROAD  
NORTH WALES PA 19454

K A HOLDINGS LLC  
OR CURRENT RESIDENT  
1020 HORSHAM ROAD  
NORTH WALES PA 19454

GENERAL HANCOCK PARTNERSHIP  
OR CURRENT RESIDENT  
800 UPPER STATE ROAD  
NORTH WALES PA 19454

MCMANUS KAITLY & OESTREICH  
OR CURRENT RESIDENT  
909 SUSAN CIRCLE  
NORTH WALES PA 19454

CHUNDURU SURENDRA  
OR CURRENT RESIDENT  
910 SUSAN CIRCLE  
NORTH WALES PA 19454

LIN Y Z & CHUNG LINDA  
OR CURRENT RESIDENT  
911 SUSAN CIRCLE  
NORTH WALES PA 19454

INGRAM DARA  
OR CURRENT RESIDENT  
912 SUSAN CIRCLE  
NORTH WALES PA 19454

HO NICK N & LIN HUI SIN  
OR CURRENT RESIDENT  
913 SUSAN CIRCLE  
NORTH WALES PA 19454

## Mary Gambino

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**From:** Bruce S. Shoupe  
**Sent:** Wednesday, January 13, 2021 1:41 PM  
**To:** JDOUGHERTY; Judy Goldstein; Valerie Liggett; ddrummond  
**Cc:** Mary Gambino; Bruce S. Shoupe; Marianne J. McConnell  
**Subject:** Costco Gasoline Sales

All

In reviewing the status of Costco Gas Land Development application submission, I noted no application was submitted for Conditional Use approval which is required by the code. I have reached out to Bohler Engineer and Costco's Attorney.

Please continue with your review of the plans submitted but do not issue any review letters until I get this item resolved, getting the cart behind the horse.

Thanks

Bruce

Bruce S. Shoupe  
Director of Planning and Zoning  
Montgomery Township  
1001 Stump Road  
Montgomeryville, PA 18936  
215-393-6920  
[Bshoupe@Montgomerytp.org](mailto:Bshoupe@Montgomerytp.org)



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









03/08/2021





STOP

### ZONING NOTICE

**PLANNING AND ZONING COMMISSION**  
The Commission has received an application for a rezoning of the property located at [redacted] from [redacted] to [redacted]. The rezoning is being requested by [redacted]. The rezoning is being requested for the purpose of [redacted]. The rezoning is being requested for the purpose of [redacted].

**PLANNING AND ZONING COMMISSION**  
The Commission has received an application for a rezoning of the property located at [redacted] from [redacted] to [redacted]. The rezoning is being requested by [redacted]. The rezoning is being requested for the purpose of [redacted]. The rezoning is being requested for the purpose of [redacted].

**PLANNING AND ZONING COMMISSION**  
The Commission has received an application for a rezoning of the property located at [redacted] from [redacted] to [redacted]. The rezoning is being requested by [redacted]. The rezoning is being requested for the purpose of [redacted]. The rezoning is being requested for the purpose of [redacted].

**PLANNING AND ZONING COMMISSION**  
The Commission has received an application for a rezoning of the property located at [redacted] from [redacted] to [redacted]. The rezoning is being requested by [redacted]. The rezoning is being requested for the purpose of [redacted]. The rezoning is being requested for the purpose of [redacted].

03/08/2021





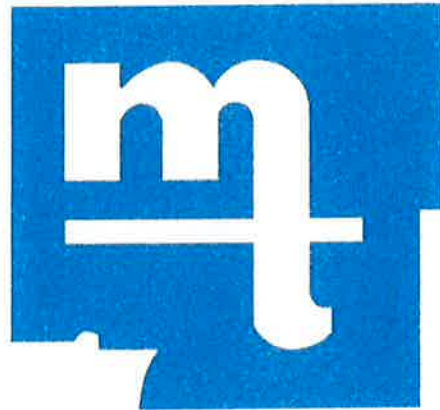
03/08/2021





03/08/2021

# Application for Conditional Use



Montgomery Township  
1001 Stump Road  
Montgomeryville, PA 18936-9605

Telephone: 215-393-6920  
Fax: 215-855-1498  
[www.montgomerytp.org](http://www.montgomerytp.org)

**Application for Conditional Use**

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

**Notice Of Appeal**

Appellant: Name: Costco Wholesale Corporation c/o John Paul Andrews  
Address: 45940 Horseshoe Drive, Suite 150, Sterling, VA 20166

---

Phone: 703-406-6862 Fax: \_\_\_\_\_

E-Mail [jpandrews@costco.com](mailto:jpandrews@costco.com)

Owner: Name: General Hancock Partnership  
Address: 2313 N. Broad Street, Colmar, PA 18915

---

Phone: 215-530-8900 Fax: \_\_\_\_\_

E-Mail [clayheckler@gmail.com](mailto:clayheckler@gmail.com)

Attorney: Name: Robert L. Brant, Esquire  
Address: 572 W. Main Street, PO Box 26865, Trappe, PA 19426

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Phone: 610-489-9199 Fax: 610-489-6815

E-Mail [rbrant@brantlaw.com](mailto:rbrant@brantlaw.com)

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

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1. Brief Description of Real Estate Affected:

Block and Unit Number: **Block 13C, Unit 2, Lot 1B**

Location: **Upper State Road, Montgomery Township, Montgomery County, PA**

Lot Size: **Approximately 7 acres**

Present Use: **Vacant parcel adjacent to existing Costco Wholesale Club**

Present Zoning Classification: **ECPOD-Expressway Corridor Preservation Overlay District**

Present Improvements Upon Land: **Vacant Land**

Deed Recorded at Norristown in Deed Book 4801 Page 347

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

**Section 230-199.B.(2)(b)[2]**

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

**Proposed gasoline filling station and 176.50 square foot kiosk**

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

See attached Addendum

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

NOTE:

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

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

SWORN TO AND SUBSCRIBED BEFORE ME THIS

  25<sup>th</sup>   DAY OF   January  , 2021

Sheina Marie Salinsky  
Notary Public

John Paul ANKRE  
Appellant's or Owner's Signature









**ADDENDUM TO APPLICATION OF COSTCO WHOLESALE CORPORATION  
FOR CONDITIONAL USE APPROVAL**

The Applicant, Costco Wholesale Corporation, is the proposed lessee with the consent of the record owner of the subject property, Block 13C, Unit 2, Lot 1B (Parcel No. 46-00-03919-14-8) situate on Upper State Road in the ECPOD-Expressway Corridor Preservation Overlay District (the "Property"). The property is presently vacant and consists of approximately seven (7) acres adjacent to the existing Costco Wholesale Club. The Applicant proposes to construct a gasoline filling station, which will consist of 18 fuel dispensers (9 pumps) and an approximate 176.50 square foot kiosk. A gasoline filling station is permitted in the ECPOD-Expressway Corridor Preservation Overlay District as a conditional use pursuant to Section 230-199B.2(b)[2].

The proposed use of the Property satisfies the standards and criteria for conditional use approval set forth in Section 230-198.F. of the Zoning Ordinance, including the following:

- There will be no more than 18 fueling stations (9 pumps) associated with a gasoline filling station;
- The pumps will be equipped with extended hoses to allow for fueling on both sides of vehicles;
- Retail sales in the canopy and kiosk areas will be limited to gasoline and diesel fuel; there shall be no sales of oil, wiper blades, tobacco products, food or beverages;
- There will be no outdoor display of goods for sale in the canopy or kiosk area;
- Permitted signage will be limited to 21 square feet per side on each of the four sides of the canopy; no more than 84 square feet total on the canopy; and
- Hours of operation will be limited to 6:00 a.m. to one hour after closing of the warehouse club or wholesale club.

In addition, the proposed use of the property satisfies the standards and criteria for conditional use approval set forth in Section 230-156.2.C of the Zoning Ordinance, including the following:

- The proposed use is permitted by conditional use, and it will conform to the applicable regulations of the ECPOD-Expressway Corridor Preservation Overlay District and any District regulations which relate to or apply to the use, including setbacks, building coverage, open space, and buffering.
- The proposed use will conform to the regulations applicable including but not limited to regulations contained in Article XVIII, Signs, Article XIX, Off-Street Parking and Loading, 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 providing 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.
- The proposed use will not have an unwarranted impact on traffic in the area and will not create any traffic hazards dangerous to the public safety.
- Screening of the proposed use from its 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 of the Property as a gasoline filling station does not adversely affect or contradict Montgomery Township's Comprehensive Plan.
- 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 properties, nor will it 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.

# MONTGOMERY TOWNSHIP

## ORDINANCE #20-312Z

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AN ORDINANCE AMENDING THE MONTGOMERY TOWNSHIP ZONING ORDINANCE, AS AMENDED, BY AMENDING (1) ARTICLE II [DEFINITIONS], SECTION 230-5(B) [WORD USAGE; DEFINITIONS] TO INCLUDE A DEFINITION OF "WAREHOUSE CLUB OR WHOLESALE CLUB"; (2) ARTICLE XXVII [ECPOD EXPRESSWAY CORRIDOR PRESERVATION OVERLAY DISTRICT], SECTION 230-198, PROVIDING FOR STANDARDS AND CRITERIA FOR GASOLINE FILLING STATIONS PERMITTED BY CONDITIONAL USE IN THE ECPOD DISTRICT; AND (3) ARTICLE XXVII [ECPOD EXPRESSWAY CORRIDOR PRESERVATION OVERLAY DISTRICT], SECTION 230-199 [PERMITTED LAND USE CATEGORIES/RETAIL USES] (B)(2)(b) [STANDARD RETAIL USES PERMITTED BY CONDITIONAL USE] ADDING GASOLINE FILLING STATIONS AS A STANDARD RETAIL USE PERMITTED BY CONDITIONAL USE IN THE ECPOD DISTRICT

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**NOW THEREFORE**, it is hereby **ENACTED** and **ORDAINED** by the Board of Supervisors that Article XXVII [ECPOD Expressway Corridor Preservation Overlay District], of the Township's Zoning Ordinance, as amended, shall be further amended as follows:

**SECTION 1.**      **Amendment to Article II [Definitions], Section 230-5(B) [Word Usage; Definitions]**

Article II [Definitions] Section 230-5(B) [Word Usage; Definitions] is hereby amended to add the following definition for "Warehouse Club or Wholesale Club":

**WAREHOUSE CLUB OR WHOLESALE CLUB** – A members-only large format retail store, offering a wide variety of goods for sale at discounted prices to its members.

**SECTION 2. Amendment to Article XXVII [ECPOD Expressway Corridor Preservation Overlay District], Section 230-198 [Application Procedures, Standards and Criteria]**

Article XXVII [ECPOD Expressway Corridor Preservation Overlay District], Section 230-198 [Application Procedures, Standards and Criteria] is hereby amended to add the following new Section "F", and reads as follows:

- F. Standards and criteria for gasoline filling stations permitted by conditional use.

The following standards and criteria shall be applicable to all gasoline filling stations permitted by conditional use:

- (1) there shall be no more than 18 fueling stations (9 pumps) associated with a gasoline filling station;
- (2) the pumps shall be equipped with extended hoses to allow for fueling on both sides of vehicles;
- (3) retail sales in the canopy and kiosk areas shall be limited to gasoline and diesel fuel; there shall be no sales of oil, wiper blades, tobacco products, food or beverages;
- (4) there shall be no outdoor display of goods for sale in the canopy or kiosk area;
- (5) permitted signage shall be limited to 21 square feet per side on each of the four sides of the canopy; no more than 84 square feet total on the canopy; and
- (6) hours of operation shall be limited to 6:00 a.m. to one hour after closing of the warehouse club or wholesale club.

**SECTION 3. Amendment to Article XXVII [ECPOD Expressway Corridor Preservation Overlay District], Section 230-199 [Permitted Land Use Categories/Retail Uses] (B)(2)(b) [Standard Retail Uses Permitted by Conditional Use]**

Article XXVII [ECPOD Expressway Corridor Preservation Overlay District], Section 230-199 [Permitted Land Use Categories/Retail Uses] (B)(2)(b) [Standard Retail Uses Permitted by Conditional Use] is hereby amended to add "Gasoline

Filling Stations” as a standard retail use permitted by conditional use in the ECPOD District, and reads as follows:

(b) Standard retail uses permitted by conditional use:

- [1] restaurants or similar indoor eating facilities with drive-through and fast food facilities larger than 5,000 square feet in gross floor area;
- [2] gasoline filling stations on the same lot as a warehouse club or wholesale club or situate in a unified development containing a warehouse club or wholesale club, such gasoline filling station open only to members of the warehouse club or wholesale club and not open to members of the general public; and
- [3] motor vehicle sales facilities for new and used motor vehicles are prohibited.

\*\*\*

**SECTION 4. Repeal and Ratification.**

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

**SECTION 5. Severability.**

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

**SECTION 6. Effective Date.**


This Ordinance shall become effective 5 days after enactment.

[Signatures on Next Page]



**ORDAINED AND ENACTED** this 14<sup>th</sup> day of September, 2020 by the Montgomery Township Board of Supervisors.

**BOARD OF SUPERVISORS  
MONTGOMERY TOWNSHIP**

  
Chairman  
Tanya C. Bamford, Chairman

[Seal]

**Attested by:**

  
CAROLYN MCCREARY  
Township Manager/ Secretary

p:\word\clients\costco - general hancock partnership\text amendment ordinance\text amendment ordinance wfm 9.25.19.clean.docx



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

**REVISED MARCH 8, 2021**

March 5, 2021

File No. 2019-10114-02

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

Reference: Conditional Use Application (C-75)  
Costco Wholesale – Gas Filling Station  
Tax Map Parcel Number: 46-00-03919-148; Block 13C (Lot 1B), Unit 2  
740 Upper State Road

Dear Bruce:

As requested, Gilmore & Associates, Inc. has reviewed the information listed below with regard to the conditional use application referenced above.

- A. Application for Conditional Use for Costco Wholesale Corporation (including addendum), dated January 25, 2021.
- B. Tax Map and List of Adjoining Property Owners.
- C. Deed (Book 4801, Page 347) for parcel number 46-00-03919-00-4 and 46-00-3919-10-3.
- D. General Hancock Partnership letter dated November 13, 2020.
- E. Sentry Property Management, Inc. letter dated November 16, 2020.
- F. Conditional Use Plans for Costco Wholesale Proposed Gas Station (5 Sheets), prepared by Bohler Engineering, dated January 25, 2021.
- G. Fuel Facility Plan (1 Sheet), prepared by MG2, dated January 6, 2021.

The subject 6.79-acre parcel (Tax Parcel #46-00-03919-14-8, Block 13C, Unit 2) is within the General Hancock Partnership Development Site. The overall site is within the Limited Industrial (LI) Zoning District and the Expressway Corridor Preservation Overlay (ECPOD) Zoning District and is developed in accordance with the Township Retail Center Regulations. The subject property is a vacant pad site adjacent to the existing Costco Wholesale located at the intersection of the U.S. Route 202 Parkway and the loop drive through the existing retail shopping center. The site can be accessed from Upper State Road (S.R. 2012) and the U.S. Route 202 Parkway.

The Applicant, Costco Wholesale, proposes to construct a gasoline filling station as a satellite use. The proposed use is permitted by conditional use in the ECPOD Expressway Corridor Preservation Overlay Zoning District.

We offer the following comments for consideration by the Montgomery Township Board of Supervisors. Our review includes consistency with the Township Comprehensive Plan, and the Township Zoning Ordinance (Chapter 230).

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

---

Gilmore & Associates, Inc.  
Building on a Foundation of Excellence  
www.gilmore-assoc.com

## PLANNING REVIEW

### 1. Use

- a. As per Ordinance #20-312Z, the proposed gasoline service station is permitted by conditional use in the ECPOD.
- b. As per Ordinance #20-312Z, the General Notes on Drawing C-102 shall be revised demonstrating compliance with the standards and criteria for gasoline filling stations in the ECPOD as follows.
  - Add a new note: "Retail sales in the canopy and kiosk areas shall be limited to gasoline and diesel fuel; there shall be no sales of oil, wiper blades, tobacco products, food, or beverages."
  - Revise the note regarding the prohibition of outdoor sales to include that display of goods for sale is also prohibited.
  - Revise the note regarding the hours of operation to include that closing of the gas filling station shall be limited to one hour after closing of the warehouse club or wholesale club.

### 2. Conditional Use Standards

- a. As per ZO Section 230-156.2, the following standards and criteria shall apply to conditional use applications:
  1. The proposed use is permitted by conditional use, and 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.
  2. 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.
  3. 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.
  4. The location of the site with respect to the existing public roads giving access to it is such that the safe capacity of the public roads is not exceeded by the estimated traffic attracted or generated by the proposed use, and the traffic generated or attracted is not out of character with the normal traffic using said public roads.
  5. 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.
  6. 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.
  7. The proposed use does not adversely affect or contradict Montgomery Township's Comprehensive Plan.
  8. The proposed use meets the purpose described in Article I of this chapter.

9. The proposed use is suitable for the character of the neighborhood and the uses of the surrounding properties.
10. The proposed use will not impair an adequate supply of light and air to adjacent property.
11. The proposed use will not adversely affect the public health, safety or general welfare.
12. The proposed use will not adversely affect transportation or unduly burden water, sewer, school, park or other public facilities.
13. The proposed use shall not overcrowd land or create undue concentration of population or undue intensity of use.

The applicant has included an addendum to the conditional use application which indicates the proposed development will comply with the above noted standards and criteria.

Additionally, as per ZO Section 230-198.D, within the ECPOD the application for conditional use shall also include a traffic management study, as required by Article XVI of the Subdivision and Land Development Ordinance.

### 3. Existing Conditions and Surrounding Land Uses

- a. The site is currently commercial. The proposed use of the site is commercial.
- b. The site is located in the ECPOD Expressway Corridor Preservation Overlay District and has frontage along U.S. Route 202. The site is located within a shopping center and is predominantly surrounded by commercial uses. There is residential development to the west of the site and to the south (across Route 202).

### 4. Consistency with the Comprehensive Plan

- a. As per the 2008 Comprehensive Plan Update, the property is identified as Undeveloped. However, since the adoption of the 2008 Comprehensive Plan, the site has been developed into a commercial use which is consistent with the surrounding area. The Plan states the intended goal of economic development within the Township is to stimulate the growth of businesses by expanding, modernizing and adding new businesses. The proposed development is generally consistent with the Montgomery Township Comprehensive Plan.

### 5. Traffic and Pedestrian Circulation Patterns

- a. The site is located within a shopping center which has two access drives from U.S. Route 202, as well as one access drive from Upper State Road.
- b. The plans do not propose any new pedestrian walkways. New curb cuts are proposed to connect existing walkways.

## LANDSCAPE REVIEW

### Zoning Ordinance (Chapter 230)

6. §230-156.2.C(6) - Screening of the proposed use from adjacent uses shall be sufficient to prevent the deleterious impact of the uses upon each other, considering the type, dimension and character of the screening. The applicant shall either demonstrate that existing vegetation will be sufficient to meet this requirement, or additional screening shall be provided between the proposed use, the adjacent day care and medical offices, and the residences across Route 202.

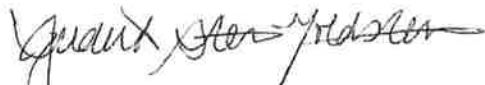
**ENGINEERING REVIEW**

Traffic Impact Assessment

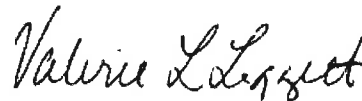
7. It is our understanding that the Traffic Impact Study was reviewed by the previous Township Traffic Consultant. The Township previously identified the following safety improvements at the intersection of Upper State Road and Costco Drive. We recommend the Applicant provide these traffic signal upgrades.
- a. Minor Timing Improvements
  - b. Opticom Emergency Preemption
  - c. Econoline Battery Backup
  - d. Video Detection
  - e. Replace controller cabinet and control equipment

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

Sincerely,



Judith Stern Goldstein, R.L.A., ASLA  
Senior Project Manager  
Gilmore & Associates, Inc.



Valerie L. Liggett, R.L.A., ASLA, ISA Certified Arborist  
Senior Landscape Architect  
Gilmore & Associates, Inc.



Damon A. Drummond, P.E., PTOE  
Senior Transportation Engineer  
Gilmore & Associates, Inc.



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

JSG/VLL/DAD/JPD/si

- cc: Carolyn McCreary, Manager – Montgomery Township  
Marianne McConnell, Deputy Zoning Officer – Montgomery Township  
Mary Gambino, Project Coordinator – Montgomery Township  
Bill Wiegman, Director of Fire Services - Montgomery Township  
Sean Kilkenny, Esq., Solicitor – Kilkenny Law  
John Paul Andrews – Costco Wholesale Corporation  
Robert L. Brant, Esq. – Robert L. Brant & Associates, LLC  
Lindsey Breylinger – Bohler Engineering

**ZONING ORDINANCE  
PLAN REVIEW  
Conditional Use # C-75**

DATE: March 16, 2021

PLAN REVIEW – Costco Warehouse - Gasoline Sales

DEVELOPMENT NAME: Costco Warehouse - Gasoline Sales  
 LOCATION: Upper State Road  
 LOT NUMBER & SUBDIVISION: Condo Parcel - 1 lot  
 ZONING DISTRICT: ECPOD Zoning District  
 PROPOSED USE: Outdoor Retail Sale of Gasoline  
 ZONING HEARING BOARD APPROVAL REQUIRED? No  
 CONDITIONAL USE APPROVAL REQUIRED? YES

	Proposed	Required	Approved	Not Approved	N/A
USE	Gasoline Sales	Conditional Use		X	
HEIGHT			X		
LOT SIZE			X		
BUILDING COVERAGE			SEE BELOW		
PARKING			X		
IMPERVIOUS COVERAGE					
LOT WIDTH			X		
SETBACKS					
NORTH			X		
SOUTH			X		
EAST			X		
WEST			X		
GREEN AREA			SEE BELOW		
Other Comments			See Below		

ADDITIONAL COMMENTS

1. Maximum number of 9 pumps (18 fueling positions)
2. Extra length extended houses on pumps, so vehicles can fuel on either side.
3. No retail sales in pump area, i.e.: no oil, wipers blades, tobacco products, soda, etc.
4. Any outdoor display of goods is prohibited.

\*\*\* Required impervious coverage, green space, building coverage and percentage of uses permitted un ECPOD Overlay Option #2 is based on plan prepared by Schlosser & Clauss, last revised March 3, 2014, which appears to show plan is in general conformity of the zoning district.  
 Explain "Existing Non-conformity" and when it occurred.

  
 ZONING OFFICER

3.16.21  
 DATE



## MONTGOMERY TOWNSHIP POLICE DEPARTMENT

---

J. Scott Bendig  
Chief of Police

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

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

From: J. Scott Bendig, Chief of Police *JSB*

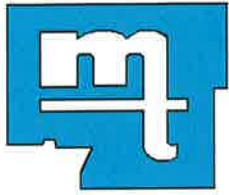
Date: February 8, 2021

Re: Costco Gas Conditional Use  
Upper State Road

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A review of the above-referenced conditional use was conducted on this date. There are no areas of concern to the Police Department at this time. Thank you for the opportunity to review this subdivision/land development. Please contact me if you have any issues or concerns.





## **MEMORANDUM**

**TO:** Board of Supervisors

**FROM:** Planning Commission  
Jim Rall, Chairman

**DATE:** March 18, 2021

**RE:** Costco Warehouse Gasoline Sales – C#75

The Planning Commission has reviewed the above Conditional Use request and would recommend to the Board of Supervisors that the Use be approved subject to compliance with all review letters.

**MONTGOMERY COUNTY  
BOARD OF COMMISSIONERS**

VALERIE A. ARKOOSH, MD, MPH, CHAIR  
KENNETH E. LAWRENCE, JR., VICE CHAIR  
JOSEPH C. GALE, COMMISSIONER



**MONTGOMERY COUNTY  
PLANNING COMMISSION**

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

JOHN S. COVER, AICP  
INTERIM EXECUTIVE DIRECTOR

January 21, 2020

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

Re: MCPC #19-0309-001  
Plan Name: ECPOD – Gasoline Stations  
Montgomery Township

Dear Mr. Shoupe:

We have reviewed the above-referenced zoning text amendment in accordance with Section 609 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on December 30, 2019. We forward this letter as a report of our review.

## BACKGROUND

The applicant, Costco Wholesale, proposes to amend Article XXVII of Montgomery Township's zoning code to add standards for gasoline filling stations, to be permitted by conditional use in the Expressway Corridor Preservation Overlay District (ECPOD). These filling stations would be permitted only on the same lot or in the same unified development as a warehouse club or wholesale club, the definition of which would also be added via amendment to Article II of the zoning code. No more than 18 fueling stations would be permitted at one station, no additional retail sales or goods displays would be permitted, and signage and operating hours would be regulated.

## COMPREHENSIVE PLAN COMPLIANCE

Montgomery Township's ECPOD covers three different zoning classifications: predominantly LI and R2, with a small sliver of C land area included near Welsh Road. Montgomery Township's *2008 Comprehensive Plan Update Vision Plan* identifies the corridor for the Route 202 Parkway and highlights commercial and residential areas along the corridor. We believe that this text amendment is generally compatible with the township's vision plan as effects would likely be limited to the LI-zoned areas.



Montgomery County's comprehensive plan, *Montco 2040: A Shared Vision*, notes that the county will work with municipalities and businesses on modernizing and adapting business parks through zoning changes, infrastructure improvements, and private sector investment. This project is compatible with *Montco 2040*.

## RECOMMENDATION AND COMMENTS

The Montgomery County Planning Commission (MCPC) supports the applicant's proposal for the zoning text amendment change, as it seems suitable to permit fueling stations in an expressway corridor overlay zoning district. We look forward to reviewing the specific and final land development proposal and conditional use application once the zoning text amendment is fully approved.

## CONCLUSION

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

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

Sincerely,

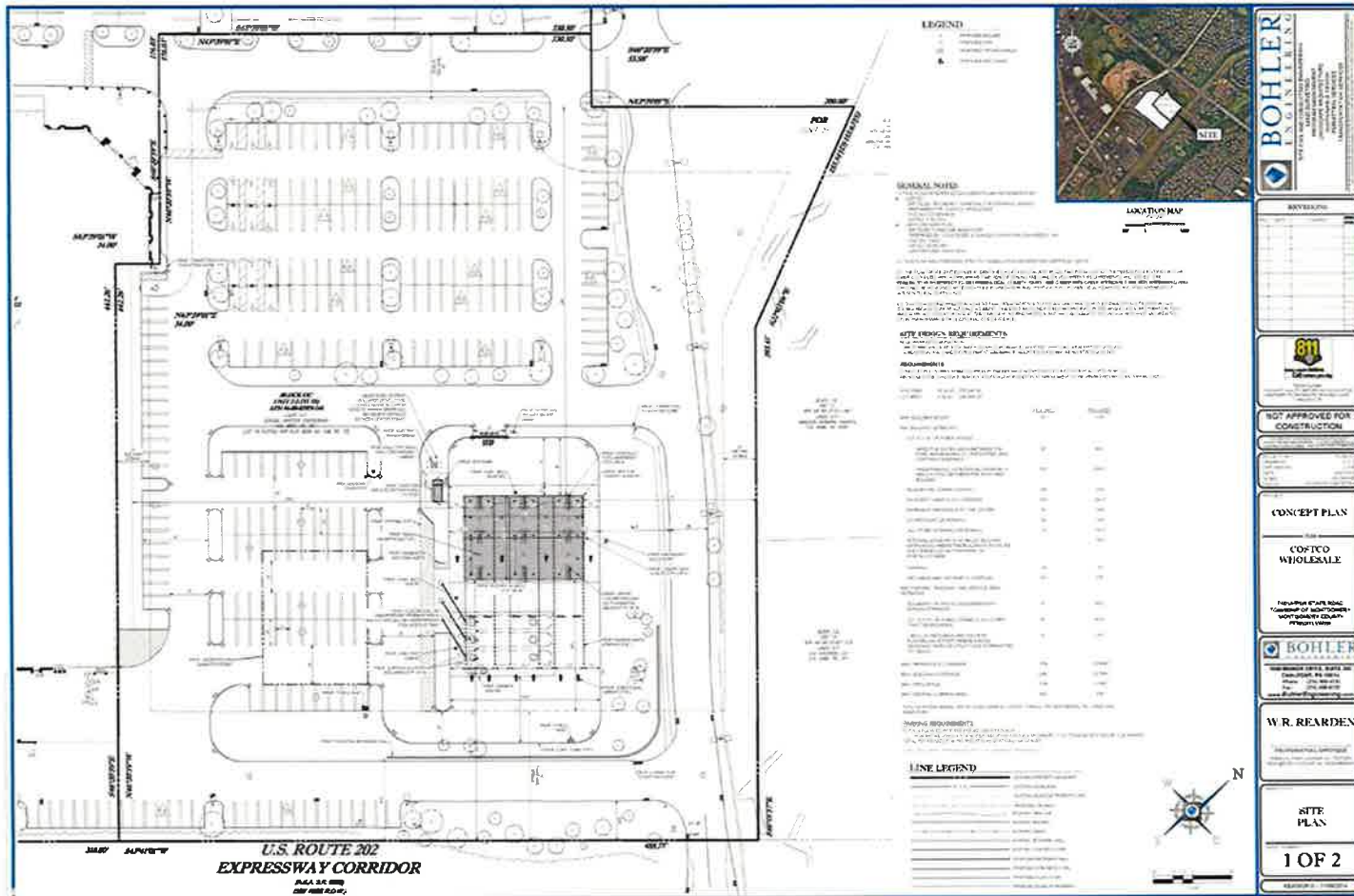


Matthew Popek, AICP  
Senior Transportation Planner  
[mpopek@montcopa.org](mailto:mpopek@montcopa.org) - 610-278-3730

c: Costco Wholesale, Applicant  
Robert L. Brant, Applicant's Representative  
Carolyn McCreary, Twp. Manager  
Jay Glickman, Chrm., Twp. Planning Commission

Attachments: (1) Concept Plan  
(2) Aerial

Concept Plan – Proposed Costco Wholesale Gas Service, Montgomery Township



*Aerial – Proposed Costco Wholesale Gas Service, Montgomery Township*



**ECPOD - Gasoline Stations**  
**MCPC #190309001**

Montgomery  
County  
Planning  
Commission  
Montgomery County Courthouse - Planning Commission  
PC Box 211 • Norristown PA 19384-0211  
(610) 278-3722 • (610) 278-3941  
[www.montco.org/planning](http://www.montco.org/planning)  
Year 2017 aerial photography produced by iPhotometry



**ZONING ORDINANCE  
PLAN REVIEW  
Conditional Use # C-75**

DATE: March 16, 2021

PLAN REVIEW – Costco Warehouse - Gasoline Sales

DEVELOPMENT NAME: Costco Warehouse - Gasoline Sales

LOCATION: Upper State Road

LOT NUMBER & SUBDIVISION: Condo Parcel - 1 lot

ZONING DISTRICT: ECPOD Zoning District

PROPOSED USE: Outdoor Retail Sale of Gasoline

ZONING HEARING BOARD APPROVAL REQUIRED? No

CONDITIONAL USE APPROVAL REQUIRED? YES

	Proposed	Required	Approved	Not Approved	N/A
USE	Gasoline Sales	Conditional Use		X	
HEIGHT			X		
LOT SIZE			X		
BUILDING COVERAGE			SEE BELOW		
PARKING			X		
IMPERVIOUS COVERAGE			X		
LOT WIDTH			X		
SETBACKS					
NORTH			X		
SOUTH			X		
EAST			X		
WEST			X		
GREEN AREA			SEE BELOW		
Other Comments			See Below		

ADDITIONAL COMMENTS

1. Maximum number of 9 pumps (18 fueling positions)
2. Extra length extended houses on pumps, so vehicles can fuel on either side.
3. No retail sales in pump area, i.e.: no oil, wipers blades, tobacco products, soda, etc.
4. Any outdoor display of goods is prohibited.

\*\*\* Required impervious coverage, green space, building coverage and percentage of uses permitted un ECPOD Overlay Option #2 is based on plan prepared by Schlosser & Clauss, last revised March 3, 2014, which appears to show plan is in general conformity of the zoning district.

  
ZONING OFFICER

3/16/21  
DATE

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

Item # 9

---

**SUBJECT:** Consider Zoning Hearing Board Applications  
**MEETING DATE:** March 22, 2021  
**BOARD LIAISON:** Tanya C. Bamford, Chair  
**INITIATED BY:** Bruce Shoupe, Director of Planning and Zoning

---

**BACKGROUND:**

Attached are summaries of the Zoning Hearing Board application(s) to be heard at the April 7, 2021 meeting.

- a. 218 Grays Lane – Colin & Megan Tosti
- b. 110 Matthew Drive – Bernd Heinze
- c. 1005 Horsham Road – Joseph Ambler Inn and Richard Allman

**ALTERNATIVES/OPTIONS:** The Board could oppose, remain neutral, or support the applicants' request.

**RECOMMENDATION:** Seek guidance from the Board.

**MOTION:**

MOTION \_\_\_\_\_

SECOND \_\_\_\_\_





## Montgomery Township Zoning Hearing Board

**Meeting Date: [April 7, 2021](#)**

*The agenda for the scheduled hearing is as follows:*

**7:30 pm - 1. Application # 21030001 Tosti / 218 Grays Lane** – The applicants, Colin & Megan Tosti own and occupy the single family home located at the corner of Grays Lane and Tree Line Drive. The 29,255 square foot lot sits within the R5 zoning district. The home faces Grays Lane with the side yard along Tree Line Drive. The applicants propose to replace an existing 4 foot tall split rail fence with a 5 foot tall solid fence. The applicants propose to install 257 feet of solid fencing 5 feet in height along Tree Line Drive adjacent to the property line where a minimum of 15 feet from the property line is required. A 4 foot open style fence is permitted at this location. The applicants seek a variance from the provisions of Section 230-148(2)(c) of the Code of Montgomery Township in order to install the proposed fence.

**8:00 pm – 2. Application #21030003 Heinze / 110 Matthew Drive** – The applicant Bernd Heinze owns and occupies the single family home located at 110 Matthew Drive. The 18,772 square foot lot sits within the R2 Cluster zoning district. The majority of Matthew Drive is a circle. This property sits on the inside of the circle along the curve creating a large front yard and by definition, no side yard along Matthew Drive. The applicant proposes to install a 48-inch tall aluminum open style fence within a portion of the front yard along the curve where the maximum height allowed is 3 feet. The applicant seeks relief from Sections 230-148B(2)(a) and 230-148C of the Code of Montgomery Township in order to install the proposed fence.

**8:30 pm – 3. Application #21030002 Joseph Ambler Inn Real Estate and Richard Allman / 1005 Horsham Road** – The applicant owns and operates the country inn facility and restaurant located on the 12.5 acre property at 1005 Horsham Road. As the property sits within the R-2 residential zoning district, the applicant has received multiple variances and amendments to previous decisions over the years in order to operate and expand the business. The applicant currently proposes to enlarge one of the existing outdoor patios by 960 square feet in order to expand the outdoor dining and seating area.

**\*\*Copies of the Application(s) and accompanying documents are on file in the Township's Planning and Zoning Department and may be seen upon request.**

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

Item # 10

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**SUBJECT:** Consider Westrum Request Concerning Pedestrian Crossing/Connectivity  
**MEETING DATE:** March 22, 2021  
**BOARD LIAISON:** Tanya C. Bamford, Chair  
**INITIATED BY:** Bruce Shoupe, Director of Planning & Zoning

---

**BACKGROUND:**

The Township's Traffic Engineer, and Planning Consultant along with Township staff met with representatives of Westrum and their engineer to discuss the potential pedestrian crossing at Route 309 and Knapp Road, and the connector to the 202 Parkway on March 8<sup>th</sup>. Fran Hanney, Senior Manager (Traffic Services Division of PennDOT) was also in attendance. Copies of the meeting notes are included in the packet accompanied by a map of the area.

**BUDGET IMPACT:**

If the Township were to accept a \$200,000 capital contribution proposed by Westrum and publicly bid the desired improvements, it will result in the Township paying any additional costs. The Township could apply for a multi-modal grant. However, there is no guarantee the application would be successful and in what round of funding.

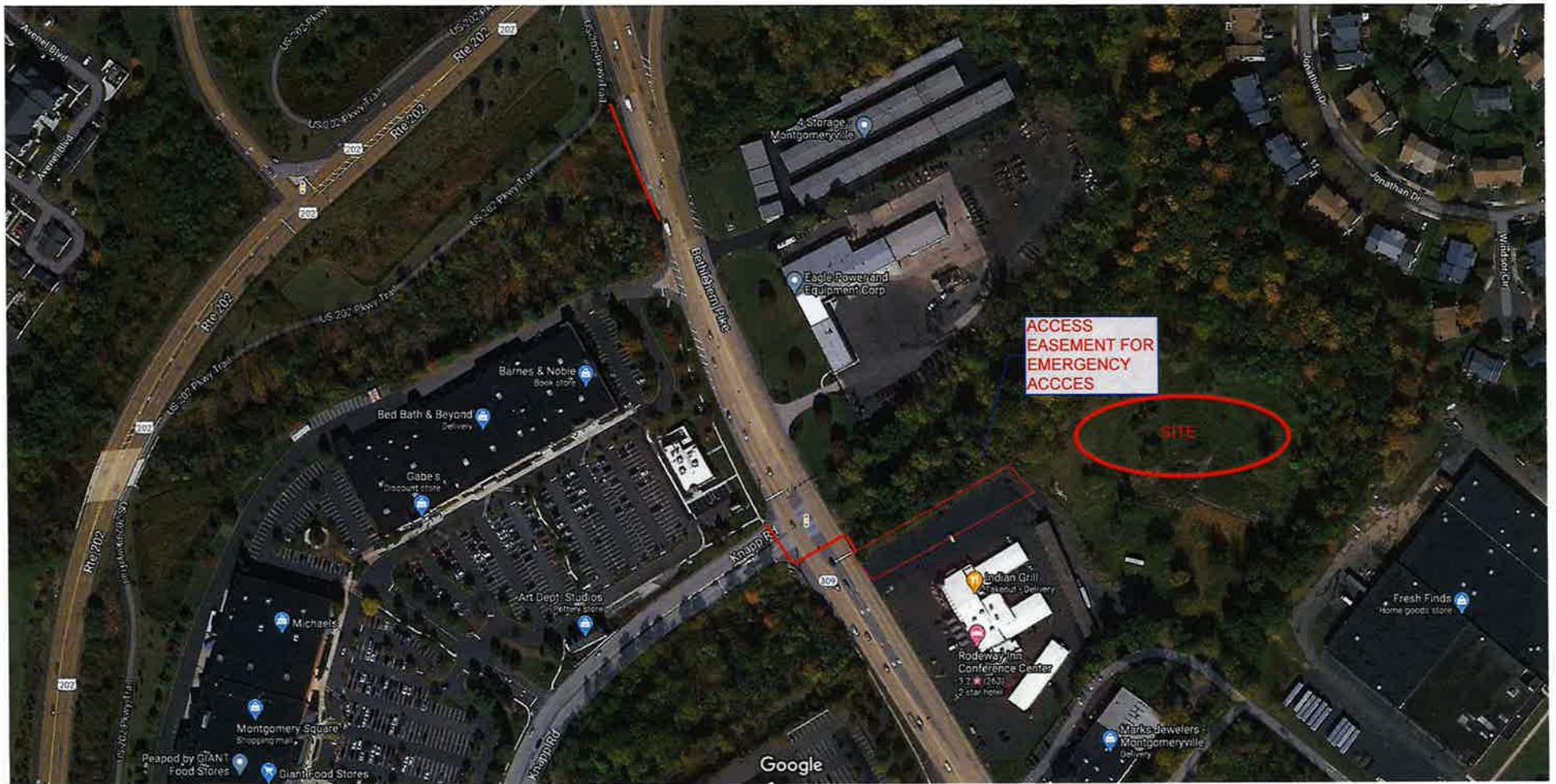
**RECOMMENDATION:**

Staff is looking for Board consensus and direction so the applicant can make a decision about whether they wish to move forward with the proposed project.

**MOTION/RESOLUTION:**

Motion: \_\_\_\_\_

Second: \_\_\_\_\_



PEDESTAIN CONNECTION  
BEING CONSIDERED





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

## MEETING MINUTES

**Reference: Westrum – Route 309 pedestrian connections**  
(Signal File #2840 Knapp Rd/Route 309)  
Montgomery Township, Montgomery County

**Place:** Knapp Rd/Route 309

**Mtg Date:** March 8, 2021 3:00PM

**Attendees:** Carolyn McCreary, Montgomery Township  
Chief J. Scott Bendig, Montgomery Township  
Officer David Dunlap, Montgomery Township  
Michael Maier, Westrum  
Jon Herzog, Westrum  
Damon Drummond, PE, PTOE – G&A  
Judith Goldstein, R.L.A. - G&A  
Anthony Caponigro, P.E. – Kimley-Horn

**Prepared by:** Damon Drummond P.E., PTOE, March 10, 2021

---

The following is a summary of those items discussed:

1. Montgomery Township would like to see pedestrian connections to the proposed Montgomery Square Shopping Center and the 202 Parkway trail.
2. The purpose of the meeting was to examine the previously discussed the crossings with the applicant, the Township, and PennDOT to determine the possible options/feasibility and necessary permitting likely associated with each option.
3. Westrum is proposing a 237-unit apartment complex assuming they receive residential rezoning for their property.
4. With the potential residential rezoning the Township is taking a hard look at the pedestrian accommodations since this location was not originally intended to be a pedestrian generator.
5. The most direct route to this nearby shopping center is though the proposed access easement to Knapp Road.

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)

6. Knapp Road is currently signed for no pedestrian crossing. However, pedestrians have been seen crossing here. Giant Store shopping carts in the back of the motel are more evidence that pedestrians are crossing near this location.
7. North of the Montgomery Square Shopping center, there is a pedestrian missing link to the accessing the parkway trail. This included missing sidewalk and a safe link over the culvert.
8. PennDOT MTF and DCED MTF grants should be considered. Any contribution from the developer could be considered contribution towards the match. A 30% match has been requested in the past for MTF grants.

### **Knapp Road Crossing**

9. Could Westrum provide a pedestrian crossing at Stump Road as more pedestrians might be destined to Wawa? DD Response: The pedestrian crossing at Knapp is needed to provide access to the Montgomery Square shopping including a potential Krispy Cream, Barnes and Noble etc. Pedestrians are likely to take the most direct path which is this path at Knapp Road. JG – Explains a connection is part of the trails map in the 2007 Open Space Plan and the amenities at this shopping center are likely to be visited by the residents.
10. AC - The intersection is considered unsafe based on the number of lanes and speed of the road. DD- The current conditions do not make it a safe crossing, however this is why we are looking to put pedestrian signal heads to make it a safer crossing. There are similar crossings down the road at Garden Golf Boulevard/Route 309 and Upper State Road/Route 309. We are confident a crossing can be provided at Knapp and Route 309. Pedestrians are currently making the crossing and better accommodations should be considered.
11. AC- The hotel is a private how will pedestrians legally access the property without an easement. The topography around the parking area does not appear suitable for a walkway. Response: Although not ideal, pedestrians can walk through the parking area like any other parking lot. It is our understanding the applicant is already getting an access easement for emergency access. We recommended that pedestrian access be included too. The applicant does not think the hotel property owner will be happy with granting pedestrian access.
12. Crossing the south or north leg of Route 309 was considered. DD was looking at the crossing the south leg with possibly cutting the median and moving back the stop bar and providing some guiderail openings. This could also eliminate the need to cross the creek. This would also prevent the pedestrian crossing/vehicular dual left-turn conflict from Knapp Road. The new stop bar location and driveway proximity would be a concern along with the need to build the area up and modify the outdated guiderail.

Westrum, FH and the Montgomery Police preferred the crossing on the north leg. This puts pedestrian further away from the southbound stopbar, and provides a refuge island for Route 309. There is a downward incline on northbound 309 and providing extra distance between the northbound stop bar and crossing should be considered. This would also eliminate modifications for southwest guiderail on the corner.

13. Assuming the Knapp Road layout of crossing the north leg, pedestrians would need to transverse the area west of the gabion wall. Deterioration of Route 309 was noticed due to drainage. An inlet should be considered along with energy dissipation to the creek. This will be brought to the attention of the PennDOT maintenance unit. In addition, the gabion wall, is starting to show signs of future failure, installing future additional pavement structure is a concern noting the needed repairs. If this wall should be repaired structurally, pedestrian accommodation should be considered.
14. Unwarranted guiderail should be removed if this project moves forward.
15. A pedestrian bridge is an option at both gabion wall locations but is unclear of the potential savings.
16. In lieu of guiderail, jersey barrier may be an option. Guiderail may need to be brought up to current standards including attenuators.
17. A Highway Occupancy permit will be required. Permitting with DEP will be required.

#### **Route 309 Culvert Crossing**

18. Route 309 crossing, although there is currently sidewalk across the culvert, the gabion wall is starting to buckle, undermining of the existing sidewalk is also starting to be seen. Repair of the wall is recommended. The wall should be repaired structurally and to hopefully accommodate pedestrians given the proximity to the 202 parkway trail.
19. A crossing has the potential to be undermined at the culvert based on the current disrepair of the gabion wall.
20. Sidewalk should be replaced from the right-in/right-out driveway to the culvert.
21. It is requested to send PennDOT pictures for the walls for their records. The pictures will be sent the PennDOT maintenance unit to address roadway support and deterioration concerns.
22. A Highway Occupancy permit will be required. Permitting with DEP will be required.

March 11, 2021

Ms. Carolyn McCreary  
Township Manager  
Montgomery Township  
Via email: [cmccreary@montgomerytwp.org](mailto:cmccreary@montgomerytwp.org)

**Re: Pedestrian Crossing at 309 / Knapp Road; Trail / Sidewalk Extension**

Dear Carolyn,

Thank you and your staff for the site visit and meeting on March 8, 2021, at the Route 309 and Knapp Road intersection. The goal of the site visit and meeting was for the Township's consultant, Gilmore & Associates, and Westrum's engineer, Kimley Horn, to come to an understanding of the scope of work necessary to achieve the Township's desired pedestrian crossing from the proposed LUXOR project site across Route 309 at Knapp, and the requested trail/sidewalk extension on the west side of Route 309, just north of the Barnes & Noble. Since Route 309 is a State Highway, any proposed improvements within the right-of-way requires approval from PENNDOT. As such, Francis Hanney, from PENNDOT's District 6, was also in attendance to provide PENNDOT's point of view and consider the feasibility of the improvements and discuss PENNDOT's requirements.

**I: Pedestrian Crossing at Knapp Road**

As we all learned during the visit, the ability to achieve a pedestrian crossing at Knapp Road is complex. Specifically:

- 1) Natural Features: the location of the Little Neshaminy Creek is immediately adjacent to PENNDOT's preferred crossing location, which poses numerous issues;
- 2) Existing Conditions: the failure / erosion of the roadbed of Route 309 (see



attached pictures) and the existing gabion wall over the Little Neshaminy Creek need to be reconstructed.

- 3) ROW: The right-of-way width and number of travel lanes across Route 309 requires the construction of a pedestrian shelter in the crossing;
- 4) 309: Four lanes of high-speed travel, left turn lanes onto Knapp Road, and pedestrian landings all must be incorporated into traffic signal modifications.

While a finite scope was not determined, it was clear to the parties that it will take an undefined amount of time, design, investigation, and discussions, involvement and coordination with numerous agencies, including PENNDOT, PADEP, Army Corp, to understand the scope, budget and timeframe.

## **II. Trail / Sidewalk Extension on the west side of 309, north of Barnes & Noble:**

This area was also inspected by the engineers and PENNDOT, and poses similar challenges:

- 1) Existing Conditions: a failure of the gabion wall is occurring (see attached photographs), which will need to be repaired or reconstructed before any new sidewalk or trail can be constructed in this area. PENNDOT shared that they will be referring this area to its Bridge / Maintenance team for inspection.
- 2) Natural Features: the crossing of the Little Neshaminy Creek is located here and is also the subject of the gabion wall failure. The current condition is narrow, but a sidewalk of some width could be implemented in this area once the failure of the gabion wall is addressed by PENNDOT's.

The extension of the trail/sidewalk in this area is not feasible until the underlying issues relating to the failure of the gabion wall are addressed by PENNDOT.

Westrum has taken the Township's request to investigate the feasibility for a pedestrian crossing at Route 309 and Knapp Road, as well as the trail/sidewalk connection along the western side of Route 309 into great consideration. Unfortunately, given all of the above issues, the proposed LUXOR project cannot support the undertaking of these improvements with this level uncertainty: cost, liability and undefined scope. We hope the Township understands and appreciates our position after taking a deep dive into these initiatives.

As shared during the meeting, PENNDOT suggested that the Pedestrian Crossing project is a good candidate for PENNDOT's Multimodal Transportation Fund and recommended the Township apply for the grant funding (two programs - one administered by PENNDOT and another one by DCED).

And, as we discussed at the site meeting, Westrum is willing to make a contribution to the Township in the amount of \$200,000 to be used towards the grant match, or other uses as the Township desires.

In addition, we have also committed to the following:

- 1) Installation of pedestrian connection from our proposed LUXOR project, along the access road, connecting to Stump Road, which is approximately 600' in length.
- 2) Payment of a Parks and Recreation Fee of approximately \$80,000; and
- 3) The aforementioned contribution of \$200,000 towards the Township's local match for the MULTIMODAL grant, or to be used for other trail connections throughout the Township as the Township determines.

Our attorney is in communication with the Township's solicitor to discuss next steps for scheduling the hearing on the Ordinance Amendment. We are anxious to schedule the hearing on the Ordinance Amendment and Conditional Use so that we may present our investigations and proposal to the Board of Supervisors.

If it would be beneficial, we are open to scheduling a follow-up zoom / staff meeting to discuss this matter with you at your direction.

Thank you and we look forward to the moving forward with the future LUXOR Montgomeryville!

Sincerely,

  
Michael Maier  
Vice President

Cc: Jon Herzog, Westrum  
Carrie Nase-Poust, Fox

# Knapp Road / 309

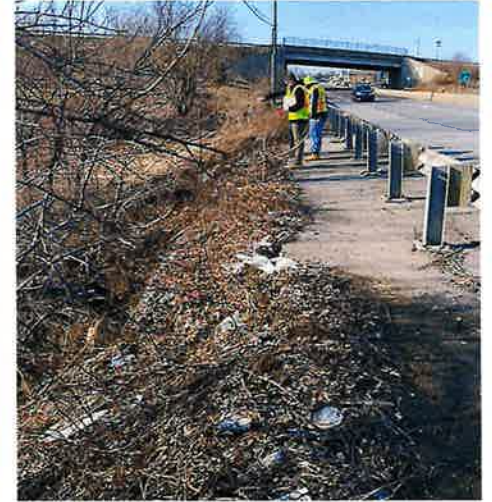
Little Neshaminy Creek Crossing and 309





309 / Knapp Crossing





Trail / Sidewalk Extension

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

Item # **11**

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**SUBJECT:** Consider Authorization to Advertise Food Truck Ordinance  
**MEETING DATE:** March 22, 2021  
**BOARD LIAISON:** Tanya C. Bamford, Chair  
**INITIATED BY:** Carolyn McCreary, Township Manager

---

**BACKGROUND:**

As a result of recent activity in the Township going back to New Year's Eve and conversations with the Board of Supervisors, Township staff worked with the Solicitor's office to develop an ordinance for the Board's review.

The purpose of the ordinance is to regulate operation of mobile food vendors and establish reasonable guidelines and regulations, as well as provide locations where mobile food vendors can operate within the Township.

**BUDGET IMPACT:**

Fees will need to be developed and presented to the Board for inclusion in the Township's fee schedule.

**RECOMMENDATION:**

Staff recommends the Board of Supervisors authorize the advertisement of the proposed ordinance.

**MOTION/RESOLUTION:**

**Motion** to authorize the advertisement of the proposed ordinance regulating the operation of mobile food vendors.

Motion: \_\_\_\_\_

Second: \_\_\_\_\_

**MONTGOMERY TOWNSHIP  
MONTGOMERY COUNTY, PENNSYLVANIA**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF MONTGOMERY TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, CREATING A NEW CHAPTER 140, MOBILE FOOD VENDORS, OF THE MONTGOMERY TOWNSHIP CODE OF ORDINANCES - REGULATING THE OPERATION OF MOBILE FOOD VENDORS AND REQUIRING A PERMIT FOR THEIR OPERATION IN THE TOWNSHIP; REPEALING ALL INCONSISTENT ORDINANCES, OR PARTS THEREOF; AND PROVIDING A SEVERABILITY CLAUSE AND EFFECTIVE DATE**

**WHEREAS**, the number of mobile food vendors who wish to conduct business in the Township has grown significantly, presenting both opportunities and challenges for local government; and

**WHEREAS**, the Montgomery Township Code of Ordinances does not regulate the operation of mobile food vendors operating within the Township; and

**WHEREAS**, it is appropriate to establish reasonable guidelines and regulations to govern mobile food vending in Montgomery Township in an effort to provide opportunities for mobile food vendors to operate within the Township; and

**WHEREAS**, the Township further finds that such regulations are necessary to protect the public health, safety, and welfare of residents, business owners and visitors in the Township.

**NOW THEREFORE, IT IS HEREBY ORDAINED AND ENACTED** by the Board of Supervisors of Montgomery Township as follows:

- I. Part II, General Legislation of the Code of Ordinances of Montgomery Township is hereby amended as follows:**

**Chapter 140  
Montgomery Township Mobile Food Vendor Ordinance**

**§140.1 – Definitions.**

**Mobile Food Unit** – Any motorized or nonmotorized vehicle, including but not limited to carts, stands, kiosks, any other device designed to be portable and not permanently attached to the ground and ancillary equipment from which food products are intended to be prepared and or sold or distributed. Such use also includes the distribution of pre-packaged foods.

**Mobile Food Vending** – Vending, serving, or offering for sale food and/or beverages from a mobile food vending unit which meets the definition of a retail food establishment.

**§140.2 - Scope.**



- A. The provisions of this ordinance apply to mobile food vendors engaged in the business of cooking, preparing, and distributing food or beverage with or without charge upon or in public and private restricted spaces.
- B. This ordinance does not apply to vehicles that dispense food and that move from place to place and are stationary in the same location for no more than 15 minutes at a time.
- C. Mobile food vendors shall only be permitted in the HLI II-Highway Limited Industrial II District and the RS-Regional Shopping Center District.

**§140.3 – Permit required.**

- A. It is unlawful for any person to operate within the Township a mobile food unit, as defined in this chapter, without having obtained a permit from the Township for that purpose.
- B. No person shall then sell or offer food products at any location until the food vendor has obtained a permit for that purpose.
- C. All permits shall be prominently displayed on the mobile food vending unit.
- D. Vendors operating under a special event permit issued by the Township are exempt from the permit requirement.

**§140.4 – General Permit.**

- A. Permits shall only be issued for mobile food vendors to operate in the HLI II-Highway Limited Industrial II District and the RS-Regional Shopping Center District
- B. Permits shall be issued for a period of time not to exceed one month.
- C. Permits are required to be renewed prior to the expiration date.
- D. Permits are not transferrable.

**§140.5 – Application for Permit.**

- A. Any vendor desiring to engage in mobile food vending in Montgomery Township shall submit a completed application to Montgomery Township Code Enforcement and receive a general permit issued by the Township.
- B. The applicant shall truthfully state, in full, all information requested on the application for permit issued by the Township. The application for a permit shall be accompanied by a fee as defined in this chapter.

- C. The owner of the mobile food unit must obtain and maintain insurance as outlined in Section 140.6 below. Each mobile food vendor must supply the Township with proof of insurance in the form of a certificate of insurance which names the Township as an additional insured party. Proof of insurance must be attached to the application for permit.
- D. The owner of the mobile food unit shall obtain written permission from the property owner in HLI II-Highway Limited Industrial II District and the RS-Regional Shopping Center District on which their mobile food unit will operate. This written permission must be attached to the application as an exhibit.

**§140.6 – Insurance requirements for mobile food vendors.**

- A. The owner of the mobile food unit shall purchase and maintain the following insurance coverages at not less than the limits specified below or required by law, whichever is greater:
  - a. Commercial general liability insurance or its equivalent for bodily injury, personal injury and property damage including loss of use, with minimum limits of:
    - \$1,000,000 each occurrence;
    - \$1,000,000 personal and advertising injury;
    - \$1,000,000 general aggregate; and
    - \$1,000,000 products/completed operations aggregate.

This insurance shall include coverage for all of the following:

- 1. Liability arising from premises and operations;
  - 2. Liability arising from the actions of independent contractors; and
  - 3. Contractual liability including protection for the Mobile Vendor from bodily injury and property damage claims arising out of liability assumed under this contract.
- B. Business auto liability insurance or its equivalent with a minimum limit of \$1,000,000 per accident and including coverage for all of the following:
  - 1. Liability arising out of the ownership, maintenance or use of any auto (if no owned autos, then hired and non-owned autos); and
  - 2. Automobile contractual liability
- C. If the Mobile Food Vendor has any employees, workers compensation insurance or its equivalent with statutory benefits as required by any state or Federal law, including standard “other states” coverage; employers liability insurance or its equivalent with minimum limits of:
  - \$1,000,000 each accident for bodily injury by accident;

\$1,000,000 each employee for bodily injury by disease; and  
\$1,000,000 policy limit for bodily injury by disease.

D. Umbrella excess liability or excess liability insurance or its equivalent with minimum limits of:

\$1,000,000 per occurrence;  
\$1,000,000 aggregate for other than products/completed operations and auto liability; and  
\$1,000,000 products/completed operations aggregate

and including all of the following coverages on the applicable schedule of underlying insurance:

1. Commercial general liability;
2. Business auto liability; and
3. Employers liability.

E. The Township and Delaware Valley Property and Liability Trust (DVPLT) and their members, elected officials, trustees, officers and employees shall be named as additional insureds on the Service Provider's commercial general liability insurance and umbrella or excess liability insurance with respect to liability arising out of the services provided under this Contract by Service Provider.

F. Insurance or self-insurance provided to the Township and DVPLT and their members, elected officials, trustees, officers and employees under any Service Provider's liability insurance or self-insurance required herein shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of insurance or self-insurance. (Any cross suits or cross liability exclusion shall be deleted from Service Provider's liability insurance policies required herein.)

G. Insurance or self-insurance provided to the Township and DVPLT and their members, elected officials, trustees, officers and employees as specified herein shall be primary, and any other insurance, self-insurance, coverage or indemnity available to Montgomery Township and DVPLT and their members, trustees, officers and employees shall be excess of and non-contributory with insurance or self-insurance provided to the Township and DVPLT and their members, trustees, officers and employees as specified herein.

#### **§140.7 – Indemnification**

To the fullest extent permitted by law, Service Provider agrees to defend, indemnify, pay on behalf of, and save harmless Montgomery Township, their trustees, elected officials, officers and employees against any and all claims, liability, demands, suits or loss, including attorneys' fees and all other costs connected therewith, arising out of or connected to the services provided by

Mobile Vendors for activities associated with mobile food vending in the Township. The Service Provider's obligation to defend and indemnify shall survive the termination of the permit.

**§140.8 – Fees and Deposit.**

An application for permit shall be accompanied by a fee in the amount established by resolution by the Montgomery Township Board of Supervisors. The Applicant will also be required to submit an amount determined by the Township as a deposit to be held in escrow during the duration of the permit to ensure proper cleanup of the location by the permit holder. The deposit will be returned to the Applicant by request upon expiration of the permit upon Township approval. Permits may be renewed monthly.

**§140.9 – Other licenses or permits.**

A permit obtained under this chapter shall not relieve any vendor of the responsibility of obtaining any other permit or authorization required by any other resolution, ordinance, statute or administrative rule.

**§140.10 – Mobile food vendor restrictions.**

- A. Mobile food vendors are responsible for providing receptacles for trash within five feet of their operation.
- B. A mobile food vendor may not sell or offer for sale any products or services:
  - 1) Within 15 feet from a fire hydrant.
- C. All sales by mobile food vendors shall cease to operate no later than 11:00 p.m. each day. Mobile food units shall be removed from public property no later than 11:00 p.m. each day.
- D. All mobile food vendors shall be limited to a block of four hours total per day to operate.

**§140.11 – Enforcement and Penalty**

Any person who violates any provision of this chapter shall be guilty of a summary offense; and for every such violation, upon conviction, shall be sentenced to pay a fine of not less than \$250.00, nor more than \$1,000.00, and the cost of prosecution.

**II. Severability.**

The terms, conditions and provisions of this Chapter are hereby declared to be severable, and should any portion, part or provision of this Chapter be found by a court of competent jurisdiction to be invalid, unenforceable or unconstitutional, the Montgomery Township Board of Supervisors hereby declares its intent that the Chapter shall have been repealed without regard to the invalid, unenforceable, or unconstitutional portion, part or provision of this Chapter.

**III. Repealer.**

Any and all other Ordinances or parts of Ordinances in conflict with the terms, conditions and provisions of this Ordinance are hereby repealed to the extent of such irreconcilable conflict.

**IV. Effective Date.**

This Ordinance shall be effective immediately enactment.

**ORDAINED AND ENACTED** by the Board of Supervisors of Montgomery Township on this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

Attest:

**MONTGOMERY TOWNSHIP  
BOARD OF SUPERVISORS**

\_\_\_\_\_  
Carolyn McCreary, Secretary

\_\_\_\_\_  
Tanya C. Bamford, Chair

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

Item # 12

---

SUBJECT: Authorization to Sell Ladder 18 (2002 E-One Rear Mount Platform) with the Assistance of a Broker  
MEETING DATE: March 22, 2021  
BOARD LIAISON: Annette Long, Supervisor  
INITIATED BY: William Wiegman, Director of Fire Services

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BACKGROUND:

The Department of Fire Services is anticipating the arrival of the new Tower Ladder 18 (Spartan/Smeal 100' Mid Mount Platform Tower Ladder) in the fall of 2021. The new Tower Ladder 18 will replace the current Ladder 18 (2002 E-One Rear Mount Platform). Staff is requesting Board of Supervisor authorization to sell Ladder 18 in the fourth quarter of 2021. Staff is also requesting Board of Supervisor authorization to utilize a broker(s) to assist in the sale of Ladder 18. The Township Solicitor indicated it is permissible under Pennsylvania state law to utilize a broker for the sale of fire equipment. The broker(s) commission will be 5% of the final sale price of Ladder 18. Fire Line Equipment performed an appraisal of Ladder 18 on October 22, 2020. Fire Line appraised Ladder 18 for \$225,000.00 to \$275,000.00

PREVIOUS BOARD ACTION:

The Board of Supervisor authorized the purchase of the Spartan/Smeal 100' Mid Mount Platform Tower Ladder (Tower 18) at the BOS Meeting on 10/26/2020. Additionally, the BOS authorized a change order for the Tower Ladder at the BOS Meeting on 12/14/2020.

BUDGET IMPACT:

The sale of the current Ladder 18 (2002 E-One Rear Mount Platform) will have a positive impact to the budget. The Ladder has been appraised for \$225,000.00 to \$275,000.00. The broker(s) commission will be 5% of the final sale price of Ladder 18.

RECOMMENDATION:

It is the recommendation of Staff that the Board of Supervisors authorize the sale of the current Ladder 18 (2002 E-One Rear Mount Platform) in the fourth quarter of 2021. Additionally, Staff recommends that the Board of Supervisors authorize the utilization of broker(s) to assist in the marketing and sale of Ladder 18. The broker(s) commission will be 5% of the final sale price of Ladder 18.

MOTION/RESOLUTION:

MOTION to approve the sale of the current Ladder 18 (2002 E-One Rear Mount Platform) in the fourth quarter of 2021, and to approve the utilization of a broker(s) to assist in the marketing and sale of Ladder 18. The broker(s) commission will be 5% of the final sale price of Ladder 18.

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



Fire Line Equipment, LLC  
307 Twin Springs Court  
New Holland, PA 17557

October 22, 2020

Fire Department of Montgomery Township

Attn: John Scheiter

PO Box 18

Montgomeryville, Pa 18936

John

This letter is a follow up to my visit to your station regarding the 2002 E-One Cyclone 95' Rear Mount Platform that the Fire Department of Montgomery Township owns.

We believe that we could broker these units for your fire department:

2002 E-One Cyclone 95' Rear Mount Platform \$225,000.00 to \$275,000.00

We would be open to working with your department in brokering both units. Our fees for brokering are as follows 5% if you work exclusively with Fire Line Equipment or 7% should you want to work with other used fire apparatus brokers.

Should you or any of your members of the fire department have any questions please feel free to contact me at 717-354-8106 ext 111 or email me at [rbainbridge@firelineequipment.com](mailto:rbainbridge@firelineequipment.com)

Kind Regards

Robert Bainbridge

Fire Line Equipment, LLC

Used Fire Apparatus

Your Central Pennsylvania E-ONE Dealer  
Sales - Service - Parts - Used Fire Apparatus  
Phone: 877-346-1373 Fax: 717-427-1607





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

Item # 13

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SUBJECT: Consider Recognition of Pennsylvania Safe Digging Awareness Month  
MEETING DATE: March 22, 2021  
BOARD LIAISON: Tanya C. Bamford, Chair  
INITIATED BY:

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**BACKGROUND:**

Please see attached resolution which recognizes PA 811 utility notification services.

**MOTION/RESOLUTION:**

**Motion to adopt resolution recognizing "Pennsylvania Safe Digging Month".**

Motion: \_\_\_\_\_

Second: \_\_\_\_\_

# Resolution 2021-20

## MONTGOMERY TOWNSHIP

**RESOLVED**, that the month of April 2021 recognized as “Pennsylvania Safe Digging Month”, and the initiative sponsored by Pennsylvania 811, a utility notification information center celebrating its 49<sup>th</sup> year of continuous service to the Commonwealth of Pennsylvania, and

**WHEREAS**, Pennsylvania 811 received close to 992,000 excavation notifications in 2020, and transmitted approximately 6.6 million notifications to their member facility owners and operators allowing essential utility and construction crews to provide vital underground services and repair of critical infrastructure to communities throughout Pennsylvania, and

**WHEREAS**, their mission is to prevent damage to underground facilities, to promote safety, provide an efficient and effective communications network among project owners, designers, excavators, and facility owners, and

**WHEREAS**, when dialing 811, at least three business days before digging, a homeowner or a contractor is connected to a unique service that notifies the appropriate underground utility operators in the municipality in which the work will be performed, and

**WHEREAS**, by notifying 811 of their intent to dig, the homeowner or contractor is knowingly helping to protect the underground utilities, themselves, work crew, and their neighbors from any unsafe digging practices within their community, and

**NOW, THEREFORE, BE IT RESOLVED** that **MONTGOMERY TOWNSHIP**, in support of the Pennsylvania Underground Utility Line Protection Law, PA Act 287 of 1974, as amended, we do hereby proclaim April 2021 as “Pennsylvania Safe Digging Month”, and encourage all Pennsylvanians to visit the Pennsylvania 811 website at [www.pa1call.org](http://www.pa1call.org) for information about digging safely.

---

Tanya C. Bamford, Chair, Board of Supervisors

---

DATE

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

Item # 14.

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SUBJECT: Consider Approval of Park Bench Donation Program  
MEETING DATE: March 22, 2021  
BOARD LIAISON: Tanya C. Bamford, Chair  
INITIATED BY: Greg Reiff, Public Works Director

---

BACKGROUND:

The Township received an inquiry from a resident concerning the opportunity to place a bench in one of our parks in honor of a deceased relative. Staff researched what other communities are doing and shared this information with the Board. The Board asked us to come back with a proposal for your consideration.

If the Board approves this program, we will prepare a document/flyer describing the program and how to purchase and place the bench.

BUDGET IMPACT:

There will be no impact to the Township's operating budget as the cost of the bench (\$900) will be passed on to the individual requesting its placement in the park.

RECOMMENDATION:

Staff recommends the Board of Supervisors approve the concept for the donated bench program with the cost to be borne by the requestor.

MOTION/RESOLUTION:

**Motion** to approve the inauguration of the park bench donation program.

Motion: \_\_\_\_\_

Second: \_\_\_\_\_

# Montgomery Township Bench Program

## Estimated Bench Cost

- Boards (Qty. 5 @ \$40.00/ea.) - \$200.00
- Bench Ends (Qty. 2 @ \$68.25/ea.) - \$136.50
- Stainless Steel Strapping - \$20.00
- Stainless Steel Hardware - \$35.42
- Plaque - \$155.00
- Concrete Pad (16 Bags @ \$6.13/bag) - \$98.08
- Labor (8.5 hours @ \$30.00/hr.) - \$255.00

***Estimated Total Cost = \$900.00/per bench***

## Parks & Bench Quantities Available

- Whispering Pines Park – 4
- Friendship Park – 7
- William F. Maule Park at Windlestrae – 10
- Windlestrae Park – Rose Twig – 7
- Spring Valley Park – 11
- Whistlestop Park – 3
- Autumn Woods Park – 4

***Total Available Benches = 46***

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
**BOARD ACTION SUMMARY**  
Item # 15

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SUBJECT: Consider Approval of Board of Assessment Appeals  
MEETING DATE: March 22, 2021  
BOARD LIAISON: Tanya Bamford, Chair  
INITIATED BY: Carolyn McCreary, Township Manager

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**BACKGROUND:**

North Penn School District and the property owners of the properties identified below have reached agreement on the real estate tax assessment appeals which now require action by the Board of Supervisors on behalf of the Township.

**PREVIOUS BOARD ACTION:** None

**BUDGET IMPACT:**

Settlement for the tax appeal of the property located at 1200 Welsh Road will result in a refund to of \$400.51 to the taxpayer for the tax year 2020.

Settlement for the tax appeal of the property located at 593 Bethlehem Pike will result in a refund of \$293.83 to the taxpayer for tax year 2020.

**RECOMMENDATION:**

Staff recommends the Board of Supervisors approve the proposed settlements.

**MOTION/RESOLUTION:**

**Motion** to approve the stipulated settlement for 1200 Welsh Road and 593 Bethlehem Pike and authorize the Township Solicitor to execute the settlement stipulations.

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

**BRIAN A. FOWLER, ESQ.**  
Attorney ID No. 88750  
Garippa, Lotz and Giannuario  
66 Park Street, PO Box 1584  
Montclair, NJ 07042

**IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, PENNSYLVANIA**

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<b>TOY PARTNERS OF NORTH WALES LLC :</b>	<b>TAX ASSESSMENT APPEAL</b>
:	:
:	:
<b>v.</b>	<b>Case No. 2018-22169</b>
:	:
:	:
<b>MONTGOMERY COUNTY OF</b>	:
<b>BOARD OF ASSESSMENT APPEALS</b>	:
<b>ET. AL.</b>	:
:	<b>Parcel No. 46-00-04151-05-1</b>

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**STIPULATION AND ORDER OF SETTLEMENT**

It is hereby **STIPULATED AND AGREED** by and between Brian A. Fowler, Esq., Attorney for Toy Partners of North Wales LLC, Appellant; Samantha Magee, Esq., Solicitor for Montgomery County Board of Assessment Appeals; Appellee; Alexander Glassman, Esq. Attorney for the North Penn School District; Daniel Grieser, Esq., Solicitor for Montgomery Township and Brian O. Philips, Esq., Solicitor for Montgomery County; Intervenor that the **Tax Assessment Appeal** filed with the Court, is hereby **Settled**, Discontinued and Ended based on the following agreements:

1. That the tax assessment for Parcel No. 46-00-04151-05-1, **1200 Welsh Road**, Condo I, Montgomery Township, Montgomery County, Pennsylvania, effective January 1, 2019 shall remain unchanged at \$1,018,800 (One Million Eighteen Thousand Dollars) reflecting a market value of \$2,000,000 (Two Million Dollars).



2. That the tax assessment for Parcel No. 46-00-04151-05-1, 1200 Welsh Road, Condo I, Montgomery Township, Montgomery County, Pennsylvania, effective January 1, 2020 shall be reduced from \$1,018,800 (One Million Eighteen Thousand Dollars) reflecting a market value of \$2,064,908 (Two Million Sixty-Four Thousand Nine Hundred and Eight Dollars) to \$750,000 (Seven Hundred Fifty Thousand Dollars) reflecting a market value of \$1,521,298 (One Million Five Hundred Twenty-One Thousand Two Hundred Ninety-Eight Dollars).
3. That the tax assessment for Parcel No. 46-00-04151-05-1, 1200 Welsh Road, Condo I, Montgomery Township, Montgomery County, Pennsylvania, effective January 1, 2021 shall be reduced from \$1,018,800 (One Million Eighteen Thousand Dollars) reflecting a market value of \$2,170,575 (Two Million One Hundred Seventy Thousand Five Hundred and Seventy-Five Dollars) to \$400,000 (Four Hundred Thousand Dollars) reflecting a market value of \$852,878 (Eight Hundred Fifty-Two Thousand Eight Hundred Seventy-Eight Dollars).
4. The Property's assessment shall remain at 400,000 for each subsequent tax year after 2021, and tax bills will be issued in accordance with this assessment, until a change as otherwise permitted by Pennsylvania law has been made.
5. The parties acknowledge that this agreement does not limit the Montgomery County Board of Assessment Appeals' statutory authority to revise the assessment of the subject parcel as the result of a countywide reassessment, change in the subject property resulting in the issuance of an interim assessment, or otherwise provided by applicable law. If there is any such change in the assessment of the subject property, all parties shall have the right to appeal from that change as provided by law.

6. Based upon the assessments established in this Stipulation, the taxing authorities owe Property Owners the following overpayment amounts.<sup>1</sup>

**NORTH PENN SCHOOL DISTRICT**

Tax Year	Old Assessment	New Assessment	Decrease	Millage Rate	Refund
2020	1,018,800	750,000	268,800	.0267742	\$7,196.90
				<b>Total</b>	<b>\$7,196.90</b>

**MONTGOMERY TOWNSHIP**

Tax Year	Old Assessment	New Assessment	Decrease	Millage Rate	Refund
2020	1,018,800	750,000	268,800	.00149	\$400.51
				<b>Total</b>	<b>\$400.51</b>

**MONTGOMERY COUNTY**

Tax Year	Old Assessment	New Assessment	Decrease	Millage Rate	Refund
2020	1,018,800	750,000	268,800	.003459	\$929.78
				<b>Total</b>	<b>\$929.78</b>

**MONTGOMERY COUNTY COMMUNITY COLLEGE (MCCC)**

Tax Year	Old Assessment	New Assessment	Decrease	Millage Rate	Refund
2020	1,018,800	750,000	268,800	.00039	\$104.83
				<b>Total</b>	<b>\$104.83</b>

<sup>1</sup> The amount of the refund owed to Property Owner will be adjusted depending upon whether the taxes were paid within the discount, face, or penalty period for the tax year(s) at issue.

7. These calculations are subject to verification by the tax collector and/or treasurers of each taxing authority and their determinations are final.
8. The tax collector shall provide the necessary information to calculate the proper amount of refunds for all tax years at issue, including whether the prior year taxes were paid at face, discount or penalty, to the respective taxing authorities within thirty (30) days from the date of entry of the attached order
9. The taxing authorities agree that all overpayments set forth in Paragraph 6, as verified by the tax collector and/or business manager of each taxing authority in accordance with Paragraph 8, shall be paid directly to Property Owner within sixty (60) calendar days of the Court's approval of this Settlement Stipulation. The taxing authorities shall forward such payments to the Property Owner at the following address:

**Toy Partners of North Wales, LLC**

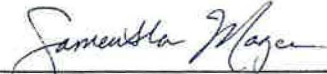
c/o Garippa, Lotz and Giannuario  
Brian A. Fowler, Esq.  
66 Park Street, PO Box 1584  
Montclair NJ 07042

10. This Stipulation contains the statement of each and every term and provision agreed to by all parties. No other promises, representations or other inducements, oral or written, have been made to any of the other parties in exchange for this Stipulation.
11. The attorneys entering into this Stipulation represent that they and their clients have full authority to enter into this Stipulation and they have been authorized by their clients to enter into this Stipulation.
12. This Stipulation may be executed in one or more counterparts and by facsimile or electronic mail, each of which shall be deemed an original and all of which when taken together shall constitute a single agreement.
13. This Stipulation shall be binding upon, and inures to the benefit of the undersigned, their clients, successors, grantees, heirs and assigns.
14. The parties acknowledge that if there are existing tax liens filed against this property with the Montgomery Tax Claim Bureau, that they will be satisfied before any overpayments are refunded or credited to Appellant.

15. That each party shall bear its own costs as incurred.
16. If there is any subsequent appeal filed by any party or successor in interest then the values agreed to herein are inadmissible in any proceeding and are not binding as to the value of the properties for any years other than those specifically set forth in this agreement.
17. This appeal will be marked "**Settled, Discontinued and Ended**" upon Court approval of this Stipulation.



**Brian A. Fowler, Esq.**  
Counsel for Toy Partners of North Wales LLC  
Garippa Lotz and Giannuario  
66 Park Street  
Montclair, NJ 07042



**Samantha Magee, Esq.**  
Solicitor for Board of Assessment Appeals  
425 Swede Street, Suite 301  
One Montgomery Plaza  
Norristown, PA 19401

**Alexander Glassman, Esq.**  
Solicitor for North Penn School District  
Rudolph Clarke LLC  
350 Sentry Parkway East  
Building 630, Suite 110-A  
Blue Bell, PA 19422

**Daniel Grieser, Esq.**  
Solicitor for Montgomery Township  
Kilkenny Law  
519 Swede Street  
Norristown, PA 19401



**Brian O. Phillips, Esq.**  
County Solicitor  
Montgomery County Courthouse  
PO Box 311  
Norristown, PA 19401

IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, PENNSYLVANIA

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TOY PARTNERS OF NORTH WALES LLC :	TAX ASSESSMENT APPEAL
v.	Case No. 2018-22169
MONTGOMERY COUNTY OF BOARD OF ASSESSMENT APPEALS ET. AL.	Parcel No. 46-00-04151-05-1

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**ORDER**

**AND NOW**, this \_\_\_\_\_ day of \_\_\_\_\_, 2021, upon consideration of the Stipulation entered into by the parties to this appeal, **IT IS ORDERED:**

1. That the assessment for the premises known as Tax Map No. 46-00-04151-05-1, 1200 Welsh Road, Condo I, Montgomery Township, Pennsylvania, effective for the 2019-2021 tax years is fixed as follows:

Tax Year	Old Assessment	New Assessment
2019	\$1,018,000	\$1,018,000
2020	\$1,018,000	\$ 750,000
2021	\$1,018,000	\$ 400,000

2. If it is determined that a refund is due to the owner of record for this property, any such refund which may be due will be issued to the Petitioner within sixty (60) days of the entry of this Order.

3. This appeal shall be marked settled, discontinued and ended, each party to pay their own respective costs.

**BY THE COURT:**

\_\_\_\_\_  
**J.**

**UNRUH, TURNER, BURKE & FREES, P.C.**

: ATTORNEYS FOR APPELLANT

BY: JOHN K. FIORILLO, ESQUIRE

ATTORNEY I.D. No. 55658

P.O. BOX 515

WEST CHESTER, PA 19381-0515

610-692-1371

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IN RE: APPEAL OF NORMAN & TERESA J.  
MITTMAN, STEWART B. & ARLENE  
LIEBMAN, ET AL FROM THE DECISION OF  
THE MONTGOMERY COUNTY BOARD OF  
ASSESSMENT APPEALS, MUNICIPALITY OF  
MONTGOMERY, MONTGOMERY COUNTY,  
PA FOR THE TAX YEAR 2020

: IN THE COURT OF COMMON PLEAS  
: MONTGOMERY COUNTY, PENNSYLVANIA  
: CIVIL ACTION – LAW  
: TAX ASSESSMENT APPEAL

TAX PARCEL NO. 46-00-00252-00-8

: No. 2019-26120

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**SETTLEMENT STIPULATION**

Parties

1. Appellants are Norman & Teresa Mittman, Stewart & Arlene Liebman, et al. (“Property Owner”).
2. Appellee is the Montgomery County Board of Assessment Appeals.
3. Intervenors are the Montgomery County and Montgomery Township.

Property

4. The subject property is located at 593 Bethlehem Pike, within Montgomery Township, and is further identified as Tax Parcel No. 46-00-00252-00-8 (the “Property”).
5. The Property’s current assessment is 838,100.

Appeal

6. The Property Owner filed an assessment appeal with the Board of Assessment Appeals challenging the Property’s assessment of \$942,490 for the taxable year beginning January 1, 2020.
7. On October 8, 2019, after conducting a hearing on the Appeal, the Board issued a decision reducing the assessment on the Property from 942,490 to 838,100 effective January 1, 2020.



8. On November 6, 2019, the Property Owner appealed to this Court from the Board's determination.

Settlement Terms

9. Based upon the risks and costs of litigation, the parties have decided it is in their best interests to settle this matter based upon the terms and conditions set forth in this Stipulation.
10. Accordingly, the parties, intending to be legally bound, and to bind their respective clients, agree to the following settlement terms:

**2020 Assessment:** Effective January 1, 2020 for County and Township tax years and July 1, 2020 for the School District tax year, the assessment on the Property shall be decreased from its assessment of 838,100 to **640,900**. Applying the County's 2020 common level ratio of .493, this assessment results in an indicated market value of \$1,300,000.

**2021 Assessment:** Effective January 1, 2021 for County and Township tax years and July 1, 2021 for the School District tax year, the assessment on the Property shall be decreased from its assessment of 838,100 to **609,700**. Applying the County's 2021 common level ratio of .469, this assessment results in an indicated market value of \$1,300,000.

11. The Property's assessment shall remain at **609,700** for each subsequent tax year after 2021, and tax bills will be issued in accordance with this assessment, until a change as otherwise permitted by Pennsylvania law has been made.
12. Based upon the increased assessments established by this Stipulation, all counsel agree that, subject to verification from the taxing authorities, the following amounts are owing to the Property Owner from the taxing authorities, subject to adjustment if the Property Owner paid within the discount period or if payment was otherwise different, as follows:

TAX YEAR 2020

NORTH PENN SCHOOL DISTRICT

Tax Year	Old Assessment	New Assessment	decrease	Millage Rate	Amounts Owing
2020	838,100	640,900	197,200	.0267742	\$5,279.87
				<b>Total</b>	<b>\$5,279.87</b>

MONTGOMERY COUNTY

Tax Year	Old Assessment	New Assessment	Decrease	Millage Rate	Amounts Owing
2020	838,100	640,900	197,200	.003459	\$682.11

<b>Total</b>	\$682.11
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**MONTGOMERY COUNTY COMMUNITY COLLEGE (MCCC)**

<b>Tax Year</b>	<b>Old Assessment</b>	<b>New Assessment</b>	<b>Decrease</b>	<b>Millage Rate</b>	<b>Amounts Owing</b>
2020	838,100	640,900	197,200	.00039	\$76.91
<b>Total</b>					\$76.91

**MONTGOMERY TOWNSHIP**

<b>Tax Year</b>	<b>Old Assessment</b>	<b>New Assessment</b>	<b>Decrease</b>	<b>Millage Rate</b>	<b>Amounts Owing</b>
2020	838,100	640,900	197,200	.00149	\$293.83
<b>Total</b>					\$293.83

**TAX YEAR 2021**

**MONTGOMERY COUNTY**

<b>Tax Year</b>	<b>Old Assessment</b>	<b>New Assessment</b>	<b>Decrease</b>	<b>Millage Rate</b>	<b>Amounts Owing</b>
2020	838,100	640,900	228,400	.003459	\$790.04
<b>Total</b>					\$790.04

**MONTGOMERY COUNTY COMMUNITY COLLEGE (MCCC)**

<b>Tax Year</b>	<b>Old Assessment</b>	<b>New Assessment</b>	<b>Decrease</b>	<b>Millage Rate</b>	<b>Amounts Owing</b>
2020	838,100	640,900	228,400	.00039	\$76.91
<b>Total</b>					\$76.91

**MONTGOMERY TOWNSHIP**

<b>Tax Year</b>	<b>Old Assessment</b>	<b>New Assessment</b>	<b>Decrease</b>	<b>Millage Rate</b>	<b>Amounts Owning</b>
2020	838,100	640,900	228,400	.00149	\$293.83
				<b>Total</b>	<b>\$293.83</b>

13. These calculations are subject to verification by the tax collector and/or treasurers of each taxing authority and their determinations are final.
14. The parties agree that the Taxing Authorities will remit refunds of all overpayments as set forth in Paragraph 12, as verified by the tax collector and/or business manager of each taxing authority in accord with Paragraph 13, directly to the Property Owner as soon as possible in the ordinary course. All refunds for overpayments are subject to adjustment for payments made within the discount period or if Property Owner paid a different amount.
15. That based on the decrease in assessments established by this Stipulation and Order of Settlement, all counsel agree that the Property Owner is entitled to receive a refund of the overpayments from the Taxing authorities.
16. That upon Court approval of this Stipulation and Order of Settlement, the Taxing Authorities shall process and forward to the Property Owner a refund equal to the amount of overpayments as set forth in this Stipulation, if any.
17. This Stipulation contains the statement of each and every term and provision agreed to by all parties. No other promises, representations or other inducements, oral or written, have been made to any of the other parties in exchange for this Stipulation.
18. The attorneys entering into this Stipulation represent that they and their clients have full authority to enter into this Stipulation and they have been authorized by their clients to enter into this Stipulation.
19. This Stipulation may be executed in one or more counterparts and by facsimile or electronic mail, each of which shall be deemed an original and all of which when taken together shall constitute a single agreement.
20. Each party shall bear its own costs as incurred.
21. This Stipulation shall be binding upon, and inures to the benefit of the undersigned, their clients, successors, grantees, heirs and assigns.

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[Signatures on Next Page]

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**SAMANTHA MAGEE, ESQUIRE**  
Attorney for Montgomery County  
Board of Assessment Appeals



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**JOHN K. FIORILLO, ESQUIRE**  
Attorney for Property Owner, Norman &  
Teresa Mittman, et al.

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**DANIEL GREISER, ESQUIRE**  
Attorney for Montgomery Township

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**BRIAN O. PHILLIPS, ESQUIRE**  
Attorney for Montgomery County

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

Item # 16.

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SUBJECT: Consider Adoption of Resolution Supporting DCNR Grant Application  
MEETING DATE: March 22, 2021  
BOARD LIAISON:  
INITIATED BY: Carolyn McCreary, Township Manager

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BACKGROUND:

We received notification from the state that the new round for applications to the DCNR grant program opened and will close on April 14<sup>th</sup>. The Public Works Director was asked to identify a park that might meet the criteria for a grant application. Staff including the Finance Director, Public Works Director, Public Works Asst. Foreman and the Township Manager then met with the Township's planning consultants at Fellowship Park to evaluate further. The scope of the work would include replacement of outdated play equipment, replacing it with inclusive play equipment with sunshades, and a pour-in-place surface underneath. The equipment would also be relocated to a dryer area on the site. It would also include ADA access from the parking lot to the playground and other site improvements.

PREVIOUS BOARD ACTION: None

BUDGET IMPACT:

Costs relating to assistance with the grant application and developing a preliminary plan and cost estimate are included in the professional services area of the 2021 adopted budget. The DCNR grant provides a 50% match (up to \$250,000). If the grant is awarded the Township's share of the project will be included in the 2022 or 2023 budget. The estimated cost of the project is \$660,986.

RECOMMENDATION:

Staff respectfully requests the Board adopt a resolution supporting the Township's application.

MOTION/RESOLUTION:

**Motion** to adopt the resolution supporting the grant application to the Department of Conservation and Natural Resources for the Fellowship Park Improvement Project.

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

## PRELIMINARY COST OPINION WORKSHEET

PROJECT: 21-03045 Fellowship Park  
 LOCATION: Montgomery Township, PA  
 DESCRIPTION: Proposed DCNR Grant Improvements  
 DATE: 3/18/2021

PREPARED BY:



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

ITEM					TOTAL COST
NO.	DESCRIPTION	NO.	UNIT	\$/UNIT	
<b>SITE WORK</b>					
1	E&S/Site Grading & Restoration*	1	LS	\$3,500	\$ 3,500
2	Misc. Site Grading	1	LS	\$5,000	\$ 5,000
3	Excavation	8600	SF	\$1.50	\$ 12,900
<b>TOTAL - SITE WORK</b>					<b>\$ 21,400</b>
<b>SITE/ADA ACCESS</b>					
1	Accessible Parking Space Striping and Signage	1	L.S.	\$2,500	\$ 2,500
2	Asphalt Walkway (5' Wide)	70	S.Y.	\$70	\$ 4,900
3	Collapsible Bollard	1	EA	\$1,100	\$ 1,100
<b>TOTAL - UTILITIES</b>					<b>\$ 8,500</b>
<b>PLAYGROUND</b>					
1	ADA Compliant Play Equipment PURCHASE DIRECT THROUGH COSTARS	1	LS	\$180,000	\$ 180,000
2	Play Equipment Installation PURCHASE DIRECT THROUGH COSTARS	1	LS	\$105,000	\$ 105,000
3	Safety Surfacing (poured in place TPV rubber) PURCHASE DIRECT THROUGH COSTARS	7,800	SF	\$20	\$ 156,000
4	Playground Subbase	960	SY	\$20	\$ 19,200
5	Fencing/Gates (4' Vinyl Coated Chainlink)	350	LF	\$63	\$ 22,050
6	Fixed Benches	6	EA	\$1,260	\$ 7,560
7	Fixed Trash Receptacles	1	EA	\$945	\$ 945
<b>TOTAL - PLAYGROUND</b>					<b>\$ 490,755</b>
<b>MISCELLANEOUS SITE WORK</b>					
1	Recycle Old Play Equipment	1	LS	\$3,000	\$ 3,000
2	Demolition of old play equipment, demo/removal of mulch, and restoration of play areas**	1	LS	\$10,000	\$ 10,000
3	Relocate Flagpole	1	LS	\$2,000	\$ 2,000
<b>TOTAL - LANDSCAPE MATERIAL</b>					<b>\$ 15,000</b>
<b>CONSTRUCTION ITEM SUB-TOTAL</b>					<b>\$ 544,155</b>
<b>CONSTRUCTION CONTINGENCY (10%)</b>					<b>\$ 54,416</b>
<b>DESIGN/ENGINEERING (5%)</b>					<b>\$ 27,208</b>
<b>SITE SURVEY</b>					<b>\$ 8,000</b>
<b>CONSTRUCTION OBSERVATION (3%)</b>					<b>\$ 16,325</b>
<b>ADMINISTRATION (2%)</b>					<b>\$ 10,883</b>
<b>TOTAL COST</b>					<b>\$ 660,986</b>

\* Disturbance area is estimated to be less than 1 acre. Site work costs may increase should NPDES permitting be required.

\*\* Costs may not be used to meet grant match requirement.



**DCNR-C2P2****Applicant Information (\* indicates required information)**Applicant/Grantee Legal Name: **MONTGOMERY TOWNSHIP**Web Application ID: **2002828**Project Title: **Fellowship Park Improvements**

WHEREAS, **MONTGOMERY TOWNSHIP** ("Applicant") desires to undertake the project, "**Fellowship Park Improvements**" ("Project Title"); and

WHEREAS, the applicant desires to receive from the Department of Conservation and Natural Resources ("Department") a grant for the purpose of carrying out this project; and

WHEREAS, the application package includes a document entitled "Terms and Conditions of Grant" and

WHEREAS, the applicant understands that the contents of the document entitled "Terms and Conditions of Grant," including appendices referred to therein, will become the terms and conditions of a Grant Agreement between the applicant and the Department **if the applicant is awarded a grant**; and

**NOW THEREFORE, it is resolved that:**

1. The grant application may be electronically signed on behalf of the applicant by "**Carolyn McCreary**" who, at the time of signing, has a **TITLE** of "**Township Manager**" and the email address of "**cmcreary@montgomerytp.org**".
2. If this Official signed the Grant Application Electronic Authorization prior to the passage of this Resolution, this grant of authority applies retroactively to the date of signing.
3. If the applicant is awarded a grant, the Grant Application Electronic Authorization, signed by the above Official, will become the applicant/grantee's **executed** signature page for the Grant Agreement, and the applicant/grantee will be bound by the Grant Agreement.
4. Any amendment to the Grant Agreement may be signed on behalf of the grantee by the Official who, at the time of signing of the amendment, has the "**TITLE**" specified in paragraph 1 and the grantee will be bound by the amendment.

I hereby certify that this Resolution was adopted by the

**Board of Supervisors**

(identify the governing body of the applicant, e.g. city council, borough council, board of supervisors, board of directors)

of this applicant, this 22nd day of March, 2021.

Tanya C. Bamford, Chairperson

(signature of the governing body)

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS

**BOARD ACTION SUMMARY**

Item # 17

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SUBJECT: Other Business – Department Reports  
MEETING DATE: March 22, 2021  
BOARD LIAISON:  
INITIATED BY: Tanya C. Bamford, Chair

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BACKGROUND:

Township staff has prepared reports for the month of February. If there are any questions, the Department Directors will be available to answer them at the public meeting.

Additionally, this is an opportunity for staff to bring items or issues to the Board of Supervisors of interest or for which they need input or direction.

**ADMINISTRATION REPORT**  
**February 2021**

**Administrative Matters (Township Manager)**

- Attended Finance, Public Safety, Police Pension, Autumn Fest, BDP, and EAC meetings
- Attended workgroup meeting held by Chief Bendig for worship leaders in the Township
- Conference calls with Solicitor concerning proposed Westrum land development
- Attended meeting with FDMT and Fire Services to discuss planning and operations
- Attended meeting with staff and Township professionals to discuss Village of Windsor project
- Attended virtual meeting with DVRPC for update on Powerline Trail
- Attended virtual meeting with Lansdale Borough manager and staff to discuss GIS program
- Held meetings with Township Engineer, Traffic Engineer and Solicitor to review/address open issues
- Attended Wissahickon Stormwater Management Committee meeting (virtual)
- Attended Wissahickon Administration and Operations Subcommittee meeting (virtual)
- Participated in implementation strategy session for Township's WQIP projects
- Met with Township Planner to discuss pedestrian safety concerns in the Mall area
- Attended HR training: Respect and Harassment Awareness for Employees & Managers
- Professional Development: Modeling Inclusive Leadership (webinar), Pandemic Communications & Dashboards

**Human Resources**

- Oversight and coordination of interviews, where applicable, recruiting and advertising for full time positions of laborer, public information coordinator, police officer, summer laborer, camp counselors.
- Oversight and coordination of occupational and non-occupational absences with employee(s) and DVWCT.
- Coordination and oversight of employee relations issues.
- Training - Webinars: What Municipal Employers Need to Know PSATS – COVID-19 Vaccines, Empower Deferred Compensation, DVHT Heart Disease, Respect and Harassment Awareness coordinated through EAP.

**Public Information**

- Update website calendar of events, breaking news and current events.
- Planning, creation and distribution of weekly electronic newsletter.
- Update social media with Township news and information.
- Prepared snow emergency declarations and weather event announcements for social media/website.
- Plan, submit documentation to DEP and promote electronic recycling event.
- Begin the collection of 2021 Spring/Summer Community Guide information.

# Community and Recreation Center Report

## February 2021

○ The onset of a New Year at the Community Recreation Center (CRC) comes with great anticipation for a fresh beginning involving new and returning activities/events to our facility. As the COVID-19 vaccination process continues to rollout, we are beginning to increased interest in utilization of the CRC by our faithful patrons and new prospective participants.

### *A recap of our February 2021 programming and facility activity follows:*

- Our monthly CPR/AED instructional classes were conducted as scheduled on Thursday January 21<sup>st</sup>.
- Our Chess Club debuted with 17 participants in 2 sessions on Monday afternoons.
- Socially distanced Skills and Drills Flag Football Clinics were conducted each Saturday morning in January.
- Let's Play Guitar! (Group lessons) has evolved into both beginner and intermediate instructional sessions for the winter season.
- Comic book art classes were conducted. Superheroes continue to be a big "draw" for children.
- Monthly Canvas Painting Events for kids continue to attract 10 to 12 young artists regularly.
- Instructional basketball on Wednesday afternoons/early evening for 3 to 10 year olds has made for a nice mix of instruction, exercise and comradery for 44 players.
- Doubles Pickle ball has returned on two indoor courts weekdays and Sunday mornings. Play is scheduled by reservation only in 90 minute blocks with 15 minute intervals between sessions to allow for safe movement of players in and out of the gymnasium.

- Individual and household Pickle Ball lessons were conducted on a limited basis during January.
- The Ikebana Sogetsu (Floral Art) group conducted their January instructional classes virtually utilizing our Community room. It airs on YouTube.

**Physical Facility Improvement Notes:**

- Badminton and pickle ball game lines are slowly reappearing on the gymnasium floor. Limited badminton play appears to be a definite possibility as we move into the month of February.
- New solar batteries were installed in 12 of parking lot lights. The phased replacement of is normal for solar light batteries entering their sixth year of service.
- Quarterly preventive maintenance on Fitness Equipment was conducted on January 21st.
- Daytime Janitorial cleaning/sanitizing of the CRC facility has become standard operating measures in the continued battle against COVID-19.

The entire CRC staff is cautiously anticipating a 2021 that slowly returns to normalcy with regards to recreation programming, facility usage for public events, and fitness activities. We are looking forward to resuming our safe, healthy, and positive services to citizens of Montgomery Township.

Floyd S. Shaffer

Community Recreation Center Director



## Montgomery Township Inter-Office Memo

**To:** Carolyn McCreary, Township Manager  
**From:** Brian Shapiro, Director of Finance  
**Date:** 03/22/21  
**Subject:** March Finance Committee Report

Attached is a revenue and expenditure report as of 02/28/2021 for the Montgomery Township 2021 budget. The column labeled "2020 Actual" is provided pre-audit without accrual journal entries. The final numbers for 2020 will change based on those entries.

### **2021 Capital Investments Approved as of 3/8/21**

- Public Works – Advertise Bids for Curb and Sidewalks
- Public Works – Advertise Bids for In-Place Paving
- Public Works – Purchase of Replacement Dump Truck - \$236,241.00
- Police – Replacement Police Vehicles (2) - \$95,398.35
- Engineering Services – Modernization of Route 309/Montgomery Mall Traffic Signals – Not to exceed \$75,000.00

### **Department Operations**

- The annual audit was conducted the first week of March. The DCED report will be completed by March 31<sup>st</sup>. Staff will be working on the CAFR, which is required to be finalized by June 30<sup>th</sup>.
- Staff works with Berkheimer and business with the transition of Business Privilege/Mercantile/Amusement Tax collections.



**DEPARTMENT of FIRE SERVICES  
FEBRUARY 2021  
MONTHLY ACTIVITY REPORT**

During the month February 2021, the Department of Fire Services performed the following activities:

**EMERGENCY RESPONSES-47**

**Average response time of 1<sup>st</sup> arriving apparatus:**

Stipend Crews – 7 minutes 4 sec  
Volunteer Crews – 9 minutes 32 sec  
Career Crews – 5 minutes 37 sec

**Total responses and average number of personnel:**

Stipend Crews – 5 calls; average of 8 FF members  
Volunteer Crews – 17 calls; average of 9 FF members  
Career Crews – 25 calls; average of 6 FF members

**Average number of personnel on fire/emergency scene:**

Stipend Crews – 6 FF members  
Volunteer Crews – 7 FF members  
Career Crews – 4 FF members

*\*Average number of responding personnel have been limited due to Chief's Order 2020-10 which is a comprehensive staff management plan in order to limit personnel exposure to COVID-19.\**

**SIGNIFICANT FIRE INCIDENTS**

- February 6, 2021 Vehicle Rescue at Knapp Road and Bell Run Blvd
- February 18, 2021 Dwelling Fire 24 Maple Avenue – Chalfont Borough

**ADMINISTRATIVE**

Meetings attended (in person/phone/virtual) during February:

- DFS Staff Meetings
- FDMT General Meeting & Relief Association Meeting
- Department Heads Meeting
- Meetings with Township Staff from various department
- Meetings with volunteers and members of DFS
- Board of Supervisors Meeting
- SEPTA Regional Exercise Meeting
- Various meetings with Vendors
- Firefighter Interviews
- Public Safety Committee Meeting
- FDMT Officers' Meeting
- Montgomery County Emergency Operations Meeting
- Meetings with regional Fire Marshals
- Meeting with FDMT Leadership, DFS, and Township Manager

## **FIRE MARSHAL'S OFFICE**

### **Inspections:**

- Initial Life Safety Inspections – 2
- Life Safety Re-inspections – 21
- Closed Out Life Safety Inspections – 11
- Inspections turned over to Chief Fire Marshal for Multiple Outstanding Violations –1
- Health Department /Citizen Complaint Inspections – 0
- Knox Box System-2
- Chief Fire Marshal Follow Up-1

### **Plans Reviews:**

- Windsor at Montgomery
- Bethlehem Pike & Vilsmeier Road
- Costco Gas Service

## **TRAINING**

The following training occurred during the month of February for the Department:

- Emergency Management – Hospital Incident Command Training
- Respect & Harassment Training
- First Aid & CPR Training
- VMSC training with volunteer staff

## **DEPARTMENTAL OPERATIONS**

- The Department completed interviews for the hiring of DFS firefighters - three full time positions and four part time positions.
- The FDMT welcome one new firefighter. The FDMT also transitioned one firefighter to the Fire Police Unit
- Grants
  - The FDMT & DFS were awarded the PA OSFC Grants. The Department is awaiting the notice from the state on the awarded amount of the grants.
- The Department assisted the Volunteer Medical Service Corp during snow emergencies.
- The Department had several portable radios reprogrammed and reassigned by the Montgomery County Office of Public Safety.
- The Department worked with various providers including Lansdale Hospital in order to provide COVID-19 vaccines for staff.
- The Department will be conducting an analysis of the existing fire/life safety inspection program.
- Firefighter Carmen Conicelli' s last shift with the DFS was 02/19/2021.

## **OFFICE OF EMERGENCY MANAGEMENT**

- The Township EMO acquired an additional digital sign board from the County EOC
- The Township EMO coordinated COVID-19 vaccinations for members of the department and township staff.
- The Township EMO & PD acquired PPE, hand sanitizer, and hand wipes through a donation from Ocean State Job Lots
- The Township EMO & PD are coordinate an effort to assist the county with dispatching emergency services to Montgomery Mall & Airport Square.

## FEBRUARY 2021 FIRE CALL REPORT

TYPE OF CALL	MONT	AWAY	TOTALS	TOTAL (YTD)
FIRE ALARM	14	1	15	22
OTHER (GOOD INTENT)	0	0	0	0
BUILDING FIRE	1	1	2	9
FIRE POLICE	4	1	5	6
DUMPSTER	0	0	0	0
VEHICLE RESCUE	1	0	1	2
VEHICLE ACCIDENT S/B	0	0	0	4
VEHICLE FIRE	0	0	0	0
DWELLINGS	2	3	5	8
ELECTRICAL OUTSIDE	0	0	0	1
COVER OTHER COMPANY	0	0	0	0
ODOR GAS (INSIDE)	1	0	1	2
ODOR GAS (OUTSIDE)	2	0	2	3
CO	0	0	0	2
ASSIST EMS	12	0	12	17
ASSIST PD	1	0	1	1
INVESTIGATION	1	1	2	3
RIT	0	0	0	0
HAZ MAT	0	0	0	0
HELICOPTER	0	0	0	0
RESCUE (OTHER)	0	0	0	0
BRUSH/TRASH/RUBBISH	0	0	0	0
APPLIANCE	1	0	1	1
<b>TOTAL</b>			<b>47</b>	<b>81</b>



## Montgomery Township Inter-Office Memo

**To:** Carolyn McCreary, Township Manager  
**From:** Richard Grier, Director of IT  
**Date:** March 12, 2021  
**Subject:** February 2021 Information Technology activities

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The following are the activities of the IT Department for the month of February 2021.

- Completed repair of Police data conduit. New fiber, phone and data line installation completed
- Spec'd and purchased primary server to host all Township services running on-premises (non-cloud)
- Setup and instructed M365 training for Police technology staff (Lt and Sarnocinski)
- Met with DFS Chief to discuss consolidating all FDMT phone and data services
- Setup and produced org wide virtual event for HR training
- Setup trial software for Fire Services to scan archived building inspection reports to the cloud (SharePoint Online)
- Attended and processed February 8<sup>th</sup> meeting for broadcast. And produced the February 22<sup>nd</sup> meeting via Live virtual event
- Setup IDs and computers for Rec Supervisors (Ruggieri and Baker)
- Replace (3) digital cards in Township building phone switch after power surge caused them to malfunction
- Worked with Advent to relocate the fire horn/strobe in the Board Conference Room in prep for AV upgrades
- Roll out of new PC for Fire Service Chief. Repurposed old laptop for DFS general use
- Create hidden and secure WIFI network for township building thermostats

### Scheduled Projects for March 2021

- Continue M365 training
- Continue Wi-Fi, CCTV, Meeting Room AV, and digital signage upgrade project
- Start configuration of new primary server
- Verify Hafnium protection
- Renew all Adobe services for 2021

# DEPARTMENT OF PLANNING & ZONING

## February 2021

**Permits Submitted – 59**

*(February 2020 – 98)*

**YTD Permits Submitted – 147**

*(2020 YTD – 179)*

**Permit Fees Collected - \$35,656**

*(February 2020 – \$88,185)*

**2021 YTD Permit Fees - \$104,409**

*(YTD 2020 - \$148,064)*

**Violations / Complaints Investigated – 18**

**Permits Issued – 55**

**Zoning Hearing Board Applications heard: 2**

**Businesses issued Certificate of Occupancy: 2**

**Active Land Development Projects:**

PROJECT NAME	LDS#	LOCATION	APP. DATE	MTPC	STATUS	
Parkview – Toll Bros.	679	Bethlehem Pike	1/20/2015	4/20/17	APPROVED WITH CONDITIONS	40 of 42 Building Permits Issued 21 C/O Issued
Firefox Phase 2 (Walnut Creek)	630	Bethlehem Pike			APPROVED WITH CONDITIONS	58 of 58 Building Permits Issued 43 C/O Issued
510 Bethlehem Pike – King	688	Bethlehem Pike	4/22/2016	5.16.19	REVISED PLANS SUBMITTED	Approved On Hold by Developer
Hawthorn Retirement Residence	690	Doylestown Road	7/27/2016		UNDER CONSTRUCTION	Anticipated Opening April 2021
Montgomeryville Nissan – Nappen	691	Bethlehem Pike	8/3/2016	1/19/2017	APPROVED WITH CONDITIONS	Phase 2 Under Construction
Higher Rock – Phase 1 & 2	694	Bethlehem Pike			Phase 1 Completed Phase 2 Under Construction	
FedEx Ground	696	Welsh Road	3/23/18	11/17/2016	REVISED PLANS SUBMITTED	Construction Completed
Pete's Carwash	699	Welsh Road	7/6/18	6.20.19	Preliminary Approval Granted	Final Approval Granted – Project Started
Montgomery Realty Assoc. - 744 Bethlehem Pike	701	744 Bethlehem Pike	10/29/18		REVISED PLANS SUBMITTED 5/20/19	Approved On Hold by Developer
Villages at Windsor	704	Horsham and North Wales – Vacant Lot			Under Review	
Bharatiya Temple – phase 2	707	County Line Road			Under Review	
Fahy – 276 Stump Road – 2 Lot Subdivision	708	Stump Road			Resubmission Under Review	
Redners Gasoline Filling Station	709	1200 Welsh Road			Conditional Use Granted	LD Approval Granted

### Non-Residential Certificates of Occupancies Issued

Michaels Arts & Crafts	11 Airport Square	Retail Sales – relocated from Knapp Road location
Conserva Irrigation	587 Bethlehem Pike	Sales Office – Suite 1000



# MONTGOMERY TOWNSHIP POLICE DEPARTMENT



## Monthly Activity Report for February 2021

<b>Crime Data:</b>	Total Calls for Service:	2,135
	Total Part I Crimes:	23
	Total Part II Crimes:	99
	Total Criminal Arrests:	46
<b>Crash Data:</b>	Total Crashes:	73
	Reportable Crashes:	18
	Non Reportable Crashes:	55
	Injuries:	5
<b>Traffic Enforcement Activities:</b>	Traffic Stops:	567
	Traffic Citations:	280
	Warning Notices:	10
	Field Contact Cards:	377
	Traffic Complaints Received	23
	Selective Enforcements:	130
<b>Other Police Activities:</b>	Assist Fire Department:	29
	Building Alarms:	86
	Direct Patrols:	365
	Lockouts:	15
	Medical Assistance:	105
	School Walk-Through:	0
	Vacant Home Checks:	15
Training Hours:	352	
<b>Speciality Unit Usage:</b>	Canine Unit:	35
	Mobile Incident Response Team:	0
	Montgomery County SWAT-CR:	0
<b>Personnel Overtime:</b>	Court Overtime:	4
	Highway Grant Overtime:	6.5
	Regular Overtime:	16
	Special Duty Overtime	0
	Non-Sworn Overtime:	0
	Sworn Comp Time:	9
	Non-Sworn Comp Time:	12

**Montgomery Township Police Department**  
**Monthly Activity Report**  
**February 2021**

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**COMMENDATIONS:**

On February 5, 2021, a note was received from Shannon Marvill thanking department personnel for all they do for the community.

On February 8, 2021, a call was received from Robert Horn thanking Officer Jenkins for his kindness and respect during a recent interaction.

On February 9, 2021, cards were received from Bridle Path Elementary School 2<sup>nd</sup> Graders thanking officers for their service to the community.

On February 10, 2021, a call was received from Joanna Etherington thanking Officer Byrne for his kindness and patience during a recent interaction.

On February 20, 2021, a call was received from Brandon Grady thanking Officer Rushin for his professionalism during an incident at the Rodeway Inn.

On February 22, 2021, a call was received from Kathleen Olinik, thanking Officers Long and Haber for their compassion during a recent medical call.

On February 24, 2021, a call was received from Sandra Markley thanking Officer Bouch for his kindness during a recent interaction.

On February 26, 2021, a call was received from Merrie Nang thanking Officers Rushin and Thomas for their compassion during a recent medical call.

**EDUCATION:**

On February 3, 2021, Sergeant Hart and Officer Schreiber attended Canine In-Service training in Montgomery Township, PA.

On February 3 and February 4, 2021, Officer Rushin attended SWAT-CR training at the Montgomery County Public Safety Training Campus.

On February 3 and February 4, 2021, Sergeant Ward, Officer Deussing, Officer Haber, and Officer Shearer attended virtual Mandatory-in-Service training.



**Montgomery Township Police Department**  
**Monthly Activity Report**  
**February 2021**

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On February 10, 2021, Officer Byrne attended virtual Traffic Calming training sponsored by the Pennsylvania Local Technical Assistance Program (LTAP).

On February 10 and February 11, 2021, Officer Rushin, Officer Rose, and Officer Beebe attended virtual Mandatory-in-Service training.

On February 17 and February 18, 2021, Detectives DePolo and DeJesus attended a virtual Internet Investigations and Intelligence training sponsored by the Department of Justice.

On February 17 and February 18, 2021, Sergeant Hart, Officer Scully, Officer English, and Officer Dobson attended virtual Mandatory-in-Service training.

On February 18, 2021, Officer Jenkins attended a virtual Pedestrians and Crosswalks training sponsored by the Pennsylvania Local Technical Assistance Program (LTAP).

On February 24, 2021, Sergeant Hart, Officer Woch, Officer McGuigan, and Officer Rose attended Canine In-Service training in Montgomery Township, PA.

On February 24 and February 25, 2021, Officer Eufrazio and Officer Seydel attended virtual Mandatory-in-Service training.

On February 24, 2021, Administrative Assistants Sonia Hassan and Nicole Conicelli, along with Communication Specialist Supervisors Adrianna Ciliberto and Joseph Bennett, attended Respect and Harassment training in Montgomery Township.

On February 25, 2021, Chief Bendig attended Respect and Harassment training in Montgomery Township.

On February 25, 2021, Chief Bendig attended a virtual Duty to Intervene for Law Enforcement training sponsored by the Delaware Valley Trust.

**NOTED INCIDENTS:**

On February 7, 2021, officers responded to the Quality Inn for a suspicious person. The caller advised that a guest at the hotel was acting unusual and was possibly wanted. Officers spoke with the guest, confirming that he was wanted for a state parole violation. Officers determined that the unusual behavior was related to Methamphetamine intoxication.

**Montgomery Township Police Department**  
**Monthly Activity Report**  
**February 2021**

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A search incident to the guest's arrest revealed Methamphetamine. The guest was taken into custody for the parole violation and violations of the Drug Act.

On February 12, 2021, officers conducted a traffic stop of a maroon Nissan on DeKalb Pike for a registration violation. Officers approached the vehicle and spoke with the occupants, who provided inconsistent statements. Officers also observed drug paraphernalia on the passenger side floor of the vehicle. Officers spoke with the vehicle passenger, who admitted ownership of the paraphernalia. The passenger was placed under arrest. A search of the passenger incident to the arrest revealed 17 bags of heroin, 7.9 grams of Methamphetamine, and crack cocaine hidden in her clothing. The passenger was charged with violations of the Drug Act.

On February 12, 2021, officers responded to nine homes in the Mallard Pond development for thefts from vehicles. In each case, vehicles were left unsecured, with items taken to include coins and other small items. Officers processed vehicles for evidence and conducted a neighborhood canvas for possible video surveillance. This investigation is ongoing.

On February 13, 2021, officers received a request for a welfare check of a child at a home on Oval Lane. Officers responded to the residence, making contact with the homeowner. The homeowner advised that the child lives in the basement of the home with his mother. Officers proceeded to the basement, where the mother was found sleeping on the floor. While attempting to wake the mother, a syringe was observed in her right arm. Officers inquired about the child's wellbeing and were directed to the shared bedroom where the child was found sleeping. While checking on the child, officers found three empty heroin bags on the dresser next to the child's crib. Officers located an additional ten bags of heroin and two zip lock bags containing numerous empty heroin bags. The child's mother was taken into custody for endangering the welfare of a child and related violations of the Drug Act. The child was left in the care of another parent.

On February 17, 2021, officers received a call of a road rage incident on Bethlehem Pike at the Five Points Intersection. The caller advised that a subject exited his vehicle and approached the caller's vehicle while brandishing a firearm. The subject pointed the firearm at the caller's head and threatened him with it. The subject returned to a dark blue vehicle and left the scene. Officers observed a vehicle matching that description traveling southbound on Bethlehem Pike. Officers conducted a traffic stop on the vehicle, a blue Chevrolet, on Bethlehem Pike. A search of the vehicle yielded a firearm that matched the description the caller provided. The firearm had a fully loaded magazine and a round in the chamber. Further investigation revealed that the subject had a revoked Pennsylvania license to carry a firearm. The subject was taken into custody for aggravated assault and firearm-related offenses.

**Montgomery Township Police Department**  
**Monthly Activity Report**  
**February 2021**

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On February 22, 2021, officers responded to a two-vehicle crash in the area of County Line Road at Upper State Road. Responding officers were advised the driver and passenger of the striking vehicle had abandoned their vehicle and fled the scene on foot in opposite directions. Officers located the female walking in the roadway of County Line Road at the 202 Parkway.

The female was identified as the passenger in the vehicle accident. The female was transported back to the crash scene, where further investigation revealed she had multiple arrest warrants. The female was taken into custody. An inventory search of her purse revealed empty heroin baggies, syringes, and Suboxone. The female was also charged with violations of the Drug Act. A search of the area for the second occupant led officers to the Wawa on County Line Road in New Britain Township, where he was found hiding in the walk-in cooler. The male was positively identified as the individual driving the vehicle at the time of the crash. While speaking with the driver, officers noted that he appeared to be under the influence of narcotics. The driver was taken into custody for suspicion of driving under the influence.

On February 22, 2021, Officers responded to the Quality Inn on Bethlehem Pike for two subjects entering vehicles and taking items. Upon arrival, officers encountered one of the subjects involved. The subject was taken into custody. A search of the subject incident to the arrest revealed Oxycodone and Alazopram. Officers also located a duffle bag at the scene of the incident. It was discovered that the bag belonged to the second subject who fled the scene prior to officers arriving. The bag contained personal property, Phencyclidine (PCP), and baggies of heroin. Officers conducted a search of the area and located the second suspect. The subject appeared disoriented, uncoordinated, intoxicated, and was in possession of a hatchet. Officers placed the subject into custody. Both subjects were charged with theft from a motor vehicle, Drug Act violations, and related offenses.

On February 25, 2021, officers responded to DeKalb Pike and Welsh Road for a disturbance involving a pedestrian and a motorist. The caller reported that the pedestrian was involved in several altercations with passing motorists, at one point kicking a passing vehicle. Upon arrival, officers made contact with the pedestrian. He became irate and attempted to coax officers into a fight. The pedestrian then began to strip his clothes off, exposing himself to passing motorists. Officers were able to detain the subject without further incident, transporting him to Montgomery County Emergency Services for a mental health evaluation.

On February 25, 2021, officers responded to Stockton Court for a shooting. Arriving officers spoke with a homeowner, who advised that he was sleeping in his bed and was awoken by a loud bang.

**Montgomery Township Police Department**  
**Monthly Activity Report**  
**February 2021**

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The homeowner observed a golf ball size hole in the bedroom wall and a hole in the bedding. Upon searching further, the homeowner locating a bullet encased in stuffing that had come from inside of the comforter. The homeowner was uninjured. Utilizing a wooden dowel rod, officers were able to determine that the bullet had traveled from the area of Adams Court. A canvass of Adams Court revealed a spent shell casing on the patio of a home in the 2600 block of Adams Court. Officers attempted to make contact with the homeowner but received no answer at the door. A weapons check revealed that the homeowner did own a firearm. A search warrant for the home was applied for and granted. Officers entered the home and discovered that the homeowner had taken his own life.

**ITEMS OF INTEREST:**

On February 2, 2021, Chief Bendig and Officer Johnson attended the quarterly Montgomery Township Worship Center Workgroup meeting to discuss law enforcement-related congregation issues and concerns concerning their worship centers.

On February 4, 2021, Officer Johnson attended the virtual Abington Township Hub to present cases involving Montgomery Township citizens at risk or in crisis to assist them in finding care and support from the appropriate community agencies.

On February 16, 2021, Officer Johnson delivered donated personal protective equipment to five child daycare centers in Montgomery Township.

On February 21, 2021, Officer Johnny Saada resigned from the Department to return to his position as an officer with the Fairfax County Police Department.

On February 22, 2021, the Department initiated the application process for the position of Recruit Police Officer.

Virtual DARE classes for Bridal Path and Montgomery Elementary School students continued during the month of February.

# Montgomery Township Public Works Department

## Monthly Report – February 2021

### SNOW/ICE EVENTS:

- February 1-5, 2021 (*salted and plowed*)
- February 7-8, 2021 (*salted and plowed*)
- February 10-11, 2021 (*salted and plowed*)
- February 13, 2021 (*salted*)
- February 15, 2021 (*salted*)
- February 18, 2021 (*salted and plowed*)
- February 19, 2021 (*salted*)
- February 22, 2021 (*salted and plowed*)

**NOTE: Approximately 73.92 total miles plowed per storm and 20+ miles of sidewalk cleared per storm**

### PARKS/OPEN SPACE:

- Larry, Scott D., Scott Y. & Dale cleared Township owned sidewalks and walking trails following all listed snow events.
- Larry, Scott D., Scott Y., Darren & Dale performed 12 days worth of repairs on vehicles, equipment, plows, & salt spreaders

### ROADS:

- Scott S. & Bill repaired a broken manhole cover on Stump Road.
- Kevin, Steve, Bill, Joe, Bryan performed 12 days worth of repairs on vehicles, equipment, plows, and salt spreaders.

### FACILITIES:

- Todd & Dave fogged/disinfected the Administration building every Monday morning and the Township Meeting Room on Tuesday mornings following the BOS Meetings, the Police Department every Friday morning, and the employee gym every Monday and Friday morning.
- 2/15/21 – Route 309 & North Wales Road – On Flash – Don reset.
- 2/15/21 – Route 309 & Gwynedd Crossing – On Flash – Don reset.
- 2/16/21 – Upper State Road & Garden Golf Boulevard – On Flash – Don reset.
- 2/16/21 – Route 309 & English Village – On Flash – Dave replaced the MMU.
- 2/22/21 – Chaps Way – Junction Box Fire – Don disconnected the power and will repair when weather permits.
- 2/24/21 – Todd, Dave, Don & Greg performed the nighttime inspection of the LED streetlight conversion.
- 2/26/21 – Todd and Dave changed the speed limit signs from 35 mph to 25 mph on Vilsmeier Road.
- 2/27/21 – Route 309 & English Village – On Flash – Dave reset.
- 2/28/21 – Route 309 & North Wales Road – On Flash – Dave reset.
- Todd, Don, Scott D. & Dave continued the board conference room renovations.
- Dave worked with TPD, Gilmore, Rhythm Engineering and Tony Still to address ongoing traffic signal issues.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
**BOARD ACTION SUMMARY**  
Item # 18

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**SUBJECT:** Other Business – Committee Board Liaison Reports  
**MEETING DATE:** February 22, 2021  
**BOARD LIAISON:**  
**INITIATED BY:** Tanya C. Bamford, Chair

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**BACKGROUND:**

This is an opportunity for any Supervisors who are liaisons to volunteer committees or boards who may have met in the month of January to provide an update on those meetings.

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